

Council Minutes - July 17, 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, Omerza, Callen, D.Forsman and Mayor Novak
3. APPROVAL OF MINUTES
Debeltz/D.Forsman moved to approve the minutes from the July 3, 2018 Regular Council Meeting and the June 26, 2018 Study Session minutes. Motion Carried Unanimously
4. ADDITIONS OR OMISSIONS TO AGENDA
 - A. Addition 5. B. Letter to Bakk and Ecklund - Department of Revenue
 - B. Addition 9.A.ii. Sheridan Street Parking and Bollards
 - C. Addition 13.F. Request for in kind services for the 2018 Blueberry Arts Festival
 - D. Omit 9.A.i Proposal from NTS for ‘All Appropriate Inquiry’ Phase I Environmental Site Assessment of the Property located at 30 South 1st Street in Ely, Minnesota**Items A-D added and omitted without objection.**
5. MAYOR’S REPORT (10)
 - A. Proclamation – Twin Metals Minnesota Appreciation Days – July 27, 28, 29, 2018
 - B. Letter to Bakk and Ecklund – Department of Revenue –Matter of Information
6. CONSENT AGENDA
Omerza/Debeltz moved to waive readings in entirety of all ordinances and resolutions on tonight’s agenda. Motion Carried Unanimously.
7. REQUESTS TO APPEAR (11-12)
 - A. Paul McDonald introduced himself as a candidate for the 4th District County Commissioner.
 - B. Nicholas Jordan – Ely Recycles
Nic Jordan runs Ely Safe Ride and would like to add a curb side recycling service for City of Ely residents through Safe Ride.
Langowski stated that the Recycling Center will need to move with the addition of the new Trailhead Building and the city has been looking at options for recycling in Ely.
Langowski stated that a sanitation meeting will be held soon to discuss recycling options, Langowski will keep Nic informed.
8. COMMITTEE REPORTS
 - A. Standing/Special
Projects Committee
D.Forsman/Debeltz moved to approve the recommendation from the Projects Committee that the Council request’s IRRRB funds to construct the Hidden Valley Mountain Bike Trails. Motion Carried Unanimously.

A.Forsman stated that the 2019 Budget Schedule is out to the Department Heads.

Debeltz stated that the Cemetery committee is working on an Informational Cemetery Kiosk. Langowski stated that we have been working on developing a cemetery kiosk and 1st phase of a skate park for at the rec center.

Kess/Debeltz moved to go out for bids for the Cemetery Kiosk and the 1st phase of the Skate Park. Motion Carried Unanimously.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

i. (Omitted) Proposal from NTS for ‘All Appropriate Inquiry’ Phase I Environmental Site Assessment of the Property located at 30 South 1st Street in Ely, Minnesota

ii. Sheridan Street Parking and Bollards

Langowski stated that he spoke with Jim Miles the Traffic Engineer for MNDOT and Wayne Scheer the Right of Way Agent. Mr. Miles agreed that parking could be allowed during the non-winter/ice control months in the bumped out curb area. He would propose that additional signs be added under the No Parking signs indicating the months of no parking. Langowski also discussed the proposed bollards in front of the marquee to protect the marquee from further damage. He did not see any particular reason to deny this request. Langowski did discuss snowplowing and snow removal and the many sign posts and light posts that we have in the area that require additional care to plow around. Langowski stated that Mr. Scheer left him a message informing him that a Limited Use Permit will be required for the bollards as well as the benches, flower planters, and trash cans that have historically been in the right of way.

Debeltz/Omerza moved to apply for a Limited Use Permit for the bollards in front of the theater, benches, flower planters, and trash/recycling cans that are in the right of way on Sheridan Street.

Callen asked about the chains between the bollards

A.Forsman asked if we had MNDOTs approval for the streetscaping that was done on Sheridan. Langowski stated that the plans were from our landscaper, the plans were developed jointly between MNDOT and Ely, but we still need to get a Limited Use Permit.

Omerza asked if we would need to apply for a permit every year. Langowski stated he didn't think so.

A.Forsman stated that we need to get the street corrected as to where it was.

D.Forsman stated that the chains on the Bollards could be an issue. Mayor Novak stated that the chains could be removed.

Motion Carried Unanimously.

Kess stated that we lost a half a block of parking in front of those businesses on Sheridan St. Kess stated if we made a mistake, by bumping out the curb we should fix it. We should go ahead and push the curb back to the original location.

Langowski stated that we do not have authority within the MNDOT right of way, when the issue first came up there was a lot of discussion on the plan, and we made the request to MNDOT to fix the sidewalks. The curb bump out was part of the original discussion.

A.Forsman stated that we need to correct the mistake that was made with the bump out.

Callen said we should ask MNDOT if they have any other solutions.

