

Ely City Council Regular Meeting Minutes, September 4, 2012

1. CALL TO ORDER:

The Ely City Council Regular Meeting was called to order by Mayor Skraba at 6:00pm on September 4, 2012 at the Ely City Hall.

2. ROLL CALL:

Present: Council members Debeltz, Nikkola, Omerza, Polyner, Sheddy, Zupec, Mayor Skraba (7)
Absent: None

3. APPROVAL OF MINUTES:

Approve minutes from August 21, 2012 Regular Meeting and August 28, 2012 Study Session as presented. **Zupec/Debeltz moved approval. Motion carried 6 to 1 with Mayor Skraba abstaining since he was absent from both meetings.**

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition: 5.B. – Presenting Key of the City to Duane Whalen

Zupec/Nikkola moved approval of Addition A. Motion carried unanimously.

5. MAYOR'S REPORT

A. Casey Ivancich, president of the Ely Jaycees, along with Jen Wahls, Director of Memberships, presented to Mayor Skraba a check for \$4,239.16 to the Ely Fireworks Fund. The money was raised by walking the 4th of July Parade route with a Fireman's Boot to collect the money.

Debeltz/Zupec moved to send the Ely Jaycees a Thank You note for their generous donation to the Ely Fireworks Fund. Motion carried unanimously.

B. Mayor Skraba presented Duane Whalen, who could not be present due to illness, with a Key to the City for his consistent attendance at all of the Council and EUC meetings along with various committee and public meetings over the past many years. His presence and support is an inspiration to everyone.

Nikkola/Polyner moved approval to award Duane Whalen with a Key to the City and to send him a "Thank You" note in appreciation for all he has done for the City. Motion carried unanimously.

6. CONSENT AGENDA:

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

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

7. REQUESTS TO APPEAR:

A. Clare DeRemee, Student Council Vice President, Mark Heiman, Student Council Treasurer and Amy Bianco, Student Council President, request from the Council to allow them to hold a Homecoming Parade on October 5, 2012 at 5:00pm. The route would begin at the school, turn on 2nd by the Post Office and then down Sheridan St to 7th back to the school. They are asking businesses to participate along with their class floats, alumni floats and a homecoming royalty float.

Debeltz/Nikkola moved to approve closing the streets for their parade and to meet with Langowski and Chief Lahtonen to discuss the event in detail. Motion carried unanimously.

B. David Oliver with Twin Metals presented a list of variances to the Business Park Covenant on lots 4, 5, 6, 7 and fraction of Outlot G which they recently purchased from the City. The variance requests were: to allow for building 20 feet back from front lot line; to exceed 25% covered surface of total lot area; to allow for overnight parking of vehicles; to allow for placement of dumpster on-site without fencing.

Nikkola/Debeltz moved approval for Planning & Zoning to go ahead with adopting the variance requests and the City Attorney will work with P&Z to possibly change the Covenant on a couple of them. Motion carried unanimously.

8. COMMITTEE REPORTS:

- A. Council member Sheddy stated he attended a Biomass Energy Meeting on behalf of the Mayor who could not attend and also would like to invite the HRA Board to attend the Councils next Study Session on September 25, 2012.

Council member Polyner stated there will be a P&Z Meeting tomorrow night and there are two Public Hearings scheduled for September 19, 2012 at City Hall at 5:00pm to discuss changing the zoning for the Old County Garage and creating a recreational trails overlay project.

Council member Omerza reminded everyone that the Park & Rec Meeting will be Monday, September 10, 2012 at 6:00pm at City Hall. Also, the Library will be temporarily closed on Wednesdays until they hire a Library Clerk. Omerza stated school is now in session and for everyone to watch for children crossing the streets. Clerk Lowell will schedule a Special Joint Meeting with the School Board.

Council member Debeltz thanked Chief Lahtonen and his crew for giving rides to the softball crew this past weekend during their tournament and also thanked Langowski and his crew for getting the fields ready for the thirteen team tournament.

