

Council Minutes - June 4, 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, Kess, Debeltz, Omerza, Callen, Campbell, and Mayor Novak
ABSENT: None
3. APPROVAL OF MINUTES:
Debeltz/Campbell moved to approve the minutes from May 21, 2019 Regular Meeting. Motion Carried Unanimously.
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Addition 8.A. TAB
 - B. Addition 8.A. Employee Relations
 - C. Addition 13. E Building Maintenance Truck Bids
 - D. Addition 13. F. Residential Rehab Loan for LuAnne Bialik at 636 S 6th Ave E for new windows and doors and for sewer inspection and potential repair for \$10,000, pending proper paperwork and fees and to direct Attorney Klun to work with the applicant and to proceed with loan processing**Additions A-D added without objection.**
5. MAYOR'S REPORT
Minnesota Mayors Matter – Mayor Novak indicated that the Minnesota Mayors Matter works on bringing mayors together in conversation to build civic trust. They are working on the urban/rural divide. Mayor Novak indicated that it is not a real divide, but more of different issues between communities.
Mayor Novak indicated there will be a ribbon cutting on June 21st for the 17th Avenue Project and Groundbreaking for the Trailhead Project.
Mayor Novak also congratulated the High School graduates.
6. CONSENT AGENDA:
 - A. Motion to waive readings in entirety of all ordinances and resolutions on tonight's agenda
 - B. Approve the Ely Jaycees Temporary Liquor Licenses for the CrapolaFest on June 29, 2019 on 1st Avenue East, Chamber sponsored Music at the Band shell on July 11 at Whiteside Park, the Blueberry Arts Festival on July 26, 27, and 28, 2019 at Whiteside Park, and the Ely Marathon on September 21, 2019 at Whiteside Park pending receipt of proper paperwork and fee and to waive the requirement of an on-site police officer at these events.**Debeltz/Omerza moved to approve A and B consent agenda. Motion Carried Unanimously.**
7. REQUESTS TO APPEAR: None
8. COMMITTEE REPORTS:
 - A. Standing/Special
Planning and Zoning – Minutes included in the packet

Heritage Preservation Commission – Minutes included in the packet

Library Board –
Omerza stated that the Library Board passed a policy for Service Animals in the Library.

Telecommunications Advisory Board - Minutes included in the packet

Employee Relations

Debeltz/Omerza moved to approve the recommendation from the Employee Relations Committee to hire Joe Shusta for the Utility Person position pending background and pre-employment screening. Motion Carried Unanimously.

Debeltz/Omerza moved to approve the recommendation from the Employee Relations Committee to recommend that Chad Houde be assigned a temporary sergeant until the return of sergeant Koponen from injury. Motion Carried Unanimously.

Debeltz/Callen moved to approve the recommendation from the Employee Relations Committee to approve Mayor Chuck Novak, Councilor Heidi Omerza, Councilor Angela Campbell, Commissioner Warren Nikkola, and Attorney Klun for the negotiating committee and to request AFCSME to start negotiations with the City. Motion Carried Unanimously.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

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

Chief Lahtonen reminded people that 2-Hour parking is being enforced effective today. Also it is Grass Cutting Season; if you do not comply you will be receiving a letter and eventually a ticket. Pedestrians have the right a way at crosswalks; you must stop to let them cross.

E. City Attorney

F. City Engineer

10. COMMUNICATIONS:

A. Correspondence from the League of Minnesota Cities – Matter of Information

11. CLAIMS FOR PAYMENT:

A. City and EUC claims for June 4, 2019 – \$277,188.85.

B. Partial Pay Estimate #2 To KGM Contractors for \$157,838.66 for the 2018 Pavement Rehabilitation Project for State Project #A6920-48.

C. Partial Pay Estimate #2 to KGM Contractors for \$130,419.39 for the 2018 Pavement Rehabilitation Project for State Project #A6920-49.

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

12. OLD BUSINESS:

A. **Debeltz/Campbell moved to approve the 2nd Reading of Ordinance No. 335, 2nd Series, An Ordinance of the City of Ely, Minnesota, amending the Ely City Code, Chapter 20, Section 20.2.33, Sale of Land Located in the East Spaulding Plat. Roll Called A.Forsman-yes, Kess-yes, Debeltz-yes, Omerza-yes, Callen-yes, Campbell-yes, and Mayor Novak-yes. Motion Carried Unanimously.**

B. **Callen/Debeltz moved to approve Resolution 2019-018 Resolution and Order of the City of Ely: A Resolution and Order of the City of Ely, Minnesota Declaring the real property at 21 West Shagawa Road Blight Pursuant to the Ely City Code.**

Debeltz indicated that the council had dealt with this property for many years, hopefully something will get resolved this time.

Attorney Klun stated that this resolution and order includes all items A-F under the findings in 6. a. Remove front porch and ensure access is code compliant, b. Remove back porch and ensure access if code compliant, c. Ensure rafters and roof are structurally sound, d. Entire roofing structure must be completely code compliant, e. Proper building permits shall be pulled prior to execution. f. Complete removal of the detached garage. Attorney Klun indicated that this includes the front porch finality by July 5, 2019, at the public hearing Sherwood stated he would have the items done by the next council meeting, except for the front porch. Attorney Klun also indicated that 11 and 12 on the resolution will need updating with information on the hearing, who was present and who gave testimony.

