

Council Minutes: March 21, 2017

Regular Meeting Ely City Council – City Hall, Council Chambers

1. CALL TO ORDER: Mayor Novak called the meeting to order at 5:30pm.
2. PRESENT: Council members A.Forsman, Kess, Callen, D.Forsman, and Acting Mayor Omerza
ABSENT: Council Member Debeltz and Mayor Novak
3. APPROVAL OF MINUTES:
D.Forsman/Callen moved to approve the minutes from the March 7, 2017 Regular Meeting. Motion carried 5-0-2 with Debeltz and Mayor Novak absent.
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Addition 11.D Resolution #2017-010 Resolution Supporting Local Decision-Making Authority
The City of Ely, MN
 - B. Addition 8.B. Community Center Furnishings**Items A and B added without objection.**
5. MAYOR'S REPORT
Acting Mayor Omerza reported that Mayor Novak is in Washington DC with a group of range advocates discussing the leases with the USFS and the BLM.
6. CONSENT AGENDA:
 - A. Motion to waive readings in entirety of all ordinances and resolutions on tonight's agenda
 - B. Recommendation from the Projects Meeting to authorize advertising for bids for the 2017 Infrastructure Project.
 - C. Recommendation from the Projects Meeting to approve the proposal from Miller Creek for the design services for the Sheridan Street Scaping project.
 - D. Recommendation from the Planning and Zoning to task the city attorney to draft ordinance to change City Code 11.40, List of Permissible and Conditional Uses, to allow Auto/Truck: sales, parts, repair as conditional use within C-1, Central Business District.
 - E. Recommendation from the Board of Adjustment to approve the rezone of parcels located at 45 E Conan – Ely Steam Bath, 106 E Harvey, 105 E Conan, 26 and 36 E Conan Street – Old Ford Garage, and 102 E Conan Street from residential to residential transition (RT).**Kess/D.Forsman moved to approve the consent agenda items A-E. Motion carried 5-0-2 with Debeltz and Mayor Novak absent.**
7. REQUESTS TO APPEAR: None
8. COMMITTEE REPORTS:

Kess reported on the Rams Legislature, Kess testified before the Property Tax Sub Committee on the Taconite Municipal Aide Account at the Capital. Kess stated that it is important for local officials to go to the legislature and testify on the bills.

D.Forsman reported from the projects meeting that property owners need to follow City Ordinance and trim back trees and shrubs that are in right of ways to allow for street and alley maintenance.

D.Forsman/A.Forsman moved to approve the recommendation from the Projects Meeting to call for an appraisal of the Auditors Plat of Chandler Addition to Ely Lots 12-15 and Lots 23-30 and consider sale of the two parcels near the old Lakeside Beverage Building. Motion carried 5-0-2 with Debeltz and Mayor Novak absent.

Kess/D.Forsman moved to approve the recommendation from the Board of Adjustment to support the Interim Use Permit to block off the 1/2 Block of North 1st Ave East between Chapman Street and the Southside of the Alley for Crapola Fest on June 23, 2017 from Noon -10pm with the approval from the Police Chief in regards to the wine and beer sales and the timing of the road closure. Motion carried 5-0-2 with Debeltz and Mayor Novak absent.

Community Center Furnishings:

Langowski stated that Celia Domich and Angela Campbell from the HPC have taken inventory of the items left in the CC. There are numerous dishes, pots and pans, chairs, tables still in the Community Center. It was discussed to potentially do a fundraiser with the dish sets that have ECC on them and to sell the other things on auction.

Kess/A.Forsman moved to have the HPC and the Clerk to use their judgement to sell the items at the Ely Community Center. Motion carried 5-0-2 with Debeltz and Mayor Novak absent.

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, March 8, 2017:

1. Approved Committee Assignments for 2017
2. Approved the survey estimate from Bear Island Survey for \$4,892.25 to flag the ROW for the WTF water and power line from West Shagawa Road to Longsdorf Creek.
3. Approved the purchase of a pump for the VCC Lift Station for \$2,201.00 from Minnesota Pump Works.
4. Approved the purchase on an influent flow meter from Process Measurement Company for \$3,428.00
5. Approved payment of the January EUC Bills List for \$383,356.78.

A.Forsman/D.Forsman moved to accept the EUC Consent Agenda items 1-5. Motion carried 5-0-2 with Debeltz and Mayor Novak absent.

Clerk Langowski stated that the Minnesota Power rate increase will not affect the EUC Rates. The City of Ely has long term contract with Minnesota Power and we have a wholesale rate with Minnesota Power and the increase is for the Minnesota Power retail rate customers only.

a. Fire Chief

b. Library Director

Library Director Heinrich stated that the 2016 Library Annual Report is included in the packet and if anyone has any questions to let her know.

