

Ely City Council Regular Meeting Minutes, November 7, 2012

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1. CALL TO ORDER:

The Ely City Council Regular Meeting was called to order by Mayor Skraba at 6:00pm on November 7, 2012 at the Ely City Hall.

2. ROLL CALL:

Present: Council members Debeltz, Nikkola, Omerza, Polyner, Sheddy, and Mayor Skraba (6)  
Absent: Council member Zupec

3. APPROVAL OF MINUTES:

Approve the minutes of October 16, 2012 Regular Meeting, October 23, 2012 Reconvened Meeting, October 25, 2012 Joint Meeting with ISD 696 and October 30, 2012 Study Session.

**Debeltz/Polyner moved approval. Motion carried unanimously.**

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition 5.A. – burning garbage issue

**Debeltz/Polyner moved approval of Addition A. Motion carried unanimously.**

5. MAYOR'S REPORT

A. Mayor Skraba reminded the public that they are not allowed to burn garbage in their wood stoves, fireplaces or in their backyard. Citizens who are caught burning their garbage in this fashion will be prosecuted.

Mayor Skraba congratulated the Ely High School Football Team for their achievement in being able to play in the State Tournament being held in Moorhead on Saturday, November 10, 2012. He also congratulated Amy Bianco for going to State on the Ely Cross Country Team and also thanking her for her efforts in making the Homecoming Parade a possibility.

He also thanked all of the Election Judges for their time and dedication in making Election Day run smoothly and without error.

6. CONSENT AGENDA:

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

**Nikkola/Debeltz moved to approve consent agenda item A. Motion carried unanimously.**

7. REQUESTS TO APPEAR:

A. After thanking the City for allowing them to manage the Pioneer Mine Complex, Anne Swenson, treasurer of Ely Greenstone Public Art, gave an update on the Pioneer Mine complex events and financial status. She asked the City for help with the \$2,293.62 repair bill on the furnace in the Miners Dry building. She also requested City help to install monuments designating former mines to be placed around the Trezona Trail.

**Debeltz/Sheddy moved to approve the request of Anne Swenson on behalf of Ely Greenstone Public Art for the City to help install the signs/monuments around the Trezona Trail under Langowski's direction. Motion carried unanimously.**

**Debeltz/Omerza moved to have Langowski work with the budget committee on possibly helping with the furnace repair costs at the Miners Dry building. Motion carried unanimously.**

**Nikkola/Omerza moved approval to sign and send letter to the University of Minnesota requesting cores from 1943 that were drilled in the Zenith Mine be sent back to Ely. Motion carried unanimously.**

**Debeltz/Polyner moved approval to send a "Thank You" letter to the Ely Greenstone Public Art representatives for their dedication and hard work. Motion carried unanimously.**

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8. COMMITTEE REPORTS:

- A. Council member Nikkola stated the Employee Relations Meeting will be moved to November 29<sup>th</sup> at 5:00pm and TAB will be on November 29<sup>th</sup> at 4:00pm. Also, there will be a Special Negotiations Meeting on November 13<sup>th</sup> at 5:00pm.

**Nikkola/Debeltz moved approval of a Public Hearing to be held before adopting the Budget on December 11, 2012 at 6:00pm at the Joint Maintenance Facility.**

**Nikkola/Omerza moved approval to hold a Budget Meeting on Wednesday, November 28, 2012 at 9:00am in City Hall upper level board room.**

Council member Omerza reported on the 2<sup>nd</sup> half of the Economic Development meeting held by EADA at the Grand Ely Lodge on Monday, November 5<sup>th</sup>. Over the next two weeks she will be at meetings with LMC and CGMC to discuss policy positions, therefore, she will be taking opinions and suggestions from the public. TAB is working on the contract with Ely TV. Park and Rec Board met and approved the new Whiteside Park Rental Form which specifies 4 day limits on events with no camping allowed.

**Omerza/Sheddy moved approval of adopting the new Whiteside Park Rental Form pending approval by the City Attorney. Motion carried unanimously.**

Council member Sheddy stated the Board of Adjustment gave variance to the Dollar Store regarding their parking lot across from DQ.

**Sheddy/Debeltz moved to approve the City to help put up a big Christmas tree in Whiteside Park. Motion carried unanimously.**

**Mayor Skraba attended the interviews for the Equipment Operator II position and the meeting with the School Board. People are coming to talk to the City regarding our Business Plan and he encourages everyone to attend the AETF meeting on December 12, 2012 where they will discuss the Biomass Project.**

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

- i. Memorandum from Clerk Lowell stating that he will take his last personal day on November 9<sup>th</sup>.

