

Ely City Council Regular Minutes, August 4, 2015

1. CALL TO ORDER

The Ely City Council Regular Meeting was called to order by Mayor Novak at 5:30pm on August 4, 2015 at the City Hall Council Chambers.

2. ROLL CALL:

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

Absent: Kess (1)

3. APPROVAL OF MINUTES:

Debeltz/D.Forsman moved to approve the minutes from July 21, 2015 Public Hearing, July 21,2015 Regular Meeting and July 28, 2015 Study Session, with the correction on the Study Session Minutes to change the word cynical to cyclical on the 3rd page of the July 28, 2015 Study Session Minutes. Motion carried unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition: 7.A – Mike Jankovec/Ely Chamber of Commerce

5. MAYOR'S REPORT

Mayor Novak will be in St. Paul for 2 days next week having meetings at the Capitol promoting Ely. August 19, 2015 Whiteside Park will be 100 years old; Mayor Novak commented on the quality of the park with the new playground equipment, benches, and park trails.

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 the consent agenda item A. Motion carried unanimously.

7. REQUESTS TO APPEAR:

A. Mike Jankovec proposing an event at the Harvest Moon Festival. He will have a 4-sided tent in the northwest corner of the park. On Friday he will have a Wine Tasting event with an entry fee, on Saturday a Beer Tasting Event with an entry fee, then on Sunday it would be a Beer Garden open to the public. This event would coincide with the hours of the Harvest Moon Festival on September 11, 12, and 13th. Mike is checking into the insurance and other requirements. Council member Polyner asked about other performances during the Harvest Moon Festival. Ellen Cashman reviewed the events of the festival which include music entertainment, the 100th year park anniversary, a Medicine Show about the Pioneer settlers, 140+ art and food vendors. The chamber is trying to make it more ethnic event. Cherie Sonsalla, Executive Director for the Ely Chamber stated that they would like to grow the Harvest Moon Festival in to a bigger event. Al Forsman asked what the hours of the Harvest Moon Festival are Ellen Cashman stated that they are Friday and Saturday 10-5 and 10-3 on Sunday. Al Forsman stated that the Beer Garden that is run for the Blueberry Arts Festival is run by a nonprofit. Mike stated that this event would be run under ElyTV as a fundraiser which is a nonprofit organization.

Attorney Klun stated that ElyTV will need to apply for liquor license from the city with council approval, and would have to get approval to waive police enforcement at the Beer Garden otherwise a police officer is on duty at the event. Chief Lahtonen asked whether the alcohol would be confined to the tent. Mike stated that on Friday and Saturday the tent will have walls and will be confined and on Sunday weather permitting the walls will be down, but there will be a fence around the premises of the Beer Garden.

Debeltz/Polyner moved to approve ElyTVs request to hold a wine and beer garden during the Harvest Moon Festival with proper paperwork, insurance, liquor licensing, and approval from Police Chief. Motion carried unanimously.

8. COMMITTEE REPORTS:

Al Forsman reported that he attended the CGMC conference, and wanted to congratulate Heidi on a job well done as the CGMC president. A. Forsman was able to meet many legislatures including Tina Smith, Lieutenant Governor, other mayors and council members. Al Forsman was thankful for being able to attend the conference. Mayor Novak reported that it was a great put together conference, the presentations were noteworthy. Omerza said it was an honor and privilege to serve on the coalition and appreciated the opportunity to be a representative for greater Minnesota.

Jerome Debeltz reported that the Cemetery minutes are in the packet from the May 7, 2015 meeting. Langowski met with David Kess last week to go over the Pioneer Cemetery by the Old Forest Service building.

Debeltz/Omerza moved to approve the hiring of Matthew Litherland as the Utility Person for the City of Ely pending the approval of background check, physical, and drug test. Motion carried unanimously.

Mayor Novak reported on the TAB meeting they discussed the contract with ElyTV and the moving of the ElyTV equipment to City Hall.

Al Forsman/D. Forman moved to continue a month to month contract with ElyTV at a rate of \$1667.00 for two months while a new contract is being negotiated. Motion carried unanimously.

Omerza reported that she is now the secretary of the Greater Minnesota Partnership. Mayor Novak noted that the BDPI was supported by this group.

Omerza noted that a few of the members are going to be absent for the EEDA meeting for August 11, she suggested that the EEDA meeting be rescheduled for after the Public Hearing on August 18 and before the council meeting.

Omerza/Debeltz moved that the council will meet at 5pm for a public hearing on the sign ordinance, then the EEDA will meet immediately following the public hearing, and the council meeting will begin at the conclusion of the EEDA meeting on August 18, 2015. Motion carried unanimously.

Omerza reported on the Park and Rec meeting and the 100 years of Whiteside Park. Additional improvements are coming to Whiteside Park with a picnic area closer to the playground. The Park and Rec Board is now looking at moving forward with more improvements at Semer's Park. An Ad Hoc committee is being formed that

will work on planning improvements at Semers, if anyone is interested in being on the committee contact City Hall to put your name on the list to be part of the group.

Omerza noted that you need to bring your library card to be able to check out any items from the library.

Polyner stated that next Tuesday, August 11, 2015 is the Incredible Ely's Chairish Auction until 6pm.

