

Council Minutes, January 3, 2017
Regular Meeting Ely City Council – City Hall, Council Chambers

Clerk Langowski gave the “Oath of Office to Mayor Chuck Novak, Council members Paul Kess, Jerome Debeltz and Ryan Callen at 5:15pm.

1. CALL TO ORDER
 Mayor Novak called the Regular City Council Meeting to order at 5:30pm.

2. PRESENT: Council members A.Forsman, Kess, Debeltz, Omerza, Callen, D.Forsman and Mayor Novak
 ABSENT: None

3. APPROVAL OF MINUTES:
Debeltz/D.Forsman moved to approve minutes from December 20, 2016 Regular Meeting. Motion Carried Unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:
 A. Addition 9. D.i Officer Mealey’s Resignation from the Ely Police Department
Addition A added without objection.

5. MAYOR’S REPORT
 A. Appoint Council Members to various Committees for 2017
2017 Committee Appointments
 Acting Mayor - Heidi Omerza

Airport	Kess	Park & Rec	Omerza
Budget	A.Forsman, Novak, Kess	Planning & Zoning	Callen
Cemetery	Debeltz	Police	Debeltz
Insurance	Omerza	Projects	D.Forsman, Novak
Gardner Trust	Callen	Sanitation	A.Forsman
Employee Relations	Omerza, Debeltz, D.Forsman	TAB	D.Forsman
Fire	Callen	Liquor & Tobacco	Debeltz
HRA	Novak	Utilities	A.Forsman, Alternate Callen
HPC		RAMS	Kess
Library	Omerza		

Debeltz/Callen moved to approve the 2017 Committee Appointments. Motion Carried Unanimously.

Mayor Novak reported that the RAMS Annual Meeting on January 5, 2017 at 6pm will be an informal Council Meeting.

Mayor Novak stated that the City had negotiated a Separation Agreement with Planning and Zoning Administrator Gregg Cramer and he had 21 days to sign the agreement.

Mayor Novak stated Attorney Klun received an email from Attorney Sarah Lewerenz that Mr. Cramer does not want to settle after all. Attorney Klun stated that certain statements were made at the November 29, 2016 Special Meeting which should now be revoked and the minutes changed to reflect their revocation. The statements, made on November 29, 2016, were made on the assumption that the parties had reached a settlement and were done as a part of that negotiated settlement. Given that Mr. Cramer is no longer willing to abide by that settlement, these statements should be stricken from the record.

Debeltz/D.Forsman moved to revoke the Separation Agreement between Gregg Cramer(“Employee”), AFSCME Council 65 and City of Ely,(“Employer”) passed at the November 29, 2016 Special Council Meeting and to revoke the following statement stated by Mayor Novak at the Special Meeting. “The Employer and AFSCME Council 65 are parties to a collective bargaining agreement. Employee is a member of the bargaining unit covered by this collective bargaining agreement. Employee is employed by Employer as the Planning and Zoning Administrator. Employer has made certain employment-related allegations against the Employee. The parties acknowledge that there was a misunderstanding between the City of Ely and Gregg Cramer. The ratification of this settlement agreement does not indicate by either party an admission of guilt nor that Employee engaged in dishonest behavior during his employment. Employer hereby withdraws, and releases Employee from, the employment-related allegations it made against Employee.” 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 call for sealed bids for 2017 legal newspaper.
- C. Approve advertising for open committee seats
- D. Approve staff to attend 2017 Minnesota Municipal Clerks Institute May 1-5, 2017 in Plymouth, MN.

Debeltz/D.Forsman moved to approve the Consent Agenda Items A-D. Motion Carried Unanimously.

7. REQUESTS TO APPEAR: None

8. COMMITTEE REPORTS:

- A. Standing/Special – No Reports

9. DEPARTMENTAL REPORTS:

- A. Clerk-Treasurer

- B. Fire Chief

C. Library Director

Debeltz/D.Forsman moved to approve Posting for Library Clerk internally followed by external advertising if no internal applicants to replace the retiring library clerk with potential start date of January 30, 2017. Motion Carried Unanimously.

Library Director Heinrich gave an update of the upcoming events at the library which are located on the Library website.

D. Police Chief

Debeltz/D.Forsman moved to send a letter of thanks to Officer Troy Mealey and to follow the hiring process to hire a new officer. Motion Carried Unanimously.

Debeltz/D.Forsman moved to accept Officer Troy Mealey's resignation from the Ely Police Department. Motion Carried Unanimously.

E. City Attorney:

i. Old Ford Garage

City Attorney Klun stated that the Old Ford garage is currently owned by Conan LLC and there are back taxes of approximately \$4600.00 on the property which would have to be paid through this real estate transaction. Attorney Klun stated that at this time she has a Deed and Purchase agreement between the City of Ely and Conan LLC in her position. Klun stated that in essence this would be a net zero transaction, meaning that any monies that the City receives from the Otts would go to pay the back taxes on the property.

Attorney Klun went through the Additional Terms and Contingencies of the Purchase Agreement between the City of Ely and the Otts.

Debeltz/D.Forsman moved to approve the Purchase Agreement between the City of Ely and the Otts for the Old Ford Garage, and for the Mayor and Clerk/Treasurer to sign the Agreement. Motion Carried Unanimously.

Langowski stated that the rezoning of the Old Ford Garage has been on the Planning and Zoning Agenda as a working matter.

F. City Engineer

10. COMMUNICATIONS:

A. Correspondence from St. Louis County Fair

B. Correspondence from RAMS on the Proposed Constitutional Amendment to RAMS By Laws

11. CLAIMS FOR PAYMENT:

A. City and EUC claims for January 3, 2017 – \$32,696.51

Debeltz/D.Forsman moved to accept the Claims for Payment item A. Motion Carried Unanimously.

12. OLD BUSINESS:

A. Schedule a Public Hearing for Point of Sale Ordinance 306

Debeltz/Kess moved to have a Public Hearing for the Point of Sale Ordinance 306 on January 17, 2017 at 4:45pm. Motion Carried Unanimously.

Langowski stated that we will invite the realtors and plumbers in the area to the Public Hearing.

13. NEW BUSINESS:

A. Debeltz/D.Forsman moved to approve the 2017 official city depositories: Wells Fargo Bank, Frandsen Bank & Trust, Boundary Waters Bank and 4M Fund. Motion Carried 6-0-1 with Omerza abstaining.

B. Omerza/D.Forsman moved to Designate City Clerk as responsible authority to oversee non-audit audit services. Motion Carried Unanimously

C. Debeltz/D.Forsman moved to approve Resolution #2017-001 authorizing City officials and staff to attend meetings outside of Ely. Roll Called: Council Members A.Forsman- Yes, Kess- Yes, Debeltz- Yes, Omerza- Yes, Callen- Yes, D.Forsman, and Mayor Novak – Yes

D. Debeltz/D.Forsman moved to approve of the Ely Winter Festival In Kind Services. Motion Carried Unanimously.

14. OPEN FORUM

15. ADJOURN

Meeting Adjourned at 6:07pm without objection.

Casey Velcheff
Deputy Clerk