

Ely City Council Regular Meeting Minutes, July 7, 2015

1. CALL TO ORDER

The Ely City Council Regular Meeting was called to order by Mayor Novak at 5:30pm on July 7, 2015 at the City Hall Council Chambers.

2. ROLL CALL:

PRESENT: Council members A.Forsman, Kess, Debeltz, Polyner, D.Forsman and Mayor Novak (6)

ABSENT: Omerza (1)

3. APPROVAL OF MINUTES:

Debeltz/D.Forsman moved to approve the minutes from June 16, 2015 Regular Meeting and June 30, 2015 Study Session. Motion carried unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition: 8.A- TAB Minutes, ER Minutes, Park & Rec Draft Minutes

B. Addition: 10.E – Whiteside Park

C. Addition: 13.F – Resolution #2015-024 Volunteer Firefighter Retirement Plan

Debeltz/D.Forsman moved to approve additions A-C to the agenda. Motion carried unanimously.

5. MAYOR'S REPORT

Debeltz/A. Forsman moved to form a task group to consider adjustments to the current fee schedule concerning building code enforcement and to post for volunteers. Motion carried unanimously.

6. CONSENT AGENDA:

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

B. Approve to send Officer Troy Mealey to Police Handgun, Shotgun, and Rifle Training July 27-31, 2015 at the Willmar Police Dept.

C. Approve to send Office George Burger to the 2015 Drug Evaluation and Classification School Sept 21-25, Sept 28, and October 1 with Certification in October. This course is completely free, except for the officer's time.

D. Approve to Send Officer Thomas Jerome to the MN Dare Conference August 10-11, 2015 in Stillwater, MN.

E. Approve Council and/or staff to attend the 35th Annual Historic Preservation Conference September 17-18, 2015 in Little Falls, MN.

Al Forsman/ Debeltz moved to approve the consent agenda items A-E. Motion carried unanimously.

7. REQUESTS TO APPEAR:

8. COMMITTEE REPORTS:

A. Langowski explained that currently there are present employees, retirees, and former employees that have balance in the City sponsored Health Care Reimbursement Account. These funds can only be spent for eye, dental and post deductible medical expenses. Currently Compensation Consultants is administering this program. Due to these accounts not being active they have proposed charging \$3.50 per account to manage the accounts. He proposed that these accounts, be administrated by the City of Ely, Assistant Treasurer to eliminate the administrative fee. We would also

contact former employees and give them six months to submit claims on the remaining balances in the account.

Debeltz/Kess moved to authorize the City of Ely's Assistant Treasurer and the Clerk's office to administer the Health Care Reimbursement Accounts. Motion carried unanimously.

Langowski stated that recently the Fire Relief Association has been reviewing the opportunity to switch the relief from investments through a private firm to PERA. From the information reviewed with the Trustees and the membership, there is approximately \$8,300 estimated to be saved between administration fees and audit fees by going to PERA. The savings would allow an increase in the benefit level per year of service from \$1,600/year to \$1,800/year. If the change was made, there could not be a reduction in the level for at least five years. At the current rate of return on investment there would be no additional contribution required from the City. If the investments did not meet the requirements the Fire Department budget would need to make up the difference.

Debeltz/Polyner moved to switch the relief from investments though a private firm to PERA and the increase in the benefit from \$1,600 to \$1,800. Motion carried unanimously.

Debeltz/Al Forsman moved to offer Casey Velcheff the position of Deputy Clerk set pay and benefits as currently defined in the SOTEE contract. Motion carried unanimously.

Debeltz/ D. Forsman moved to post the Accounting Clerk internally as required and to allow for the position to be posted externally if applications are not received internally. Motion carried unanimously.

Council Member D. Forsman reported that he went to the RAMs meeting in place of Paul Kess and they interviewed for a new executive director, Steve Georgie was picked as the new Executive Director of RAMs.

Mayor Novak reported on the TAB minutes. The board discussed the future move of equipment to City Hall. They will continue to work towards getting the equipment into City Hall.

