

Council Minutes - February 19, 2019
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, Debeltz, Omerza, Callen, Campbell, and Mayor Novak
ABSENT: Council member Kess
3. APPROVAL OF MINUTES:
Debeltz/Callen moved to approve the minutes from February 5, 2019 Regular Meeting. Motion Carried 6-0-1 with Kess Absent.
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Addition 13. C. Resolution 2019-006 Resolution in Support of Increasing Local Government Aid in the 2019 Legislative Session
Item A was added without objection.
5. MAYOR'S REPORT
Mayor Novak indicated that the rink in Whiteside Park has been a huge hit this year, thanks to Gordon Shedly for the idea several years ago.
Mayor Novak, Omerza, and Campbell will be going to St. Paul to the League of Minnesota Cities Legislative Conference on Wednesday and Thursday and Campbell will be going to the newly elected official training in Brainerd on Friday and Saturday.
6. CONSENT AGENDA:
 - A. Motion to waive readings in entirety of all ordinances and resolutions on tonight's agenda
 - B. Approve Staff and Council to attend the League of Minnesota Cities Annual Conference in Duluth, MN on June 26-28, 2019.
 - C. Approve Staff to attend the Minnesota Municipal Clerks and Finance Officer Association (MCFOA) Annual Conference in St. Cloud, MN on March 19-22, 2019.
 - D. Approve the Police Chief to attend the 2019 ETI Conference and Law Enforcement Expo in St. Cloud on April 14-17, 2019.**Debeltz/Omerza moved to approve the consent agenda items A-D. Motion Carried 6-0-1 with Kess Absent.**
7. REQUESTS TO APPEAR:
 - A. Ely Police Department Tactical Vest Presentation by Shield616
Jake Skifstad the founder and President of Shield 616. Skifstad was with the Colorado Springs Police Department for 14 years, and was involved with 2 active shooter situations. In one of the active shooter situations 5 officers were shot and one was killed. After that situation he wanted to better protect officers and build better community relationships for these men and women. Skifstad has since worked with communities in 18 states and hundreds of agencies to equip offices with this equipment for active shooter situations. Twin Metals Minnesota donated \$10,500 for the 7 vests for the Ely Police Department.
Dean Debeltz, Director of Operations and Safety spoke and stated that this fits well within the Twin Metals Pillars of Support, Personal and Community Safety is one of Twin Metals pillars of support. Debeltz has been working with Chief Lahtonen and they saw this as a great opportunity to work with the local law enforcement.
Skifstad stated that his goal is that when the officers put this gear on it will give them the courage and boldness to go towards gunfire, to go towards a door that may have gunfire on

the other side. Our law enforcement needs all the help they can get; they need all the support, encouragement and prayer that they can get. Skifstad stated that they want the officers to be partnered with members of the community to check up on the officers to make sure that they are not only safe, but that they are mentally ok, and that the officers are being supported. Shield 616 has a support team for the officers in Ely made up of several Twin Metals employees, Oasis International, Ely Gospel Men's Group, and St Anthony's Catholic Church. Skifstad presented the Officers with the vest and equipment.

Mayor Novak Recessed the meeting at 5:50pm, to clear the council chamber so the officers, families, and support team could have a social gathering in the hall.

Mayor Novak called the meeting back to order at 5:55pm

8. COMMITTEE REPORTS:

A. Standing/Special

Heritage Preservation Commission

Campbell/Debeltz moved to approve the recommendation from Heritage Preservation Commission to extend the grant for the Pioneer Mine Condition Assessment to June 1, 2019 with the final report date of June 30, 2019. Motion Carried 6-0-1 with Kess Absent.

Planning and Zoning Commission – Minutes included in the packet

Projects Committee

Callen/Omerza moved to approve the recommendation from Projects Committee to revise the purchase agreement to reflect Dr. Chip Hanson's counter offer of \$10,000 due to the duration of the lease and payments made for the Ely Vet Clinic Lot. Motion Carried 6-0-1 with Kess Absent.

Callen/Omerza moved to approve the recommendation from Projects Committee to approve the grant agreement from the IRRRB for the Downtown Beautification Project for \$50,000. Motion Carried 6-0-1 with Kess Absent.

Callen/Omerza moved to approve the recommendation from Projects Committee to sign the agreement from St. Louis County for painting of the traffic signals at Central and Sheridan, and for Harold to request additional information from St. Louis County concerning the estimated cost. Motion Carried 6-0-1 with Kess Absent.

Legal Publishing Task Group

A.Forsman/Omerza moved to approve the recommendation from the Task Group to reaffirm the original award of the legal publishing in 2019 to the Ely Timberjay due to their not being any substantial reason to reject their bid.

A.Forsman indicated that this decision has not been taken lightly. The task force looked at the laws governing legal publishing. There were minor discrepancies that came up and were explained in a way, that there were simple oversites and such. At the advice of the group and our legal counsel, this is how we are addressing this now. In the future we will have to look at how we have our Charter set-up and look at that separately, but for this year this is the recommendation.

Nick Wogum, General Manager of the Ely Echo spoke and stated that he was not notified of the Task Force meeting on the Legal Publishing when he asked to be there after the February 5th

Meeting. Wognum stated that city officials asked the Timberjay to bid for the legal publishing. Wognum stated that there has been evidence that the Timberjay did not meet the legal requirements to be a legal newspaper when it submitted the bid. The Timberjay was not listed as a legal newspaper with the Secretary of State when the time the bid was submitted and voted on. The Timberjay is claiming a house as an office, although at the time the bid was submitted there was not a home occupation permit for the residence. Fiscally responsible is also what Wognum has heard about the bidding from council members. Wognum stated that they pay both commercial and residential property taxes in Ely and have 10 full and part-time employees who live and work in Ely.

