

Ely Council Regular Meeting Minutes, May 1, 2012

1. CALL TO ORDER:

The Ely City Council Regular Meeting was called to order by Mayor Skraba at 6:00pm on May 1, 2012 at the Ely City Hall.

2. ROLL CALL:

Present: Council members Debeltz, Nikkola, Omerza, Polyner, Shedly, Mayor Skraba (6)

Absent: Council member Zupec (1)

3. APPROVAL OF MINUTES:

Approve the minutes from April 17, 2012 regular council meeting as presented. Debeltz/Nikkola moved approval. Motion carried unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition 7.A. – Ted Oakes – BBC

B. Omission 12.D. – 2nd reading of Ordinance 256, 2nd Series

Debeltz/Omerza moved approval of the Addition & Omissions A & B. Motion carried unanimously.

5. MAYOR'S REPORT:

A. Shedly/Omerza moved approval of the Proclamation to proclaim May 1, 2012 as Frank Salerno Day in honor of the many years of giving to this community. Motion carried unanimously. Frank Salerno was then awarded by Mayor Skraba a plaque to commemorate this acknowledgment.

B. After reading aloud the letters submitted on the volunteers behalf, Mayor Skraba presented Jeanie Zaverl and Fred Povhe with the Volunteer of the year Award.

6. CONSENT AGENDA:

A. Motion to waive readings in entirety of all ordinances and resolutions on tonight's agenda.

Debeltz/Omerza moved approval of Consent Agenda item A. Motion carried unanimously.

7. REQUESTS TO APPEAR:

Ted Oakes of British Broadcasting Corporation spoke about broadcasting live from Ely about Wildlife in the United States and young animals in spring time. There will be 8 shows that will be aired on National Geographic Wild called 24/7 Wildlife to be viewed in 140 countries. The first episode will air on May 9, 2012.

Mike Jankovec with Ely TV stated they are sponsoring an event to be held at Dee's Bar on May 5, 2012 at 8:00pm with a \$10 cover charge at the door. There will be a band and door prizes.

8. COMMITTEE REPORTS:

A. Committee Minutes

Council member Shedly stated Planning & Zoning Commission is reviewing the City's Comprehensive Plan and will be brought back to the Council for approval once it is finalized. Also, the Chamber of Commerce is working toward getting public restrooms in Ely that would be available year round.

Council member Omerza attended a County Board Meeting where she spoke about the Partners Board and the Iron Range Youth in Action Program Director Chris Ismil who will be moving on to work for the IRRRB. Also, Terry Lowell was introduced to the Library Board at their last meeting. They are still looking for part-time help. Omerza also attended a League Board meeting where they stated that approximately 219 smaller cities have not filed their financial reports by the due date which can delay their LGA support. She stated anyone who is interested can sign up online or contact her to be on a Policy Committee. The Legislative is still in session discussing the Viking Stadium.

Council member Nikkola reported on ER Committee was undergoing LELS Negotiations.

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Langowski stated the Safety Committee is working on Emergency Action Plans, Safety Grants to MN OSHA for some confined space entry equipment and updating the Safety Handbook with MMUA and the League. Regarding Projects next step is discussion on the Facility Plan.

Mayor Skraba met with the Commissioner of the DNR, Tom Landwehr and discussed mineral rights, mining and regulations. Mayor Skraba is working with Mike Larson to define a route for the Mesabi Trail. Mayor Skraba and Harold Langowski met in Virginia with MNDot to discuss the areas of Hwy 169 that need fixing. Federal High Priority Project money has been received due to the hazardous road conditions along a five mile stretch of Hwy 169 between Soudan and Ely.

Council member Shedly reminded the public of the City Clean Up Day on May 26th from 8am – 4pm at the old city garage on Central Ave. There will be a separate day for household hazardous waste on June 28th from 10am to 2pm at the joint public works facility.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

Clerk Lowell stated that the filing period for candidacy in the primary and general elections will be open from May 22nd to June 5th. An ad will be placed in the Ely Echo.

B. Fire Chief

C. Library Director

A Legacy Program for kids tomorrow at 3:30pm at the Library on how to make musical instruments out of your recycling material and how to write songs.

D. Operations Director

i. The following items of business were recommended for approval at the regular EUC meeting of Wednesday, April 25, 2012:

1. Approved moving forward with the MMUA Smart Grid Research Project.
2. Appointed continuing with yard meter rentals at the \$50.00 fee.
3. Approved the Emergency Water Supply Draft Agreement.

Debeltz/Nikkola moved approval of EUC Consent Agenda items 1-3. Motion carried unanimously.

ii. Recommendation from Sanitation Committee for Ely Clean up Day.

iii. Approve to block Harvey Street & 7th Ave during Little League activities as done in the past using the proper signage and barriers. Omerza/Debeltz moved approval. Motion carried unanimously.

E. Police Chief

F. City Attorney

i. At&t Cell Tower update: Oral arguments were held on April 4th and our concerns on economics and light pollution/infringement of lights into the Boundary Waters were forth by the courts. An opinion will be rendered 90 days from April 4th but it could go back down to the Trial Court for further discussion.

ii. Debeltz/Omerza to set Public Hearing date on Tuesday, May 29, 2012 at 5:30pm at the Joint Maintenance Facility for the closure of the North Terrace Manufactured Home Park. Motion carried unanimously.

