

Ely City Council Regular Meeting Minutes, January 15, 2013

1. CALL TO ORDER:

The Ely City Council Regular Meeting was called to order by Mayor Petersen at 6:00 pm on January 3, 2013 at the Ely City Hall.

2. ROLL CALL:

Present: Council members Debeltz, Kess, Nikkola, Polyner, Mayor Petersen (5)

Absent: Council members Omerza and Sheddy (2)

3. APPROVAL OF MINUTES:

Debeltz/Nikkola moved to approve the January 3, 2013 Regular Meeting Minutes with a change to Mayor Petersen calling the meeting to order and not Mayor Skraba. Motion carried unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition – 8.A. - Projects Meeting Minutes from Jan 14, 2013

B. Addition – 10.G. - Ely Area Community Foundation Grant

C. Omission – 9.E.i – AT&T/American Tower Appeal

D. Addition – 10.H. – Special Olympics

E. Addition – 8.B. – Heritage Preservation Committee

Kess/Nikkola moved to approve the Additions and Omissions A-E. Motion carried unanimously.

5. MAYOR'S REPORT - None

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: None

8. COMMITTEE REPORTS:

A. Council member Kess recommended placing the list of committees on the agenda that will be reported on at that meeting. This way, the public will know in advance which committees will be having action items addressed. Clerk Langowski stated the Council Rep would need to bring their action item to the Clerk's office by the Thursday before the meeting to get it onto the agenda. Attorney Klun stated the Code would have to be changed to accommodate this new format. Kess and Langowski felt it would not require a Code change. This issue will be clarified at a later date.

Nikkola/Polyner moved to approve the recommendation from the Projects Committee to set the dates February 25th, March 25th and April 29th of 2013 for Public Hearings regarding the City's Buildings Plan and their course of action. These Public Hearings will begin at 6:00pm at the Senior Center. In discussion, Council member Kess felt committees that have been doing research on the City's buildings should be able to bring their information forward. It was also discussed who would be able to speak at the hearings: residents, tax payers, non-residents. Langowski stated their will be an agenda to give direction to the meeting. Motion carried unanimously.

Nikkola/Debeltz moved to approve the recommendation from the Project Committee stating that the Ely city council is not interested in providing support for the community facility for recreation at this time. Motion carried in favor 4 to 1 with Kess voting "no".

B. Kess/Nikkola moved to approve the Council to direct the Heritage Preservation Commission to work with the Minnesota Historical Society to seek funding for and to begin the process of Re-Use Studies for City Hall and the Community Center. Motion carried unanimously.

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, January 9, 2013:

1. Approved payment of the MMUA 2013 Electric Utility Member Dues for \$5,367.00.

Nikkola/Debeltz moved approval of EUC consent agenda item 1. Motion carried unanimously.

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- B. Fire Chief
- C. Library Director
- D. Police Chief
- E. City Attorney:
 - i. AT&T/American Tower Appeal – Omitted
 - ii. Real property purchases/sales update – Three property sales of Lucky Boy are signed and closing this week. There is an outstanding issue with purchasing the Pamida/Shopko property that was demolished last spring so the closing has been put on hold until it is resolved. Jack Zorman’s purchase of City property will close within the next week or two. Outstanding issue with the Trezona Land Exchange which the Council needs to address. Part of the Trezona Trail goes through property that the City has a license to go over and the new owner is looking at an exchange with the City of Ely. This license will expire at some point so an agreement needs to be made to determine how the Trezona Trail is to be managed.
 - iii. The Annexation Agreement with the Town of Morse regarding the property which includes the Old County Garage should be ready to present to the Council at the next council meeting.
 - iv. LELS Arbitration update – The Arbitrator did award in favor of the City for HRA and HSA Benefits & deductible contributions but further clarification is forthcoming regarding the terms and values of the award. In essence, the LELS group is on the same terms and conditions as AFSCME in terms of premium contributions and deductible contributions.
- F. City Engineer

10. COMMUNICATIONS:

- A. Correspondence from St Louis County Commissioner
- B. Correspondence from the 2012 Parks and Trails Legacy Grant Program
- C. Correspondence from St Louis County regarding proposed sale of state tax forfeited land
- D. Correspondence from University of MN regarding Ely Greenstone Core sample replacement
- E. MN Snowmobile Trails Assistance Program update
- F. Laurentian Vision Partnership Meeting – Planning and Project Implementation 2013
- G. Ely Area Community Foundation is beginning its 8th Grant Cycle for \$750.00 on February 1, 2013 through February 28, 2013. Applications will be available in the City Clerk’s Office.
- H. Invitation to the Mayor and Council members to attend the Opening Ceremony celebrating the 25th Year Anniversary Ride of Northland 300 Snowmobilers & Special Olympic Athletes of MN at the Grand Ely Lodge outdoor main entrance on January 25, 2013 at 6:30pm – 7:00pm.

Debeltz/Nikkola moved to approve Communications A-H. Motion carried unanimously.

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for January 15, 2013 - \$243,091.63

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

12. OLD BUSINESS:

- A. FY2013 Community Development Block Grant Program – Summary of the funding recommendations formulated by the CDBG Citizen’s Advisory Committee.

