

## Ely City Council Regular Meeting Minutes, October 1, 2013

### 1. CALL TO ORDER:

The Ely City Council Regular Meeting was called to order by Mayor Petersen at 5:30 pm on October 1, 2013 at the Ely City Hall.

### 2. ROLL CALL:

Present: Council members Debeltz, Kess, Nikkola, Omerza, Polyner, Shedly and Mayor Petersen (7)

Absent: None

### 3. APPROVAL OF MINUTES:

**Debeltz/Omerza moved to approve the minutes from September 17, 2013 Regular Meeting and September 24, 2013 Study Session. Motion carried unanimously.**

### 4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition: Council meeting minutes from 9/17/13

B. Addition: E.R. meeting minutes from 9/25/13

C. Addition: 9.E.v. – Ordinance #281, 2<sup>nd</sup> Series

D. Addition: 9.B.i. – Fire Chief Annual Conference

E. Omission: 13.G.

F. Addition: 13.H. – Set Special Council Meeting

**Kess/Debeltz moved to approve the additions and omission A-F. Motion carried unanimously.**

### 5. MAYOR'S REPORT

Mayor Petersen expressed his gratitude for there not being a referendum and hoped everyone can work together on this project.

### 6. CONSENT AGENDA:

A. Motion to waive readings in entirety of all ordinances and resolutions on tonight's agenda

B. Approve Mayor and/or Council members to attend the 2013 CGMC Fall Conference, Wednesday, November 13-15, 2013 in Alexandria, MN.

**Debeltz/Shedly moved approval of the consent agenda items A & B. Motion carried unanimously.**

### 7. REQUESTS TO APPEAR:

A. Nancy Tubbs, from the International Wolf Center, introduced Rob Schultz, their new Executive Director. Mr. Schultz gave an overview of the Wolf Center's new programs and updating ideas which includes: new accounting system; website upgrade; updating phone system and increasing internet band width; updating exhibits; offering educational programs through wolf link video conferencing.

### 8. COMMITTEE REPORTS:

A. Council member Debeltz went over the Cemetery meeting minutes from their last meeting.

Council member Nikkola stated the Storefront/Rehab Loan Committee had a meeting where they recommended approval for loan applications from Voltz and Up North Jobs. These applications will be recommended for approval at the next EEDA meeting on October 15, 2013. The Committee also recommended changing the maximum loan amount to \$16,000 with only one outstanding loan per customer. He also stated that Employee Relations Committee selected 6 candidates for the Meter Reader position to be interviewed by the interview committee: Tony Colarich, Warren Nikkola, Ross Petersen, Harold Langowski and Judy Niemela. Interview dates will be October 8<sup>th</sup> and/or October 9<sup>th</sup>.

Council member Omerza reported that the Fire Safety night was a great success and she thanked all of those who participated. The Library Board continues to work on policies, surveys, focus groups and grants. TAB did not have a quorum, so there was no meeting. She also attended a League of Minnesota Board retreat.

Clerk Langowski stated that Whiteside Park bathrooms will be shut down for the winter on Friday, October 4, 2013. A portable toilet will be available.

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, September 25, 2013:

1. Approved the quote from Davies Water to install a wet tap cut in valve on the 10" and 12" water mains for \$19,600.00.

**Omerza/Nikkola moved to approve the Clerk/Treasurer to explore other options for installing a wet tap cut in valve on the 10" and 12" water mains up to \$20,000.00. Motion carried unanimously.**

2. Approved the purchase of six LED street lights from WESCO for \$6,660.00.
3. Authorized Gulbranson Excavating to trench in 600 feet of underground power for \$3,500.00 on the old county garage site.
4. Authorized the clerk-treasurer to explore disposal options for a PCB transformer and move forward with the best option.
5. Approved payment of the Miron Construction Co. Inc. Invoice for \$18,912.00 for WWTP pump modifications.
6. Approved payment of the August, 2013 EUC bills for \$526,976.42

**Debeltz/Omerza moved to approve EUC consent agenda items 2-6. Motion carried unanimously.**

Council member Kess asked for clarification on the Water Tower inspection bills. Clerk Langowski stated the cleaning and inspection of both water tower and ground reservoir was for \$9,200. Scuba dive to clean & inspect the intake structure on Burntside Lake was an additional \$1,000. The price to perform all recommended repairs from the tower inspection was \$10,000. It was noted that the reservoir was built in 1932 and holds 2 million gallons.

**B. Debeltz/Nikkola moved approval for the Fire Chief and one officer to attend the Annual MN State Fire Chiefs Association Conference, Thursday, October 17<sup>th</sup> at the Mayo Civic Center in Rochester MN. Motion carried unanimously.**

C. Library Director stated there are free tickets at the Library to attend the Rose Ensemble Concert at VCC, Sunday, October 13, 2013 at 7:00pm.