G. City Engineer

10. COMMUNICATIONS:

A. Shopko Communication to Pamida Commercial Charge Customers

B. All Night Graduation Party from supporters of the Class of 2012

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- C. Debeltz/Omerza moved approval to send a “Thank You” note to the Ely Fire Relief Association for their Fireworks Donation of \$1000 to the City of Ely. Motion carried unanimously.
 - D. Approve JPJ Engineering, Inc - 2012 Sanitary/Storm Sewer Improvements Project no. 11-550, advertisement for bids. Nikkola/Omerza moved approval. Motion carried unanimously.
 - E. Minnesota Pollution Control Agency recognition of outstanding wastewater treatment system.
 - F. St. Louis County Land and Minerals Department - Classification of State tax forfeited lands.
11. CLAIMS FOR PAYMENT:
- A. City and EUC Claims for May, 2012 - \$164,911.92
 - B. Lenci Enterprises, Inc - Ely Airport Roof Repair - Pay Application #3 - \$12,827
- Debeltz/Nikkola moved approval of claims for payment A&B. Motion carried unanimously.
12. OLD BUSINESS:
- A. Omerza/Nikkola moved approval of the Purchase Agreement of the old Pamida Building including Exhibits A & B. Motion carried unanimously.
 - B. Approve the **RESOLUTION AUTHORIZING AMENDMENT OF LAND LEASE TO THE ELY GOLF CLUB CORPORATION**
WHEREAS, the City of Ely entered into a ninety-nine (99) year lease agreement to operate a public golf course on land owned by the City of Ely, with the Ely Golf Club Corporation, a 501c7 tax exempt organization, on May 18, 1988, and
WHEREAS, the St. Louis County Assessor has reported that in order for the Ely Golf Club Corporation to continue its tax exempt status under Minn. Stat. 471.91, Subd. 3, the terms of that lease cannot exceed 30 years at a time, and
WHEREAS, the Ely Golf Club Corporation intends to authorize and approve the amended lease agreement, and
WHEREAS, the City of Ely wishes to revise only the length of the lease but not the other terms of the lease,
NOW, THEREFORE BE IT RESOLVED, by the City Council for the City of Ely, that it hereby authorizes the Mayor to sign an amendment to the lease that causes the lease to expire on May 17, 2018.
 - C. Revisit Tim Brennan request of Noise Variance. An Amplification Permit, found in other cities was discussed as a possibility for Ely to adopt. Parameters on the Permit would have to be set as well as a dollar amount.
 - D. Approve the second reading of Ordinance 256, 2nd Series amending section 2.04 of chapter 2 of the City Charter of the City of Ely. This item was omitted from the agenda since they did not have a full council available to vote.
13. NEW BUSINESS:
- A. Approve JPJ Engineering, Inc Change Order #1 for the White Street Alley Improvements Project #2009-207 which decreases the contract amount by \$11,700. Debeltz/Nikkola moved approval. Motion carried unanimously.
 - B. Approve **RESOLUTION AUTHORIZING APPLICATION OF DOROTHY MOLTER MEMORIAL FOUNDATION TO APPLY FOR RAFFLE PERMIT**
WHEREAS, the Dorothy Molter Memorial Foundation has applied for a Minnesota Lawful Gambling Permit to conduct a raffle on October 28, 2012 at the Dorothy Molter Museum located at 2002 E Sheridan St., Ely MN 55731 and
WHEREAS, the City of Ely approves of said application and that the Dorothy Molter Memorial Foundation be authorized to submit the necessary paperwork to the State of Minnesota Department of Gambling Control.
NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Ely, Minnesota does hereby adopt this resolution.

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Debeltz/Omerza moved approval. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Skraba-yes. Motion carried unanimously.

- C. Approve April 2012 Terms & Conditions of Accepting Airport Improvement Program Grants.
Debeltz/Polyner moved approval. Motion carried unanimously.
- D. Debeltz/Sheddy moved approval to allow Tim Leeson to put his property (Spaulding Lot 2 Block 4 First Filing) up for sale. The potential owner will have the same requirement to build a home within three years of purchase of property. Motion carried unanimously.
- E. Approve **RESOLUTION AUTHORIZING APPLICATION OF THE ELY-WINTON ROD & GUN CLUB TO SELL PULL-TABS AT THE DEE'S BAR THE NEXT GENERATION**
WHEREAS, the Ely-Winton Rod & Gun Club has applied for a Minnesota Lawful Gambling Permit to sell pull-tabs at Dee's Bar located at 17 Sheridan St, Ely MN 55731.
WHEREAS, the City of Ely approves of said application and that the Ely-Winton Rod & Gun Club be authorized to submit the necessary paperwork to the State of Minnesota Department of Gambling Control.
NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Ely, Minnesota does hereby adopt this resolution.

Nikkola/Sheddy moved approval. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Skraba-yes. Motion carried unanimously.

14. OPEN FORUM:

15. ADJOURN:

Meeting was recessed at 7:30pm to be reconvened on May 8, 2012 at 5:30pm at City Hall.

Claire Huisman
Deputy Clerk