Kess/Debeltz moved to approve the attendance by any Council member to the public meeting held by the CDBG Advisory Committee on Thursday, January 17, 2013 at 11:00am at the Mt Iron Community Center. Langowski will try to attend after another meeting on that same day. The City of Ely requested \$150,000 from the Grant Program and was awarded \$100,000. Motion carried unanimously.

13. NEW BUSINESS:

- A. Approve signing Final Pay Application and Certificate's of Final Acceptance for Crack Repair State Project# 6920-41A – Contractor, Struck & Irwin Paving - \$3,232.01.
Kess/Debeltz moved to table this item pending payment of unpaid invoices from the contractor. Motion carried unanimously.
- B. **Debeltz/Polyner moved to approve the signing of the IRRRB Grant #3000001749 for the demolition of the Old County Garage & 2 adjacent buildings - \$130,000. Motion carried unanimously.**
- C. **Nikkola/Polyner moved Approval of Resolution #2013-001 authorizing water and sewer rate increase; WHEREAS**, the City of Ely is a Municipal Corporation governed under the Charter of the City of Ely with powers vested in its City Council; **WHEREAS**, the Ely Utilities Commission has recommended an increase to water and sewer rates; and **WHEREAS**, the City Council held a public hearing on the matter and feels it is in the interests of the City to approve said increase. **WHEREAS**, by the City Council of the City of Ely, that: Water and sewer rates shall be increased pursuant to the recommendation of the Ely Utilities Commission, attached hereto as Exhibit "A." **NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Ely, Minnesota does hereby adopt this resolution.
Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Polyner-yes, and Mayor Petersen-yes. Motion carried unanimously.
- D. **Debeltz/Nikkola moved approval of Resolution #2013-002 authorizing agreement between City of Ely and Mn/DOT; IT IS RESOLVED** that the City of Ely enter into Mn/DOT Agreement No. 02730 with the State of Minnesota, Department of Transportation for the following purposes: To provide for payment by the City to the State of the City's share of the costs of the parking lane construction, City utility improvements, City utility adjustments and other associated construction to be performed upon, along and adjacent to Trunk Highway No. 1 and 169 from South edge of Ely (R.P. 284-00.692) to Hidden Valley Rd within the corporate City limits under State Project No. 6904-47. **IT IS FURTHER RESOLVED** that the Mayor and the Clerk/Treasurer are authorized to execute the Agreement and any amendments to the Agreement.
Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Polyner-yes, and Mayor Petersen-yes. Motion carried unanimously.
- E. **Nikkola/Debeltz moved approval of Resolution #2013-003 authorizing bonding bill request; WHEREAS**, the City of Ely is a Municipal Corporation governed under the Charter of the City of Ely with powers vested in its City Council; and **WHEREAS**, the City of Ely operates and maintains the Ely Municipal Area Airport for the benefit of the surrounding area including the BWCAW, the Superior National Forest, and the State of Minnesota; and **WHEREAS**, the US Forest Service operates a tanker base out of this facility and the facility has proven a key piece of infrastructure in the protection of area property, the Boundary Waters Wilderness (BWCAW) and State of Minnesota in the recent wildfires; and **WHEREAS**, the Ely Municipal Area Airport is in need of safety, maintenance and capital improvements; and **WHEREAS**, the City of Ely could receive approximately \$10 Federal dollars for every \$1 local/State dollar of match to fund the Ely Area Airport improvements; and **WHEREAS**, there will be a number of jobs created through the construction and permanent improvements at the Ely Municipal Area Airport; and **WHEREAS**, due to the statewide significance of the Ely Municipal Area Airport, it is the understanding of the City of Ely, that this request could be eligible for funding from the State of Minnesota 2013 State Bonding Bill. **NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Ely, Minnesota does hereby adopt this resolution requesting State of Minnesota adopt funding through the 2013 State Bonding Bill to provide the local match for the capital improvements at the Ely Area Airport.
Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Polyner-yes, and Mayor Petersen-yes. Motion carried unanimously.

F. Nikkola/Debeltz moved approval of the following Committee, Commission & Board Appointments with the exception of adding Claire Taylor (non-resident) to the Donald Trust Board instead of Aubrey Rasmussen (resident) since it was a non-resident seat that needed to be filled. Motion carried unanimously.

- i. Airport Commission – Ward Nelson (non-resident) currently serving
- ii. Donald Gardner Trust Board – ~~Aubrey Rasmussen (resident)~~ Claire Taylor (non-resident)
- iii. Heritage Preservation Commission – Kara Polyner (resident), Phil Hyde (resident), Angela Campbell (resident), John Huisman (non-resident), Celia Domich (non-resident)
- iv. Library Board – Tom Conaway (currently serving)
- v. Police Commission – Tom Erchull (resident) currently serving
- vi. Telecommunications Advisory Board – Carol Orban (resident subscriber), Paul Kess (resident subscriber)
- vii. Utilities Commission – Tony Colarich (resident) currently serving, Kurt Soderberg (non-resident) currently serving

14. OPEN FORUM

Mike Jankovec of Ely TV stated to the council that he/Ely TV is holding a fundraiser on February 8, 2013 and will need a gambling permit.

Nikkola/Debeltz moved approval of Ely TV's gambling permit application pending required paperwork. Motion carried unanimously.

15. ADJOURN:

Nikkola/Debeltz moved to adjourn the meeting at 6:54pm. Motion carried unanimously.

Claire Huisman
Deputy Clerk