Mayor and Council thanked Terry Lowell with gift, handshakes and hugs for his service to the City of Ely for the past 8 months.

**Omerza/Debeltz moved to extend a "Thank You" to Terry's grandson, Emmett, for allowing the City to have his Grandpa for the past 8 months. Motion carried unanimously.**

B. Fire Chief

The Council thanked the Fire Chief and staff for their successful Halloween night event.

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, October 24, 2012:
1. Approved payment of the MN DOH ELAP Lab Fee for 2012 for \$1,950.00.
  2. Approved the Chamber of Commerce request for assistance with the Christmas decorations.
  3. Approved payment of the September EUC bills list for \$295,913.99.

**Nikkola/Debeltz moved approval of EUC consent agenda items 1-3. Motion carried unanimously.**

**Nikkola/Omerza moved approval to hold a Public Hearing regarding the CDBG Infrastructure Project on November 20, 2012 at 5:15pm in the Council Chambers. Motion carried unanimously.**

E. Police Chief

F. City Attorney:

- i. **Nikkola/Polyner moved to approve the 2<sup>nd</sup> Reading of Ordinance 267, 2<sup>nd</sup> Series amending the Ely City Code, Chapter 11, Section 11.04 related to fences. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Shedly-yes and Mayor Skraba-yes. Motion carried unanimously.**
- ii. **Debeltz/Polyner moved to approve the 1<sup>st</sup> reading of Ordinance 269, 2<sup>nd</sup> Series, adding section 4.24 related to manufactured (mobile) homes to the Ely City Code, chapter 4, Construction Licensing, Permits and Regulations. In discussion, this will allow for safety regulations to be placed on pre-coded mobile homes (those manufactured before 1972) and currently have no regulations placed on them now. It was stated that Doug Johnston was allowed to move his mobile home to a lot which he purchased in the Spaulding area. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Shedly-yes and Mayor Skraba-yes. Motion carried unanimously.**
- iii. **Nikkola/Omerza moved to approve the 1<sup>st</sup> reading of Ordinance 261, 2<sup>nd</sup> Series, amending the Ely City Code, chapter 11, section 11.01 related to land use regulation (zoning) and amending 11.39 related to zoning district definition and adding subdivision 11.49 related to recreational trail overlay (RTO) District. In discussion, the main issue is with regards to a buffer over trail use. Language will be changed for the 2<sup>nd</sup> reading to state that an area of 15ft on each side of the centerline of the trail will be designated as the RTO District. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Shedly-yes and Mayor Skraba-yes. Motion carried unanimously.**
- iv. Attorney Klun stated both parties that have an interest in the Lucky Boy Parcel are willing to sell. Mr. Robert Newcomer is willing to sell at the offered price by the City. Mr. Thomas O'Brien came back with a counteroffer to also sell to the City of Ely the interest he holds in the 80 acres that is behind the property the City of Ely initially offered to purchase.

**Debeltz/Nikkola moved to approve to accept Mr. Newcomer's offer on the sale of his interest in the Lucky Boy Parcel owned by the City of Ely which is at fair market value based on tax evaluation. Motion carried unanimously.**

**Debeltz/Nikkola moved to approve the offer made by Mr. O'Brien of \$7,000 pending Attorney Klun's investigation into the property in question and if acceptable then to prepare the purchase agreements for both Mr. Newcomer and Mr. O'Brien to be presented at the next council meeting. Motion carried unanimously.**

- v. The Town of Morse is interested to move forward with orderly annexation of the land which is included in the sale of the Old County Garage to the Overland Group. Attorney Klun will be filing that this week.
- vi. Meeting entered into a closed session for Labor Negotiations after a 5 minute recess at 7:11 p.m.

Meeting reopened at 7:33p.m.

G. City Engineer

10. COMMUNICATIONS:

- A. Ely Chamber of Commerce Merchant Committee notice of Holiday activities.
- B. Mesabi Family YMCA campaign for support from surrounding communities.

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for November 7, 2012 - \$280,401.10  
**Nikkola/Debeltz moved approval of EUC claims for payment A. Motion carried unanimously.**

12. OLD BUSINESS:

13. NEW BUSINESS:

- A. **Debeltz/Polyner moved approval and support for the Ely Chamber of Commerce to work with Langowski, the City Crew and the Police Chief to organize a Community Christmas Parade on Saturday, December 8, 2012 at 4:00pm. Motion carried unanimously.**
- B. **Debeltz/Polyner moved approval of the request from the Ely Chamber of Commerce for the city’s assistance in putting up the Christmas decorations for the upcoming holiday season. Motion carried unanimously.**
- C. **Nikkola/Sheddy moved approval of Resolution #2012-044 revising fines related to certain administrative offenses (non-criminal code violations) with the revision of removing the 3<sup>rd</sup> “whereas” statement in the Resolution.**

