

**Council Minutes - November 5, 2019**  
**Regular Meeting Ely City Council – City Hall, Council Chambers**

1. CALL TO ORDER: Mayor Novak called the 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/Callen moved to approve the minutes from the October 15, 2019 Regular Council Meeting, the October 29, 2019 Special Council Meeting, and the October 29, 2019 Public Hearing (The Public Hearing Minutes were added in additions). Motion Carried Unanimously.**
4. ADDITIONS OR OMISSIONS TO AGENDA:
  - A. Addition 11.B. West Camp Street Pattison Street East Improvements Partial Payment Estimate #4 for \$51,756.85 to Utility Systems of America Inc.
  - B. Addition 11.C. West End Redevelopment District, Phase 1 Partial Payment Estimate #2 for \$151,798.60 to Utility Systems of America Inc.
  - C. Addition 12.A. Updated Resolution 2019-039 and Inspection Report from October 31, 2019  
**Additions A-C were added without objection.**
5. MAYOR’S REPORT  
Proclamation – General Aviation Appreciation Month
6. CONSENT AGENDA:
  - A. Motion to waive readings in entirety of all ordinances and resolutions on tonight’s agenda  
**Debeltz/Campbell moved to approve the Consent Agenda item A. Motion Carried Unanimously.**
7. REQUESTS TO APPEAR: None
8. COMMITTEE REPORTS:
  - A. Standing/Special  
Heritage Preservation Commission : Minutes included in the Agenda Packet  
  
Planning and Zoning Commission:  
**Callen/Omerza moved to approve the Matter of Information – Board of Adjustment approved CUPs for CLINIC and PROFESSIONAL OFFICES with conditions of approval that 1) current AFU Building tenant; Range Mental Health, or its successor, are the only approved provider of mental health counselling allowed under this CUP for PROFESSIONAL OFFICE. Any other organization or business must apply for new CUP before operating from AFU Building and 2) No dispensing of controlled substances on premises. Motion Carried Unanimously.**

Recommendation from Planning and Zoning to ask each of the respective contributors/commissions to update their respective sections of the Comprehensive Plan and to submit a final version to the Ely Comprehensive Plan 2020 Steering Committee before January 31, 2020.

Callen indicated that P&Z Admin Riley will send out the notices to the respective contributors/commissions to update their sections of the Comprehensive Plan.

Omerza indicated that last time we asked the public to submit a letter if they were interested in participating in the Comprehensive Plan and we should do the same this time, since this is the blueprint for the future of City of Ely.

Callen listed the main contributors from the last comp plan.

Mayor Novak indicated that Planning and Zoning will come up with the committee and open it up to public comment.

Kess stated that the timeline should be extended to the end of February with the Holidays and not many committees meeting in December.

Callen indicated that the comprehensive plan needs to be completed by April and submitted to the state.

#### Budget Committee

**A.Forsman/Debeltz moved to approve the recommendation from the Budget Committee to move the Tanker Truck from 2020 to 2021 on the equipment replacement plan. Motion Carried Unanimously.**

**A.Forsman/Callen moved to approve the recommendation from the Budget Committee for the Fire Department to apply for a grant to purchase a dryer for the Fire Department and to purchase the dryer for \$4500 with a 10% match of \$450. Motion Carried Unanimously.**

**A.Forsman/Debeltz moved to approve the recommendation from the Budget Committee to table the turnout gear invoice due to the order issue. Motion Carried Unanimously.**

**A.Forsman/ Omerza moved to approve the recommendation from the Budget Committee to have Harold work with the Seller on the possible purchase of the Trezona Trail alignment and property and to get an appraisal. Motion Carried Unanimously.**

**A.Forsman/Omerza moved to approve the recommendation from the Budget Committee to fund the \$3850 to install new venting in the Library HVAC system. Motion Carried Unanimously.**

Kess indicated that the Budget Committee has been working on the 2020 budget and they are working towards reducing the levy by 1%.