Polyner reported that the Steering Committee for the Comp Plan is going to meet on August 26, 2015 at 6pm. If they have sent out any requests to any groups, committees, or organizations please get the information to them by the August 26th meeting.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

- i. Permit Fee Task Force Applications: Al Forsman would like to be on the Permit Task Force as a citizen contributor.

Debeltz/D. Forsman moved to appoint Mike Banovetz, Anthony Colarich, John Esse, Tim Hogan, Paul Kess, Misty Merhar, Warren Nikkola, Steve Smrekar, Richard Zahn, and Al Forsman to be appointed to the Permit Fee Task Force. Motion carried unanimously.

Omerza/Debeltz moved to direct the Permit Fee Task Force to develop a mission statement, review the current fee schedule, and to develop and recommend a reviewed fee structure to the council. Motion carried unanimously.

- B. Fire Chief: The Relief Association provided the schedule form for Lump Sum Pension Plans for 2015 (SC-15) There will be a required contribution from the City of Ely of \$6402 to be paid during 2016. This will be budgeted in the Fire Department budget.

- C. Library Director Heinrich stated that the Ely Public Library will be selling a few items that may have sentimental interest by local community members via silent auction over the course of the next month. There will be two rounds of bidding; each with 10-12 items for sale. Each round of bidding will have similar items included - one larger card catalog unit, one smaller card catalog unit, a few art pieces, and assorted other items. All items will have a minimum starting bid price and will be sold "as is". The first round of bidding will run from Aug. 10 to Aug 22 with payment/pick up required during normal library hours on Aug 24, 25, or 26. The second round of bidding will run from Aug 31 to Sept 12 with payment/pickup dates of Sept 14, 15, or 16. Items will be available for viewing at the new library location during the bidding rounds. No bids will be accepted via phone or email. The funds from the auction will go back into the Library Fund.

Library Director Heinrich also gave a brief update on the upcoming events in the Library which can be found on the Ely Library website.

- D. Police Chief: Nothing to Report

E. City Attorney

i. Ott Purchase Agreement for Old Pamida Lot:

Al Forsman/Omerza moved to accept the Purchase Agreement for \$10,000 for the purchase of lots Three(3) and Four (4) and the Westerly 5 feet of Lot Five(5), Block fifteen (15), Ely to East Sheridan Street Properties, LLC with the contingencies that the buyer agrees to promise to re-grade the property so that storm water does not flow into the basement of the James Drug building and that any building constructed on the lot in the future will match the character of the historical buildings in the general area. The City of Ely will need to get a release from Mr. Ott for any storm water and damage, since the Pamida building was taken down partly by the City of Ely. Motion carried unanimously.

ii. Polz Demand Letter:

Al Forsman/Omerza moved instruct the City Attorney to send a letter denying all claims and any requests and communications by Polz or Ely Property should go through the City Attorney. Motion carried unanimously.

iii. 1041 E Washington Enforcement:

On July 24, 2015 1041 E Washington was posted uninhabitable by the City of Ely Building Official. Since that time a search warrant has been issued by the court, the warrant was issued on Monday, August 3, 2015 for effectuation on Tuesday, August 4, 2015. There are animals in the premise that need to be removed. The search warrant is currently open.

iv. Reed Road

Debeltz/Omerza moved 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.

F. City Engineer

10. COMMUNICATIONS:

A. Building Code Effectiveness Grading Schedule Program

The ISO has completed an analysis of the building codes adopted by Ely and the efforts put forth by Becklin, Whitney Consulting Engineering to enforce those codes. The resulting BCEGS Class 4 for commercial and industrial properties and Class 4 for one-and two family residential properties will apply to the City of Ely. Mayor Novak thanked former and current building officials Dennis Schilling and Doug Whitney.

B. ARDC(Arrowhead Regional Development Commission)-Matter of Information

11. CLAIMS FOR PAYMENT:

A. City and EUC claims for August 4, 2015 - \$1,535,592.43

Debeltz/D. Forsman moved to approve the City and EUC claims for payment for August 4, 2015 for \$1,535,592.43. Motion carried unanimously.

12. OLD BUSINESS:

A. Old US Forest Service Center:

The bidding is currently open until August 12, 2015, and if there are no bids the City will look into the different options for the land.

13. NEW BUSINESS:

A. Approve Resolution #2015-025 authorizing the application of the Ruffed Grouse Society Crazy Flight Chapter to apply for a raffle permit.

RESOLUTION AUTHORIZING APPLICATION OF RUFFED GROUSE SOCIETY CRAZY FLIGHT CHAPTER TO APPLY FOR RAFFLE PERMIT

WHEREAS, the Ruffed Grouse Society Crazy Flight Chapter has applied for a Minnesota Lawful Gambling Permit to conduct a raffle on October 15, 2015 at the Grand Ely Lodge, 400 N Pioneer Rd., Ely MN 55731 and **WHEREAS**, the City of Ely approves of said application and that the Ruffed Grouse Society Crazy Flight Chapter 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 Debeltz-yes, Polyner-yes, D.Forsman-yes and Mayor Novak-yes. Motion carried unanimously with P.Kess Absent.

14. OPEN FORUM: None

15. Mayor Novak recessed the meeting at 6:40pm for 5 minutes and then closed the meeting at 6:45 for the Reed Road Litigation discussion with Attorney Klun.

The meeting was reopened at 6:54pm.

Mayor Novak adjourned the meeting at 6:54pm.