

Ely City Council Regular Meeting Minutes, May 7, 2013

1. CALL TO ORDER:

The Ely City Council Regular Meeting was called to order by Acting Mayor Nikkola at 5:30 pm on May 7, 2013 at the Ely City Hall.

2. ROLL CALL:

Present: Council members Debeltz, Kess, Omerza, Polyner, Sheddy and Acting Mayor Nikkola (6)

Absent: Mayor Petersen (1)

3. APPROVAL OF MINUTES:

Debeltz/Omerza moved to approve the minutes from April 16, 2013 Regular Meeting, April 25, 2013 Special Council Meeting (Board of Appeal & Equalization), April 29, 2013 Public Hearing and April 30, 2013 Study Session. Motion carried unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition 6.B. – 2013 Legislative Session May 14

B. Omission 7.A. – Request to Appear

Debeltz/Omerza moved to approve Addition A & B. 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

B. Approve Council and/or Mayor to attend 2013 Legislative Session on Tuesday, May 14, 2013 to help secure favorable outcomes on LGA and economic development.

Debeltz/Omerza moved to approve consent agenda items A & B. Motion carried unanimously.

7. REQUESTS TO APPEAR:

A. John Esse – **This issue was settled with the Clerk/Treasurer so he did not need to appear.**

8. COMMITTEE REPORTS:

A. Council member Omerza reported on Park and Rec Board meetings:

- Katheryn Farion, who works with a group of volunteers interested in developing a plan to enhance the Pillow Rock site, requested at one of the Park and Rec meetings to form a Pillow Rock Ad Hoc Committee that would report to the Park and Rec Board.
- It was decided that no council action was needed to form this committee.
- The City holds donated funds of \$1,125 specifically to be used on Pillow Rock.
- The Park and Rec Board met in the Park yesterday to further discuss the location of the Peace Pole. They will meet with the Garden Club and the Rotary Club next Monday, May 13th to finalize this decision.

Omerza/Sheddy moved approval to request a written statement from the Rotary Club stating their intent to provide for the maintenance and care of the Peace Pole that will be placed in Whiteside Park. Motion carried unanimously.

Council member Polyner presented the Comprehensive Land Use Plan and Implementation Guide, Energy Action Plan and Addendum of Completion prepared by the Planning & Zoning Commission for the Councils review. **This will be brought back to the next council meeting and also will be placed on the City web site for all review. A public hearing will be held through P&Z before its adoption.**

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, April 24, 2013:

1. Approved hiring Richard Pucel as the Master of Record.
2. Approved contracting with Mountain Companies for biosolids hauling.
3. Approved purchase of a welder from Airgas for \$1,110.43.
4. Authorized Mick Shusta to attend the MWOA Wastewater Laboratory Workshop in Grand Rapids on July 25, 2013.

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5. Approved payment of the Minnesota Department of Transportation Invoice for Sheridan Street for \$128,610.35.
6. Approved payment of the KBM, Inc. Invoice #031333 for \$333.95 for the Burntside URD Feeder Project. **Debeltz/Omerza moved to approve the EUC consent agenda items 1-6. Motion carried unanimously.**

- ii. Clerk updated everyone on the City's requests of our Legislators this year. One was regarding revisions to our TIF Districts which we will not be getting all that we requested but going forward that fund balance will not go into further deficit and the second request was the Taconite Tax which in the current Legislation is .9 cents/ton to the City of Ely for the Sanitary Sewer Replacement Project in Whiteside Park between 8th & 9th Ave. \$350,000 in funding for that project. The City will not move forward until it is in final Legislation.
- iii. Northland Securities – Financing Options for Government Services Facility

B. Fire Chief:

- i. **Debeltz/Omerza moved to approve the Fire Chief to sign Agreement between Superior National Forest and Ely Fire Department. Motion carried unanimously.**

C. Library Director Heinrich invited everyone to attend the Legacy Program featuring author Sarah Stonich at the Library on May 21, 2013 at 3:00pm.

D. Police Chief

- i. Chief Lahtonen presented a proposal to hire a work study Law Enforcement student from Vermilion College to work for the City of Ely as a summer parking enforcer. The City would pay a fourth of his wage with the College paying the rest. It would be a 35 hour/week job for 16 weeks with possibility of additional duties during festivals, etc.

Debeltz/Omerza moved approval for the Police Department to work with the College to hire a work study Law Enforcement student for the Summer Parking Enforcement Program presented by Chief Lahtonen. Motion carried unanimously.

