

Council Minutes: May 16, 2017

Regular Meeting Ely City Council – City Hall, Council Chambers

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 the May 2, 2017 Regular Meeting. Motion Carried Unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Addition 7.A Letter of Intent from Northern Bedrock Historic Preservation Corps
 - B. Addition 12.A. Correspondence from Cynthia Beans regarding Northern Grounds Off-Sale Liquor License.
 - C. Addition 9.A.iii. Correspondence from Tim Riley regarding temporary leave of absence from the Planning and Zoning Commission.**Items A, B, and C were added without objection.**

5. MAYOR’S REPORT
Congratulations to the 37 seniors graduating from Ely Memorial High School.
Reminder that Spring Clean Up Days are May 19 and 20 for Ely City Limit residents only.

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 Consent Agenda Item A. Motion Carried Unanimously.

7. REQUESTS TO APPEAR:
 - A. Northern Bedrock Historic Preservation Corps
Rolf Hagberg the Executive Director and Rhea Harvey the Operations Director of Northern Bedrock spoke about the Conservation Corps Model which provides young adults hands on experience and training in the building trades and historic preservation fields. Northern Bedrock Historic Preservation Corps hope to work with Mike Braun on the Semer’s Park grills, the fire ring and maintain Semer’s stone buildings June 21-28, 2017. The standard rate for one hitch is \$9,600 which includes 8, 10 hour days including travel with one AmeriCorps crew leader as the supervisor and 5 AmeriCorps Crew Members. The host responsibilities include communication and coordination, provide all project materials, secure all the permits and approvals, be available throughout the project duration, and assist in the acquisition of camping/lodging accommodations, if necessary. The crews are comprised of AmeriCorps Members, not Northern Bedrock employees. The crew’s work should not displace any employee or take on employee job duties; the intent is to do work that would not otherwise be done.
Langowski stated that this work would not be otherwise completed if Northern Bedrock did not do the work. This project will need to go to the Park and Recreation Board to be approved.

B. Connie & Pat Coughlin – Off Sale Liquor License

Connie Coughlin from Lakeshore Liquor stated that she is representing the three liquor stores in town and they jointly oppose granting Northern Grounds an off-sale liquor license. Connie Coughlin stated the reasons for their opposition is the three off sale liquor stores in town are regulated to only sell alcohol and alcohol related products, they cannot legally sell food, snacks, bait, etc. Granting Northern Grounds an off sale liquor license would give them an unfair advantage. The next reason is the current off sale liquor stores are not allowed to serve alcohol to their customers on site. Northern Grounds sells on sale wine and craft beers, if they are able to give samples of their wines to customers and then sell them the wines as off sale it gives them an unfair advantage. Third reason is granting an off sale liquor license to a restaurant in town is a slippery slope, if the council grants Northern Grounds an Off Sale Liquor License other restaurants in town might try to get one also. The last reason the decision on the local economy, three liquor stores in town is enough to survive in the environment we live in.

8. COMMITTEE REPORTS:

A. Standing/Special

Ely Airport Commission

- i. Recommendation from the Airport Commission to direct the fire chief to work with Ely, Town of Morse, and Babbitt to schedule joint air craft fire training.
Langowski stated that the fire chief is aware and this will become part of future training, no motion is needed.

Planning & Zoning Commission/Board of Adjustment

Callen reported that there is a Public Hearing for Nick and Mary Wognum tomorrow night for a variance to build a garage on at 240 E Wilson St. Tim Riley has started as the temporary part-time Planning and Zoning Administrator.

Donald G. Gardner Humanities Trust

Callen reported that the trust grants were awarded for the spring grant round, they awarded approximately \$15,000.

Housing & Redevelopment Authority of Ely

Mayor Novak reported that the HRA is hiring a new maintenance person and they are looking at hiring a new caretaker/cleaner.

Tree Board

Langowski stated that volunteers are needed to help the tree board, and if anyone has a newly planted tree in front of their house please water the trees.

Heritage Preservation Commission

- i. **Kess/A.Forsman moved to approve the recommendation from the Heritage Preservation Commission to contact a commercial realtor and put the Ely Community Center on the market. Motion Carried Unanimously.**

Kess recommended that the HPC develop conditions for the sale and bring them back to the council. Celia Domich stated they will put this on the top of their priority list.

- ii. **Debeltz/Callen moved to approve the recommendation from the Heritage Preservation Commission to accept the proposal submitted by Thomas R. Zahn from St. Paul to complete the Reconnaissance Survey for Ely's Historic Downtown.**

Celia Domich stated that the City received a \$9500 grant from the Minnesota Historical Society for this project.

Omerza asked how long this survey will take. Celia Domich stated it will be completed by early next year.

Motion Carried Unanimously

A.Forsman reported that the Clean Up Days on May 19 and 20 are for City of Ely Limit Residents only. 7th Avenue will be one way - entering on Harvey and exiting on Sheridan Street.