Omerza stated one of the reasons we discussed this in the first place was that we were so thrilled to have the theater marquee restored. Now we are willing to sacrifice that for a

couple of parking spots. Omerza stated that we are very lucky to have that sign restored; hopefully very soon we will be watching movies in the theater. A.Forsman stated that the council just unanimously agreed to put bollards in front of the theater; we want to protect the marquee.

Langowski stated that MNDOT requested no parking during winter months and have it be compact car and motorcycle in the summer.

Mayor Novak stated that he would like to hear from the business community to hear their concerns.

D.Forsman asked how far the bollards would be from the curb. Langowski stated they would be approximately 4-6 inches from the curb.

B. Fire Chief (33)

i. Fire Department Reimbursable Wages

Chief Erchull stated that for the ease calculating pay the fire department would like to eliminate the engineer pay which is now only \$.35 higher than the base pay, Keep the fire department pay at \$9.65 which is the minimum wage, and Make the reimbursable wage (Holiday & Forest Service) pay 2 times the normal rate of \$9.65 which comes out to \$19.30, \$1.30 raise over what we pay now which is \$18.00.

Mayor Novak stated that this will be discussed at budget and can be brought up for the 2019 budget.

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

Debeltz/Omerza moved to allow Troy Bissonette to do a ride along with the Ely Police Department. Motion Carried Unanimously.

E. City Attorney

i. **Debeltz/Omerza moved to approve the Note and Mortgage for Mauro and Dafne Caruso for a \$10,000 Residential Rehab Loan. Motion Carried Unanimously.**

ii. Community Center Purchase Agreement

Omerza/A.Forsman moved to close the meeting after open forum to discuss the purchase agreement for the community center per statute 13d. Motion Carried Unanimously.

iii. Ely Properties LLC vs City of Ely et al

Debeltz/D.Forsman moved to close the meeting after open forum to discuss the tentative mediation and review the litigation settlement offer between Ely Properties LLC vs City of Ely et al per Statute 13d. Motion Carried Unanimously.

F. City Engineer

10. COMMUNICATIONS: None

11. CLAIMS FOR PAYMENT:

- A. Debeltz/D.Forsman moved to approve the City and EUC claims for July 17, 2018 for \$458,246.44. Motion Carried Unanimously.**

12. OLD BUSINESS:

13. NEW BUSINESS:

- A. Omerza/Callen moved to approve Resolution 2018-022 Resolution Approving Bid for the 2018 Pavement Rehabilitation Project. Roll Called: A.Forsman – Yes, Kess –Yes, Debeltz – Yes, Omerza – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried Unanimously.**

- B. Debeltz/D.Forsman moved to approve the Partial Payment Estimate No 2 for the 17th Avenue East/7th Avenue East/Water Tower Supply Line project for \$115,629.68 to Casper Construction Inc. Motion Carried Unanimously.**

C. Houle – Lease of Vacant Land

Langowski stated that Dan Houle would like to lease a portion of land near the boat landing by the water plant to tie up his float plane.

Omerza/Debeltz moved to approve the lease with a map added of the land to be leased and to add “within” to the Description of Land. Motion Carried Unanimously.

- D. D.Forsman/Debeltz moved to approve the Commercial Renovation Loan for Serson Enterprises, Inc. for \$17,500 for Windows, Exterior Repair, and Roof pending receipt of proper paperwork and fees and direct Attorney Klun to work with applicant with the loan processing. Motion Carried Unanimously.**

- E. Debeltz/D.Forsman moved to approve Resolution 2018-023 Resolution Appointing Election Judges for the 2018 State Primary and General Elections. Roll Called: A.Forsman – Yes, Kess –Yes, Debeltz – Yes, Omerza – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried Unanimously.**

- F. Debeltz/D.Forsman moved to approve the request for in kind services for the 2018 Blueberry Arts Festival. Motion Carried Unanimously.**

14. OPEN FORUM: None

Mayor Novak recessed the council meeting at 6:28pm.

Mayor Novak closed the meeting at 6:45pm to discuss the purchase agreement for the community center.

Mayor Novak opened the meeting at 7:31pm.

Council Minutes July 17, 2018

Council directed the Clerk/Treasurer and City Attorney to prepare counteroffer terms and conditions which are to be discussed in closed session at the next regular scheduled Council meeting.

Mayor Novak closed the meeting at 7:32pm to discuss the tentative mediation and review the litigation settlement offer between Ely Properties LLC vs City of Ely et al.

Mayor Novak opened the meeting at 7:44pm.

Debeltz/A.Forsman moved to approve execution of a mediated settlement agreement reached on July 12, 2018 with the understanding that the City will only contribute \$5000.00 of the mediated settlement. The claims presented in the lawsuit are to be dismissed with prejudice. Motion Carried Unanimously.

15. ADJOURN

Mayor Novak adjourned the meeting without objection at 7:45pm

Casey Velcheff
Deputy Clerk