#### Park and Recreation Board

**Omerza/Debeltz moved to approve the recommendation from the Park and Recreation Board to allow the Heck Epic Cycling Race to camp at Semer's Beach on July 17-19, 2020 and to use the Semer's Park Pavilion. Motion Carried Unanimously.**

**Omerza/Campbell moved to approve the recommendation from the Park and Recreation Board to reimburse the Ely Softball League for \$500 for the payment the league made for Portable Toilets, the \$500 was budgeted. Motion Carried Unanimously.**

Ely Utilities Commission: Minutes included in the Agenda Packet

Emergency Management Update 2019-3: Included in the Agenda Packet

Ely Area Ambulance Service Board: Minutes Included in the Agenda Packet

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

i. The following items of business were recommended for approval at the regular EUC meeting on Wednesday, October 30, 2019:

1. Approve Northern Industrial Erectors, Inc. proposal for valve replacement at the WTP for \$11,150.00.
2. Approve payment of the WSN Invoice for pole replacement design for \$30,789.00.
3. Approve payment of the EUC Bills List for September, 2019 for \$301,409.93.

**A.Forsman/Campbell moved to approve the EUC Consent Agenda items 1-3. Motion Carried Unanimously.**

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 everyone that calendar parking is in effect, warnings were given for the first 5 nights, and now tickets will be given starting tonight.

E. City Attorney

i. **Omerza/Debeltz moved to approve the 1<sup>st</sup> Reading Ordinance 338, 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.**

Attorney Klun indicated that this is for the sale of land by the old Lakeside Services Building to the Cunningham's.

**Roll Called: Council Member A.Forsman- Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, Campbell – Yes, and Mayor Novak-Yes. Motion Carried Unanimously**

ii. **Debeltz/Omerza moved to Schedule Public Hearing for the Sale of Land for Ordinance 338 for November 19, 2019 at 5:00pm. Motion Carried Unanimously.**

iii. **Campbell/Omerza moved to approve Resolution 2019-041 Resolution Establishing the City of Ely's Intent to Vacate a Portion of City Owned Property.**

Attorney Klun indicated that this is relative to Ordinance 338.

**Roll Called: Council Member A.Forsman- Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, Campbell – Yes, and Mayor Novak-Yes. Motion Carried Unanimously**

- iv. **Omerza/Callen moved to approve the 1<sup>st</sup> Reading Ordinance 339, 2<sup>nd</sup> Series An Ordinance of Ely, Minnesota, Adding to the Ely City Code, Chapter 20, Section 20.13.24, Entitled Vacation of a Portion of City-Owned Property. Roll Called: Council Member A.Forsman- Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, Campbell – Yes, and Mayor Novak-Yes. Motion Carried Unanimously**
  
- v. **Omerza/Callen moved to Schedule Public Hearing for the Vacation of Park Street for Ordinance 339 for November 19, 2019 at 5:15pm. Motion Carried Unanimously.**
  
- vi. **Debeltz/Omerza moved to approve the 1<sup>st</sup> Reading Ordinance 340, 2<sup>nd</sup> Series An Ordinance of the City of Ely, Minnesota, Adding to the Ely City Code, Chapter 20, Section 20.1.23, Entitled Zoning Map Amendment**  
Attorney Klun indicated that this pertains to the Central Avenue Business Park District. It was zoned as Public 2 and now it should be Light Industrial-M.  
**Roll Called: Council Member A.Forsman- Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, Campbell – Yes, and Mayor Novak-Yes. Motion Carried Unanimously**
  
- vii. **Omerza/Callen moved to approve the 1<sup>st</sup> Reading of Ordinance 341, 2<sup>nd</sup> Series An Ordinance of the City of Ely, Minnesota, Adding to the Ely City Code Chapter 2, Section 2.63, Entitled City Sanitation Committee.**  
Attorney Klun stated that the Subd 1 of the ordinance can change, but the Subd 2 is from the state statute.  
A.Forsman asked to define the responsibilities of the Sanitation Committee. What are the duties during the off contract years. Will the committee have the authority to make recommendations on off years.  
Mayor Novak indicated that meetings could be held with the approval of a majority of the committee.  
Attorney Klun indicated that the committee would meet yearly, and could meet more often with approval of the committee. Duties could included the sanitation contracts and hearing of complaints.  
**Roll Called: Council Member A.Forsman- Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, Campbell – Yes, and Mayor Novak-Yes. Motion Carried Unanimously**

