

Council Minutes: June 6, 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/Callen moved to approve the minutes from the May 16, 2017 Regular Meeting and the Study Session on May 30, 2017. Motion Carried Unanimously
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Omission: 8. A. c. i. Recommendation from the Park and Recreation Board to decline forming a sub-committee on Pillow Rock.
 - B. Addition: 8. A. f. Employee Relations
 - iv. Internal posting for Equipment II - one applicant
 - C. Addition: 8.A. g. Heritage Preservation Commission Minutes from June 5, 2017
 - i. Recommendation from the HPC to nominate the Ely VFW Building Project (now Northern Grounds) for a preservation success impact Award offered by the Preservation Alliance of Minnesota
 - ii. Recommendation from the HPC to request a supporting letter from the Council.
 - D. Addition: 9. E. ii Polz Lawsuit
 - E. Addition: 9. E. iii. Luthera Smith Lawsuit
 - F. Addition: 13. J. Approve 4th of July Parade route and have Police Department secure necessary permits.
Invitation to the City Council, Ely Police Department, and Ely Fire Department to participate in the 2017 4th of July Parade.
Additions and Omissions Approved Without Objection.
5. MAYOR'S REPORT
Amateur Radio Week Proclamation will be posted at city hall.
Thanks to Mauro Caruso for installing the security cameras up at the Veterans Memorial, the Recycle Center, the Rec Center and other yet to be disclosed locations. The City would like to thank Mauro for all his donated time and equipment to this effort.
The civil enforcement officer is out monitoring 2 hour parking and blight issues like grass cutting.
6. CONSENT AGENDA:
 - A. Motion to waive readings in entirety of all ordinances and resolutions on tonight's agenda.
 - B. (11-13)Approve Council and Staff to attend the Coalition of Greater Minnesota Cities Summer Conference August 2-4, 2017 in Fergus Falls.
Debeltz/D.Forsman moved to approve Consent Agenda items A and B. Motion Carried Unanimously.
7. REQUESTS TO APPEAR: None

8. COMMITTEE REPORTS:

A. Standing/Special

Planning and Zoning Commission

- i. **Debeltz/ D.Forsman moved to approve the recommendation from the Planning and Zoning Commission for the Interim Use Permit for the Jake Forsman Memorial Car Show and Burnout Competition on October 21, 2017. Motion Carried 6-0-1 with Al Forsman abstaining**

Park and Recreation Meeting

- i. Omission: Recommendation from the Park and Recreation Board to decline forming a sub-committee on Pillow Rock.
Omerza clarified that the one member that was on the Pillow Rock Committee is no longer a member of the Park and Recreation Board so it would be better if the Pillow Rock Committee reported directly to Langowski instead of the Park and Recreation Board.
- ii. **Omerza/Debeltz moved to approve the recommendation from the Park and Recreation Board to have Northern Bedrock Historic Preservation Corps work on Semers Park for \$9600.**
Langowski spoke with Rolf from Northern Bedrock, Rolf stated that they can double the amount of hours worked for this year, since this was not budgeted for. Langowski stated that they will propose to do something later in the summer or fall. Langowski stated that a budget adjustment can be made at the next Budget Meeting.
Motion Carried Unanimously.

Employee Relations Committee

- i. **Debeltz/ D.Forsman moved to approve the recommendation from Employee Relations Committee to approve the following hires for part time summer help at the wages recommended:**
Public Works: Nick Mattila, Evan Omerza, Evan Rabe
Utilities: Elliot Omerza
Cemetery: Kelly Ann Richards, Jeanine Grotberg, Christian Hauffe, Jerel Sohm
Work Study Students: Ben Stumpf, Destin Anderson, Coby Forth
Motion Carried 6-0-1 with Heidi Omerza abstaining.
- ii. Thomas Carlson Retired on May 15, 2017 and Tony Schaller's last day will be June 9, 2017
Debeltz/Omerza moved to send Thomas Carlson and Tony Schaller a letter of thanks. Motion Carried Unanimously.
- iii. Internal posting for Equipment III- one applicant
Langowski reported that the City received one internal applicant for the Equipment Operator III position. This applicant will go through equipment testing before they will move up into the Equipment Operator III position.
- iv. Internal posting for Equipment II – one applicant
Langowski reported that the City received one internal applicant for the Equipment Operator II position. This applicant will go through equipment testing before they will move up into the Equipment Operator II position.
- v. External postings
Langowski stated that once the two internal applicants pass the equipment testing we will post externally for their position.

