

## Ely City Council Regular Meeting Minutes, April 21, 2015

### 1. CALL TO ORDER

The Ely City Council Regular Meeting was called to order by Mayor Novak at 5:30 pm on April 21, 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 April 7, 2015 Regular Meeting, April 9, 2015 Board of Appeals & Equalization Meeting and April 14, 2015 Reconvened Board of Appeals & Equalization Meeting. Motion carried unanimously.**

### 4. ADDITIONS OR OMISSIONS TO AGENDA: None

### 5. MAYOR'S REPORT

A. Mayor Novak stated that the link on the City of Ely website to the webcams that have been placed around the City by an Ely Citizen has been removed due to anti-mining propaganda on that webpage. He also stated that the City still needs volunteers to sit on city committees. The Mayor visited the Capitol in St. Paul and met with several Legislators regarding issues that directly affect Ely. He will be attending a Mayor's Conference this week in White Bear Lake, MN. The Mayor advised people to call state representatives to lobby for the good will of Ely.

### 6. CONSENT AGENDA:

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

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

### 7. REQUESTS TO APPEAR: None

### 8. COMMITTEE REPORTS:

A. Council member A.Forsman attended the meeting with the Community Center Foundation and the Negotiating Task Force. Any decisions to be made will be made after the Maxwell Housing Research study is done.

Council member Kess stated that the P&Z Commission continues to meet twice a week. He will also have the RAMS minutes from their annual meeting in the next council agenda packet.

Council member Omerza reported on the Park & Rec Board meeting. They discussed a possible multi-use park around the Pillow Rock location. They also had a request from a biking group to be allowed to camp one night in Whiteside Park during their "bikepacking" race on Saturday, August 22, 2015.

**Omerza/Kess moved to enforce the City's "no camping" rule in Whiteside Park. In discussion, it was pointed out that the Voyageur Encampment is being allowed to camp during the Harvest Moon Festival. It was noted that this event is monitored and regulated by Chamber of Commerce.**

**Council member Kess called the Question which failed due to a 4 yes and 3 no vote.**

**The motion was reworded to include no camping in Whiteside Park except as a Council approved event coordinated through the Chamber of Commerce. Motion carried unanimously.**

Council member Omerza was also in St Paul last week on Coalition and League business. She asked the Steering Committee for minutes or reports on their meetings. Council members Polyner and A.Forsman stated they are still in the early stages of organization and pen has not been put to paper as of yet. They are preparing to present a report at the end of May. Clerk Langowski stated he will be attending the meeting tomorrow night and will bring back minutes to the council.

**Debeltz/Polyner moved to approve for the City of Ely to be a sponsor for the application by John Ott to the Minnesota Historical and Cultural Heritage Grant for the State Theater Pre-Development work. Motion carried unanimously.**

**D.Forsman/Debeltz moved to approve the recommendation of the Projects Committee to support the application by Greenstone Art to SHPO for possible grants and to IRRRB for a Culture and Tourism Grant for Pioneer Mine repairs. Motion carried unanimously.**

**D.Forsman/Omerza moved to approve the recommendation of the Projects Committee to go out for bids for the Trezona Trail connection project which is being funded by a \$149,000 grant. Motion carried unanimously.**

**D.Forsman/Debeltz moved to approve the recommendation of the Projects Committee to go out for bids for the utility replacement in the Methodist Church alley and the paving, curb and gutter replacement on East Chapman Street from 8<sup>th</sup> Ave to 10<sup>th</sup> Ave. 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, April 8, 2015:
  1. Approved the purchase of a regulator rack and materials for the Spaulding area from Wesco for \$5,981.32.
  2. Approved the 8<sup>th</sup> Avenue East reconstruction project bid award for \$290,242.10.
  3. Authorized department staff to attend the MN AWWA Waterworks Operator School in Ely on May 13-15, 2015.
  4. Approved the EUC March Bills List for \$410,010.22.

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

B. Fire Chief

Mayor reported for the Fire Chief that on Wednesday, April 29, 2015 at 6:30pm at Vermilion Community College, Room 104, the National Weather Service is holding a Sky Warning Training Program which is free and open to the public.

C. Library Director

D. Police Chief:

E. City Attorney:

- i. **Debeltz/D.Forsman moved to approve the Second Reading of Ordinance 297 – revision to Ord. 294 –Sale of Property to John Ott. Roll called: A.Forsman-yes, Kess-yes, Debeltz-yes, Omerza-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously.**
- i. Old Ford Garage Update  
**Debeltz/Omerza moved to approve for Attorney Klun to move forward with the agreement from Old Ford Garage property owner who wishes to give the property to the City as a charitable donation. The agreement must have no restrictions on land use. Motion carried unanimously.**
- ii. Attorney Klun stated Korpi Trust check has been received. Determination of fund use will be decided by the Trustees.
- iii. Attorney Klun sent letters to property owners on Shagawa Road to contact her office if they wish to have their property annexed with the City of Ely.
- iv. There will be a meeting with the Hospital Directors and the City of Ely Officials at Klun Law Office on May 7, 2015 to remedy the covenants for the loan re-financing.
- v. **Debeltz/Omerza moved approval to close the meeting at the end for Attorney client privilege to discuss strategy on the Reed Road litigation. Motion carried unanimously.**
- vi. **Debeltz/Omerza moved to approve Attorney Klun to file the Quit Claim Deed on the Bierbaum property located at Lot One, Block One, E Spaulding, St Louis County, MN to extinguish the reversionary interest in the Grantor that was created in the deed dated April 30, 2007. Motion carried unanimously.**

F. City Engineer

10. COMMUNICATIONS:

- A. Annexation lands near hospital- Morse response
- B. Debeltz/Omerza moved to approve to call a Special Council meeting on May 28<sup>th</sup> for the New Rec Facility Concept Meeting on May 28<sup>th</sup> at the Washington Auditorium so all Council Members may attend. Motion carried unanimously.**
- C. May is Building Safety Month-Memo from Doug Whitney-Building Official
- D. Valerie Nesteruk and Jim Barott, Tree Board members, presented to the City and Mayor Novak, a plaque from the Arbor Day Foundation designating the City of Ely as a 2014 Tree City USA.

