

**Council Minutes - June 19, 2018**  
**Regular Meeting Ely City Council – City Hall, Council Chambers**

1. CALL TO ORDER: Mayor Novak called the Regular Council Meeting to order at 5:30pm.
2. PRESENT: Council members A.Forsman, Kess, Debeltz, Callen, D.Forsman and Mayor Novak  
ABSENT: Council member Omerza
3. APPROVAL OF MINUTES  
**Debeltz/D.Forsman moved to approve the minutes from the June 5, 2018 Regular Council Meeting and the June 12, 2018 Special Council Meeting. Motion Carried 6-0-1 with Omerza absent.**
4. ADDITIONS OR OMISSIONS TO AGENDA
  - A. Addition 9. A.ii. Semers Park Pavilion
  - B. Addition 11. A. City and EUC claims for June 19, 2018 for \$624,166.74**Items A and B added without objection.**
5. MAYOR’S REPORT  
Amateur Radio – Proclamation  
Mayor Novak stated that at the League of Minnesota Cities Annual Conference Heidi Omerza will be sworn in as the President of the League of Minnesota Cities. This will be the first time a council member from Ely has been President of the League of Minnesota Cities.
6. CONSENT AGENDA  
**Debeltz/ D.Forsman moved to waive the readings in entirety of all ordinances and resolutions on tonight’s agenda. Motion Carried 6-0-1 with Omerza absent.**
7. REQUESTS TO APPEAR
  - A. Kelsey Wood – Campfire Pizza LLC  
Kelsey Wood stated that her family owns the Wood fire Pizza trailer in Ely, they live in town, are involved in the Ely Schools, and involved in the community in Ely. They hope that the council will consider how the ordinance is written concerning the definition of transient vendors, and addressing the use of public verses private commercial property. Woodfire Pizza is not trying to compete with local businesses, and have a niche with wood fired pizza which is not offered at any of the local businesses in Ely. They have 550 followers on Facebook, which is their only advertising on social media. The pizza trailer is phase one of their plan to someday own a restaurant in town and have the trailer be a mobile catering truck for their business. Their business stays local and they do not travel out of town with their pizza truck. They also purchase the ingredients for their pizzas locally through the grocery stores, Northern Grounds makes their crust and they use other local vendors. They have also catered events for the schools for discounted prices. The revision to the ordinance will potentially cost them around \$5000 and having only 21 days of operation could really hinder their business. They are in favor of having the permitted parking spots in certain areas at Whiteside Park and at Semers. Wood stated that in their research they have not found any cities that enforce Transient Merchant permits on Commercial Properties. Wood stated that she hopes after today the council will see why they do not consider themselves a transient vendor, as described in the proposed ordinance. They are looking for assurance that if they rent a commercial property or location in Ely that they will not be subject to these additional daily permit fees for parking on private property, that would make it very difficult for them to run their business. Wood stated that they are just a small family with 2 young kids who are trying to find a way to make a living in this awesome place.

B. Marolyn Matthys – Ely Marathon Route

Marolyn Matthys from Log Cabin Coffee requested that the Marathon Route be changed from Sheridan Street. Normally Saturdays are her busiest days, but the last couple marathons that Saturday has been very slow. Matthys said she went to businesses to get the views of what the other business owners thought about the route. She received signatures of 41 businesses that would like the route changed. Some of the Motels along the route expressed concern since their only entrance is on Sheridan Street and it made it difficult for their guests to enter or leave the motel.

Mayor Novak stated that the certification process takes a year, and the route cannot be changed this year. The permits have already been received from MnDot, the County, the townships and the City for this year's Marathon.

Langowski stated that the city had a public hearing for the Marathon route to make sure that the public was informed about the route. After the 2<sup>nd</sup> Marathon the city kept track of any complaints that were received for future reference and we did not receive any complaints. If the route is changed the city would need to have another public hearing, and additional permits would need to be applied for.

Kess was impressed with the list of business owners that were against the route being on Sheridan Street. He would like to get a sense of what it would take to change the route, it sounds somewhat problematic for this year.

A.Forsman empathized with the businesses and feels that certain changes could be made, but for this year it would be difficult. Options need to be analyzed for next year, obviously this is a serious issue. A.Forsman stated that he wishes we would have known about this issue last October and we could have done something about the route, but it is difficult when the issue was just brought to us now.

8. COMMITTEE REPORTS

A. Standing/Special

Projects Committee

- i. **D.Forsman/Callen moved to approve the recommendation from the Projects Committee to proceed with soliciting funds to complete construction of the 9.1 miles of the Hidden Valley Mountain Bike Trails.**

Kess asked where funds would come from to complete these trails

Langowski stated that we will look for funds from the IRRRB the Doug Johnson fund and that the Ski Club and Mt. Bike enthusiasts can start getting donations for the trails.

