

Ely City Council Regular Meeting Minutes, December 18, 2012

1. CALL TO ORDER:
The Ely City Council Regular Meeting was called to order by Mayor Skraba at 6:17 pm on December 18, 2012 at the Ely City Hall.
2. ROLL CALL:
Present: Council members Debeltz, Nikkola, Omerza, Polyner, Sheddy, Zupec, Mayor Skraba (6)
Absent: Council member Zupec (1)
3. APPROVAL OF MINUTES:
Nikkola/Debeltz moved to approve the December 4, 2012 Public Hearing and December 4, 2012 Regular Meeting. Motion carried unanimously.
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Addition 10.B. – Correspondence from the University of Minnesota
 - B. Addition 13.G. – Resolution 2012-052 BWCAW Land Exchange
 - C. Addition 5.A. – Christmas Party**Omerza/Nikkola moved to approve additions A-C. Motion carried unanimously.**
5. MAYOR'S REPORT
 - A. **Debeltz/Nikkola moved to approve to schedule a Special Council Meeting to allow Mayor and Council members to attend the City Employee Christmas Party at the Grand Ely Lodge on January 4, 2013 at 6:00pm. Motion carried unanimously.**
6. CONSENT AGENDA:
 - A. Motion to waive readings in entirety of all ordinances and resolutions on tonight's agenda
 - B. Approve Council and/or Mayor to attend 2013 Duluth & St. Louis County at the Capitol on February 13-14, 2013.**Debeltz/Omerza moved to approve consent agenda items A & B. Motion carried unanimously.**
7. REQUESTS TO APPEAR: None
8. COMMITTEE REPORTS:
 - A. **Nikkola/Debeltz moved to approve the recommendation by the Projects Committee to contract with JPJ Engineering Inc for the project costs to bring the City Hall building up to Code. Money for this has been budgeted. Motion carried unanimously.**

Nikkola/Omerza moved to approve the recommendation by the Projects Committee to designate revenue from sale of City land to be put in a fund to provide seed money for future demolition projects. Motion carried unanimously.

Council member Sheddy stated that the Dog Sled Event to be held in Ely was approved at the last P&Z meeting. Also, the Old County Garage sale is moving forward as planned. He also attended an HRA meeting today which met to discuss an issue that needed City involvement.

Mayor Skraba reported on the various meetings he attended in the last couple of weeks including: Airport Conference Call in the Clerk's Office; American Legend Dinner at the Senior Center; Biomass Meeting at VCC and a County Board Meeting which was held this morning.
9. DEPARTMENTAL REPORTS:
 - A. Clerk-Treasurer
 - i. EUC Consent Agenda Items: The following items of business were recommended for approval at the regular EUC meeting of Wednesday, December 12, 2012:
 1. Authorize transferring \$450,000.00 from the Electric Fund into the Capital Improvement Fund (605).
 2. Approved the 2013 Budgets and rate increases for Water and Sewer usage.
 3. Approved the six year Capital Improvements Plan as presented with review every year and individual approval of projects.
 4. Agreed to continue discussions with Lake Country Power on the Beacon Hill service territory annexation.

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5. Authorized Butch Gornik to attend the 2013 Electrical Expo in Grand Rapids on February 12 & 13, 2013.
6. Approved payment of the October EUC bills list for \$266,546.80.
7. Agreed to cancel the EUC meeting scheduled for December 19, 2012.

Nikkola/Sheddy moved approval of the EUC consent agenda items 1-7. Motion carried unanimously.

- ii. **Nikkola/Debeltz moved to schedule a utility rate hearing for the recommended rate increase on water and sewer to be held January 15, 2013 at 4:30pm at City Hall in the Council Chambers. Motion carried unanimously.**

B. Fire Chief

C. Library Director

D. Police Chief:

- i. **Debeltz/Nikkola moved to send a "Thank You" letter to the person who donated a Home Defibrillator to the Police Department. Motion carried unanimously.**

- ii. **Debeltz/Sheddy moved to approve sending Sergeant Carlson to the Hiring and Background Investigations training seminar in Andover, MN on February 11 & 12, 2013. Motion carried unanimously.**

E. City Attorney:

- i. **Nikkola/Omerza moved to approve the 2nd Reading of Ordinance 270, 2nd Series revising the Ely City Code chapter 11, section 11.01 definitions and regulations and section 11.20 related to Off Street Loading and Parking. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Skraba-yes. Motion carried unanimously.**

- ii. **Debeltz/Nikkola moved to approve the 2nd Reading of Ordinance 271, 2nd Series revising the Ely City Code chapter 2, section 2.02 council meetings time and place. This will take effect the first meeting in February. Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Skraba-yes. Motion carried unanimously.**

Debeltz/Nikkola moved to change the utility rate hearing on January 15, 2013 from 4:30pm to 5:00PM. Motion carried unanimously.

- iii. Attorney Klun gave a brief update on the Lucky Boy purchases. She stated the closings should occur sometime in early January.

Sheddy/Debeltz moved to approve the purchase agreement as is with Mr. O'Brien and the City of Ely for his interest in the Lucky Boy parcel for \$7,000.00. Motion carried unanimously.

Sheddy/Debeltz moved to approve the purchase agreement as is with Mr. Newcomer and the City of Ely for his interest in the Lucky Boy parcel for \$5,100.00. Motion carried unanimously.