Heritage Preservation Commission Minutes from May 23, 2017

Heritage Preservation Commission Minutes from June 5, 2017

- vi. **Kess/Omerza moved to approve the recommendation from the HPC to nominate the Ely VFW Building Project (now Northern Grounds) for a preservation success impact Award offered by the Preservation Alliance of Minnesota. Motion Carried Unanimously.**
- vii. **Debeltz/Omerza moved to approve the recommendation from the HPC to request a supporting letter from the Council and EEDA. Motion Carried Unanimously.**

Other Committee Updates

Omerza reported that she attended the Dementia Friendly Community Meeting and they are working on Phase 4 which is the last phase to become a Dementia Friendly Community. Omerza suggested inviting Lisa Porthan to a Study Session.

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, May 10, 2017:
 - 1. Approved canceling the June 14th and June 28th EUC meetings and holding one meeting on Wednesday, June 21, 2017 at 5:30 P.M.
 - 2. Authorized proceeding with the 2017 Electrical Improvements.
 - 3. Approved lift station repair from Tri State Pump for \$6,989.00.
 - 4. Approved purchase of a load management/AMI server from Eaton for \$20,168.12.
 - 5. Approved payment of the March EUC Bills List for \$438,231.88.
 - 6. Approved lighting rebates for: James Drug \$2,066.88, Ely State Theater \$620.47 and Northern Grounds \$295.68.

Debeltz/D.Forsman moved to accept the EUC Consent Agenda items 1-6 from the May 10, 2017 EUC meeting. Motion Carried Unanimously.

B. Fire Chief

- i. Small Aircraft Crash Response Class

Chief Erchull reported that the Ely Fire Department will be hosting a small aircraft rescue class on June 7, 2017 at Vermillion Community College.

Chief Erchull reported that the Ely Fire Department is also sponsoring a National Weather Service Skywarn training program on June 22, 2017 at 6:30pm at Vermillion Community College if anyone would like to attend.

C. Library Director

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

D. Police Chief

Recommendation for Sergeant

Debeltz/Kess moved to approve the recommendation from the Sergeant Interview Committee that Officer George Burger be promoted to Sergeant within the Ely Police Department. Motion Carried Unanimously.

E. City Attorney

i. LELS Contract

Omerza/Debeltz moved to approve the January 1, 2017 – December 31, 2019 LELS Contract. Motion Carried Unanimously.

ii. Polz Lawsuit

Attorney Klun stated that the City received a lawsuit from Ely Property LLC. Klun stated that Polz owns the Old Theater next to the Old Pamida Building/Lot. The City has received a lawsuit about a shared wall agreement. Klun stated that the City will deny the claim and the City has the League of Minnesota Cities representing them in this lawsuit. The League Attorney appointed to the City is Jason Kubashek from Iverson Reuvers Condon Attorneys at Law, he will be the lead council on this matter and Attorney Klun assist.

Debeltz/Omerza moved to approve Jason Kubashek from Iverson Reuvers Condon Attorneys at Law as the City of Ely’s Council on the matter of the Ely Property LLC lawsuit against the City of Ely. Motion Carried Unanimously.

iii. Luthera Smith Lawsuit

Attorney Klun stated that Ms. Smith has filed a lawsuit against the City of Ely in conciliation court for \$15,000 for the loss of property. Klun stated that this lawsuit was filed on April 13, 2017, but we just received service of it on June 2, 2017.

