

Ely City Council Regular Meeting Minutes, May 21, 2013

1. CALL TO ORDER:
The Ely City Council Regular Meeting was called to order by Mayor Petersen at 5:30 pm on May 21, 2013 at the Joint Maintenance Facility.
2. ROLL CALL:
Present: Council members Debeltz, Kess, Nikkola, Omerza, Sheddy and Mayor Petersen (6)
Absent: Council member Polyner (1)
3. APPROVAL OF MINUTES:
Debeltz/Omerza moved to approve the minutes from May 7, 2013 Reconvened Board of Appeals & Equalization Meeting and May 7, 2013 Regular Meeting. Motion carried unanimously.
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Omission: 7.B.
 - B. Addition: 13.E. – Community Business Partnership Grant Program Report
 - C. Addition: 13.F. – Resolution 2013-013 – Snowmobile Trail Assistance**Debeltz/Nikkola moved approval of additions & omissions A-C. 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 Clerk Langowski to attend the 2013 Clerks Orientation Conference in St Paul on June 19-21, 2013.
 - C. Approve Council members and/or Mayor to attend the Board of Appeal & Equalization Training in Cotton on October 22, 2013 at 6:00pm.**Kess/Debeltz moved to approve the consent agenda items A-C. The Clerk's office will sign up Council member Debeltz for the Board of Appeal & Equalization Training. Motion carried unanimously.**
7. REQUESTS TO APPEAR:
 - A. Jane Hotesse appeared before the Council to discuss the need for a dock at Semer's Park Beach. She stated that the dock helps to assist those who are physically challenged to get into the water and swim. She uses the dock on a daily basis in the summer and requests that the City look into replacing the old dock that was there so everyone can again enjoy the water.

Clerk Langowski stated that the dock is on the Cities list to replace at some time but priorities of other Park building repairs took precedence. Council member Omerza invited Jane Hotesse to the next Park & Rec meeting on June 3rd to present the need for a new dock at Semer's Park. Council member Kess feels a dock could be purchased for use by this summer. Clerk Langowski stated they can look at this issue again and see what can be done to provide a dock for Semer's Park.
 - B. Frank Salerno - Omitted
8. COMMITTEE REPORTS:
 - A. Council member Kess discussed current Tree Board plans and stated they will work with the Projects Committee before requests are presented to the Council.

Council member Nikkola reminded everyone of the Budget meeting tomorrow morning at 10:00am in City Hall and the ER meeting on Thursday, May 23rd at 5:00pm in City Hall and Projects meetings are held on the 2nd Monday of the Month.

Council member Omerza stated the Library Board had a special meeting to discuss exterior design concepts for a potential new library building. She stated that through Parks & Rec, a final decision was made on the location of the Peace Pole which will be installed on Friday, May 24, 2013 with a dedication held on May 30th at 1:00pm. There will be a City wide clean-up day on May 31st and June

Ely City Council Regular Meeting Minutes, May 21, 2013

1st. Roll off containers will be placed on 7th Avenue. Omerza also stated that the Legislative Session was adjourned until February 4, 2014. She also praised Council member Kess for his performance in the school play “Mary Poppins”.

Council member Shedly stated that the Planning & Zoning Commission discussed revising a couple Ordinances.

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, May 8, 2013:

1. Approved the purchase of line materials for \$6,224.19 from Dakota Supply, RESCO, Border States, WESCO and IRBY.
2. Approved the purchase of sixteen transformers from B&B Transformer for \$8,628.00.
3. Approved payment of the March, 2013 EUC Bills List for \$364,825.50.
4. Approved payment of the L. Murphy Construction, Inc. Invoice #326 for \$12,500.00 for pole and line removal on the Burntside pump house line.

Nikkola/Debeltz moved to approve the EUC consent agenda items 1-4. Motion carried unanimously.

ii. **Omerza/Nikkola moved approval of the Northeast Technical Services, Inc contract to assist with the BID Specifications and UST removal assessment for the removal of the underground storage tank (UST) at the former County Garage in Ely. Motion carried unanimously.**

iii. **Kess/Nikkola moved to approve the request by the Ely Community Garden Group for permission to use the area behind Sibley Apartments for the establishment of a Community Garden and as a gravel bed for the tree project proposed by the Ely Tree Board. Motion carried unanimously.**

iv. **Nikkola/Debeltz moved approval to have the Clerk’s Office review the existing City Obstruction Permit and to bring any revisions to the next Study Session. Council member Kess suggested fees should be different for commercial and Non-Profit Organizations who submit the application. Motion carried unanimously.**

v. Clerk Langowski gave an update on the Sheridan St project schedule. He stated a camera was placed on the light at 1st Ave E & Sheridan St and will be there till the first week of June. MnDot will then bag the lights and place Stop Signs there instead for the next three weeks. People can call the MnDot Engineer, Rob Egge with their remarks and concerns regarding this process. Rob Egge will speak at the June 25th Study Session to report on this project.

B. Fire Chief

C. Library Director:

i. **Omerza/Debeltz moved to approve for the Library Director to attend regional meeting/training for cataloging on May 22, 2013. Motion carried unanimously.**

ii. Saturday morning hours at the library will resume beginning on June 1, 2013.

D. Police Chief

E. City Attorney:

i. **Debeltz/Nikkola moved to approve the 2nd reading of Ordinance 277, 2nd Series amending the City Code of the City of Ely, MN, 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, Nikkola-yes, Omerza-yes, Shedly-yes and Mayor Petersen-yes. Motion carried unanimously.**

- ii. **Sheddy/Nikkola moved to approve the purchase agreement between City of Ely & Tracy Daniels and Travis Melin to purchase real property legally described as: Lot Eight (8), Block Fifteen (15), Whitesides Addition to Ely for \$3,000. Motion carried unanimously.**

F. City Engineer

10. COMMUNICATIONS:

- A. Thank You from Linda Fryer
- B. St Louis County correspondence regarding CDBG and HOME Programs Requalification.
- C. Correspondence from the Ely Area Community Foundation to Council and Mayor.
- D. MnDOT District One Utility Coordination Meeting – advance notice of proposed MnDOT District One construction projects for 2013-2017.

