

Ely City Council Regular Meeting Minutes, August 21, 2012

1. CALL TO ORDER

The Ely City Council Regular Meeting was called to order by Acting Mayor Debeltz at 6:00pm on August 21, 2012 at the Ely City Hall.

2. ROLL CALL:

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

Absent: Mayor Skraba (1)

3. APPROVAL OF MINUTES:

Approve the minutes of August 7, 2012 Regular Meeting and August 16, 2012 Special Meeting Minutes as presented.

Zupec/Nikkola moved approval. Motion carried unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Omission: 7.A.

B. Omission: 7.B.

C. Addition: 9.E.i. – Training for Police Officer

D. Addition: 9.A.ii. – Discretionary ballot recount bond, cash or surety amount

E. Addition: 13.C. – Raffle Permit

F. Addition: 9.F.i. – Cell Tower Appeal update

Zupec/Omerza moved approval of Additions & Omissions A-F. Motion carried unanimously.

5. MAYOR'S REPORT:

Acting Mayor Debeltz extended Congratulations to the Legion and VFW Baseball Teams, their parents and coaches and all those involved.

6. CONSENT AGENDA:

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

Zupec/Nikkola moved approval of consent agenda item A. Motion carried unanimously.

7. REQUESTS TO APPEAR:

A. Kara Polyner, Sue Pasmick and/or Ellen Schafroth with the Boreal Ballet. **Omitted**

B. Mark Haarman, addressing city issues pertaining to: Law Enforcement, blight, sidewalk repair, litter, information for tourist signage, State Theater, etc. **Omitted**

8. COMMITTEE REPORTS:

Council member Omerza stated that 25 people from the area including herself and Attorney Klun successfully completed the Blandin Foundation Program. She also attended a League Board meeting last week in St. Paul where they finalized their budget. Dues were raised 3.5% across the board which amounts to an increase of \$44/city.

Council member Nikkola stated there is a Budget Committee meeting tomorrow morning at 9:00am and an Employee Relations meeting on Thursday at 9:00am.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

i. **Omerza/Nikkola moved approval for the temporary appointment of Council member Shedly to the ER Committee for the upcoming meeting on Thursday, August 23, 2012 since Mayor Skraba will not be able to attend. Motion carried unanimously.**

ii. **Shedly/Nikkola moved approval to set a cash bond at \$600 for the discretionary recount of the Primary Election. Motion carried unanimously.**

B. Fire Chief

C. Library Director

D. Operations Director:

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- i. EUC Consent Agenda Items: The following items of business were recommended for approval at the regular EUC meeting of Wednesday, August 8, 2012:

1. Approved payment of the Dig America Final Payment Request for \$9,899.52 for the Burntside Power Line Project.

Nikkola/Zupec moved approval of EUC Consent Agenda Item 1. Motion carried unanimously.

- ii. **Omerza/Nikkola moved to approve Evergreen Construction's low bid of \$17,600 for the Semer's Park Pavilion Improvements which include roof replacement, gable end extension, soffit and fascia repair, exterior door replacement, painting, foundation flashing replacement & window and building trim repair. Motion carried unanimously.**

The rest of the buildings will be repaired within the next couple of years along with some log repairs on the buildings in Whiteside Park by applying with the Chamber of Commerce for Culture & Tourism Grants through IRRRB.

E. Police Chief

- i. Approve Sergeant Carlson to attend the MN Sex Crimes Conference in Nisswa, October 3-5, 2012. **Zupec/Nikkola moved approval. Motion carried unanimously.**

F. City Attorney

- i. Attorney Klun reported that the Minnesota Supreme Court denied review of the petition by the Friends of the Boundary Waters so the order as set by the Court of Appeals stands.

Attorney Klun stated the Twin Metals purchase agreement has been signed and they have requested to close on the property as early as Friday, August 24, 2012. Neighboring property owners are removing their personal property from the parcels now being sold to Twin Metals.

G. City Engineer

10. COMMUNICATIONS:

- A. Ely Jaycees donation of \$1,400 to the Whiteside Park Playground renovation specifically for the Boat Spring Rider. **Zupec/Omerza moved approval to send a "Thank You" note to the Ely Jaycees for their generous donation. Motion carried unanimously.**

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for August 21, 2012 - \$452,592.36
Zupec/Omerza moved approval of the claims for payment A. Motion carried unanimously.

12. OLD BUSINESS:

- A. **Sheddy/Zupec moved approval to have City Attorney send the 1973 Agreement to the state to make sure it is still a legal binding agreement and then to move forward with the orderly annexation. In discussion Attorney Klun stated the Orderly Annexation Agreement was recently reviewed by the Office of Administrative Hearings who deemed it a valid outstanding agreement. Council member Zupec stated that all of the yellow areas on the map presented should be annexed at this time to prepare for the future plans of the City. They should also be discussed with John Fedo for the best economic development possibilities for these properties. This would encompass roughly 40 parcels according to Attorney Klun. Motion carried unanimously.**

Zupec/Sheddy moved approval to notify the Town of Morse of the City's intentions for Annexation. Clerk Lowell did notify the Town Clerk of the annexation discussion at tonight's meeting. Motion carried unanimously.

- B. Tabled from last council meeting - Roderick's Sale/Lease of City Property

Zupec/Nikkola moved to table Roderick's Sale/Lease of City Property. Motion carried unanimously.

13. NEW BUSINESS:

- A. **Nikkola/Omerza moved approval to allow Library Director Heinrich to begin the hiring process for a 32 hour position library clerk contingent on the outcome of the Budget Meeting to be held Wednesday, August 22, 2012 at 9:00am. Motion carried unanimously.**

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Omerza/Sheddy moved to approve the closing of the Library and the Community Center building on Wednesdays beginning September 1, 2012 until the library clerk 32 hour position is filled or until David Buchite returns to work, whichever comes first. This will allow Heinrich to get her administrative work done since they are short staffed. Motion carried unanimously.

- B. Approve Clerk/Treasurer to sign the Vermilion Community college Off-Campus Community Service Agreement which is in effect August 27, 2012 through May 15, 2013.

Omerza/Zupec moved approval. Motion carried unanimously.

- C. Approve Resolution 2012-037 authorizing application of Conservationists with Common Sense to apply for raffle permit on September 9, 2012 during the Harvest Moon Festival in Whiteside Park. **WHEREAS**, the Conservationist with Common Sense has applied for a Minnesota Lawful Gambling Permit to conduct a raffle on September 9, 2012 at Whiteside Park located at 700 E Sheridan St., Ely MN 55731 and **WHEREAS**, the City of Ely approves of said application and that the Conservationist for Common Sense 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

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

14. OPEN FORUM:

Dwayne Whalen addressed the council with the comment that if they do combine the Clerk/Treasurer job with the Operations Director job and hire Harold Langowski then when he retires how would they ever expect to hire another Clerk/Treasurer with skills to perform an Operations Directors job.

15. ADJOURN

Omerza/Nikkola moved to adjourn the meeting at 6:35pm. Motion carried unanimously.

Claire Huisman
Deputy Clerk