Debeltz/D. Forsman moved to have TAB put the contract specifications together and meet with the Ely TV Board to negotiate a possible contract extension, the meetings will be held in accordance with the advice of the city attorney. Motion carried unanimously

Council Member Kess stated that Mayor Novak, Council Member Omerza, Clerk/Treasurer Langowski and himself went to the Annual League of Minnesota Cities conference in Duluth, June 24-26, 2015. Council member Kess attended the presentation on workforce housing and found it helpful and he really appreciated the opportunity to attend the conference.

B. Debeltz/Al Forsman moved to advertise for one vacant seat with the Planning and Zoning Commission. Motion carried unanimously.

- C. **Debeltz/ D. Forsman moved to schedule a Public Hearing for Tuesday, July 21, 2015 at 4:45pm regarding the Heck Epic Bike Race Interim Use Permit. Motion carried unanimously.**

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

- i. July Study Session: Becky Rom requested to give a presentation by Ely area business owners and residents who are concerned about sulfide-ore mining near the Boundary Waters and within its watershed and its impact on Ely businesses and home owners. They will be presenting their point of view and supporting materials. They are requesting to speak for about an hour. Langowski stated that the housing study is on the agenda for the July Study Session and will take at least an hour and half and suggested to ask Becky Rom to come to the August Study Session.

Polyner/Kess moved to schedule the presentation by Ely area business owners and residents who are concerned about sulfide-ore mining near the Boundary Waters and within its watershed and its impact on Ely businesses and home owners during the August Study Session. Motion carried unanimously.

- ii. Proposal for an Engineering Analysis of the Retaining Wall at the Pioneer Mine: Langowski met with Ely Greenstone and went over the \$5000 proposal from Braun Intertec for the engineering analysis and recommendations for the Pioneer Mine Retaining Wall. Ely Greenstone agreed to pay half of the proposal. There is also a grant opportunity to get some funding to repair the retaining wall.

Debeltz/A.Forsman moved to approve the proposal and for the clerk to proceed with the project at his discretion. Motion carried unanimously.

- iii. Whiteside Park Trail Overlay: Langowski stated that the existing paths in Whiteside Park are going to be resurfaced; this is a planned improvement to Whiteside Park and the interconnection of a trail from the school to the Ely Recreation Center. The work is scheduled to start on July 8th and be completed by July 10th. The price estimate for the work is approximately \$12,000 and is budgeted for.

B. Fire Chief

- C. Library Director Heinrich gave a brief update on the upcoming events in the Library.

- D. Police Chief Lahtonen requested for a 2nd year law enforcement student to do a ride along with a police officer.

Debeltz/D. Forsman moved to allow the 2nd year law enforcement student to do a ride along with a police officer. Motion carried unanimously.

E. City Attorney

- i. Reed Road: **Debeltz/A. Forsman moved to approve to close the meeting at the end for attorney client privileges on an ongoing litigation matter on Reed Road with Attorney Klun. Motion carried unanimously.**

- ii. Attorney Klun presented the agreement for donation of real property for the property located at 36 and 46 Conan Street. This agreement allows the City of

Ely to secure ownership of 36 and 46 Conan Street, however, with the acceptance of the property, the City of Ely is subject to and an all taxes, impact fees, special assessments or other charges or impositions, state and federal, as they become due, as well as current back taxes in the amount of approximately \$3000.

Debeltz/A. Forsman moved to approve the city attorney to move forward with the Agreement for Donation of Real Property located at 36 and 46 East Conan Street. Motion carried unanimously.