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for May 21, 2013 - \$486,575.12.
Nikkola/Omerza moved approval of claims for payment A. Motion carried unanimously.

12. OLD BUSINESS: None

13. NEW BUSINESS:

- A. **Nikkola/Omerza moved to approve Resolution #2013-011 supporting grant application to the MN DNR Cross-Country Ski Trail Assistance Program for Maintenance and Grooming.**
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 City of Ely has identified the need to assist the Ely Nordic Association Ski Club in developing and maintaining the Hidden Valley Ski Trails, **NOW, THEREFORE BE IT RESOLVED**, that the City hereby declares its support of the Ely Nordic Association Ski Club and grants by passage of this resolution, governmental sponsorship and approval of the grant application to the Minnesota Department of Natural Resources Cross-Country Ski Trail Assistance Program for Maintenance and Grooming. **BE IT FURTHER RESOLVED**, that the City will comply with all applicable laws and regulations as stated in the agreement and the City Treasurer will act as a fiscal agent on behalf of the City of Ely. **BE IT FURTHER RESOLVED**, that the Mayor and City Clerk-Treasurer are hereby authorized to sign any and all applicable contract documents or agreements pertaining to resolution and project.
Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Omerza-yes, Sheddy-yes and Mayor Petersen. Motion carried unanimously.
- B. **Debeltz/Nikkola moved to approve signing TKDA Professional Services five year agreement with the City of Ely to provide the Ely Airport Engineering Services for the three Airport projects as follows: crack sealing; runway lighting; runway resurfacing. The City's financial commitment in this agreement is approximately \$28,000 which will come from the Airport Fund Balance Account. Motion carried unanimously.**
- C. **Debeltz/Kess moved to approve the request from NLAA to waive rental fee to use Whiteside Park Pavilion for the Ely City Band Concert on July 4th and four Tuesdays thereafter. Motion was withdrawn and request tabled until the next council meeting in order to obtain more information regarding the rental. Motion carried unanimously.**
- D. **Nikkola/Kess moved to approve Resolution #2013-012 in support of the Hwy 169 North Task Force Eagles Nest Recommendations. WHEREAS** there have been countless accidents and at least nine documented fatalities on Hwy 169 between Tower and Ely with three in the Eagles Nest Lake Area in the past fifteen years. **WHEREAS** in 2005, Congressman Jim Oberstar secured federal transportation funds through SAFE-TEA-LU to complete safety improvements on Highway 169 from Virginia to Winton. **WHEREAS** the Highway 169 North Task Force has worked diligently with MnDOT to develop the preferred South alignment. **WHEREAS** the Highway 169 North Task Force has made recommendations to MnDOT for Highway Safety Improvements in the Eagles Nest Project Area of Highway 169, between Soudan and Ely. **WHEREAS** at a community meeting held in Ely on

Ely City Council Regular Meeting Minutes, May 21, 2013

February 12, 2013, the overwhelming majority at the meeting voted in favor on the South route requested by the task force in the Eagles Nest Lake Area. **WHEREAS** the existing highway alignment in the Eagles Nest Lake Area has sharp, icy, shaded corners resulting in black ice during four to five months of the year. **WHEREAS** the existing alignment in the Eagles Nest Lake Area has steep slopes, narrow shoulders, excessive number of corners, limited passing zones and poor or no safe areas to pull off. **WHEREAS** the elected officials in the City of Ely, Town of Morse and Ely School Board have been unanimous in the support of the Highway 169 North Task Force recommendations. **NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Ely, Minnesota, does hereby adopt this resolution in support of the requested safety improvements recommended by the Highway 169 North Task Force and supported by SAFE-TEA-LU funding, to eliminate the sharp, icy corners and shaded areas which result in black ice.

Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Omerza-yes, Sheddy-yes and Mayor Petersen. Motion carried unanimously.

- E. **Nikkola/Omerza moved the approval and adoption of the Semi-Annual Accounting Report for the Community Business Partnership Grant. Motion carried unanimously.**
- F. **Debeltz/Nikkola moved to approve Resolution #2013-013 supporting grant application to the MN DNR Grant-in-Aid Snowmobile Trail Assistance Program for maintenance and grooming. 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 City of Ely has identified the need to assist the Ely Igloo Snowmobile Club in developing and maintaining the Lake Trails between Shagawa & Lake Vermilion, **NOW, THEREFORE BE IT RESOLVED**, that the City hereby declares its support of the Ely Igloo Snowmobile Club and grants by passage of this resolution, governmental sponsorship and approval of the grant application to the Minnesota Department of Natural Resources Grant-in-Aid Snowmobile Trail Program for Maintenance and Grooming. **BE IT FURTHER RESOLVED**, that the City will comply with all applicable laws and regulations as stated in the agreement and the City Treasurer will act as a fiscal agent on behalf of the City of Ely. **BE IT FURTHER RESOLVED**, that the Mayor and City Clerk-Treasurer are hereby authorized to sign any and all applicable contract documents or agreements pertaining to resolution and project.
Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Omerza-yes, Sheddy-yes and Mayor Petersen. Motion carried unanimously.

14. OPEN FORUM: None

15. **Nikkola/Omerza moved to adjourn the meeting at 6:48pm. Motion carried unanimously.**

Claire Huisman
Deputy Clerk