10. COMMUNICATIONS:

- A. **Debeltz/Nikkola moved approval of the request from The Ely Greenstone & Arts Group to move the maps and blueprints of the Don Berkner collection from the city vault to the storage room at the miner's dryhouse at Pioneer Mine for processing. The purpose is for the public to see these maps which pertain to mining only. Anything removed will be documented and possibly copied. Motion carried unanimously.**

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- B. Correspondence from the University of Minnesota regarding a mining core sample that resides on the University of Minnesota campus which the City of Ely has requested to acquire for its own monument in order to represent the miners of the region.

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for December 18, 2012 - \$364,258.94.

Debeltz/Polyner moved to approve claims for payment A. Motion carried unanimously.

12. OLD BUSINESS:

- A. Clerk Langowski stated that the AEOA Neighborhood Revitalization Rehab Loan is open to all Ely residents. Interested parties should contact the AEOA office for applications and requirements.

13. NEW BUSINESS:

- A. **Nikkola/Omerza moved to approve Resolution #2012-050 approving & adopting the final tax levy collectible in 2013. WHEREAS**, the City of Ely is required by Minnesota Law to adopt a proposed 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 sums of money to be levied for the current year, collectible in 2013, upon taxable property in the City of Ely, for the following purposes:

General Fund	\$	1,198,400
Library Fund		245,900
Debt Service		<u>209,600</u>
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. **Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Skraba-yes. Motion carried unanimously.**

- B. **Debeltz/Nikkola moved to approve Resolution# 2012-051 approving the City of Ely Budget for the Fiscal Year 2013. WHEREAS**, the Ely City Council is responsible for properly managing and maintaining the City's finances; and **WHEREAS**, the Ely City Council is ultimately responsible for the accountability of the City's expenditures and revenues; and **WHEREAS**, by the Ely City Council as follows: Section 1. The annual budget for the City of Ely for the Fiscal Year beginning January 1, 2013 and ending December 31, 2013 is hereby adopted and incorporated herein by reference. Section 2. The sums and amounts of money herein set forth are hereby appropriated to respective accounts and funds therein set forth for expenditure during the Fiscal Year 2013, for each of the several items set forth in the budget. **NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Ely, Minnesota does hereby adopt this resolution. **Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Skraba-yes. Motion carried unanimously.**

- C. **Debeltz/Omerza moved to approve the Liability Coverage Waiver Form from LMCIT. Motion carried unanimously.**

- D. **Omerza/Nikkola moved to approve setting the EEDA regular meeting times to 5:00pm before the second council meeting of the month to begin this new time on February 19, 2013. First meeting of the year to be held on January 15, 2013 at 5:30pm. Motion carried unanimously.**

- E. **Debeltz/Polyner moved to schedule the first regular council meeting of the year for Thursday, January 3, 2013. Motion carried unanimously.**

- F. **Debeltz/Sheddy moved to approve the Ely Utilities Commission 2013 Budget as presented. Motion carried unanimously.**

- G. **Omerza/Nikkola moved to approve Resolution#2012-052 regarding the Boundary Waters Canoe Area Wilderness Land Exchange. WHEREAS**, the 2012 Minnesota Legislature passed into law, S.F. 1750, which contains provisions for allowing a Federal/State Land Exchange to go forward,

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freeing isolated state and local lands unintentionally controlled by the federal government within the Boundary Waters Canoe Area Wilderness (BWCAW); and **WHEREAS**, 86,000 acres of these captive lands are State School Trust Fund Lands with the Minnesota State Constitution stipulating that these lands earn maximum income for the State School Trust; and **WHEREAS**, the 1964 Federal Wilderness Act, specifically mandated that the State of Minnesota and Federal Government exchange out the remaining state lands within the BWCA with other federal lands located in the Superior National Forest; and **WHEREAS**, the Congressional Budget Office has estimated that together, the three counties of Cook, Lake and St. Louis would realize an extra \$1 million in annual federal Thye-Blatnik Payments from this land exchange, providing badly needed property tax relief to residents; and **WHEREAS**, the 2012 Legislature passed the BWCAW Land Exchange Law with bipartisan, super-majorities in each body (Senate: 52-11, House: 95-33) and Governor Dayton signed the legislation into law (Laws of Minnesota Chapter 236). **NOW, THEREFORE, BE IT RESOLVED**, that the Ely City Council urges Congress and especially the Minnesota Congressional Delegation to take immediate action and pass into law, the provisions of the BWCAW Land Exchange contained in Laws of Minnesota, 2012, Chapter 236 and that all current law provisions pertaining to the 1948 Thye-Blatnik Act be fully honored and protected. **Roll called: Debeltz-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Skraba-yes. Motion carried unanimously.**

Council member Nikkola requested closing the meeting to discuss LELS contract negotiations.

14. OPEN FORUM

Doug Johnston, 1302 18th Ave E, Ely, thanked everyone for their assistance in obtaining the permits and variances which allowed him to move his trailer home from the trailer park to a piece of property which he purchased within the City limits. He also stated that there could have been better communication from the City of Ely regarding this whole process.

Mayor Skraba wished everyone a Merry Christmas.

Meeting was recessed for 5 minutes at 7:20pm.

Meeting reconvened at 7:25pm and then closed for LELS contract discussion.

Meeting was reopened at 7:27pm.

Nikkola/Debeltz moved to approve the addendum to the award regarding the LELS contract from Arbitrator concerning clarification of award language. Motion carried unanimously.

15. ADJOURN

Omerza/Debeltz moved to adjourn the meeting at 7:29pm. Motion carried unanimously.

Claire Huisman
Deputy Clerk