

Ely City Council Regular Meeting Minutes, August 7, 2012

1. CALL TO ORDER:
The Ely City Council Regular Meeting was called to order by Mayor Skraba at 6:00pm on August 7, 2012 at the Ely City Hall.
2. ROLL CALL:
Present: Council members Debeltz, Omerza, Polyner, Sheddy, Zupec and Mayor Skraba (6)
Absent: Council member Nikkola (1)
3. APPROVAL OF MINUTES:
Approve July 17, 2012 Regular Meeting and July 31, 2012 Study Session as presented.
Zupec/Debeltz moved approval. Motion carried unanimously.
4. ADDITIONS OR OMISSIONS TO AGENDA:
A. Addition 5.B. – Tom Coombe & Baseball
B. Addition 13.A. – Liquor license additions
Debeltz/Polyner moved approval of Additions A & B. Motion carried unanimously.
5. MAYOR'S REPORT:
A. **Debeltz/Zupec moved to send a "Thank You" note to Bonnie Starkman of Ely Feed & Seed/Starkman Landscaping for their renovation of the City entrance garden and sign and to Ledgerock Community Church for the renovation of the City's South entrance. Motion carried unanimously.**
B. Tom Coombe spoke on behalf of the Legion & VFW Baseball teams. The Legion Team will be advancing to the Central Plains Regional Playoffs which will be held in Wahpeton, ND beginning August 16th and the VFW Team will be playing in the State Tournament in Mankato, MN beginning August 16th. He thanked the City Council for their support and also thanked all of those who contributed to help cover the costs of these tournaments.
6. CONSENT AGENDA:
A. Motion to waive readings in entirety of all ordinances and resolutions on tonight's agenda
B. Approve Mayor and/or Council to attend the 2012 LMC Regional Meeting on October 10, 2012 in Grand Rapids, MN
Debeltz/Omerza moved approval of consent agenda items A & B. Motion carried unanimously.
7. REQUESTS TO APPEAR: None
8. COMMITTEE REPORTS:
A. 2012 CGMC Summer Conference - Council member Omerza

Council member Sheddy stated there will be an HRA meeting next Tues, August 14, 2012.

Council member Polyner stated that the Planning and Zoning Committee is working on rewriting Ely's Comprehensive Plan and they will distribute it to the Council members, City & Public Groups and Governmental bodies to solicit input from anyone on where & how they want the community to grow.

Council member Omerza was elected Second Vice-President of the Coalition of Greater Minnesota Cities Organization at their 2012 Summer Conference.

Mayor Skraba attended the Fire Meeting last night. Ely has the opportunity to join the Laurentian Fire District. Information will be forth coming within the next few weeks.
9. DEPARTMENTAL REPORTS:
A. Clerk Lowell thanked Mark Haarman for fixing the leaky air conditioning unit outside of Dan Smith's office since it was leaving a stain on the building.

Clerk Lowell stated that the City Clerk's office will be open on Saturday, August 11th from 10:00am to 3:00pm for Absentee Voting.

- i. **Zupec/Debeltz moved approval for Council to convene on August 16, 2012 at 5:00pm as the Canvassing Board following the Primary Election held on August 14th. Motion carried unanimously.**
- ii. Fireman's Relief Association Annual Report states that in the City of Ely's 2013 Budget, they must budget \$21,855 toward the required contribution to the Fireman's Relief Association. This will be brought to the Budget Committee.
- iii. Notice from Clerk/Treasurer to terminate his Employment Agreement as of November 8, 2012.
- iv. **Debeltz/Zupec moved approval to direct the City Attorney prepare appropriate Annexation papers to send to the land commission to annex two parcels of the old county garage which are in Morse Township. Motion carried unanimously.**

B. Fire Chief

C. Library Director

D. Operations Director:

- i. EUC Consent Agenda Items: The following items of business were recommended for approval at the regular EUC meeting of Wednesday, July 25, 2012:
 - 1. Authorized submitting the list of 56 Beacon Hill customers affected by the service territory change to Lake Country Power.
 - 2. Approved the purchase of 44 power poles from Bell Lumber and Pole for \$15,144.00.
 - 3. Authorized Gulbranson Excavating to bore and trench a power line in Chandler for \$3,450.00.
 - 4. Approved payment of the June EUC Bills List for \$313,772.80.

Debeltz/Omerza moved approval of EUC consent agenda items 1-4 as presented. Motion carried unanimously.

Langowski reported that a tree limb on 111 E Pattison St. fell on a vehicle. Tree had appeared to be green but the limb was rotten. The tree will be cut down tomorrow.

The Pattison St project is still progressing but the asphalt may not be laid until after next spring in order to allow the new dirt to settle properly.

Mayor Skraba thanked the Ely Police Department for their hard work during the Blueberry Festival weekend.

E. Police Chief

F. City Attorney:

- i. Report on the Court of Appeals decision regarding the At&t cell tower application: The Friends of the Boundary Waters filed a petition with the MN Supreme Court against the Hennepin County Court's decision. If the Supreme Court decides to take this on, then the City would have the option to file another Amicus Brief, but no action is requested or required at this time.
- ii. Close the meeting at end of the meeting to discuss a purchase offer of City owned real estate.
- iii. Twin Metals request the City sign the purchasing agreement as soon as possible. Limited Phase II found hydrocarbons along an old rail bed which may need to be removed but they are willing to take care of the work, cost and reporting to MPCA Contractor.

Omerza/Sheddy moved approval for Attorney Klun to send correspondence to neighboring parcel owners to remove their personal property from the lots that Twin Metals is purchasing. Motion carried unanimously.

