

Council Minutes - April 17, 2018
Regular Meeting Ely City Council – City Hall, Council Chambers

1. CALL TO ORDER: Mayor Novak Called the Meeting to order at 5:30pm. Mayor Novak mentioned that the City lost a dear friend on Saturday, Gordon Sheddy. Gordon served 8 years as a City Councilor, 10 years on the Ely Utilities Commission, 9 years on the Planning and Zoning Commission, 8 years on the Telecommunications Advisory Board, 8 years on the Fire Committee, 7 years on the Sanitation Committee, 6 years on the HRA Board, 4 years on the Buildings Assessment Group, 4 years as the Chamber of Commerce Council Representative, 3 years on the Police Commission, 2 years on Employee Relations Committee, 2 years as the Council Representative on the Lodging Tax Board, and 1 year on the Budget Committee. Gordon was also a veteran; Mayor Novak asked that the Pledge of Allegiance would be said in honor of Gordon tonight.
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 April 3, 2018 Public Hearing and from the April 3, 2018 Regular Council Meeting. Motion Carried Unanimously.
4. ADDITIONS OR OMISSIONS TO AGENDA
 - A. Addition 8.A. Planning and Zoning/Board of Adjustment
 - B. Addition 9.D.i. Christian Deinhammer’s One Year Probation**Additions A and B added without objection.**
5. MAYOR’S REPORT
Mayor Novak discussed a comparison from 2002 to 2017 of the City’s LGA and Property Taxes. Mayor Novak stated that the County Board Meeting will be held in the Council Chambers at Ely City Hall on April 24, 2018 at 9:30am.
6. CONSENT AGENDA
 - A. **Debeltz/D.Forsman moved to approve motion to waive readings in entirety of all ordinances and resolutions on tonight’s agenda. Motion Carried Unanimously.**
7. REQUESTS TO APPEAR: None
8. COMMITTEE REPORTS
 - A. Standing/Special
Employee Relations Committee
 - i. Recommendation from the Employee Relations Committee to pay the officers for the personal days as requested, with the stipulation that a memorandum of understanding that all new hires receive personal leave days on a prorated basis or on their anniversary date, whichever LELS would prefer.
Langowski stated that he received correspondence back from LELS that they are unwilling to sign a Memorandum of Understanding.
Debeltz/Omerza moved to send this recommendation back to Employee Relations.
Mayor Novak stated he would like to have the contracts reviewed by the City Attorney to make sure the contracts have the same language and that there is consistence between the contracts.

Discussion with Council Members Omerza, A.Forsman, and Kess agreed to bring the issue back to ER and to look at the language of all the contracts.

Motion Carried Unanimously

- ii. **Omerza/Debeltz moved to approve the recommendation from the Employee Relations Committee to direct the Police Chief to review any payroll concerns or grievances with the Clerk-Treasurer prior to giving a response to LELS. Without consensus the issue will be brought to the Employee Relations Committee for review.**

Kess stated that the Police Chief reports to the Council, this seems like the council would be micro managing by directing the Department Heads to do something.

Omerza clarified that we are talking about two different departments; the Police Chief is in charge of the Police Department where the Clerk-Treasurer is in charge the department which includes the Assistant Treasurer who processes payroll. If the Police Chief is having an issue with the Assistant Treasurer regarding a payroll concern or a grievance that the issue would be brought up to the Clerk/Treasurer since he is the supervisor of the Assistant Treasurer.

Attorney Klun stated that the issue is with grievances. In the LELS contract it states that if an officer verbally brings something to the Police Chief it is a first step grievance.

Kess stated that he does not disagree with anything in the motion, other than the council directing a department head to do a specific thing; he wants to hold the department heads accountable, but does not want to tell them what to do.

Motion Carried 6-1 with Kess voting No.

- iii. **Omerza/Debeltz moved to approve the recommendation from Employee Relations Committee to direct all City Departments to utilize the time sheets provided by the Clerk-Treasurer's Office. Motion Carried Unanimously.**

Projects Committee

- i. **D.Forsman/Debeltz moved to approve the recommendation from Projects Committee to award the Rural Living Environments Utility Extensions Project to extend the utilities and relocate the snowmobile trail behind Sibley apartments to the low bidder - Low Impact Excavators, Inc. Motion Carried Unanimously.**
- ii. **D.Forsman/Omerza moved to approve the recommendation from the Projects Committee to award the hazardous material inspections to NTS for the five residential properties for possible demolition and to direct the clerk to make application to the IRRRB on behalf of the property owners. Motion Carried 6-0-1 with Kess abstaining since he owns one of the properties.**
- iii. **D.Forsman/Debeltz moved to approve the recommendation from Projects Committee to approve application to the IRRRB and direct the Clerk to submit application for demo work on five separate commercial properties.**

Langowski clarified that these are portions of commercial properties that are under redevelopment.

Motion Carried Unanimously.

Ely Utilities Commission

EUC CONSENT AGENDA ITEMS: The following items of business were recommended for approval at the regular EUC meeting of Wednesday, April 11, 2018.