**Motion Carried 6-0-1 with Omerza absent.**

- ii. **D.Forsman/Debeltz moved to approve the recommendation from the Projects Committee to proceed with the removal of the heating oil tank at the community center.**

Langowski stated that the prospective purchaser would like the tank removed since it is not in use to heat the building. Langowski stated the City is looking for funds to remove the tank.

**Motion Carried 6-0-1 with Omerza absent.**

- iii. **D.Forsman/Debeltz moved to approve the recommendation from the Projects Committee to recommend payment of \$9,762.50 to Dirt Candy Designs for the Mountain Bike Design. Motion Carried 6-0-1 with Omerza absent.**

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

- i. The following items of business were recommended for approval at the regular EUC meeting of Wednesday, June 13, 2018:
  - 1. Approved reaffirming the resolution and bylaws for the Northeastern Minnesota Municipal Power Agency.
  - 2. Approved purchasing three fuses for Sub B from Irby for \$2,622.00.
  - 3. Approved payment of the April EUC Bills for \$352,701.41.
  - 4. Approved payment of the DME Solutions Invoice #801A for HVAC Analysis at the WTP for \$3,250.00.

**A.Forsman/Debeltz moved to approve the EUC Consent Agenda items 1-4 from the June 13, 2018 EUC meeting. Motion Carried 6-0-1 with Omerza absent.**

- ii. Semers Park Pavilion

Langowski stated that design changes in the Semers Park bid reduced the cost by \$43,500. The Original bid was \$167,000 and it is now down to \$123,500.

**Debeltz/D.Forsman moved to move forward with the contract for the Semers Park Pavilion with TL Construction for \$123,500. Motion Carried 6-0-1 with Omerza absent.**

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

Police Chief Lahtonen stated that it is Grass Season and to please mow your lawns. So far the Police Department has sent out 42 warnings and issued 2 tickets.

E. City Attorney

- i. **Debeltz/D.Forsman moved to approve the Mortgage Satisfaction for Wendy Archer that was recorded on December 9, 2008 as Document No. 01096925. Motion Carried 6-0-1 with Omerza absent.**

- ii. East Spaulding Reversionary Interest/John Imsland

**Debeltz/D.Forsman moved to approve the Quit Claim Deed releasing the revisionary interest for John Imsland, Lot Thirteen, Block Two, East Spaulding Addition, on the condition that the new property owner agrees to comply with the same terms, to build a permanent dwelling on the property within 3 years of the purchase or the City has the right of re-entry. Motion Carried 6-0-1 with Omerza absent.**

F. City Engineer

10. COMMUNICATIONS:

- A. Highway 169 Eagles Nest Area Reconstruction Project Ribbon Cutting Event, June 21, 2018 at 1pm. Kess will be representing the City.
- B. WDSE/WRPT visioning session on June 26 from 8am-10am
- C. RAMS Newsletter

11. CLAIMS FOR PAYMENT:

- A. Debeltz/D.Forsman moved to approve the City and EUC claims for June 19, 2018 for \$624,166.74. Motion Carried 6-0-1 with Omerza absent.**
  
- B. Debeltz/D.Forsman moved to approve the Ely Community Resource 3<sup>rd</sup> Quarter Payment for \$5125. Motion Carried 6-0-1 with Omerza absent.**

12. OLD BUSINESS:

- A. Callen/D.Forsman moved to approve Resolution 2018-019 Resolution of the City of Ely Dig Once. Roll Called: A.Forsman – Yes, Kess –Yes, Debeltz – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried 6-0-1 with Omerza absent.**

13. NEW BUSINESS:

- A. Debeltz/D.Forsman moved to approve the Community Development Block Grant Program (CDBG) FY 2018 agreement between St. Louis County and the City of Ely. Motion Carried 6-0-1 with Omerza absent.**
  
- B. A.Forsman/Debeltz moved to approve Resolution 2018-020 Resolution Authorizing Temporary Deputy Clerk for Election Purposes. Roll Called: A.Forsman – Yes, Kess – Yes, Debeltz – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried 6-0-1 with Omerza absent.**
  
- C. Debeltz/D.Forsman moved to approve the Partial Payment Estimate No. 1 for the Rural Living Environment Utility Extensions Project for \$133,586.15 to Low Impact Excavators. Motion Carried 6-0-1 with Omerza absent.**
  
- D. A.Forsman/Debeltz moved to approve Catz Billiards and Blues Pool Hall/Billiard Hall License Pending proper paperwork and payment. Motion Carried 6-0-1 with Omerza absent.**
  
- E. A.Forsman/D.Forsman moved to approve Resolution 2018-021 Resolution of the City Council of the City of Ely Affirming Membership in the Northeastern Minnesota Municipal Power Agency. Roll Called: A.Forsman – Yes, Kess –Yes, Debeltz – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried 6-0-1 with Omerza absent.**

14. OPEN FORUM

15. ADJOURN

Mayor Novak adjourned the meeting at 6:35pm without objection.

Casey Velcheff  
Deputy Clerk