

Council Minutes - October 17, 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 the minutes from the October 3, 2017 Regular Meeting. Motion Carried Unanimously.
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Addition 7.A. Brian Sherwood
 - B. Addition 13.A Approve Walker Giroux & Hahne Understanding of Services that they will provide to the City of Ely for the year ending December 31, 2017.
Items A and B added without objection.
5. MAYOR'S REPORT
 - A. Ely Area Ambulance Service Clarification
Mayor Novak clarified that there will be no delay in service with the Ely Ambulance Service, the EMTs that live in Virginia stay at the hospital when on call.
6. CONSENT AGENDA:
7. REQUESTS TO APPEAR:

Brian Sherwood at 21 West Shagawa Road
Sherwood stated that he is continuing to work on his property to make it in compliance, but he is unable to purchase materials and the permits at the same time. Sherwood stated that he is requesting help to finance the permits, so he can continue working on the projects.
Mayor Novak stated that an order was issued by the council by resolution. The council could reconsider the issue by motion.
Debeltz/Kess moved to reconsider Resolution 2016-042 and Order of the City of Ely.
Mayor Novak recessed the meeting at 5:40pm
Mayor Novak called the meeting back to order at 5:45pm.
Motion Carries 6-1 with Mayor Novak opposed.

Mayor Novak stated that Resolution 2016-042 a Resolution and Order of the City of Ely, Minnesota, declaring the Real Property at 21 West Shagawa Road Blight Pursuant to the Ely City Code is now before the council and is being reconsidered at the request of Mr. Sherwood. Mayor Novak stated that at this time the order has not been fulfilled and the commitments of accomplishments have not been fulfilled.

Attorney Klun stated that this order was executed in October of 2016; the order allowed Mr. Sherwood until May 1, 2017 to remedy items that are listed in the order. This matter was brought back to the council in July 2017, the council at that time voted for summary enforcement of the order, which means the city will step in and take the requisite action and all costs will be placed against the property. At this time Brian and Michelle Sherwood have been served the order.

Building Official Doug Whitney stated that the only thing that has been accomplished is the side porch has been removed and part of the deck has been built on the side. Nothing has been completed with the back porch, garage, or the front porch.

Kess clarified with Whitney that items c, d, and e have been completed in Item 5 on page 4 of the Order. Kess asked Sherwood if any other items have been completed.

Sherwood stated that he has opened the ceiling above the front porch, the roof is in good condition, but the rest of the porch needs to be replaced, nothing has been done with the 2nd floor back porch.

A.Forsman asked if Sherwood has thought of applying for the City Rehab Loan.

Sherwood stated that he does not think he will qualify since he does not have house insurance.

A.Forsman stated that the purpose of our blight enforcement is to maintain the integrity and improve our neighborhoods. A.Forsman stated that he feels like Sherwood has made a mockery out of the City for taking as long as Sherwood has to complete these projects.

Attorney Klun stated she is concerned with the garage, the order says to remove the garage and Sherwood is stating he is going to rebuild the garage.

Kess asked Whitney if he has inspected the garage. Whitney stated that sections of the roof of the garage have been missing for years; the wood is weathered and worn-out.

Attorney Klun stated another concern is that Sherwood indicated that there is no insurance on the house and what would happen if someone got hurt on the porch, in the garage, etc.

Callen asked Sherwood how much more time would he need to complete the projects. Sherwood stated possibly by the end of next summer.

A.Forsman asked what the procedure would be if we did not take any further action on this order.

Langowski stated that the City would solicit a contractor to do the work and the cost would be assessed to the property taxes.

Debeltz/D.Forsman moved to postpone the action on this matter until the first meeting in November. Motion Carried Unanimously.

Kess/Debeltz moved to have the permit fees be deferred so Sherwood can start work and no penalty will apply. Motion Carried Unanimously.

8. COMMITTEE REPORTS:

A. Standing/Special

Cemetery Committee

The cemetery is winterized and the water is shut off for the season.

Planning and Zoning Commission

The Board of Adjustment approved a Conditional Use Permit to Alan and Marcy White at 1305-1311 E Sheridan St for sale of automobiles in Commercial(C-1) Zone. With the following conditions: 1) Auto sales business must be in compliance with all MN Statutes and stay in good standing with MN DMV. 2) Sales operation must have MN Used Vehicle Dealer's License. 3) Must provide letter from MN DVS stating that location meets Established Place of Business Requirements.

Projects Committee

D.Forsman/Omerza approved the recommendation from Projects Committee to advertise for bids for the demolition of 122 S 1st Ave E, 205 E Camp, 1227 E Harvey, and 51 Klondike. Motion Carried 6-0-1 with Kess abstaining since he owns 122 S 1st Ave E.

Donald G Gardner Humanities Trust

Called reported that the trust had their fall grant round; they had 10 applicants and awarded \$17,000 in grants.

RAMS

Kess suggested that Gary Cerkvnik come to an EEDA meeting. RAMS hosted a Lunch and Learn with Cerkvnik, who reviewed the process to apply for various funding sources that are available, including LCCMR, Legacy Fund, and State Bonding.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

- i. 2018 Residential Demolition Asbestos and Regulated Waste Inspection Proposals

Debeltz/A.Forsman moved to approve the proposal from Northeast Technical Services for \$4,335.00 for the five residential properties at 122 S 1st Ave E, 205 E Camp, 1227 E Harvey, 51 Klondike, and 50 W White Street. Motion Carried Unanimously.

- ii. Recycling Center

Clerk Langowski stated the Recycling bins at the Recycling Center are owned by St. Louis County, we control the gate at the Recycling center and if the gate is closed it means the bins are full and we have contacted the county to exchange the bins.

B. Fire Chief

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

E. City Attorney

- i. Vacation Update

Attorney Klun stated that the City has four requests for Street Vacations. The council will need hold a public hearing for these Street Vacations.

Without objection the City Attorney will work with City Staff to plan for the Public Hearings.

- ii. Korpi Update

Attorney Klun is continuing to work for the Korpi Trust to become a 501c3.

F. City Engineer

10. COMMUNICATIONS:

- A. Correspondence from Northern St Louis County Partners
B. Ely Community Resource 3rd Quarter Report

11. CLAIMS FOR PAYMENT:

A. City and EUC claims for October 17, 2017 - \$1,079,552.27

B. Service Master Recovery Management for \$60,311.36

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

12. OLD BUSINESS:

A. Charter Commission Opening

Debeltz/D.Forsman moved to proceed with advertising for the opening(s) for the Charter Commission. Motion Carried Unanimously.

13. NEW BUSINESS:

A. Omerza/Debeltz moved to approve Walker Giroux & Hahne's Understanding of Services that they will provide to the City of Ely for the year ending December 31, 2017. Motion Carried Unanimously.

14. OPEN FORUM

15. ADJOURN

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

Casey Velcheff
Deputy Clerk