1. Approved meeting with the City Council on ordinance changes for grease traps.
A.Forsman said the EUC would like to meet with the Building Official, a Council representative, EUC representative, Clerk-Treasurer, and possibly someone from the State Plumbing Department.
Langowski stated that the city does not have an inspection program or a reporting program from businesses for the grease traps.
2. **A.Forsman/Debeltz moved to authorize the hose and boom repair for the digger derrick from Equipment Rental Company for \$3,620.00.Motion Carried Unanimously.**
3. Approved moving forward with online/auto pay options for EUC customers. – Mayor Novak stated no motion is needed from the council for this issue.
4. **A.Forsman/Called moved to approve payment of the February EUC Bills List for \$447,177.41. Motion Carried Unanimously.**

Planning and Zoning/Board of Adjustment

Callen/A.Forsman moved to approve the variance for the Semers Park Pavilion on Shagawa Lake, the set back is to be a minimum of 25 feet from the ordinary high water mark of the lake level, have ADA access as part of the plan and provide a clear view of the beach area. Motion Carried Unanimously.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

B. Fire Chief

Callen/Kess moved to defer payment to Poms Tire Service for Invoice #650029939 until the product is delivered as promised and the issue is rectified. Motion Carried Unanimously.

C. Library Director

D. Police Chief

Omerza/Debeltz recommended approving Christian Deinhammer's full time status with the completion of his one year probation as a Police Officer. Motion Carried Unanimously.

E. City Attorney

i. **A.Forsman/Omerza moved to approve the Encroachment Agreement between City of Ely and Josh Day. Motion Carried Unanimously.**

ii. **Debeltz/Callen moved to approve the Note and Mortgage for Scott W. Mills and Wende L. Nelson for a Rehabilitation Loan for \$10,000. Motion Carried Unanimously.**

iii. **Debeltz/D.Forsman moved to approve the Note and Mortgage for William M. Cusack and Helen J. Cusack for Rehabilitation Loan for \$10,000. Motion Carried Unanimously.**

F. City Engineer

10. COMMUNICATIONS:

- A. Correspondence from the Arbor Day Foundation congratulating Ely on recognition as a 2017 Tree City USA.
- B. Correspondence from St. Louis County on Household Hazardous Waste Collection Days- June 14, 2018 from 10am-2pm at the Ely Joint Pubic Works Facility and August 30, 2018 from 10am-2pm at the Northwoods Transfer Station.
- C. Correspondence from Northwoods Partners on Dementia Friendly Training for the Work Place on April 25th
- D. Correspondence from Michael Loe to vacate all streets and avenues in the First Re-Arrangement of Kapsch Garden Tracts, Lots 13 & 14 Block 4, Lots 12 & 13 Block 5, and Blocks 6, 7, 8 and 9. This would include Boundary St., James St., Pattison St., 14th Ave E., 15th Ave. E., and 17th Ave E. – This item will be brought up to Planning & Zoning for further review and recommendations.

11. CLAIMS FOR PAYMENT:

Debeltz/D.Forsman moved to approve the City and EUC claims for April 17, 2018 – \$505,104.50. Motion Carried Unanimously.

12. OLD BUSINESS:

13. NEW BUSINESS:

- A. **Debeltz/D.Forsman moved to approve purchase of a snowmobile and groomer for the Ely Nordic Ski Club. A grant was received from the MN DNR for 75% of the cost and the Ely Nordic Ski Club will pay the difference. Motion Carried Unanimously.**
- B. **Debeltz/D.Forsman moved to approve the Development Agreement between the City of Ely and Rural Living Environments, Inc & Negley Properties, LLC. Motion Carried Unanimously.**
- C. **Debeltz/D.Forsman moved to approve Resolution 2018-011 – Resolution Authorizing Application for Dorothy Molter Memorial Foundation to apply for raffle permit. Roll Called: A.Forsman – yes, Kess – yes, Debeltz-yes, Omerza – yes, Callen – yes, D.Forsman – yes, and Mayor Novak - yes. Motion Carried Unanimously.**
- D. **Debeltz/D.Forsman moved to approve Resolution 2018-012 – Resolution Authorizing Special Olympics MN/Northland 300 to apply for raffle permit. Roll Called: A.Forsman – yes, Kess – yes, Debeltz-yes, Omerza – yes, Callen – yes, D.Forsman – yes, and Mayor Novak - yes. Motion Carried Unanimously.**
- E. **Debeltz/D.Forsman moved to approve the Summary of Bond Sale and to have the mayor and clerk sign the Bond Purchase Contract for the AMI Meters. Motion Carried Unanimously.**

F. Debeltz/D.Forsman moved to approve Resolution 2018-013 – Resolution Authorization the Issuance, Sale and Delivery of a \$703,000 General Obligation Equipment Certificate of Indebtedness, Series 2018A. Roll Called: A.Forsman – yes, Kess – yes, Debeltz-yes, Omerza – yes, Callen – yes, D.Forsman – yes, and Mayor Novak - yes. Motion Carried Unanimously.

G. Omerza/Debeltz moved to approve Resolution 2018-014 – Resolution Authorizing the City of Ely to Make Application to and Accept Funds from IRRRB Residential and Commercial Redevelopment Grant Program. Roll Called: A.Forsman – yes, Kess – yes, Debeltz-yes, Omerza – yes, Callen – yes, D.Forsman – yes, and Mayor Novak - yes. Motion Carried Unanimously.

14. OPEN FORUM

15. ADJOURN

Mayor Novak adjourned the meeting at 6:26pm without objection.

Casey Velcheff
Deputy Clerk