**Debeltz/Kess moved approval to send the Tree Board a “Thank you” note for their hard work and dedication to the beauty of the City which enabled Ely to receive the recognition as Tree City USA. Motion carried unanimously.**

11. CLAIMS FOR PAYMENT:

A. City and EUC claims for April 21, 2015 - \$222,630.43

**Debeltz/D.Forsman moved to approve claims for payment item A. Motion carried unanimously.**

12. OLD BUSINESS:

A. **Debeltz/Polyner moved approval to send the draft of the revised HPC section within the Ely Code to the City Attorney for consideration and approval. Motion carried unanimously.**

B. **Debeltz/Omerza moved to approve the Event Coordinator Joint Venture Agreement as presented. It is proposed that after three years, this Board will become self-sustaining. Council member A.Forsman stated that tax payer dollars should not be used to promote the Ely area. Motion carried unanimously.**

**Kess/Omerza moved to approve the City’s contribution payment of \$10,000 for 2015 to the Events Coordinator Bureau. Motion carried unanimously.**

**Omerza/Debeltz moved to approve nominating Mayor Novak to be the City Representative on the Events Coordinator Board. Motion carried unanimously.**

13. NEW BUSINESS:

A. **Debeltz/Omerza moved to approve Resolution 2015-014 authorizing Conservationist with Common Sense to Apply for Raffle Permit. WHEREAS,** the Conservationist with Common Sense has applied for a Minnesota Lawful Gambling Permit to conduct a raffle on September 13, 2015 at Whiteside Park located at 700 E Sheridan St., 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: A.Forsman-yes, Kess-yes, Debeltz-yes, Omerza-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously.**

B. **D.Forsman/Omerza moved to approve Resolution 2015-015 authorizing Special Olympics MN/Northland 300 to apply for Raffle Permit. WHEREAS,** the Special Olympics MN/Northland 300 has applied for a Minnesota Lawful Gambling Permit to conduct a raffle on January 23, 2016 at the Grand Ely Lodge located at 400 North Pioneer Road St., Ely MN 55731 and **WHEREAS,** the City of Ely approves of said application and that the Special Olympics MN/Northland 300 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: A.Forsman-yes, Kess-**

**yes, Debeltz-yes, Omerza-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously.**

**C. Kess/Debeltz moved to approve Resolution 2015-016 in support of Ely Bloomenson Community Hospital and Ely Area Ambulance Service as it applies to the Annexation of Property. WHEREAS, the City of Ely has requested annexation of 40 acres immediately west of the hospital: SE ¼, of NW ¼, Section 33, T63N, R12W and 12 acres associated with the Recycling Center: approx the SE corner of the NE ¼, of NW ¼, Section 33, T63N, R12W. WHEREAS, the City of Ely supports the future expansion of the Ely Bloomenson Community Hospital and. WHEREAS, the Ely Area Ambulance Service is considering the construction of a new ambulance garage, WHEREAS, the property being considered for the future Hospital expansion and the ambulance garage is owned by the City of Ely and directly abuts the Ely municipal boundary, WHEREAS, the City of Ely fully supports the efforts of the hospital and the Ely Area Ambulance Service to expand and improve service, NOW, THEREFORE BE IT RESOLVED, upon completion of the requested annexation, the Ely City Council hereby commits to contribute the required property for the proposed ambulance garage construction and, BE IT FURTHER RESOLVED, that the City of Ely will fully pay any costs for permitting and building inspections to ensure the building code is enforced and, BE IT FURTHER RESOLVED that these contributions be made in addition to the normal annual financial contribution determined by the Ambulance Joint Powers. Roll called: A.Forsman-yes, Kess-yes, Debeltz-yes, Omerza-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously.**

**D. D.Forsman/Debeltz moved to approve the Ely Winter Festival request to construct an ice rink in Whiteside Park during the 2016 Winter Festival event. The rink would be 100 x 100, built by Dave Starkman and once melted; the area will be aerated and replanted with grass seed. Motion carried unanimously.**

**E. Debeltz/D.Forsman moved to approve the TKDA Authorization for Professional Services- Environmental Assessment- 2017 Development Ely Municipal Airport which includes the Runway 12 Connector Taxiway, Apron Expansion, Parallel Taxiway between Taxiways A2 and A3 and Runway primary surface obstruction removals. Motion carried unanimously.**

**F. Debeltz/Omerza moved to approve Merhar's Ace Hardware Commercial Rehab Loan for \$8000 and direct Attorney Klun to work with the applicant and to proceed with the loan processing. Motion carried unanimously.**

14. OPEN FORUM: None

15. Meeting recessed at 6:45pm before going into a closed session.

Meeting was reopened at 7:05pm.

Mayor Novak adjourned the meeting at 7:06pm.

Claire Huisman

Deputy Clerk