E. City Attorney:

- i. **Debletz/Kess moved to send the City's Hiring Policy which was revised by Attorney Klun to the Employee Relations Committee for their review and then back to the Council for approval. Motion was amended to add language in the Policy which would allow a member of the hiring committee to opt out of the decision due to personal reasons. Motion carried unanimously.**
- ii. **Debeltz/Omerza moved to approve the three month Extension on the Purchase Agreement between the City of Ely and Mauro Caruso for the Old County Garage property and to approve the Lease which allows Mr. Caruso to use the property prior to the closing as presented by Attorney Klun. Motion carried unanimously.**
- iii. Update on Overland Purchase Agreement: This property still needs to be platted but there are right of way issues with MnDOT that need to be addressed. The Overland Group is still moving forward with the purchase at this time.
- iv. Proposed Purchase Agreement, Business Park Plat (Steger) – **discussion moved to end of the meeting during a closed session.**
- v. **Debeltz/Omerza moved to approve the first reading of Ordinance 277, 2nd Series amending the City Code of the City of Ely, Chapter 20, uncoded Ordinances in effect adding sections 20.31, 20.32, 20.33, 20.34, 20.35 and 20.37 related to amending the City Charter and 20.36 related to Annexation. Roll called: Debeltz-yes, Kess-yes, Omerza-yes, Polyner-yes, Shedly-yes and Acting Mayor Nikkola-yes. Motion carried unanimously.**

F. City Engineer

10. COMMUNICATIONS:

- a. Minnesota Dept of Transportation District 1 communication from Duane Hill, P.E., District Engineer

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11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for May 7, 2013 - \$370,414.33.
- B. Approve Zambelli Fireworks Agreement for \$15,000 on July 4, 2013 plus \$1,500 additional if a postponement to July 5, 2013 would occur.
- C. Dept of Transportation Financial Operation MS 215 – City cost for utility, sewer pipe lining, signal revision and parking lane construction by the State on T.H. 1 & T.H. 169 - \$128,610.35
- D. Approve Ely Garden Club request for annual assistance of \$500.00.

Debeltz/Omerza moved approval of claims for payment A-D. Motion carried unanimously.

12. OLD BUSINESS:

- A. Old Building Discussion – **No discussion occurred at this time.**

13. NEW BUSINESS:

- A. Comprehensive Land Use Plan and Implementation Guide, Energy Action Plan and Addendum of Completion prepared by the Planning & Zoning Commission – **this was discussed under Committee Reports**
- B. **Debeltz/Omerza moved to approve JPJ Engineering, Inc – Work Order Confirmation on the Conan St E – Central Ave to Second Ave Project – estimated fees \$9,000. Motion carried unanimously.**
- C. **Sheddy/Omerza moved to approve JPJ Engineering, Inc – Work Order Confirmation on the Chapman St Alleys 8th to 10th Ave E Project – estimated fees \$39,100. Motion carried unanimously.**
- D. **Debeltz/Omerza moved to approve the recommendation from JPJ Engineering, Inc to award the contract to Utility Systems of America, Inc for their lowest base bid of \$279,825.00 on the 8th Ave Alley Sewer Harvey to Sheridan St Project #12-634. Motion carried unanimously.**
- E. JPJ Engineering, Inc – 8th Ave Alley Sewer Harvey to Sheridan St Project #12-634 – Post Bid Summary Report.
- F. Approve JPJ Engineering, Inc Work Order Confirmation for the proposal to provide engineering/surveying services for the preparation of a concept floor plan, rendering sketches and update cost estimates for the 6,500 sq ft library option at the Old Clinic Site. **This item was skipped.**
- G. **Debeltz/Omerza moved to approve the Ely Little League to barricade Harvey St during Little League games pending receipt of all paperwork pertaining to the Obstruction Permit. Motion carried unanimously.**

14. OPEN FORUM: None

15. **Debeltz/Omerza moved to recess the meeting at 6:04pm. Motion carried unanimously.**

Omerza/Debeltz moved to close the meeting to discuss establishing a purchase price for Registered Land Survey #12, Tract C (near the Steger parcel) at 6:09pm. Motion carried unanimously.

Meeting was re-opened at 6:22pm.

Clerk Langowski stated that the next council meeting on May 21, 2013 will be held at the Joint Maintenance Facility per citizen request.

Debeltz/Omerza moved to adjourn the meeting at 6:23pm. Motion carried unanimously.

Claire Huisman
Deputy Clerk