

**Council Minutes - December 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  
**D.Forsman/A.Forsman moved to approve the minutes from the December 4, 2018 Regular Council Meeting. Motion Carried Unanimously.**
4. ADDITIONS OR OMISSIONS TO AGENDA  
A. Addition 8.A. Events Coordinator Bureau  
**Item A added without objection.**
5. MAYOR’S REPORT  
Mayor Novak stated at the 1<sup>st</sup> meeting in January we will discuss Council Committee Assignments.
6. CONSENT AGENDA  
A. Motion to waive readings in entirety of all ordinances and resolutions on tonight’s agenda.  
B. Approve Council and Staff to attend the League of Minnesota Cities Newly Elected Officials: 2019 Leadership Conference  
C. Approve Council and Staff to attend the League of Minnesota Cities Experienced Officials: 2019 Leadership Conference  
D. Approve Council and Staff to attend the Coalition of Greater Minnesota Cities Legislative Action Day on Wednesday, January 30, 2019 in St. Paul.  
E. Approve Council and Staff to attend the League of Minnesota Cities 2019 Legislative Conference February 20-21, 2019  
**D.Forsman/A.Forsman moved to approve the Consent Agenda items A-E. Motion Carried Unanimously.**
7. REQUESTS TO APPEAR: None
8. COMMITTEE REPORTS  
A. Standing/Special  
Planning and Zoning Commission  
Matter of Information – Board of Adjustment approved the Conditional Use Permit for the Ely Community Center Building at 30 S. 1<sup>st</sup> Ave E, Ely MN to permit a future owner, tentatively K-America Foundation 501c3 to operate a private school marketed as a destination-based cultural camp with condition that K America Foundation abide by all city parking ordinances and work with City to address parking concerns at earliest opportunity.  
  
Ely Public Library Board – Minutes included in the packet

Projects Committee

**D.Forsman/A.Forsman moved to approve the recommendation from the Projects Committee to approve the requested Change Order #1 for the Semer's Park Pavilion totaling \$7,239.34 from TL Construction for structural changes and fire proof coating. Motion Carried Unanimously.**

Employee Relations Committee

**D.Forsman/A.Forsman moved to approve the recommendation from Employee Relations Committee to hire Troy Bissonette in the spring for parking and civil enforcement for the summer of 2019 at a 67 day part time employee. Motion Carried Unanimously.**

**D.Forsman/A.Forsman moved to approve the recommendation from Employee Relations Committee to allow the EUC office to be closed on Christmas Eve and be open all day on New Year's Eve. Motion Carried Unanimously.**

**D.Forsman/A.Forsman moved to approve the recommendation from Employee Relations Committee to accept Steve Krtinich's plan to utilize his vacation prior to retirement. Motion Carried Unanimously.**

**D.Forsman/A.Forsman moved to approve the recommendation from Employee Relations Committee to accept John Lincicome's plan to utilize his vacation prior to retirement. Motion Carried Unanimously.**

**D.Forsman/A.Forsman moved to approve the recommendation from Employee Relations Committee to deny the step one grievance due to the overtime being offered as required in the LELS contract.**

A.Forsman asked why this was being denied from ER and how long overtime openings are posted before being assigned to an officer in the past.

Chief Lahtonen stated that this specific shift was not assigned to anyone; either the senior person takes it or the officer's talk amongst themselves to see who is going to take the shift. In the past there has not been a set time frame for the openings just that if the senior officer wants the shift they have first opportunity.

Mayor Novak asked if the process needs to be clarified for future shifts.

A.Forsman stated that in item 7 on the grievance it stated that the schedule was on the Sergeants desk on November 19<sup>th</sup> and that Officer Borchert was scheduled for the OT shift. Sergeant Burger would have worked 3 shifts with this schedule next to him before his vacation.

Mayor Novak stated that if the schedule was posted that the employee has a right of expectation that the schedule is going to be held.

Kess stated that in the contract it states that the most senior officer would get the overtime shift without a time period specified.

Chief Lahtonen stated that in the future he will call or talk to each person to see if they want the shift.

