

Ely City Council Regular Meeting Minutes, July 16, 2013

1. CALL TO ORDER:
The Ely City Council Regular Meeting was called to order by Mayor Petersen at 5:30 pm on July 16, 2013 at the Ely City Hall.
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/Nikkola moved to approve the minutes from July 2, 2013 Regular Meeting. Motion carried unanimously.
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Omission – 9.E.ii – Reed Road
 - B. Addition – 9.E.iv – Quiet Title
 - C. Addition – Motion to close meeting at the end of meeting to discuss 9.E.iii.**Debeltz/Nikkola moved to approve 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.
Nikkola/Debeltz moved to approve consent agenda item A. Motion carried unanimously.
7. REQUESTS TO APPEAR:
 - A. Elizabeth Wefel, Senior Attorney Lobbyist with Flaherty & Hood and the Coalition of Greater Minnesota Cities gave an overview of the past Legislative Session Initiatives.
 - B. Greg Knutson from Walker, Giroux & Hahne Ltd, presented the City Audit Report for 2012.
Kess/Nikkola moved to accept the City of Ely 2012 Audit as presented. Motion carried unanimously.
8. COMMITTEE REPORTS:
 - A. **Debeltz/Nikkola moved to approve the projects committee recommendation to support the Historical Preservation Commission’s application for a \$10,000 Grant to the Minnesota Historical Society which does not require matching City funds. Motion carried unanimously.**

Debeltz/Nikkola moved to approve the projects committee recommendation to allow the Projects Committee to reduce their membership requirement from 11 to 9 which eliminates the EADA position and one citizen at large position. Attorney Klun will prepare the Ordinance to reflect this change in the Code. Motion carried unanimously.

Council member Omerza thanked the Mayor for attending the Slovenian Days event at VCC. She also stated that the July TAB meeting has been cancelled. The Whiteside Park pavers have been installed. Omerza extended congratulations to the Little League All Star players and reminded everyone that the VFW State baseball tournament will be held in Ely beginning August 8th. Also, the Ely Historical Walking Tour will be starting and going until October 15, 2013.

Sheddy/Debeltz moved approval to have the City Clerk help in the selection of an Energy Performance Contractor. Motion carried unanimously.

Sheddy/Nikkola moved approval to task the City Attorney to create the HRA Executive Director Job Description to mimic the format of the current City job positions. 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, July 10, 2013:
 1. Authorized repair of the main breaker at the WWTF, not to exceed \$6,000.00.
 2. Approved the internal posting of the infrastructure position.**Debeltz/Nikkola moved to approve the EUC consent agenda items 1 & 2. Motion carried unanimously.**

- ii. The City's Revenue and Expenditures report through May, 2013 was presented. This report will be presented from this time forward on a monthly basis. Council member Kess stated he would like to see a fund by fund summary page to be included in the report.

B. Fire Chief

C. Library Director informed every one of the upcoming events at the Library.

D. Police Chief

E. City Attorney:

- i. **Debeltz/Kess moved to approve the First reading of Ordinance 278 amending Chapter 2, Sec 2.57 of City Code regarding the Police Commission Duties. Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Omerza-yes, Shedly-yes and Mayor Petersen. Motion carried unanimously.**
- ii. Reed Road – **Omitted**
- iii. City of Ely to Steger – **Discussed in closed session at end of meeting.**
- iv. **Nikkola/Kess moved approval for the Mayor and Clerk to sign the Quiet Title Action & Complaint document for filing regarding the Old County Garage property. Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Omerza-yes, Shedly-yes and Mayor Petersen-yes. Motion carried unanimously.**

F. City Engineer

10. COMMUNICATIONS:

- A. MnDOT's 20 yr highway plan – MnSHIP draft plan
Debeltz/Kess moved approval to send Bill Erzar a "Thank you" note for all of his hard work on the Hwy 169 Task Force. Motion carried unanimously.
- B. Communication from Ely Area Ambulance Joint Powers on next meeting held August 28th at 10am at the Morse Town Hall Building. Mayor Petersen will take Roger Skraba's place as the City Representative on the Ely Area Ambulance Joint Powers Board.

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for July 16, 2013 - \$287,165.29
Nikkola/Debeltz moved to approve claims for payment A. Motion carried unanimously.

12. OLD BUSINESS:

- A. Discussion ensued on the Community Center and City Hall buildings.
Omerza/Nikkola moved approval to move forward with JPJ Engineering & plans for a new 6500 sqft Library building. Nikkola stated this should not impact the taxpayers. Mayor Petersen feels it will cost the taxpayers two million dollars over the next 15 years. Kess feels there will be limited parking at the new site and the CC still needs to be maintained or demolished without the library. Kess also feels it will cost the taxpayers half a million dollars over the next 15 years if the building is abandoned. Motion carried 5 to 1 with Kess voting "no".

Discussion of the buildings will be continued at the next Study Session.

Debeltz/Nikkola moved approval for the Council to work with the HPC to find re-uses for the Community Center which as stated by Council member Debeltz is still a viable building in the community. Motion carried unanimously.

Celia Domich, HPC member, spoke briefly on her concerns for the future of the Community Center building without the Library being there.

