

Council Minutes - September 18, 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
ABSENT: None
3. APPROVAL OF MINUTES
Debeltz/D.Forsman moved to approve the minutes from the September 4, 2018 Public Hearing and September 4, 2018 Regular Council Meeting. Motion Carried Unanimously.
4. ADDITIONS OR OMISSIONS TO AGENDA
 - A. Addition 10.F. 7th Annual Public Safety Open House – Wednesday, September 26th from 3pm-6pm
 - B. Addition 13.H. Dog Friendly Restaurants
 - C. Addition 13.I. Approve the transfer of Moose Ridge DBA Sir Gs Italian Restaurant Strong Beer and Wine License to Bear Paw Provisions Inc DBA Sir Gs Italian Restaurant pending the receipt of proper paperwork.
Items A-C added without objection.
5. MAYOR’S REPORT
 - A. Lookout Ridge – Landfill/Tax Forfeited Property
Mayor Novak and Clerk Langowski had a meeting with County Commissioner Rukavina and the Town of Morse.
Langowski summarized the meeting in a memo included in the packet.
The meeting was held to determine a compromise or path forward concerning the 60 acres of land adjacent to the old landfill that both the Township and City have requested.
A proposal was made by the Town of Morse to allow the City of Ely to annex approximately 220 acres around the Lucky Boy pond area instead. The proposal would require the City to not continue to pursue the 60 acre parcel near the landfill.
The Mayor and Langowski explained the importance of having the corridor between the landfill site and the city boundary at 8th Avenue and Boundary Street. To redevelop the site will require City infrastructure and City Tax Dollars. Without the ability to annex the property and provide City infrastructure there is little incentive to continue the current cleanup process at the old landfill. Currently the City is not obligated to remove the landfill but is working to acquire federal and state funds to clean up the property.
Mayor Novak, Langowski, Rukavina and the Town of Morse are meeting this Thursday and they would like an answer to the proposal
Callen/Debeltz moved to continue to pursue the 60 acres of land adjacent to the old landfill. Motion Carried Unanimously.
Kess stated that the City has spent a lot of time and energy to clean up the old landfill and the adjacent land would come on the cities tax rolls.
Omerza stated that the City has been working on this for years; this is not something new we are talking about. Langowski said the City has been working on this area for the last 14 years.

6. CONSENT AGENDA

A. Debeltz/ D.Forsman moved to approve 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

Planning and Zoning Commission

Council Member Callen stated that there was a procedural error for the rezoning of the Community Center and Planning and Zoning will hold another public hearing at a later date with the proper notice of the neighbors within 350 feet of the Community Center.

Projects Committee

D.Forsman/Debeltz moved to approve the recommendation from the Projects Commission to reject the bid for the removal of the heating oil tank at the Community Center for \$52,918.50 and put back out for bids at a later date. Motion Carried Unanimously.

D.Forsman/Debeltz moved to approve the recommendation from the Projects Commission to award the various items required for the pre-engineering work for the trailhead project to the low bidders as follows for the wetland delineation was Aquatic Ecosolutions for \$2,950, Phase 1 environmental review was Northeast Technical Services for \$1,899, and Soil borings was Braun Intertec- \$6,795. Motion Carried Unanimously.

Tree Board – minutes included in packet

Ely Airport Commission – minutes included in packet

Ely Area Ambulance Joints Powers –

Mayor Novak stated that currently the ambulance service is receiving \$5.05 per capita. The Ely Area Ambulance Joint Powers Board is proposing to collect \$10 from each parcel in the area.

Kess/Omerza moved that the City of Ely prefers the proposal to collect \$10 from each parcel in the area. Motion Carried Unanimously.

Community Economic Development Joint Powers Board

Mayor Novak discussed that at the Joint Powers Board they discussed the issue of recycling, Fall Lake Township and Winton have their own recycling, the Town of Morse Representative said that the residents of the Town of Morse can take it to the transfer station on HWY 21. Something is going to have to happen; work on the trailhead is going to start next spring. Mayor Novak discussed that on Broadband, Town of Morse is going out on their own and they are talking to Frontier to put up poles with wireless connectivity.

Omerza indicated that the League of Minnesota Cities Board Retreat was held in Ely last week.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

Clerk/Treasurer Langowski indicated that paving is complete on 7th Avenue today and curbing will be done on 17th Avenue this week. The 5k Glow Run is on Friday evening and the Marathon is on Saturday, please be aware of the detours though town and 17th Ave will be open for the runners for the Glow Run and Marathon.

B. Fire Chief

Fire Chief Erchull indicated that the 7th Annual Public Safety Open House will be on September 26, 2018 from 3pm-6pm. They will have vehicle extraction demonstrations, fire extinguisher demonstrations, a beer goggle course and activities for the kids.

C. Library Director

D. Police Chief

Police Chief Lahtonen indicated that as of September 4, 2018 Adam Borchert completed his one year probation with the Ely Police Department.