Council agreed to amend the resolution with the changes stated by Attorney Klun.

Building Official Whitney indicated that item f. under the findings should be changed to fix garage not remove garage, since Whitney was working with Sherwood on how to fix the garage.

Council agreed to amend the resolution to fix the garage not remove.

Omerza stated that we want to have compassion, but he has been here how many times, we also need to have compassion for the neighbors. Omerza asked what the next step is; do we have faith that he will get this done in two weeks? Does the council have the courage to move forward on this?

Mayor Novak stated that he is ready to move this item, Sherwood has been to the council numerous times promising to get things done and nothing has been done. The neighbors need us to work better for them.

Attorney Klun stated that the code allows for \$100 per week fine for non-compliance, which could be around \$12,000 in back fines from the last order.

Debeltz indicated that he would rather have Sherwood put the money into the house rather than pay a fine.

Kess indicated that Sherwood has until July 5, 2019 per this resolution and order to remedy, the first step is this resolution and order then after July 5, 2019 if the property is not in compliance we will have the opportunity to assess the fine and move forward with the order.

Attorney Klun stated that the council should invite him back to the next meeting to get progress.

Building Official Whitney indicated that the notices have previously indicated that the \$100 fine can be assessed if work is not completed.

Roll Called: A.Forsman-yes, Kess-yes, Debeltz-yes, Omerza-yes, Callen-yes, Campbell-yes, and Mayor Novak-yes. Motion Carried Unanimously.

C. Letter From G-Men requesting a meeting with the Sanitation Committee

A.Forsman/ Debeltz moved to discuss the sanitation contract at the study session in July and to send notice the public to hear comment.

Kess stated that it would be better to see what the council wants to do rather than the sanitation committee.

Debeltz indicated that if anyone has and complaints or changes in the contract they would like to see they should come to the study session in July.

Omerza also indicated that the council would like to hear about people supporting our current vendor.

Motion Carried Unanimously.

D. **Debeltz/Omerza moved to approve Resolution 2019-019 Restating and Reaffirming The EEDA Enabling Resolution. Roll Called A.Forsman-yes, Kess-yes, Debeltz-yes, Omerza-yes, Callen-yes, Campbell-yes, and Mayor Novak-yes. Motion Carried Unanimously.**

E. 79 W Chandler - Inspection Report

Building Official Whitney reported that he completed an Inspection Report for 79 W Chandler. Based on the blight conditions, the following are to be performed to abate the conditions: a. Finish siding and roofing of dwelling; every exterior wall shall be free of holes, breaks, and major portions of loose or rotting boards or timbers. All structures and accessory structures including detached garages shall be maintained in the workmanlike state of maintenance and repair. b. Completely remove all junk and debris from all structures; every structure shall be maintained in a sanitary condition, free of accumulation of garbage and refuse. c. The property cannot be used as a salvage and recycling site. d. Remove all household furnishings, appliances, tires and scraped materials covering the property. Mayor Novak asked if Whitney recommends that we cite this property per the blight ordinance.

Whitney indicated yes.

Mayor Novak asked who would cite this property the police or the Building Official.

Attorney Klun stated that if the Police cite it is Criminal and if Whitney cites it is Civil. In the past Whitney has sent notice which is served by the police.

Omerza/Campbell moved to have Whitney serve 79 W Chandler with notice of blight per the inspection report. Motion Carried Unanimously.

13. NEW BUSINESS:

A. A.Forsman/Debeltz moved to approve the Bill of Sale from Minnesota Power for the electric car chargers in the library parking lot and solar panels on the Library. Motion Carried Unanimously.

B. Debeltz/Campbell moved to approve the letter from Young Life requesting in kind services for the 4th of July Festivities in Whiteside Park. Motion Carried Unanimously.

C. Debeltz/Omerza moved to request for funding from MNDOT as well as approving the bids received for the Airport Fueling System Rehabilitation. Motion Carried Unanimously

D. Debeltz/Omerza moved to approve the Cemetery Kiosk Bid for \$25,800 to Jeff Kemmer.

Callen stated that he was originally concerned with the price, but zero tax dollars are being used, the city received a donation to the cemetery and the Korpi Trust donated to the Kiosk.

Motion Carried Unanimously.

E. Building Maintenance Truck Bids

Kess/Campbell moved to award Mike Motors the Building Maintenance Truck quote for \$26,854.00.

A.Forsman indicated that the quotes we received were very close.

Motion Carried Unanimously.

F. Debeltz/Callen moved to approve the Residential Rehab Loan for LuAnne Bialik at 626 S 6th Ave E for new windows and doors and for sewer inspection and potential repair for \$10,000, pending proper paperwork and fees and to direct Attorney Klun to work with the applicant and to proceed with loan processing. Motion Carried Unanimously.

14. OPEN FORUM

Mike Banovetz – 427 E Harvey St

Banovetz asked what the purpose of dog licenses is.

Mayor Novak indicated that if the animal gets picked up by the Police Department they can look it up on the tag and try to get in touch with the owner rather than bringing it to the vet and we require a rabies certificate in order to get the license.

15. ADJOURN

Mayor Novak adjourned the meeting at 6:31pm without objection.

Casey Velcheff

Deputy Clerk