Motion Carried 5-1-1 with Campbell voting no and Kess Absent.

Employee Relations Committee

Omerza/Debletz moved to approve the recommendation from Employee Relations to allow the Police Chief to post to establish an eligibility list. Motion Carried 6-0-1 with Kess Absent.

Omerza/Debletz moved to approve the recommendation from Employee Relations to award the position of Assistant Building Engineer/Equipment Operator to John Sjoberg and hold the number two candidate for one year if the position becomes open again. Motion Carried 6-0-1 with Kess Absent.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

Fiber Project

Langowski states that we are looking at going forward with a downtown fiber loop going from White Side Park to the Water Tower on the North and South sides of Sheridan Street. We have an opportunity to apply for grant funding through the IRRRB in the development infrastructure program. CTC out of Brainerd is interested in partnering with us, they would provide the service, with the city owning the fiber, installing it on the pole owned by the city and frontier communications. We would be eligible for a tax abatement general obligation bond to do the project, and the revenue source would be the lease payments back on the infrastructure, being utilized by CTC. Langowski suggested to form a small task force, this item will be brought up at the next council meeting.

B. Fire Chief: Nothing to Report

C. Library Director

Council Member Omerza gave an update of the upcoming events at the library which can be located on the Library Website.

D. Police Chief: Nothing to Report

E. City Attorney

Debletz/Callend moved to approve the note and mortgage for Brian and Karen Maverick to replace windows at 415 E Chapman St for \$10,000.

Attorney Klun stated that the loan is for 10 years with a 2% interest rate.

Motion Carried 6-0-1 with Kess Absent.

Correspondence from Attorney Klun regarding the City Code Book being codified. Attorney Klun stated that every year her office codifies all the approved Ordinances for the year and updates the City of Ely Code Book.

F. City Engineer

10. COMMUNICATIONS: Matter of Information

Correspondence from Ely Community Resources 2018 4th Quarter Progress Report.

11. CLAIMS FOR PAYMENT:

Debeltz/Callen moved to approve the City and EUC claims for February 19, 2019 for \$474,524.99. Motion Carried 6-0-1 with Kess Absent.

12. OLD BUSINESS:

A. Omerza/A.Forsman moved to approve the 2nd Reading of Ordinance No. 330 2nd Series, An Ordinance of the City of Ely, Minnesota, Adding to the Ely City Code, Chapter 20, Section 20.13.31, Entitles Vacation of Portion of City Owned Property in Kapsch Garden Tracts. Roll Called A.Forsman - Yes, Kess – Absent, Debeltz – Yes, Omerza – Yes, Callen – Yes, Campbell – Yes, and Mayor Novak- Yes. Motion Carried 6-0-1 with Kess Absent.

B. EEDA Position Appointment

Debeltz/Callen moved to approve the recommendation from the Ely Economic Development Authority (EEDA) to appoint Angela Campbell to the EEDA. Motion Carried 6-0-1 with Kess Absent.

13. NEW BUSINESS:

A. Debeltz/A.Forsman moved to approve Resolution 2019-005 Resolution requesting the United States Forest Service to Reinstate the Lottery Permitting System for Motor Use Permits into the Boundary Waters Canoe Area Wilderness (BWCAW). Roll Called A.Forsman - Yes, Kess – Absent, Debeltz – Yes, Omerza – Yes, Callen – Yes, Campbell – Yes, and Mayor Novak- Yes. Motion Carried 6-0-1 with Kess Absent.

B. Omerza/Callen moved to approve the 1st Reading of Ordinance No. 332 2nd Series, An Ordinance of the City of Ely, Minnesota, Amending Chapter 6, Section 6.31 Regulating Peddler's , Solicitors, Transient Merchants, Mobile Food Carts , and Mobile Food Vehicles.

Attorney Klun discussed the changes to the ordinance. Planning and Zoning is looking at the fees for food trucks, which will be done by resolution after the ordinance is approved.

Omerza asked how the Farmers Market would play into this. Klun stated that there is an exception with city festivals or city sponsored activities, like the Farmers Market, Blueberry Arts Festival, Harvest Moon, Marathon, etc. These events would apply for a permit from the city then they are responsible for insuring that the booths to meet the requirements of state law. Langowski stated that the City is following State Law with this ordinance. There will be 2 reservable spots available, one at Whiteside Park and one at Semers Park. These 2 spots will be the only 2 places on public property that a will be available.

Roll Called A.Forsman - Yes, Kess – Absent, Debeltz – Yes, Omerza – Yes, Callen – Yes, Campbell – Yes, and Mayor Novak- Yes. Motion Carried 6-0-1 with Kess Absent.

C. Omerza/Debeltz moved to approve Resolution 2019-006 Resolution in Support of Increasing Local Government Aid in the 2019 Legislative Session. Roll Called A.Forsman - Yes, Kess – Absent, Debeltz – Yes, Omerza – Yes, Callen – Yes, Campbell – Yes, and Mayor Novak- Yes. Motion Carried 6-0-1 with Kess Absent.

14. OPEN FORUM

Mike Banovetz - 427 E Harvey St

Banovetz asked if there is information available as to who was on the Legal Publishing Task Group and if the are minutes available.

Mayor Novak stated they are on the City Website in Council Agenda Packet for tonight's meeting.

Laura Butterfield- 421 E Washington St

Butterfield thanked the council for the vote to approve the bid made by the Timberjay. Butterfield stated that she is not employed by either newspaper; she is just a regular citizen and taxpayer. She believes that the council reacted in the best interest of the taxpayers of Ely by saving us thousands of dollars this year.

15. ADJOURN

Mayor Novak adjourned the meeting at 6:33pm without objection

Casey Velcheff
Deputy Clerk