

Ely City Council Regular Meeting Minutes, November 5, 2013, 2013

1. CALL TO ORDER:

The Ely City Council Regular Meeting was called to order by Mayor Petersen at 5:30 pm on November 5, 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/Nikkola moved to approve the minutes from October 15, 2013 Public Hearing & Regular Meeting and October 30, 2013 Study Session with a correction to a motion in the Oct 15<sup>th</sup> regular meeting minutes regarding the request from Lisa Fabish to organize a rally to suspend the wolf hunt. Motion carried unanimously.**

4. ADDITIONS OR OMISSIONS TO AGENDA: None

5. MAYOR'S REPORT

Mayor Petersen asked Council opinion on allowing a film crew to shoot a scene in the Council Chambers of a Council meeting in action.

He also stated that the Arrowhead Regional Development Commission is looking for Council members to serve on their board and asked the Council if anyone would be interested. Council member Kess said he might be interested.

Mayor Petersen congratulated the Ely Football team for making it to the State level. Next game will be held Friday, November 8<sup>th</sup> in Duluth against Floodwood. Also, WELY is requesting sponsorship to broadcast the football games live.

6. CONSENT AGENDA:

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

**Debeltz/Nikkola moved to approve consent agenda item A. Motion carried unanimously.**

7. REQUESTS TO APPEAR:

A. Penny Jeffers & Erin Heep McKenzie from the Ely Area Food Shelf gave a brief presentation on the organization which operates under the AEOA office in Virginia. They currently rent space in the Frandsen Bank building free of charge. They go through 10,000 pounds of food each month costing the organization roughly \$60,000/year which reaches 200 households. They accept and prefer cash donations which are their primary source of funding. They are sponsoring a free movie to be shown Friday, November 8<sup>th</sup> at VCC called "Place at the Table".

B. Thomas Cazin, employee at the Recycling Center, damaged his car at the entrance to the recycling center on a chunk of cement and tar apparently left by a road crew. Clerk Langowski stated that it is in the State's right of way, therefore, the City is under no liability for the damage as stated in the City's Insurance Assessor's report on the Claim.

8. COMMITTEE REPORTS:

A. Council member Debeltz stated he completed the Board of Appeal and Equalization Training on October 22, 2013 and is now certified for meetings conducted in 2014 through 2017. This year's Board of Appeal & Equalization meeting will be at the County Offices.

Council member Kess mentioned the recommendation from the Airport Commission to send a letter to Leustek Construction requesting they remove the processed material they currently own from the pit at the airport within the next year.

Council member Nikkola stated the Projects meeting for Monday, November 11<sup>th</sup> will be canceled.

Council member Omerza stated the IRRRB Task Force is holding a public hearing in Babbitt on November 26, 2013 in their Council Chambers to hear public input on their organization. If people can't make the meeting there will be an online survey on their website for the public to use.

**Kess/Debeltz moved to approve HPC's recommendation to award the job to do the re-use study for the Community Center to John Rova for the Grant amount of \$10,000. Motion carried unanimously.**

Council member Shedly stated the Chamber would like to have a tree lighting ceremony in the park after the parade on November 30<sup>th</sup> with the Mayor saying a few words.

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, October 23, 2013:

1. Approved the 2014 Proposed EUC Budget and Capital Improvements List.

**Debeltz/Nikkola moved to send EUC consent agenda item #1 back to the Utilities Commission. The revised budget and request concerning the franchise fee will be discussed at the next EUC meeting. Motion carried unanimously.**

2. Approved the purchase of 100 AMI water meter nodes from Cooper Power Systems for \$9,702.11.

3. Approved the purchase of a pump for the Pioneer lift station from Electric Pump, Inc. for \$7,725.99.

4. Approved payment of the EUC September Bills List for \$351,702.91.

**Debeltz/Kess moved to approve EUC consent agenda items #2-4. Motion carried unanimously.**

B. Fire Chief gave a verbal recommendation to the Council for the hiring of John Zobitz as 1<sup>st</sup> Assistant Fire Chief. He also mentioned they had a successful fire burn training session last weekend near the water plant.

C. Library Director

**Nikkola/Shedly moved approval of October 1, 2014 as the cutoff date for scheduling rental reservations of the Community Center. Motion carried unanimously.**

Heinrich presented a report on her attendance at the 2013 MN Library Association Conference held in St. Cloud.