F. City Engineer

10. COMMUNICATIONS:

- A. Correspondence from the St Louis County Youth in Action
- B. Save the Date for the RAMS Annual Meeting – December 19, 2019 at 5pm at the Mt Iron Community Center.  
**Omerza/Debletz moved to approve the Mayor, Council, and Staff to attend the RAMS Annual Meeting on December 19, 2019 at 5pm in Mt. Iron. Motion Carried Unanimously.**

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for November 5, 2019 – \$85,884.64
- B. West Camp Street Pattison Street East Improvements Partial Payment Estimate #4 for \$51,756.85 to Utility Systems of America Inc.
- C. West End Redevelopment District, Phase 1 Partial Payment Estimate #2 for \$151,798.60 to Utility Systems of America Inc.

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

12. OLD BUSINESS:

- A. Resolution 2019-039 A Resolution and Order of the City of Ely, Minnesota, Declaring the Real Property at 106 E Harvey Street Blight Pursuant to the Ely City Code.

Additions Updated Resolution 2019-039

Additions Inspection Report from October 31, 2019

**A.Forsman/Omerza moved to approve the updated Resolution 2019-039 A Resolution and Order of the City of Ely, Minnesota, Declaring the Real Property at 106 E Harvey St Blight Pursuant to the Ely City Code.**

Kess indicated he will abstain from the vote since he owns the property.

Attorney Klun stated that on page 3 of the resolution, the Ely City Council Finds: Section 4 was updated with the following must be performed to abate the conditions: Board or repair all broken windows – January 1, 2020, Remove Loose Siding – January 1, 2020, and Repair roofing and roof sheathing – August 15, 2020.

**Roll Called: Council Member A.Forsman- Yes, Kess-Abstain, Debeltz-Yes, Omerza-Yes, Callen-Yes, Campbell – Yes, and Mayor Novak-Yes. Motion Carried 6-0-1 with Kess Abstaining.**

13. NEW BUSINESS:

- A. **Debeltz/Omerza moved to approve Resolution 2019-038 Resolution Supporting Grant Application to the MN DNR Grant-In-Aid Snowmobile Trail Assistance Program for Maintenance and Grooming. Roll Called: Council Member A.Forsman- Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, Campbell – Yes, and Mayor Novak-Yes. Motion Carried Unanimously**

- B. **Debeltz/Campbell moved to approve the Commercial renovation loan for Ely Steakhouse at 216 E Sheridan St. to replace floors, subfloor and floor tiles, and to prime, sand and paint bathroom walls, and perimeter cove baseboard replacement for \$17,500, pending proper paperwork and fees and to direct Attorney Klun to work with the applicant and to proceed with loan processing. Motion Carried Unanimously.**

- C. **Debeltz/Campbell moved to Approve the Subordination Agreement for Scott Mills and Wende Nelson for the Residential Rehab Loan recorded as document number 1331455.** Attorney Klun indicated that the city is often the 2<sup>nd</sup> mortgage with our rehab loans, there is still equity in the property and their 1<sup>st</sup> mortgage has a higher status.  
**Motion Carried Unanimously.**

- D. RAMS Board of Directors Nominations.

**A.Forsman/Debeltz moved to nominate Paul Kess for the RAMS Board of Directors. Motion Carried Unanimously.**

**E. Omerza/Debeltz moved to Approve Premier Pyrotechnics to shoot the 2020 4<sup>th</sup> of July Fireworks for \$15,000. Motion Carried Unanimously.**

**F. Omerza/Callen moved to approve Resolution 2019-040 Resolution Supporting The US EPA Brownfield Assessment Grant Application To Be Submitted By The City Of Virginia, And Authorizing The City Of Ely To Enter Into A Memorandum Of Agreement With The City Of Virginia For A Community-Wide Assessment Project. Roll Called: Council Member A.Forsman- Yes, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, Campbell – Yes, and Mayor Novak-Yes. Motion Carried Unanimously**

14. OPEN FORUM: None

15. ADJOURN

Mayor Novak adjourned the meeting at 6:16pm without objection.

Casey Velcheff  
Deputy Clerk