**WHEREAS**, the City is acquiring a software license to automate the recording of certain city code violations, and **WHEREAS**, in addition to better recordkeeping, accounting and follow-up of issued tickets, the use of that electronic system allows for the payment of fines through credit and/or debit cards, and **NOW, THEREFORE BE IT RESOLVED**, that the following fines will be increased to the amount stated, effective January 1, 2013:

<u>Offense</u>	<u>Penalty</u>	<u>Offense</u>	<u>Penalty</u>
2 hour parking	\$20	Parked in prohibited zone	\$20
Parked in alley	\$20	Obstructing Street or Driveway	\$20
Parked on sidewalk	\$20	Parked unattended (over 24 hrs)	\$20
No parking – 2 a.m. to 6 a.m.	\$20	Parked against traffic	\$20
Calendar parking	\$20	Double Parked	\$20

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

- D. **Omerza/Debeltz moved to approve Resolution #2012-047 accepting Velosum Service agreement for Civil Enforcement software. WHEREAS**, the TAB Committee and the Ely Police Department have reviewed the Velosum Service Agreement, and **WHEREAS**, Velosum’s service is to provide Civil Enforcement Software that administers and monitors the issuance of city citations related to City Codes and Ordinances, and **WHEREAS**, this software application will allow for more efficient processes and better recordkeeping and follow-up and speed the revenue collection process for civil enforcement. **NOW, THEREFORE BE IT RESOLVED**, that the Mayor and City Clerk are authorized to sign the Velosum Services Agreement with Velsum Division, Penformsusa, Inc. **Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Skraba. Motion carried unanimously.**
- E. **Debeltz/Nikkola moved to approve the revision of the City of Ely’s Hiring Policy to add language that would allow to keep selected applications for a job position on file for a period of one year and to include the date of applications already on hand. Motion carried unanimously.**
- F. **Debeltz/Nikkola moved to hire Cory Weisinger for the Equipment Operator II Position upon completion of the City requirements of new employees. Motion carried unanimously.**
- G. **Omerza/Nikkola moved to approve the Employment Agreement of Supervisors of other than Essential Employees effective January 1, 2011 through October 31, 2012. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Skraba. Motion carried unanimously.**

**Omerza/Nikkola moved to approve the Employment Agreement of Supervisors of other than Essential Employees effective November 1, 2012 through December 31, 2014. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Skraba. Motion carried unanimously.**

**Omerza/Nikkola moved to approve the Memorandum of Understanding between the City of Ely and Ely Supervisors of Other than Essential Employees regarding the Clerk/Treasurer position's additional duties and wage adjustment. Roll called: Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Shedly-yes and Mayor Skraba. Motion carried unanimously.**

**Omerza/Shedly moved to approve the Memorandum of Understanding between the City of Ely and Ely Supervisors of Other than Essential Employees regarding the Library Director position's additional duties and wage adjustment. Roll called: Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Shedly-yes and Mayor Skraba. Motion carried unanimously.**

**Omerza/Nikkola moved to approve the Memorandum of Understanding between the City of Ely and Ely Supervisors of Other than Essential Employees regarding the Assistant Treasurer position's additional duties and wage adjustment. Roll called: Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Shedly-yes and Mayor Skraba. Motion carried unanimously.**

**Omerza/Nikkola moved to approve the Memorandum of Understanding between the City of Ely and Ely Supervisors of Other than Essential Employees regarding the Deputy Clerk position's additional duties and wage adjustment. Roll called: Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Shedly-yes and Mayor Skraba. Motion carried unanimously.**

Council member Nikkola reported the net savings to the City between the Utility Fund and General Fund as a result of the job positions restructuring is \$60,055.00.

Council member Shedly thanked everyone on the Employee Relations Committee for their time and hard work in these negotiations.

- H. Clerk/Treasurer Lowell gave the Oath of Office for the City Clerk/Treasurer position to Harold Langowski.

14. OPEN FORUM:

Head Election Judge Kathy Hanson thanked Terry Lowell for returning to Ely as the Interim Clerk/Treasurer. He always had an open ear and treated everyone with respect. She stated he was a true leader to the election judges and it was under his guidance that the election ran smoothly and without fault. Ms. Hanson stated that in her opinion he has earned a key to the City.

Clerk Lowell thanked Kathy Hanson as well for her hard work and dedication during the election.

15. ADJOURN:

**Omerza/Nikkola moved to close the meeting at 8:06pm. Motion carried unanimously.**

Claire Huisman  
Deputy Clerk