

Ely City Council Regular Meeting Minutes, March 17, 2015

1. CALL TO ORDER
The Ely City Council Regular Meeting was called to order by Mayor Novak at 5:30 pm on March 17, 2015 at the City Hall Council Chambers.
2. ROLL CALL:
PRESENT: Council members A.Forsman, Kess, Debeltz, Omerza, Polyner, D.Forsman, Mayor Novak (7)
ABSENT: None
3. APPROVAL OF MINUTES:
Debeltz/D.Forsman moved to approve the minutes from the March 3, 2015, 2015 Regular Meeting. Motion carried unanimously.
4. ADDITIONS OR OMISSIONS TO AGENDA:
A. Addition: 13.B. – Off Sale Liquor application
Omerza/Debeltz moved to approve addition A. 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 Chambers request for City assistance in hanging street flower baskets and banners.
C. Approve Council/Mayor to attend LMC Annual Conference in Duluth, MN on June 24-26, 2015.
D. Approve Deputy Clerk to attend MN Municipal Clerks Institute (3rd & final year), May 4-8, 2015 in Plymouth, MN.
Debeltz/Omerza moved to approve consent agenda items A-D. Motion carried unanimously.
7. REQUESTS TO APPEAR:
A. Luthera Smith, Ely resident, spoke before the council regarding the City clean-up of her property due to the Civil Enforcement citation she received last year. She stated that during the clean-up by City officials, there was damage to her private property along with missing items.

In response, Mayor Novak stated that the Civil Enforcement process was followed but he was not in office at that time and he could not speak on the matter but would look into the situation.

After Ms. Smith left the council chambers, Attorney Klun stated that due process was followed and appropriate warnings were issued to Ms. Smith. She stated that Ms. Smith refused to be present when the clean-up was scheduled. The City was doing its job under the Civil Enforcement Code.
8. COMMITTEE REPORTS:
A. LMC Joint Day/CGMC Lobby Day report – Omerza (Informational)

B. Polyner/Kess moved to approve the recommendation from the HPC for the Mayor and Clerk to sign the form to accept the state grant in the amount of \$7,000 from the Arts and Cultural Heritage Fund through the MN Historical Society. The grant is to be used for the Ely Community Center National Register Nomination project. Motion carried unanimously.

A.Forsman stated that the Community Center Foundation and the Negotiating team met last Thursday and will continue to meet monthly.

Omerza/A.Forsman moved to approve the Insurance Committee's recommendation for the City to change carriers for Long Term Disability insurance from their current carrier, Lincoln Financial Group to Standard Life in order to lower premium costs. Standard is the City's current Life Insurance carrier. Motion carried unanimously.

Kess/Debeltz moved to approve the Airport Commissions recommendation to accept TKDA's 2015 fee schedule. Motion carried unanimously.

Omerza/Debeltz moved to approve for the Park and Recreation Board to explore options for a dog park in Ely. Motion carried unanimously.

Omerza/D.Forsman moved to approve the Park and Recreation Board's recommendation to invite the Voyageur Encampment back to the Harvest Moon Festival for a one year trial basis under the following conditions: set up is to be done during the festivals normal set up hours on Thursday; bathrooms will be locked each night; permission to stay overnight during the three days of the festival only; no fires on the ground; no dogs; no tobacco; and to follow all rules set by Chamber and the City. Motion carried unanimously.

Omerza/Debeltz moved to approve the Park and Recreation Board's recommendation to move forward on all approved grants for the Skate Park. Some of which include: Tony Hawk \$5000; Rob Dryden Foundation \$4000; Ely Rotary \$500. Motion carried unanimously.

Omerza/Debeltz moved to approve the Park and Recreation Boards' recommendation to accept the Fees for Service proposal by Spectrum for construction documents and work plans and deliverables as outlined in the attached information for \$4,780. Motion carried unanimously.

Council member Polyner stated the Planning and Zoning Commission moved to advise the council and the City to proceed with the acquisition of and demolition of non-conforming dilapidated structures, unless a detailed viable business plan for the re-use of the parcel and buildings can be provided after a restoration might be completed. Additionally, it must be shown that the cost would not exceed 50% of replacement value as indicated by City Code.

D.Forsman reported that the Projects Committee discussed the Business Park II and the West End Development projects.