G. City Engineer

10. COMMUNICATIONS:

- A. Ely Community Resource quarterly progress report
- B. Thank you letter from the Ely Chamber of Commerce for the Cities help & support with the 32nd Annual Blueberry Art Festival.

Debeltz/Zupec moved to send "Thank you" note to the Chamber of Commerce for their hard work in coordinating the Blueberry Festival. Motion carried unanimously.

- C. Correspondence from City Resident giving the City permission to dump snow & dirt on their property

Debeltz/Polyner moved to send “Thank you” note to the resident for allowing the City to dump snow & dirt on their property. Motion carried unanimously.

D. Burntside Ridge Trail Association Annual Meeting Report

11. CLAIMS FOR PAYMENT:

A. City and EUC claims for August 7, 2011 - \$444,296.36. Mayor Skraba pointed out that the City did not have to borrow money this year to continue normal operation as they have done every year in the past.

Zupec/Debeltz moved approval of claims for payment item A. Motion carried unanimously.

12. OLD BUSINESS:

A. **Sheddy/Zupec moved approval to table the discussion on Roderick’s Sale/Lease of City Property. Motion carried unanimously.**

B. Administration Restructure by combining the Operations Director with the Clerk/Treasurer position: The League interpreted that the two positions could be combined as long as the person in that position does not take another job outside of the City during their tenure. Attorney Klun stated that duties could be added to the Clerk/Treasurer position without changing the Charter. Clerk Lowell is scheduled to meet with Chuck Novak from the Charter Commission this week to discuss this issue. Council member Zupec feels a Charter change is necessary and he feels the public will be against this change in the Clerk/Treasurer job position. He recommended bringing in Lee Tessier to cover the position until a decision is made.

Omerza/Sheddy moved to move this discussion to the Employee Relations and Budget Committee. Debeltz/Polyner moved to amend the motion by including the Charter Commission in the discussion among the other two Committees. The amendment passes in favor 4 to 2 with Omerza & Sheddy voting “no”. Amended motion carries in favor 5 to 1 with Zupec voting “no”.

13. NEW BUSINESS:

A. **Debeltz/Omerza moved approval of the following liquor license renewal applications as presented, pending the receipt of all required documentation for the term of 9/1/11 – 8/31/12: Roll called: Debeltz-yes, Omerza-yes, Polyner-yes, Sheddy- abstain, Zupec-yes, Mayor Skraba-yes. Motion carried in favor 5 to 1.**

ON-SALE INTOXICATING	SUNDAY ON-SALE
Zaverl’s Bar Inc. Grand Ely Lodge, LLC Dee’s Bar Inc. the Next Generation EBA Enterprises Inc dba Ely Bowling Center Ely Steak House Purely Ely, Inc dba A Taste of ELY Rockwood Bar & Grill of Ely, Inc. Boathouse Brewery, LLC KTM, Inc. dba The Chocolate Moose Amici’s Bdee-Bdee-Bdee Inc dba Kwazy Wabbit	Zaverl’s Bar Inc Grand Ely Lodge LLC Dee’s Bar Inc dba the Next Generation EBA Enterprises Inc. dba Ely Bowling Center Ely Steak House Inc. Purely Ely, Inc dba A Taste of ELY Rockwood Bar & Grill of Ely, Inc Boathouse Brewery, LLC KTM, Inc. dba The Chocolate Moose Amici’s VFW Post #2717
WINE Moose Ridge Inc dba Sir G’s Italian Restaurant Jewell Designs Inc dba Organic Roots	OFF SALE INTOXICATING Mike’s Drive In Liquor Inc. Kat’s Drive In Liquors Inc. Anne M. Moravitz dba Beavers Liquor Sarah Burger, Wild Life Liquor Boathouse Brewery, LLC
CLUB V.F.W. Post #2717	
OFF-SALE 3.2 NON-INTOXICATING MALT Zupancich Brothers Inc Ely Northland Market	ON-SALE 3.2 NON-INTOXICATING MALT Moose Ridge Inc. dba Sir G’s Italian Restaurant Stony Ridge on Shagawa Lake Jewell Designs Inc dba Organic Roots

- B. Debeltz/Omerza moved approval of the Second Reading of Ordinance 260, 2nd Series regarding Liquor Establishments closing times. Roll called: Debeltz-yes, Omerza-yes, Polyner-yes, Sheddy-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.**

14. OPEN FORUM – None

Meeting was recessed at 7:15pm and reconvened at 7:20pm.

Meeting was closed at 7:21pm to discuss a purchase offer of City owned real estate i.e., old county garage site.

Meeting was reopened at 8:12pm.

Omerza/Polyner moved to accept and approve the Purchase and Sale Contract between the City of Ely (Seller) and the Overland Group, LLC (Buyer) for the price of \$155,000.00 with an acceptable cross access agreement between the Seller and Buyer; and authorize the City officials to execute said agreement and change the City contact information to the Mayor and City Clerk. Roll called: Debeltz-yes, Omerza-yes, Polyner-yes, Sheddy-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

Omerza/Debeltz moved to file an application for up to \$200,000.00 from the IRRRB Commercial Redevelopment Program to demo and remove the buildings from the old county garage site, except the Salt Dome and the cold storage in the North West corner of the property. Motion carried unanimously.

15. ADJOURN

Omerza/Debeltz moved to adjourn meeting at 8:14pm. Motion carried unanimously.

Claire Huisman
Deputy Clerk