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

c. Police Chief

D.Forsman/A.Forsman moved to accept the resignation of Officer Thomas Jerome. Motion carried 5-0-2 with Debeltz and Mayor Novak absent.

D.Forsman/Callen moved to replace Officer Jerome and to advertise at a later date for a Police Officer. Motion carried 5-0-2 with Debeltz and Mayor Novak absent.

d. City Attorney

A.Forsman/Kess moved to authorize Acting Mayor Omerza and Clerk Langowski to sign the Separation Agreement dated March 13, 2017 between Gregg Cramer (“Employee”), AFSCME Council 65 and City of Ely, (“Employer”). Motion carried 5-0-2 with Debeltz and Mayor Novak absent.

Acting Mayor Omerza made the following statement:

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.

A.Forsman/D.Forsman moved to accept the 1st Reading of Ordinance No. 315 an Ordinance of the City of Ely, Minnesota, Amending Chapter 11, Section 11.40 Regulating List of Permissible and Conditional Uses

Attorney Klun stated that this ordinance would make Auto/Truck: sales, parts, repair a conditional use in zoning district C-1. The current Auto/Truck: sales, parts, repair businesses in C-1 would have to apply for a conditional use permit.

Kess stated that this should be an allowed use, not a conditional use in this zoning district.

Roll Called: A.Forsman-Yes, Kess-No, Callen-Yes, D.Forsman-Yes, Acting Mayor Omerza-Yes Motion carried 4-1-2 with Debeltz and Mayor Novak absent.

e. City Engineer

10. COMMUNICATIONS:

A. ACT Dementia Friendly Community Phase 3 Meeting

11. CLAIMS FOR PAYMENT:

D.Forsman/Kess moved to approve the City and EUC claims for payment for March 21, 2017 for \$512,514.73. Motion carried 5-0-2 with Debeltz and Mayor Novak absent.

12. OLD BUSINESS:

A. A.Forsman/D.Forsman moved to approve the 2nd Reading of Ordinance No. 313. 2nd Series: An Ordinance of the City of Ely, Minnesota, Adding to the Ely City Code, Chapter 20, Section 20.1.20, Entitled Zoning Map Amendment Roll Called: A.Forsman-Yes, Kess-abstain, Callen-Yes, D.Forsman-Yes, Acting Mayor Omerza-Yes Motion carried 4-0-1-2 with Kess abstaining since he owns a property in the Ordinance and Debeltz and Mayor Novak absent

- B. Kess/D.Forsman moved to approve the 2nd Reading of Ordinance No. 314, 2nd Series: An Ordinance of the City of Ely, Minnesota, Amending Chapter 20, Section 20.2 Sales of Land City Code of the City of Ely Roll Called: A.Forsman-Yes, Kess-yes, Callen-Yes, D.Forsman-Yes, Acting Mayor Omerza-Yes Motion carried 5-0-2 with Debeltz and Mayor Novak absent**

13. NEW BUSINESS:

- A. A.Forsman/Called moved to approve the grant agreement and signature for the Ely Reconnaissance Survey grant through the Minnesota Historical Cultural Heritage Grants. Motion carried 5-0-2 with Debeltz and Mayor Novak absent**

- B. A.Forsman/D.Forsman moved to approve Resolution 2017-008 Resolution Authorizing Special Olympics MN/Northland 300 to Apply for Raffle Permit Roll Called: A.Forsman-Yes, Kess-yes, Callen-Yes, D.Forsman-Yes, Acting Mayor Omerza-Yes Motion carried 5-0-2 with Debeltz and Mayor Novak absent**

- C. D.Forsman/Callen moved to approve Resolution 2017-009 Resolution Accepting Donation to the City of Ely, MN Roll Called: A.Forsman-Yes, Kess-yes, Callen-Yes, D.Forsman-Yes, Acting Mayor Omerza-Yes Motion carried 5-0-2 with Debeltz and Mayor Novak absent**

- D. D.Forsman/A.Forsman moved to approve Resolution 2017-010 Resolution Supporting Local Decision-Making Authority the City of Ely, MN. Roll Called: A.Forsman-Yes, Kess-yes, Callen-Yes, D.Forsman-Yes, Acting Mayor Omerza-Yes Motion carried 5-0-2 with Debeltz and Mayor Novak absent**

14. OPEN FORUM

15. ADJOURN

Acting Mayor Omerza adjourned the meeting at 6:20pm without objection.

Casey Velcheff
Deputy Clerk