

Ely City Council Regular Meeting Minutes, June 2, 2015

1. CALL TO ORDER

The Ely City Council Regular Meeting was called to order by Mayor Novak at 5:30pm on June 2, 2015 at the City Hall Council Chambers.

2. ROLL CALL:

PRESENT: Council members A.Forsman, Kess, Debeltz, Omerza, Polyner, D.Forsman and Mayor Novak (7)

ABSENT: None

3. APPROVAL OF MINUTES:

Debeltz/D.Forsman moved to approve the May 19, 2015 Regular Meeting and May 26, 2015 Study Session. Motion carried unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition: 10.B. – DEED Communication awarding grant of \$250,000 to City of Ely.

B. Addition: 10.C. – GreenStep City Annual Conference

C. Addition: 9.A.ii. – Sale of misc. items at the CC

D. Addition: 13.D. - Ely Community Center Foundation – CC Financial Analysis

Debeltz/Omerza moved to approve the Additions A-D. Motion carried unanimously.

5. MAYOR'S REPORT

Mayor Novak invited the public to attend the City Hall Open House on June 12, 2015 beginning at 1:00p and the Folks School Open House on June 6, 2015 at the Old Fisherman's Headquarters.

6. CONSENT AGENDA:

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

B. Approve Ely Jaycees Temporary Liquor License Application to operate a Beer Garden on July 24-26, 2015 during the Ely Blueberry Arts Festival pending receipt of all proper paperwork and fees.

Debeltz/D.Forsman moved to approve consent agenda items A & B. Motion carried unanimously.

7. REQUESTS TO APPEAR: None

8. COMMITTEE REPORTS:

A. Council member Kess, reported on RAMS stating that four people will interview for the position of RAMS Executive Director which will take place around June 12th at the Northland Services Building in Virginia. He also stated that the Airport "Runway" will close on June 9, 2015 but the rest of the Airport will remain open.

Council member Omerza reported on the end results of the 2015 Legislative Session. She stated there will be a Special Session sometime within the next week or so. Also, the League of MN Cities is welcoming a new Executive Director to begin his term on August 1, 2015.

Mayor Novak reported on the HRA Board. He stated that they are working on making HUD Homes energy efficient through a state forgivable loan of \$440,000 which will convert into grant monies.

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, May 27, 2015:
 1. Approved the purchase and installation of the Option 1 transducer from Utilities Plus Energy Services, Inc. for \$4,280.00 for the load management system.
 2. Approved Corey Weisinger's request to purchase 12 to 15 old power poles for \$5.00 each.
 3. Approved payment of Utilities Plus Energy Services Invoice #9931 for transducer testing for \$1,200.00.
 4. Approved payment of the April EUC Bills List for \$374,994.50.

Debeltz/D.Forsman moved to approve EUC consent agenda items 1-4. Motion carried unanimously.
- ii. **Kess/Omerza moved to authorize the Clerk to work with the HPC and the CC Foundation to organize items to sell at a public auction and to provide adequate notice to the public as to when the auction will take place. Motion carried unanimously.**
- iii. **Debeltz/D.Forsman moved to approve concept of the Interim Use Permit for Butch Pecha as presented, contingent on the approval by the Planning & Zoning/ Board of Adjustments which will hold a public hearing on Wednesday, June 3, 2015. Motion carried unanimously.**

B. Fire Chief

- C. Library Director Heinrich presented a list of the summer activities to be hosted by the Ely Public Library. A Literary Landmark Celebration for Sigurd Olson will be held at VCC at 4pm on Friday, June 5, 2015.

D. Police Chief

E. City Attorney:

- i. **Debeltz/Omerza moved to approve the Warranty Deed & the Lease of the existing pole building located on his property at West Sheridan Place to the City of Ely for 5 months at no charge. Motion carried unanimously.**
- ii. **Kess/Omerza moved to approve for Attorney Klun to proceed with the acceptance of the Old Ford Garage property as a Gift Donation to the City of Ely. Before ownership can be transferred, the delinquent taxes of \$3,000 must be paid by the City since the owner is unable to do so. In discussion, the Council feels it will be more cost efficient to pay the taxes and accept the donation rather than proceed with blight property charges which would cost more to the city and the owner in legal fees. Motion carried unanimously.**

- iii. **A.Forsman/Omerza moved to approve for Attorney Klun to move forward with the proposed changes to the Sign Ordinance as presented at the last Study Session on May 26, 2015. This will make signage easier for citizens to obtain and for the City to regulate. Motion carried unanimously.**
- iv. **Debeltz/D.Forsman moved to approve to close the meeting at the end to discuss litigation on Reed Road with Attorney Klun. Motion carried unanimously.**

F. City Engineer

10. COMMUNICATIONS:

- A. **Debeltz/D.Forsman moved to send Ely Winton Rod & Gun a Thank You note for their donation of \$500 to “Beautify Ely”. Motion carried unanimously.**
- B. DEED Communication awarding grant of \$250,000 to City of Ely.
- C. Ely recognized as a GreenStep City. Annual Conference to be held June 26th in Duluth.