Debeltz/A.Forsman moved to allow for denial or an answer on this claim, as well as a counter for the statutory allowed amount in small claims court which is \$15,000. Motion Carried Unanimously.

F. City Engineer

Langowski stated that summer infrastructure projects have begun and to be aware of the construction projects and the workers that are working on them. Please drive slowly and with caution if you need to drive through these projects.

10. COMMUNICATIONS:

- A. Press Release from the Blandin Foundation
- B. Thank you from the Eagles Nest Fire Department

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for June 6, 2017 - \$341,715.61
- B. Change order #1 from G Men for the Demolition of 1355 N 19th Ave for additional concrete removal- \$1000.00

Debeltz/D.Forsman moved to approve the claims for payment items A and B. Motion Carried Unanimously.

12. OLD BUSINESS:

- A. Approve Committee Appointment
Omerza/Callen moved to approve Jerritt Johnston to the Planning and Zoning Commission with Term expiring 1/31/2019. Motion Carried Unanimously

13. NEW BUSINESS:

- A. Debeltz/A.Forsman moved to reschedule the July 4th Council Meeting to July 11th since July 4th is a Holiday. Motion Carried Unanimously.**
- B. Local Board of Appeal and Equalization Board Member Training.**
Debeltz's training is expiring on July 1, 2017 and we will need at least one more council member to be trained. Debeltz and D.Forsman said they will take the training.
- C. Debeltz/D.Forsman moved to approve Pay Estimate #6 for the 2016 Connector Taxiway to Hoover Construction Co. for \$50,038.07. Motion Carried Unanimously.**
- D. A.Forsman/D.Forsman moved to approve Dee's Bar Next Generation Commercial Renovation Loan Application for 17 E Sheridan St for \$17,500, to redo their sign on Sheridan Street and to redo the ceiling inside of Dee's to upgrade the look, pending receipt of proper paperwork and fees, direct Attorney Klun to work with the applicant and to proceed with the loan processing. Motion Carried Unanimously.**
- E. Debeltz/Callen moved to approve Resolution #2017-014 Resolution Approving Minnesota Department of Transportation Agreement.**
Langowski stated that this is pertaining to the sidewalk project on Sheridan Street from Central Avenue to 3rd Avenue East that MnDot is planned for later summer/early fall.
Roll Called: A.Forsman-Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, D.Forsman-Yes, Mayor Novak-Yes Motion Carried Unanimously.
- F. Omerza/Debeltz moved to approve MnDot Agreement Number 1028406 from Central Avenue to North 3rd Avenue East in the City of Ely. Motion Carried Unanimously.**
- G. Debeltz/D.Forsman moved to approve the Notice of Award for the Chandler Area Improvements/Pioneer Road Improvements Project to Quam Construction Company, Inc for \$589,745.00.**
Langowski stated that the City is waiting on the add alternates for now until the City gets confirmation on CDBG funds.
Motion Carried Unanimously.
- H. A.Forsman/Omerza moved to approve the Authorization for Professional Services to TKDA for the 2017 Capital Improvement Program. Motion Carried Unanimously.**
- I. Debeltz/Omerza moved to approve Resolution #2017-015 Resolution Authorizing Conservationist with Common Sense to Apply for Raffle Permit. Roll Called: A.Forsman-Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, D.Forsman-Yes, Mayor Novak-Yes Motion Carried Unanimously.**
- J. D.Forsman/Debeltz moved to approve the 4th of July parade route and have Police Department secure necessary permits. Motion Carried Unanimously.**
Invitation to the City Council, Ely Police Department, and Ely Fire Department to participate in the 2017 4th of July Parade.

14. OPEN FORUM

John Esse spoke about the Mission, Vision and Values statements and that the council needs to spend time to do this for the City.

A.Forsman stated that the City had put together a value statement.

Esse stated that the statements that are in the comp plan are statements about Ely, not vision statements. The statements that were made in the Resolution were behavioral statements.

15. ADJOURN

Mayor Novak adjourned the meeting at 6:31pm without objection.

Casey Velcheff
Deputy Clerk