Debeltz/Polyner moved approval for the Clerk's office to place Cemetery Donation Request Ads in the paper before Memorial Day, the 4th of July and Labor Day which will come out of the Cemetery budget. Motion carried unanimously.

Debeltz/Polyner moved approval to have the city crew place signs purchased by an individual or committee stating who adopted the particular memorial garden. Motion carried unanimously.

Debeltz inquired on the Korpi Trust Money. Attorney Klun stated they are still working with the Trust Attorney toward doing a Sub-Trust where the city would get a portion of the money. He also asked when the Cemetery records would be on the city website which Langowski stated that it is not in the budget at this time. It was clarified that those who purchase a cemetery plot do not get a Deed. No one could clarify who owns the Old Pioneer Cemetery property.

Mayor Skraba met this morning with Senator Bakk and Representatives from Vermilion Community College to discuss replacing the old 85 bed housing unit with a new 120 bed dormitory. He also stated they looked at the Trezona Trail & Latourell Property today and hopefully to come to an agreement by the end of the month.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

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 22, 2012:
 1. Authorized Mick Shusta to attend the MPCA Land Application of Biosolids Refresher Training in Duluth on September 18 – 19, 2012.
 2. Approved an additional LED Lighting Rebate to Paddle Inn for \$1,713.00.
 3. Approved the purchase of 1000 lf of 2-2-2 UD wire from Border States for \$803.49.
 4. Approved the purchase of 50 cross arms from Resco for \$1,098.14.
 5. Approved payment of the July EUC Bills for \$561,441.98.
 6. Approved payment of the Energy Management Solutions, Inc. Invoice #3895 for \$1,018.75 for 2011 CIP Reporting.

Nikkola/Zupec moved approval of EUC consent agenda items 1-6. Motion carried unanimously.

- ii. Approve Mesabi Bituminous, Inc's bid of \$100,096.25 as the low bidder for the 2012 City Paving Project No. 12-632. This involves unit pricing and will be used to wrap up this summer's utility project which included White St, Pattison St, 1st Ave E and James St.
Debeltz/Nikkola moved approval. Motion carried unanimously.

E. Police Chief

F. City Attorney:

- i. Twin Metals has closed on their property and Operations Director Langowski will follow up to make sure that all personal property has been removed from the new property.
- ii. Land Exchange with SPI, Inc: Mr Latourell has received documents from Attorney Klun's office regarding the proposed land swap. More discussion will ensue on how they would plan to develop the property.
- iii. Attorney Klun stated that Mr Thomas O'Brien owns 1/32 of the Lucky Boy property and he filed a Quiet Title Action in 2007 on the parcel. The City can either purchase the property from him, ask him to join in the sale of the wood or identify his 1/32 share.
Debeltz/Zupec moved approval for Attorney Klun to proceed with purchasing the piece of land from Mr O'Brien and to work toward a completion of the issue. Motion carried unanimously.
- iv. The Attorney stated they are waiting for a response from Carlson Wagonlit Travel on the amendment to their lease with City.
- v. Purchase Agreement for the sale of land to Overland Group, LLC has been finalized. Langowski stated a topographical survey is being done on the property to be finished in two weeks.
- vi. **Debeltz/Nikkola moved to approve 1st Reading of Ordinance 262, 2nd Series amending chapter 20, section 20.2 Sale of Land to Thompson Blodgett. Roll Called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Shedd-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.**

G. City Engineer

10. COMMUNICATIONS:

- A. Letter from the Mayor to Ellen Anderson, Senior Advisor to Governor Dayton regarding the Biomass Energy District Heating Project in Ely

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- B. Memorandum from Clerk Lowell regarding Management Agreement from the Golf Club
- C. Correspondence from Ely Chamber of Commerce regarding Harvest Moon Festival, Sept. 7-9, 2012
- D. Midcontinent notice of possible service interruption on Sept 6, 2012 between 12:00am & 6:00am

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for September 4, 2012 - \$133,282.74

Nikkola/Debeltz moved approval of the claims for payment A. Motion carried unanimously.