D. Police Chief reminded everyone that they will begin issuing tickets tomorrow for Calendar Parking.

E. City Attorney

i. Attorney Klun presented Resolutions to declare three properties a public nuisance: 1041 E Washington St; 1230 E White St; 205 E Camp St. In order to allow for Council review, this will be brought to the next council meeting for approval.

ii. **Debeltz/Omerza moved approval of the Purchase Agreement and Lease Agreement between Mauro & Dafne Caruso and the City of Ely for the sale of existing building and land located at Lot 1, Block 1, West Sheridan Place. Motion carried 6 to 1 with Council member Kess voting "no".**

iii. City of Ely to Steger – item omitted

iv. **Debeltz/Omerza moved to approve the first reading of Ordinance 283, 2<sup>nd</sup> Series amending chapter 10, section 10.23 Minnesota Uniform Fire Code to the 2007 Edition. In discussion, motion was pulled by Debeltz/Omerza to consider waiting until January when a new MN Fire Code would be available. After more discussion, Debeltz/Omerza moved to approve the first reading of Ordinance 283, 2<sup>nd</sup> Series. Roll called: Debeltz-**

**yes, Kess-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Petersen-yes. Motion carried unanimously.**

- v. Attorney presented proposed Ordinance 284, 2<sup>nd</sup> Series – Maintenance of Private Property for Council review. This will also be reviewed by Planning & Zoning Commission and at the next Study Session. This Ordinance mirrors State Statute.
- vi. **Debeltz/Omerza moved to approve AFSCME Local Union #1490 contract agreements for both Base and Essential units. Roll called: Debeltz-yes, Kess-yes, Nikkola-yes, Omerza-yes, Polyner-yes, Sheddy-yes and Mayor Petersen. Motion carried unanimously.**

F. City Engineer

10. COMMUNICATIONS:

- A. Ely Community Resource 3rd Quarterly Progress Report
- B. Debeltz/Sheddy moved to approve for the Ely Chamber of Commerce to hold the annual Holiday Parade pending Police Dept approval of the parade route. Also to send them a Thank You note for organizing this event. Motion carried unanimously.**
- C. Township of Eagles Nest letter in support of Ely Airport improvements in the next State bonding bill. **Thank you note will be sent to the Township of Eagles Nest for their letter of support. (No motion necessary)**
- D. US Dept of Agriculture letter in support of Ely Airport infrastructure improvements.
- E. MN Dept of Natural Resources – GIA Maintenance Grant Reductions for FY 2014

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for November 5, 2013 - \$743,195.47
  - B. Kolstad-Olson Drilling – Hidden Valley Chalet – Inv#11233 - \$2,124.04
  - C. Cunningham Electric – Ely Nordic Ski Club – Inv#2968 - \$835.02
  - D. Phil Hegfors & Son Constr work on Birch Highland Trail - \$5,350.00 (City will be reimbursed by the DNR Grant)
  - E. Mayranen Logging – trail clean-up - \$270.00
  - F. Lamb’s LLC - Composting, Hauling, Loading – soil treatment - \$14,821.92
- Nikkola/Debeltz moved to approve claims for payment items A-F. Motion carried unanimously.**

12. OLD BUSINESS:

- A. Budget – brief discussion ensued on the EUC Budget which will be sent back to the Utilities Commission for consideration on increasing utility rates and lowering the franchise fee which will need an Ordinance change. Also, for the general budget, Ely Community Resource has requested an increase in the City’s annual contribution from \$12,560 to \$15,500.

13. NEW BUSINESS:

- A. Debeltz/Omerza moved to approve MN Dept of Natural Resource, Grant-In Aid Agreement - Snowmobile Trails - \$20,618.40. Motion carried unanimously.**
- B. Debeltz/Omerza moved to approve Resolution #2013-036 authorizing the application of the Knights of Columbus Council 3238 to conduct a bingo: WHEREAS, the Knights of Columbus, Council 3238, 1012 E Harvey St, Ely, Minnesota 55731 have requested approval of the application to conduct a bingo on November 24, 2013 & December 15, 2013 at St Anthony’s Church Hall located at 231 E Camp St, Ely, MN 55731. 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, Polyner-yes, Sheddy-yes and Mayor Petersen-yes. Motion carried unanimously.**
- C. Debeltz/Nikkola moved to approve hiring John Zobitz to the 1<sup>st</sup> Assistant Fire Chief position as recommended by the Interview Committee. Motion carried unanimously.
- D. Nikkola/Omerza moved to approve JPJ Engineering Partial Payment Estimate No. 1 for the Chapman St Alleys 8<sup>th</sup> to 10<sup>th</sup> Ave Project #13-727 – Payment of \$162,306.55 to Utility Systems of America. Motion carried unanimously.

**E. Nikkola/Debeltz move to approve JPJ Engineering Partial Payment Estimate No. 1 for Conan St Improvements, Project #11-552 - \$71,704.10. Motion carried unanimously.**

**F. Debeltz/Nikkola moved approval to set date for Public Hearing on the FY 2014 CDBG funding process for 4:30pm on November 19, 2013. Motion carried unanimously.**

14. OPEN FORUM: None

**15. Nikkola/Omerza moved to recess the meeting at 6:45pm until 5:30pm on Thursday, November 7<sup>th</sup> to allow the Animal Planet TV Film Crew to film a Council meeting in action as a scene in their pilot show. Motion carried unanimously.**

Claire Huisman  
Deputy Clerk