F. City Engineer

10. COMMUNICATIONS:

- A. Dorothy Molter Museum-Matter of Information
- B. St Louis County Sheriff's Volunteer Rescue Squad- Matter of Information
- C. Ely Garden Club: **Debeltz/Kess moved to make a \$500 donation to the Ely Garden Club for the beautification of the city. Motion carried unanimously.**
- D. S&S Tree Risk Assessment: Kess appreciated the documentation that S&S provided on the trees. Langowski stated that S&S assessed 80 trees and the condition rating on the trees was based on a scale of 0-9. Zero being a dead tree and 9 being the perfect tree. The average tree rating for the trees they assessed was 3.6, which is relatively low for boulevard trees. S&S and the Tree Board discussed the Chapman Street Trees before they cut them down and agreed that should be cut down.

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for July 7,2015 - \$386,301.63
Debeltz/D. Forsman moved to approve the City and EUC claims for payment for July 7,2015. Motion carried unanimously.
- B. St. Louis County Joint Garage 1st half payment. Mayor Novak stated in March of 2015 the roof above the EUC office leaked and the Utility Billing office had to relocate to the Operations Directors office. The Utility Billing Department has continued to work out of the Operations Directors office since March 9, 2015. Novak suggests that the City of Ely sends a communication to St. Louis County asking for consideration and a reduction in our lease payment for the unusable space for the period of time and to ask for a response from St. Louis County. Also to table the payment for the 1st half lease payment until the next Council Meeting on July 21, 2015.
Debeltz/Polyner moved to authorize the Mayor and Clerk/Treasurer to send a letter to St. Louis County to consider a reduction in our lease payment based on the unusable space from March of 2015 till the space is usable. Motion carried unanimously.
Debeltz/Polyner moved to table the 1st half payment to St. Louis County for the City of Ely's lease payment until the next Council Meeting on July 21, 2015. Motion carried unanimously.

12. OLD BUSINESS:

13. NEW BUSINESS:

- A. Deputy Clerk Position-Previously discussed

- B. Posting the Accounting Clerk Position-Previously Discussed
- C. **A. Forsman/Debeltz moved to approve TKDA Change Order #1 for the Ely Runway 12/30 Reconstruction. Motion carried unanimously.**
- D. **Debeltz/A. Forsman moved to approve Resolution 2015-022 making levy and assessment against taxable properties for delinquent assessments, water, sewer, and electric accounts. WHEREAS**, pursuant to City of Ely Code Section 3.04 subd. 8, the City Clerk/Treasurer has prepared the Assessment Roll for delinquent Utility charges through December 31, 2014.**WHEREAS**, the individuals responsible for the payment of such accounts have been duly notified of the intent of the City to certify such accounts to the County Auditor to be paid with real estate taxes on the property serviced payable in 2015; and **WHEREAS**, the City Council has met, heard and passed upon all objection of the proposed assessment roll for the delinquent Utility charges for 2014, and made amendments to the assessment roll as it deemed just and reasonable under the circumstances. **NOW, THEREFORE, BE IT ORDERED**, by the City Council of the City of Ely, as follows: 1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute an assessment against the lands named therein. 2. Such assessments shall be paid in full with general taxes for the year 2015, collectable with the taxes of 2016. 3.The City Clerk shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Assessment Roll for Resolution 2015-022

1. Heather Flikke	Acct. #00-00001133-01-1	\$429.72
	1120 E Main St Parcel #030-0200-.0890	
2. E &R Quick	Acct. #05-00000406-00-9	\$828.44
	726 E Camp St Parcel #030-0372-00120	
3. Mark Wilson	Acct. #00-00000927-00-6	\$555.22
	Acct #00-00000928-00-7	\$80.70
	36 E. White St Parcel #030-0050-01050	
4. D & M Rever	Acct. #00-00002081-01-6	\$58.68
	27 S Second Ave E	
	Acct #00-00002100-00-5	\$826.82
	25 S Second Ave E	
	Acct #00-00002101-00-6	\$501.48
	143 E Harvey St Parcel #030-0010-02720	
5. A & D Rausch	Acct. #00-00000530-00-4	\$460.60
	1020 E Chapman S Parcels#030-0352-00980	
6. Paul Kess	Acct. #00-00000145-00-4	\$3784.88
	39 W Conan St Parcel #030-0260-01350	
7. Kevin Bradley	Acct. #05-00000080-00-9	\$1521.45
	436 E Camp St Parcel #030-0370-0021	
8. Jennifer Hanson	Acct. #02-00002430-00-7	\$801.97
	310 E Harvey St Parcel #030-0370-02820	
9. Frank Mathews	Acct. #13-00001004-00-9	\$1081.39
	144 E Conan St Parcel #030-0050-00290	
10. Scott Madison	Acct. #14-00000740-00-8	\$131.55
	21 N Klondike Parcel #030-0163-00150	
11. William Lundstrom	Acct. #14-00001020-00-1	\$1512.61
	43 N Klondike Parcel #030-0165-00140	
12. J & T Fenske	Acct. #18-00001180-00-1	\$1523.32
	615 E Wilson Parcel #030-0365-00480	
Total		\$14098.83