Mayor Novak stated that the Telecommunication Advisory Board is working on getting Ely TV back up and running in order to once again broadcast the Council meetings live from the Council Chambers. The estimated date for live coverage to begin is March 31st for the Study Session.

Mayor Novak also stated that City officials along with Morse Township supervisors will be meeting with Commissioner Rukavina to discuss a possible City and County land swap.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

- i. **Debeltz/Omerza moved to approve Employee Relations Committee's recommendation to accept the Building Official, Doug Whitney's contract. Kess/D.Forsman moved to table the motion until next council meeting to give the council time to research other cities building codes and procedures and to discuss at the next Study Session before making this decision. Motion to table carried unanimously.**

Omerza/Debeltz moved to extend the current Building Official contract for one month. Motion carried unanimously.

Council member Omerza suggested the Clerk get advisement from the League of Minnesota Cities regarding City land use issues in order to discuss at the next meeting.

B. Fire Chief

C. Library Director Heinrich reported on upcoming programs at the Library.

D. Police Chief

E. City Attorney:

- i. **Debeltz/Omerza moved to approve closing the council meeting at the end to discuss Reed Road Litigation Strategy. Motion carried unanimously.**
- ii. **Kess/Omerza moved to approve the concept of the Hospital Development Agreement and to waive any concerns relative to the project regarding the potential conflict of interest with the Attorney working for the City and sitting on the Hospital Board. The Hospital will pay for Attorney fees on this project. Motion carried unanimously.**

F. City Engineer

10. COMMUNICATIONS:

- A. Donald G Gardner Humanities Trust letter of appreciation.
- B. Ely Winter Festival –Thank you note.
- C. Town of Morse invitation for Ely city representatives to attend next Town of Morse meeting.
- D. Hometown Hydropower – Ely Baseball Association

E. 2015 Steger WolfTrack Classic Sled Dog Race – Thank you note

11. CLAIMS FOR PAYMENT:

A. City and EUC claims for March 17, 2015 - \$529,693.64

Debeltz/Omerza moved to approve claims for payment A. Motion carried unanimously.

B. TL Construction – Ely City Hall Remodel Project – Application #8 - \$212,330.70

Debeltz/Omerza moved to approve claims for payment B. Motion carried unanimously.

12. OLD BUSINESS: None

13. NEW BUSINESS:

A. Omerza/Debeltz moved to approve Resolution #2015-009 supporting Local Government Aid (H.F.685/S.F.874). WHEREAS, LGA is a vital state-funded property tax aid and equalization program that restrains the growth of local property taxes through the distribution of state funding to cities based on an objective formula of needs; and, **WHEREAS**, LGA seeks to equalize the vastly different tax bases of property-poor and property-wealthy cities ensuring Minnesotans have the required city services necessary for a good quality of life and public safety; and, **WHEREAS**, LGA has positively assisted recovery from the Great Recession by allowing critical reinvestments in infrastructure necessary to economic growth and the hiring and maintaining of essential staff positions to ensure effective and efficient administration of local government; and, **WHEREAS**, LGA has favorably affected communities, including Ely by providing for funding for essential services and necessary infrastructure; and, **WHEREAS**, H.F.685 and S.F.874 have been introduced with bipartisan authorship and support to increase LGA funding by \$45.5 million by 2017, restoring it to its 2002 level. **NOW, THEREFORE, BE IT RESOLVED** that the City of Ely, Minnesota, urges the Legislature to pass H.F.685 and S.F.874 and include the funding for these bills in the state’s budget. **BE IT FURTHER RESOLVED**, that upon passage of H.F.685 and S.F.874, this resolution be forwarded to the Governor, the Speaker of the House, the Senate Majority Leader, the Senate Tax Committee Chairman, the House Tax Committee Chairman and to members of the State Legislature representing the City of Ely. **Roll called: A.Forsman-yes, Kess-yes, Debeltz-yes, Omerza-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously.**

B. Debeltz/Omerza moved to approve the Off Sale Liquor License application for the new owners of Mike’s Liquor pending the receipt of all required documents. Motion carried unanimously.

14. OPEN FORUM: None

Meeting was recessed at 6:24pm.

The closed meeting began at 6:32pm to discuss with Attorney Klun the Reed Road litigation strategy.

15. Meeting was reopened and then adjourned at 6:57pm by Mayor Novak.

Claire Huisman
Deputy Clerk