Omerza reported on her trip to St. Paul.

Mayor Novak reported that there will be no interruptions of the ambulance service with the new arrangement of staffing their own EMTs.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

- i. **Debeltz/D.Forsman moved to approve the proposal from Braun Intertec for the Moisture Intrusion Assessment for Ely City Hall for \$5,930.00. Motion Carried Unanimously.**

- ii. St. Louis County Classification of State Tax Forfeited land

Langowski stated that he continues to be in discussion with St. Louis County about purchasing the State Tax Forfeited Land, as of now there are 3 properties on the Tax Forfeit list.

- iii. Correspondence from Tim Riley regarding temporary leave of absence from the Planning and Zoning Commission.

Langowski stated that Tim Riley has started his 67 day temporary part-time position with the City and will have to take a leave of absence from the Planning and Zoning Commission since there would be a conflict of interest by being the administrator and a commissioner.

B. Fire Chief

Chief Erchull stated the department has been busy with fire training for the new firefighters.

C. Library Director

Mayor Novak gave an update of the upcoming events at the library which can be located on the Library Website.

D. Police Chief

Chief Lahtonen stated that 2 hour parking starts being enforced May 20th.

E. City Attorney

- i. **Debeltz/ D.Forsman moved to approve the Note and Mortgage for Bryan and Alex Cole for a Rehabilitation Loan for \$7000. Motion Carried Unanimously.**

ii. **Debeltz/Omerza moved to approve the 2nd Reading of Ordinance 311, 2nd Series Amending Chapter 14, Section 14.10 Regulating Installation, Construction or Expansion of Any Illuminated Flashing, Blinking or Moving Advertising Sign Containing Changeable Messages within the City of Ely. Roll Called: A.Forsman-Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, D.Forsman-Yes, Mayor Novak-Yes Motion Carried Unanimously.**

iii. **Debeltz/Omerza moved to approve the 2nd Reading of Ordinance 316, 2nd Series Amending Chapter 10, Section 10.01 Regulating Storage, Deposit, and Disposal of Refuse. Roll Called: A.Forsman-Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, D.Forsman-Yes, Mayor Novak-Yes Motion Carried Unanimously.**

iv. LELS Contract

Attorney Klun received an email from LELS with some questions on HCSP. The LELS contract will be on the next council agenda for approval.

F. City Engineer

10. COMMUNICATIONS:

- A. Burntside Lake Association- Aquatic Invasive Species
- B. St. Louis County- 2017 Business Hazardous Waste Collection Dates
- C. Letter from Gerry Snyder regarding Pillow Rock
- D. Letter from Mike's Liquor regarding Sunday Off Sales and Off Sale License to Northern Grounds
- E. Letter from Lakeshore liquor regarding Sunday Off Sales

11. CLAIMS FOR PAYMENT:

- A. (90-100) City and EUC claims for May 16, 2017 - \$474,471.08
 - B. (101-103) Burntside Ridge Trail Association Annual Fee of \$200
- Debeltz/Callen moved to approve the claims for payment items A and B. Motion Carried Unanimously.**

12. OLD BUSINESS:

- A. **Kess/Callen moved to approve the Off-Sale Liquor License for The Northern Grounds pending receiving proper paperwork.**

A.Forsman is concerned with having a level playing field, and has no desire to move forward with this.

Kess was hopeful with the small niche request that we would find some compromise, but after talking to the other business owners, if we allowed this than any restaurant could potentially apply for an Off Sale License. Kess stated that he feels that the council should not weigh in on limiting competition.

Klun stated that the council could limit what is sold.

D.Forsman stated that he is concerned with selling both off sale and on sale at the same place.

Motion Failed 0-7

13. NEW BUSINESS:

A. Sunday Off Sale Liquor License Ordinance

Mayor Novak opened for discussion – No Motions were made, Ordinance stays as is.

B. Debeltz/D.Forsman moved to accept the recommendation from Erik Mayranen City of Ely Forest Consultant to add an additional harvest tract to the existing timber sale contract between Kuehl logging and the City of Ely. Motion Carried Unanimously.

C. Omerza/D.Forsman moved to accept change order #2 for the 2016 Connector Taxiway for \$4,861.47. Motion Carried Unanimously.

D. Debeltz/Omerza moved to approve Resolution #2017-013 Resolution Supporting Grant Application to the MN DNR Cross Country Ski Trail Assistance Program for maintenance and grooming. Roll Called: A.Forsman-Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, D.Forsman-Yes, Mayor Novak-Yes Motion Carried Unanimously.

E. OPEN FORUM

Mike Jankovec stated that Ely TV and TAB are upgrading sound and cameras in the council chambers, please hang in there while we are going through these changes.

Cindy Beans thanked the council for their consideration.

F. ADJOURN

Mayor Novak Adjourned the meeting at 6:48pm without objection.

Casey Velcheff
Deputy Clerk