Roll called: A.Forsman-yes, Kess-yes, Debeltz-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously.

- E. **Forsman/Polyner moved to approve Resolution 2015-023 making levy and assessment against taxable properties for blight cleanup performed by the city. WHEREAS,** pursuant to City of Ely Code Section 10.22 the City Clerk/Treasurer has prepared the Assessment Roll for cleanup expenses associated with blighted property and incurred by the City. **WHEREAS,** the individuals responsible for the payment of such accounts have been duly notified of the intent of the City to certify such accounts to the County Auditor to be paid with real estate taxes on the property serviced payable in 2015; and **WHEREAS,** the City Council has met, heard and passed upon all objection of the proposed assessment roll for the City of Ely's cleanup of blight for 2015, and made amendments to the assessment roll as it deemed just and reasonable under the circumstances. **NOW, THEREFORE, BE IT ORDERED,** by the City Council of the City of Ely, as follows: 1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute an assessment against the lands name therein. 2. Such assessments shall be paid in full with general taxes for the year 2015, collectable with the taxes of 2016. 3. The City Clerk shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

Assessment Roll for Resolution 2015-023

1. Luther Smith Parcel # 030-0200-00720 \$937.36
1041 East Washington Street

Roll called: A.Forsman-yes, Kess-yes, Debeltz-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously.

- F. Debeltz/A. Forsman moved to approve Resolution 2015-024 opting to join the voluntary statewide lump-sum volunteer firefighter retirement plan. The City Council of the City of Ely, Minnesota, does ordain: **WHEREAS,** The City of Ely is authorized to join the Voluntary Statewide Lump-Sum Volunteer Firefighter Retirement Plan administered by the Public Employees Retirement Association (PERA); and **WHEREAS,** The City of Ely and the Ely Fire Department Relief Association have jointly consented to and obtained a cost analysis for joining the Voluntary Statewide Lump-Sum Volunteer Firefighter Retirement Plan from PERA not less than 90 days ago; and **WHEREAS,** The City of Ely highly values the contributions of the Ely Fire Department members to the safety and well-being of our community and wishes to safeguard their pension investments in a prudent manner. **NOW THEREFORE, BE IT RESOLVED,** by the City Council of the City of Ely, Minnesota: 1. The City of Ely hereby approves coverage by and requests participation in the Voluntary Statewide Lump-Sum Volunteer Firefighter Retirement Plan administered by PERA under the terms provided in the PERA cost analysis at the \$1800 benefit level per year of service; and 2. The City Clerk/Treasurer and Mayor are hereby authorized to execute all documents necessary to effectuate the intent of this resolution. **Roll called: A.Forsman-yes, Kess-yes, Debeltz-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously.**

14. OPEN FORUM: None

15. Mayor Novak recessed the meeting at 6:25pm for 5 minutes and then closed the meeting at 6:30 for the Reed Road Litigation discussion with Attorney Klun.

The meeting was reopened at 6:43pm

Mayor Novak adjourned the meeting at 6:43pm.

Casey Velcheff
Deputy Clerk