Debeltz/Omerza moved to approve the completion of Adam Borchert's probation with the Ely Police Department. Motion Carried Unanimously.

E. City Attorney

i. Debeltz/D.Forsman moved to approve the Note and Mortgage for Ann M Loscheider for the Residential Rehab Loan for \$6500.00. Motion Carried Unanimously.

ii. Debeltz/D.Forsman moved to approve the mortgage satisfaction for Habib Greco, DBA: Ely Sportswear Inc. Motion Carried Unanimously.

iii. Omerza/Callen moved to approve the mortgage satisfaction for Habib and Mauricio Investments, DBA: Ely Wear. Motion Carried Unanimously.

F. City Engineer

10. COMMUNICATIONS:

A. Letter from concerned citizen, Cora Martorelli.

Langowski stated that he spoke with Building Official Doug Whitney about this rental.

The rental has a rental license and it has been inspected. The home owner is working with the propane tank company for the issue of the propane line.

B. Iron Range Childcare Training Information –Matter of Information

C. Notice of Vacancy – Community Development Block Grant (CDBG) Citizen Advisory Committee – Matter of Information

D. Correspondence from Greater Minnesota Parks & Trails – Matter of Information

E. Correspondence from Twin Metals of Minnesota – Matter of Information

F. 7th Annual Public Safety Open House – Wednesday, September 26th from 3pm-6pm – Discussed earlier under Fire Chief

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for September 18, 2018 for \$784,458.85.
- B. Ely Community Resource 4th Quarter Payment of \$5125.00
- C. Ely Area Ambulance – Joint Powers Ambulance Board Ely’s 2018 Contribution of \$17,164.95

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

12. OLD BUSINESS: None

13. NEW BUSINESS:

- A. **Debeltz/D.Forsman moved to approve the Change Order #3 for the Chandler Area Improvements/ Pioneer Road Improvements which decreases the contract amount by \$97,212.68. Motion Carried Unanimously.**
- B. **D.Forsman/Callen moved to approve the Final Payment Estimate #6 for Chandler Area Improvements/ Pioneer Road Improvements project for \$207,286.25 to Quam Construction Company. Motion Carried Unanimously.**
- C. **Debeltz/D.Forsman moved to approve Resolution 2018-030 Resolution Authorizing to Execute Minnesota Department of Transportation Grant Agreement for Airport Improvement Excluding Land Acquisition. 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 the Residential Rehab Loan for Douglas Scheibe for \$7000 for 548 E Washington St to repair sewer line, replace windows, and replace siding pending proper paperwork and fees and direct Attorney Klun to work with the applican to proceed with the loan processing. Motion Carried Unanimously.**
- E. **Debeltz/D. Forsman moved to approve the 2018 Pavement Rehabilitation Project at the Ely Airport Construction Contract for \$1,987,931.05. Motion Carried Unanimously.**
- F. Change the date of the November 6, 2018 Council Meeting since the General Election is on the same day.
Debeltz/Callen moved to move the November 6, 2018 Council meeting to Thursday November 8, 2018 at 5:30pm in the Council Chambers at Ely City Hall since the General Election falls is the same day as the scheduled council meeting. Motion Carried 6-1 with Kess voting no.
- G. **Omerza/Debeltz moved to Schedule a Special Council Meeting on November 13, 2018 at 5:15pm to Canvas the Vote for the November 6, 2018 General Election. Motion Carried Unanimously.**

H. Dog Friendly Restaurants

Langowski indicated that the City can look at league policies on this issue.

Mayor Novak stated that if a business owner came to us asking it would be one issue, but this is a concerned tourist.

D.Forsman indicated that when he was looking at the website sidewalkdog.com it looked as though it was per business that could decide if they wanted dogs on their patio or not.

I. Debeltz/Omerza moved to approve the transfer of Moose Ridge DBA Sir Gs Italian Restaurant Strong Beer and Wine License to Bear Paw Provisions Inc DBA Sir Gs Italian Restaurant pending the receipt of proper paperwork. Motion Carried Unanimously.

14. OPEN FORUM

Angela Campbell read MN State Statute 462.357 regarding sending letters to the neighbors within 350 feet of a parcel being re-zoned.

Mayor Novak asked Campbell if she was listening earlier when Council Member Callen stated that was a procedural error for the rezoning of the Community Center and Planning and Zoning will hold another public hearing at a later date with the proper notice of the neighbors within 350 feet of the Community Center.

Attorney Klun stated that there was a procedural error and the rezoning for the Community Center will be redone with the proper notices sent to the neighbors within 350 feet and a public hearing held again.

D.Forsman asked about the line in the Statute that stated for district boundaries. Attorney Klun stated that it is for rezoning and district boundaries.

15. ADJOURN

Mayor Novak adjourned the meeting at 6:21pm without objection.

Casey Velcheff
Deputy Clerk