**Motion Carried Unanimously.**

**D.Forsman/A.Forsman moved to approve the recommendation from Employee Relations Committee to approve the revised job description for Assistant Building Engineer/Equipment Operator and post the position for hire. Motion Carried Unanimously.**

Ely Utilities Commission: Minutes included in packet and consent agenda will be discussed under department reports.

Donald Gardner Humanities Trust: Minutes included in the packet

Housing & Redevelopment Authority: Minutes included in the packet

RAMS: Minutes included in the packet

Events Coordinator Bureau: Minutes included in the additions packet

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

i. The following items of business were recommended for approval at the regular EUC meeting of Wednesday, November 28, 2018.

1. Approved allowing the Billing Office to be closed for the whole day on Christmas Eve and open for the whole day on New Year's Eve.
2. Authorize Butch Gornik to attend the Continued Education for Electricians in Grand Rapids on January 29 and 30, 2019.
3. Approved the 2019 Rate Recommendations.
4. Approved the 2019 Operating and Capital Budgets
5. Approved payment of the EUC October 2018 Bills for \$315,159.91

A.Forsman discussed the 2019 Rate Recommendations from the EUC. The proposal includes a \$1.00per month on the Fixed Water Charge, no change on the Sewer Rate and a 3% increase on the Electric.

Langowski stated that the 3% on the Electric Utility is from the approximate 3% increase on the Minnesota Power Bill.

Callen asked what would happen if we skipped a rate increase.

Langowski stated that there would probably be more of an increase in the future years, the goal is to keep the increases at a minimum.

A.Forsman stated that it is easier to do rate increases when the money is going back into the infrastructure.

**D.Forsman/A.Forsman moved to approve the EUC Consent Agenda items 1-5. Motion Carried Unanimously.**

**D.Forsman/A.Forsman moved to schedule a public hearing on January 15<sup>th</sup> at 4:30pm to receive public comment on the Ely Utilities Rates. Motion Carried Unanimously.**

ii. **D.Forsman/A.Forsman moved to approve the Internal Postings for Infrastructure Forman and Water/Wastewater Operator. Motion Carried Unanimously.**

B. Fire Chief

Langowski stated that the air packs went out for bid and we should have to results at the first meeting in January.

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

Narcan will be available in each of the patrol cars. Narcan is used for the complete or partial reversal of opioid overdose, including respiratory depression.

E. City Attorney

i. **D.Forsman/A.Forsman moved to approve the Mortgage Satisfaction for James R Maki, DBA Great Outdoors Bait and Tackle Document No. 01038183. Motion Carried Unanimously.**

ii. **D.Forsman/A.Forsman moved to approve the 1<sup>st</sup> Reading of Ordinance 329, 2<sup>nd</sup> Series An Ordinance of the City of Ely, Minnesota, Amending the Ely City Code, Chapter 2, Section 2.13, Salaries of Mayor and Councilors. Roll Called: A.Forsman – Yes, Kess –Yes, Debeltz – Yes, Omerza – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried Unanimously.**

iii. **D.Forsman/A.Forsman moved to approve Resolution 2018-039 Resolution Establishing the City of Ely Intent to Vacate a Portion of City-Owned Property (Vacation of Kapsch Gardens) Roll Called: A.Forsman – Yes, Kess –Yes, Debeltz – Yes, Omerza – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried Unanimously.**

iv. **D.Forsman/A.Forsman moved to approve Resolution 2018-040 Resolution Establishing the City of Ely Intent to Vacate a Portion of City-Owned Property (Vacation of Lockhart Street) Roll Called: A.Forsman – Yes, Kess –Yes, Debeltz – Yes, Omerza – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried Unanimously.**

v. **D.Forsman/A.Forsman moved to approve the Purchase Agreement with Ely Veterinary Clinic for \$16,000.**  
A.Forsman stated that this purchase price co-relates with the other sales of land nearby.  
**Motion Carried Unanimously.**

vi. Community Center Status –

Attorney Klun stated that the Community Center closed on Friday and is now in the hands of K America.