12. OLD BUSINESS:

- A. **Debeltz/Nikkola moved approval for Langowski, Mayor Skraba, Jim Preblich, Attorney Klun, Mark Zupec and Lenci Enterprises Inc to meet and discuss the options regarding their requested final payment for the Airport Roofing Project. Motion carried unanimously.**

13. NEW BUSINESS:

- A. Approve Resolution 2012-038 approving and adopting Proposed Tax Levy Collectible in 2013. **WHEREAS**, the City of Ely is required by Minnesota Law to adopt a proposed tax levy for 2013 and to certify it to the St. Louis County Auditor. **NOW, THEREFORE BE IT RESOLVED** that the Ely City Council adopts and approves the following proposed tax levy to be levied for the current year, collectible in 2013, upon taxable property in the City of Ely, for the following proposes:

General Fund	\$1,190,800
Library Fund	\$ 253,500
Debt Service Fund	\$ 209,600
Total Levy	\$1,653,900

BE IT ALSO RESOLVED, that the Ely City Clerk/Treasurer is hereby instructed to transmit a certified copy of this resolution to the County Auditor of St. Louis County, Minnesota prior to September 15, 2012.

Omerza/Nikkola moved approval of Resolution 2012-038. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polynier-yes, Sheddy-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

- B. **Debeltz/Omerza moved approval to hold the Truth in Taxation Public Hearing on December 4, 2012 at 6:00pm with the Regular Council meeting to be held immediately after. Motion carried unanimously.**

- C. Approve Resolution 2012-039 authorizing the City of Ely to make application to & accept funds from the IRRRB residential redevelopment grant program. **WHEREAS**, the authorizing authority approves of the attached application for the IRRRB Residential Redevelopment Grant, and **WHEREAS**, the authorizing authority hereby agrees to accept funding for the underlying project if approved by the IRRRB. **NOW, THEREFORE BE IT RESOLVED**, that the authorizing authority of the City of Ely, does hereby adopt this Resolution, and **FURTHER RESOLVES**, that the amount received from IRRRB and the City's portion required for the completion of this program is hereby appropriated and included in the applicable fiscal year's budget.

Zupec/Debeltz moved approval of Resolution 2012-039. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polynier-yes, Sheddy-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

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D. Approve Resolution 2012-040 authorizing the City of Ely to make application to & accept funds from the IRRRB commercial redevelopment grant program. **WHEREAS**, the authorizing authority approves of the attached application for the IRRRB Commercial Redevelopment Grant, and **WHEREAS**, the authorizing authority hereby agrees to accept funding for the underlying project if approved by the IRRRB. **NOW, THEREFORE BE IT RESOLVED**, that the authorizing authority of the City of Ely, does hereby adopt this Resolution, and **FURTHER RESOLVES**, that the amount received from IRRRB and the City's portion required for the completion of this program is hereby appropriated and included in the applicable fiscal year's budget.

Debeltz/Zupec moved approval of Resolution 2012-040. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

E. Approve Resolution 2012-041 authorizing application of the Ely Jaycees for a temporary liquor license at the Ely Vet Clinic Event and to waive any requirement for an onsite police officer. **WHEREAS**, the Ely Jaycees request approval to apply for a temporary liquor license to dispense beer and wine during the Ely Vet Clinic Customer Appreciation Event held at 318 Miners Dr E, Ely MN 55731 on September 21, 2012. **WHEREAS**, the Ely Jaycees also request to waive any requirement for an onsite police officer at the event. **NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Ely, Minnesota does hereby adopt this resolution.

Debeltz/Nikkola moved approval of Resolution 2012-041. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes, Zupec-yes and Mayor Skraba-yes. Motion carried unanimously.

14. OPEN FORUM: None

15. ADJOURN:

Nikkola/Omerza moved to adjourn the meeting at 7:10pm. Motion carried unanimously.

Claire Huisman
Deputy Clerk