D. Police Chief

E. City Attorney

i. **Debeltz/Nikkola moved to approve the Contract for Services between the City of Ely and Mountain Companies, Inc which grants them the right to collect and haul biosolids for the City. Approximately 840,000 gallons of biosolids hauled per year for approximately \$72,000 - \$75,000 per year. Motion carried unanimously.**

ii. **Debeltz/Omerza moved to approve the Amendment to Purchase Agreement for Lot 3 of the West Sheridan Place Plat between the City of Ely and Mauro & Dafne Caruso which extends the closing date to on or before November 1, 2013. Motion carried unanimously.**

iii. **Nikkola/Debeltz moved approval to schedule a public hearing on October 15, 2013 at 4:30pm to inform the public the reasons for declaring 36 & 46 E Conan St as Hazardous Buildings. Motion carried unanimously.**

iv. **Omerza/Nikkola moved approval of the first reading of Ordinance #280, 2<sup>nd</sup> Series amending the City Code Chapter 20, listing of uncoded ordinances in effect by adding Section 20.36 declaring a Temporary Moratorium on the sale or indoor use of E-Cigarettes or similar products and the sale and use of Synthetic Drugs within the City of Ely. Attorney Klun will edit within the 3<sup>rd</sup> "Whereas" to add language in order to further clarify where E-Cigarettes can or can't be used. Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Shedly-yes and Mayor Petersen-yes. Motion carried unanimously.**

- v. **Nikkola/Omerza moved approval of the first reading of Ordinance #281, 2<sup>nd</sup> Series amending Chapter 20, Section 20.2 authorizing Sale of Real Property in West Sheridan Place. Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Petersen-yes. Motion carried unanimously.**

F. City Engineer

10. COMMUNICATIONS:

- A. Ely-Bloomenson Community Hospital annual member meeting to be held, Monday, December 2, 2013.
- B. Laurentian Vision Partnership meeting to be held October 7, 2013 from 9am-12:30pm at the Minnesota Discovery center in Chisholm.
- C. MN Historical Grant letter to the Heritage Preservation Commission – Clerk Langowski stated an ad will be placed in the paper next week requesting bids from Architectural Firms who would be interested in doing a reuse study on the Community Center building.

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for October 1, 2013 - \$361,812.57.
- B. Ely Community Resource, fourth quarter payment for services provided - \$3,140.  
**Debeltz/Omerza moved approval of claims for payment A & B with one correction to the description on ck#57677 to JPJ Engineering: should be “municipal engineer work” instead of “municipal tree ordinance”. Motion carried unanimously.**

12. OLD BUSINESS:

- A. Approve Storefront Loan applications – moved to the next EEDA meeting on October 15, 2013.

13. NEW BUSINESS:

- A. **Debeltz/Nikkola moved to approve Mayor and Clerk/Treasurer to sign Amendment #3 for the joint powers agreement for building maintenance at the Department of Revenue. Motion carried unanimously.**
- B. **Debeltz/Omerza moved to approve payment and signing of Final Payment Estimate #3 for the 2012 City Paving Project #12-634 to Mesabi Bituminous, Inc. - \$5,361.84. Motion carried unanimously.**
- C. **Debeltz/Omerza move to approve Mayor and Clerk to sign JPJ Engineering Change Order #1 for the City Paving Project #12-632 which increases the contract amount by \$7,140.46. Motion carried unanimously.**
- D. **Debeltz/Omerza moved to approve Resolution #2013-034 authorizing the City of Ely to make application to and accept funds from the IRRRB Public Works Grant Program. WHEREAS THE authorizing authority approves of the attached application for the 2014 Public Works Project: and WHEREAS THE authorizing authority hereby agrees to accept funding for the underlying project if approved by the IRRRB. NOW, THEREFORE BE IT RESOLVED, that the authorizing authority of the City of Ely, Minnesota does hereby adopt this resolution. Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Petersen. Motion carried unanimously.**
- E. **Debeltz/Sheddy moved to approve for Mike Hillman to apply for grant monies to be used on the Captain’s Dry Building on Miner’s Lake. A “Thank You” note will also be sent to Mike Hillman for his work on this grant. Motion carried unanimously.**
- F. Schedule interviews for Meter Reader Applicants – discussed earlier in the meeting.
- G. Approve Mayor to sign the Reciprocal Easement Agreement between RSBR Investments, LLC and the City of Ely, MN. – **item omitted from agenda**
- H. **Debeltz/Nikkola moved to approve a Special Council meeting on Friday at 1:30p to allow council members to attend the MNDot meeting in Virginia at that time. Motion carried unanimously.**

14. OPEN FORUM - None

**15. Nikkola/Debeltz moved to close the meeting at 6:38pm to discuss litigation strategy regarding Reed Rd. Motion carried unanimously.**

**Omerza/Nikkola moved to reopen the meeting at 7:00pm. Motion carried unanimously.**

**Omerza/Debeltz moved to adjourn the meeting at 7:01pm. Motion carried unanimously.**

Claire Huisman  
Deputy Clerk