**D.Forsman/A.Forsman moved to have a public hearing on January 15, 2019 at 5pm for the vacation of Kapsch Gardens and to have a public hearing at 5:15pm for the vacation of Lockhart Street. Motion Carried Unanimously.**

F. City Engineer

10. COMMUNICATIONS: Matter of information

- A. Correspondence from the St. Louis County Fair
- B. Correspondence from Blue Cross Blue Shield Medicare Meetings

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for December 18, 2018 for \$124,343.79.
- B. Pay Estimate #2 for the Semers Park Picnic Pavilion to TL Construction for \$81,438.74
- C. Pay Estimate #1 for the 2018 Pavement Rehabilitation Project at the Ely Airport to KGM Contractors for \$100,113.38.

**D.Forsman/A.Forsman moved to approve the Claims for Payments A-C. Motion Carried Unanimously.**

12. OLD BUSINESS:

- A. **D.Forsman/A.Forsman moved to approve the 2<sup>nd</sup> Reading of Ordinance 328 2<sup>nd</sup> Series: An ordinance of the City of Ely, Minnesota Amending Chapter 20, Section 20.2 Sales of Land City Code of the City of Ely. Roll Called: A.Forsman – Yes, Kess –Yes, Debeltz – Yes, Omerza – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried Unanimously.**

- B. Annexation

**D.Forsman/A.Forsman moved direct the annexation committee to work on a response to the Town of Morse.**

Mayor Novak stated that the city formed a committee with Novak, Omerza, A.Forsman, Attorney Klun, and Langowski.

Kess stated that if any councilors have any concerns to share with the committee to let Langowski know to report back to the committee.

**Motion Carried Unanimously.**

13. NEW BUSINESS:

- A. **D.Forsman/A.Forsman moved to check does not waive on the League of Minnesota Cities Liability Coverage Waiver Form. Motion Carried Unanimously.**

- B. **D.Forsman/A.Forsman moved to approve in kind services for the Wolf Track Classic Sled Dog Race on February 23<sup>rd</sup> and 24<sup>th</sup>, 2019. Motion Carried Unanimously.**

- C. **D.Forsman/A.Forsman moved to approve Resolution 2018-041 Resolution for Iron Range Broadband. Roll Called: A.Forsman – Yes, Kess –Yes, Debeltz – Yes, Omerza – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried Unanimously.**

- D. **D.Forsman/A.Forsman moved to approve Resolution 2018-042 Resolution Approving the City of Ely Budget for the Fiscal Year 2019. Roll Called: A.Forsman – Yes, Kess – Yes, Debeltz – Yes, Omerza – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried Unanimously.**
  
- E. **D.Forsman/A.Forsman moved to approve Resolution 2018-043 Resolution Approving and Adopting Final Tax Levy Collectible in 2019. Roll Called: A.Forsman – Yes, Kess – Yes, Debeltz – Yes, Omerza – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried Unanimously.**
  
- F. **D.Forsman/A.Forsman moved to approve Resolution 2018-044 Resolution Designating 2019 Polling Precinct Location for the City of Ely. Roll Called: A.Forsman – Yes, Kess – Yes, Debeltz – Yes, Omerza – Yes, Callen – Yes, D.Forsman – Yes and Mayor Novak – Yes. Motion Carried Unanimously.**
  
- G. **D.Forsman/A.Forsman moved to approve advertising for two EUC Commission Seats.** Langowski stated that Kurt Soderberg’s term limit is up with serving 9 years on the EUC Commission, and Angela Campbell will be on the Council this coming year. Langowski thanked both for their service.  
**Motion Carried Unanimously.**

14. OPEN FORUM

Mayor Novak stated that this is Dan Forsman’s last meeting and he thanked him for making a commitment to the City, and hopes he will stay active in City Committees.

Mayor Novak wished everyone a Merry Christmas and Happy New Year!

15. ADJOURN

Mayor Novak adjourned the meeting at 6:27pm without objection.

Casey Velcheff  
Deputy Clerk