13. NEW BUSINESS:

- A. **Debeltz/Sheddy moved approval to accept James Wagner's notification of retirement as of July 12, 2013 and to send Mr. Wagner a "Thank You" note for his years of service. Motion carried unanimously.**
- B. **Nikkola/Debeltz moved to approve the City to post internally for Equipment Operator II position. Motion carried unanimously.**
- C. **Nikkola/Omerza moved to approve Resolution #2013-020 approving BID for 2013 CIP – Crack Repair Project #15369. 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, bids on the project were opened at Ely City Hall at 2:00pm on June 27, 2013 and the apparent lowest responsible bidder was J&A Enterprises for \$53,750.00. WHEREAS, the resolution for award is subject to state and federal concurrence and availability of funding. 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, Omerza-yes, Sheddy-yes and Mayor Petersen. Motion carried unanimously.**
- D. **Debeltz/Omerza moved to approve Resolution #2013-021 adopting the St. Louis County All-Hazard Mitigation Plan. WHEREAS, the City of Ely has participated in the hazard mitigation planning process as established under the Disaster Mitigation Act of 2000, and WHEREAS, the Act establishes a framework for the development of a multi-jurisdictional County Hazard Mitigation Plan; and WHEREAS, the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and WHEREAS, the St. Louis County Plan includes a risk assessment including past hazards, hazards that threaten the County, an estimate of structures at risk, a general description of land uses and development trends; and WHEREAS, the St. Louis County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and WHEREAS, the St. Louis County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents and how St. Louis County will maintain public participation and coordination; and WHEREAS, the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and WHEREAS, the St. Louis County All-Hazard Mitigation Plan will make the county and participating jurisdictions eligible to receive FEMA hazard mitigation assistance grants; and WHEREAS, this is a multi-jurisdictional Plan and cities that participated in the planning process may choose to also adopt the County Plan. NOW THEREFORE BE IT RESOLVED that the City of Ely supports the hazard mitigation planning effort and wishes to adopt the St. Louis County All-Hazard Mitigation Plan. Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Omerza-yes, Sheddy-yes and Mayor Petersen. Motion carried unanimously.**
- E. **Debeltz/Omerza moved to approve Resolution #2013-022 authorizing application of Conservationist with Common Sense to apply for a raffle permit. WHEREAS, the Conservationist with Common Sense has applied for a Minnesota Lawful Gambling Permit to conduct a raffle on September 8, 2013 at Whiteside Park located at 7th Ave E., Ely MN 55731 and WHEREAS, the City of Ely approves of said application and that the Conservationist for Common Sense be authorized to submit the necessary paperwork to the State of Minnesota Department of Gambling Control. 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, Omerza-yes, Sheddy-yes and Mayor Petersen. Motion carried unanimously.**
- F. **Debeltz/Omerza moved to approve Resolution #2013-023 authorizing application of the Ely Winter Festival to apply for a raffle permit. WHEREAS, the Ely Winter Festival Board has applied for a Minnesota Lawful Gambling Permit to conduct a raffle on February 16, 2014 at the Festival Office located at 423 E Sheridan St, Ely MN 55731 and WHEREAS, the City of Ely approves of said application and that the Ely Winter Festival Board be authorized to submit the necessary paperwork to the State of Minnesota Department of Gambling Control. 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, Omerza-yes, Sheddy-yes and Mayor Petersen. Motion carried unanimously.**

G. Nikkola/Omerza moved to approve JPJ Engineering Project #12-634 – 8th Ave Alley Sewer Harvey to Sheridan St – Partial Payment Estimate #2 - \$96,621.65 to Utility Systems of America Inc. Motion carried unanimously.

H. Nikkola/Omerza moved to approve JPJ Engineering Work Order Confirmation for \$121,900 regarding Ely City Hall Complex to complete final plans and specifications ready for bidding. In discussion, Nikkola stated that the prints should be completed within 90 days by JPJ and then bid documents will go out and be awarded to the lowest bidder. Council member Kess stated the new design was not brought to the Council for approval. Sheddy stated the building plans have been around for discussion. Motion carried 5 to 1 with Kess voting “no”.

14. OPEN FORUM

Building Official, Dennis Schilling stated he will be out of the office from July 25, 2013 until August 12, 2013. Permits will be handled by the Clerk’s office and Planning & Zoning.

Phil Myers of Ely, MN stated that he is in favor of moving forward on the new library building plans. He does not want a tax increase. He also stated that renovating a building in phases does not work efficiently. The City should build new and do it right.

15. Nikkola/Debeltz moved to close the meeting at 7:42pm after a short recess. Motion carried unanimously.

Nikkola/Omerza moved to re-open the meeting at 7:58pm. Motion carried unanimously.

Omerza/Sheddy moved approval to send a cancellation notice to Patty Steger concerning Tract C Registered Land Survey 12 for Purchase Agreement from November 1, 1997. No funds have been received for the transaction. Motion carried unanimously.

Nikkola/Omerza moved to adjourn the meeting at 7:59pm. Motion carried unanimously.

Claire Huisman
Deputy Clerk