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for June 2, 2015 - \$681,507.99
Debeltz/D.Forsman moved to approve claims for payment A. Motion carried unanimously.

12. OLD BUSINESS:

- A. **Omerza/Debeltz moved to approve the second reading of Ordinance 298, 2nd Series to amend the language in the City Code, chapter 2, section 2.60 regarding the Heritage Preservation Commission’s establishment & composition and its powers & duties. 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 the second reading of Ordinance 299, 2nd Series to amend City Code, chapter 10, section 10.29 regarding noise control. This would allow City wide the extended allowable time on July 4th to 11:30pm and the Saturday of the Annual blueberry Arts Festival to 11:00pm. It also includes an Amplification Permit allowing a landowner to request modification or extension of the hours stipulated in the Ordinance. This permit would need approval by the Council and would need to be submitted a minimum of 30 days prior to the event. Roll called: A.Forsman-yes, Kess-yes, Debeltz-yes, Omerza-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously.**
- C. Debeltz/Omerza moved to approve the second reading of Ordinance 300 to amend City Code pertaining to permits and fees & the Building Code. **Debeltz/Omerza approved to pull their motion.**
Second Reading of Ord 300 was **TABLED and added to New Business 13.A.i.**
- D. 2nd reading Ordinance 301 to amend the City’s Schedule of Fees was **TABLED and added to New Business 13.A.ii.**

- E. Omerza/D.Forsman moved to approve the second reading of Ordinance 302, 2nd Series amending City Code, chapter 5, section 5.07.2 regarding the off-sale of Growlers on Sunday. This pertains to beer that has been brewed on site and placed in a specific container (growler). Language will be in accordance with state statute. Roll called: A.Forsman-yes, Kess-yes, Debeltz-yes, Omerza-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously.**

13. NEW BUSINESS:

- A. Resolution #2015-020 establishing building permit and inspection fees.
- i. 2nd reading of Ordinance 300
 - ii. 2nd reading of Ordinance 301
- Kess/Debeltz moved to TABLE Resolution #2015-020 & the 2nd readings of Ordinances 300 & 301 until the next council meeting. Motion carried unanimously.**
- B. Omerza/Kess moved to approve the Amplification Permit Application from Tim Brennan requesting to have outdoor music on from July 4, 2015 at 6pm to July 5, 2015 at 12:30am. Motion carried 6 to 1 with Council member A.Forsman voting “no”.**
- C. D.Forsman/A.Forsman moved to approve the City of Ely Commercial Renovation Loan application from Donald Chinander for \$11,800 for Stony Ridge Café renovations which include: kitchen; dining room and bathroom. Total project cost is \$15,000. This approval will be pending all proper paperwork, fees and credit eligibility. Motion carried 6 to 1 with Council member Debeltz abstaining due to family ties.**
- D. A.Forsman/Polyner moved to approve the Contract for Professional Services with Maxfield Research to provide market research and consulting services to Ely Community Center Foundation to assess the potential demand and potential financial costs for a reuse and rehabilitation of the CC building. The Market Component cost is \$8,000 and the Financial Analysis is \$5,000 for a total contract of \$13,000. Council member Kess stated that this study will be more focused than the previous studies of the building. Clerk Langowski stated they will be able to zone one boiler to just heat the lower level of the CC thus cutting heating cost drastically. This cost savings can be used on this Study. There will need to be a budget adjustment to the CC professional services fund. Motion was amended to reference that the City of Ely will be signing the contract and all money and invoices will be through the City and not the Foundation. Motion carried unanimously.**

Clerk Langowski stated that all the trees being cut down right now in the City were looked at by the Tree Assessment group and it was under their recommendation that these trees be cut.

14. OPEN FORUM: None

15. Mayor Novak recessed the meeting at 6:38pm for 10 minutes and then closed the meeting at 6:48pm for the Reed Road Litigation discussion with Attorney Klun.

The meeting was reopened at 7:02pm.

Debeltz/Omerza moved to approve engaging Paul Reuvers, Attorney as additional council on the Reed Road issue. Motion carried unanimously.

Mayor Novak adjourned the meeting at 7:03pm.

Deputy Clerk
Claire Huisman