

Council Minutes - February 4, 2020
Regular Meeting Ely City Council – City Hall, Council Chambers

1. CALL TO ORDER
Mayor Novak called the Ely City Council Meeting to order at 5:30pm.
2. PRESENT: Council Members Kess, Debeltz, Omerza, Callen, Campbell, and Mayor Novak
ABSENT: Council Member A.Forsman
3. APPROVAL OF MINUTES:
Campbell/Debeltz moved to approve the minutes from the January 21, 2020 Regular Council Meeting and the January 28, 2020 Study Session. Motion carried 6-0-1 with A.Forsman Absent.
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Addition 9.A.iii. Variable Frequency Drive Replacements at Wastewater Treatment Facility
 - B. Addition 9.D. 911 calls in 2019
 - C. Addition 10.C. Correspondence from the MN Attorney General Keith Ellison Office
 - D. Addition 12.A Updated - 2020 Committee Seats
 - E. Addition 13. B. Temporary Consumption and Display License**Additions A-E were added without objection.**
5. MAYOR’S REPORT
Council Member Committees for 2020
Omerza/Callen moved to update the 2019 Council Committee Representative List to the 2020 Council Committee Representative List.
Kess/Campbell moved to amend the motion to have Debeltz as the Acting Mayor for 2020. Amendment approved 6-0-1 with A.Forsman Absent.
Revised motion to update the 2019 Council Committee Representative List to the 2020 Council Committee Representative list and to have Debeltz as the Acting Mayor carried 6-0-1 with A.Forsman Absent.
2020 Council Members Committees are as follows:
Acting Mayor – Debeltz, Airport- Kess, Budget – A.Forsman, Novak, Kess, Cemetery – Debeltz, Insurance- Omerza, Gardner Trust- Campbell, Employee Relations – Omerza, Debeltz, Campbell, Fire – Callen, HRA – Novak, HPC – Campbell, Library – Omerza, Park & Rec – Omerza, Planning & Zoning – Callen, Police – Debeltz, Projects – Novak, Callen, Sanitation- A.Forsman, Kess, Callen, TAB – Debeltz, Liquor & Tobacco – Debeltz, Utilities – A.Forsman, Alternate – Callen, RAMS – Kess, Mesabi Trails – R. Skraba, Community Joint Powers – Novak, CGMC – Omerza, Hwy #169 Task Force – Callen, Lodging Tax Board – Kess, Events Coordinator Board- Ross Peterson, Ely Area Ambulance Board - Novak
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 2020 Legislative Conference March 18-19 in St. Paul.
 - C. Approve Council and Staff to attend the League of Minnesota City Safety and Loss Control Workshops.
 - D. Approve the Local Board of Appeal and Equalization Meeting on April 16, 2020 from 5pm-6pm.

E. Approve Staff to attend the MCFOA Annual Conference March 16-19, 2020 in St Cloud.
Omerza/Debeltz moved to approve the consent agenda items A-E. Motion Carried 6-0-1 with A.Forsman Absent.

7. REQUESTS TO APPEAR: None

8. COMMITTEE REPORTS:

A. Standing/Special

Planning and Zoning Commission

Callen/Omerza moved to approve the recommendation from Planning and Zoning Commission to schedule P&Z meetings on the 3rd Wednesday of the month rather than first and third Wednesday. Motion Carried 6-0-1 with A.Forsman Absent.

Callen/Debeltz moved to approve the recommendation from Planning and Zoning Commission to designate Mike Banovetz as P&Z representative on Projects Committee. Motion Carried 6-0-1 with A.Forsman Absent.

Callen/Omerza moved to approve the recommendation from Planning and Zoning to accept the resignation by Jerritt Johnston and request posting for applicants to P&Z Commission. Motion Carried 6-0-1 with A.Forsman Absent.

Heritage Preservation Commission: Minutes included in the agenda packet

Sanitation Committee

Recommendation from Sanitation Committee to set the meeting times for the Sanitation committee for the 4th Wednesday of the month at 4:30pm.

Kess/Debeltz moved to approve the recommendation from the Sanitation Committee to move to a RFP process with Sanitation Committee to propose criteria for council review.

Debeltz asked if someone else comes in will they need specific equipment.

Kess indicated that they would and that is what the sanitation committee will bring back to the council.

Omerza indicated that the state has criteria that we need to follow also.

Motion Carried 6-0-1 with A.Forsman Absent.

Ely Utilities Commission - Minutes included in the agenda packet

Iron Range Mayors Meeting – Minutes included in the agenda packet

RAMS- Minutes included in the agenda packet

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

i. Approve the EUC Consent Agenda from January 22, 2020:

1. Approve the 2020 Rate Recommendations for approval by the City Council

2. Approved the JPJ Engineering Mercury Removal Pilot Study for \$12,000 and Facility Plan Amendment for \$25,000.

3. Authorized staff to attend the MPCA Operations Conference in Brooklyn Park, MN on March 25-27, 2020.
4. Approved the Treehouse Broadband Internet Proposal for the WTP/WWTF for \$706.88.
5. Approved payment of CIP Rebates for VCC for \$1,341.46 and Ely State Theater for \$758.41.
6. Approved payment of the 2020 NEMMPA dues for \$2,000.00.
7. Approved payment of the December, 2019 bills list for \$370,913.00.

Debeltz/Callen moved to approve the EUC Consent Agenda from January 22, 2020 items 1-7. Motion Carried 6-0-1 with A.Forsman Absent.

- ii. Utility Rate Hearing and Facility Plan Amendment Hearing
Omerza/Debeltz moved to schedule a Utility Rate Public Hearing for February 18, 2020 at 5pm and a public hearing to amend our facility plan for the Waste Water Treatment Facility (WWTF) on February 26, 2020 at 5:30pm. Motion Carried 6-0-1 with A.Forsman Absent.
- iii. Variable Frequency Drive Replacements at Wastewater Treatment Facility
Debeltz/Campbell moved to approve Variable Frequency Drive Replacements at the Wastewater Treatment Facility: Replacement solution for Lift Pump 2 VFD, 40HP for \$11,700 and Replacement solution for RAS Pump 1 VFD, 15HP for \$8560. Motion Carried 6-0-1 with A.Forsman Absent.

B. Fire Chief

C. Library Director

Library Conference Attendance

Omerza/Debeltz moved to approve the Library staff to attend the following conferences in 2020- ALA Annual Conference in Chicago, IL on June 25-30- Heinrich to attend, ARSL Annual Conference in Wichita, KS on September 30-October 3 – All three staff to attend and to close the library during the ARSL conference. Motion Carried 6-0-1 with A.Forsman Absent.

Library Director Heinrich also gave an update of the upcoming events at the library which can be located on the Library Website.

D. Police Chief

Report of the 911 calls in 2019- Matter of information.

E. City Attorney

i. Tobacco Ordinance – Federal Tobacco 21 Law

Attorney Klun indicated that the current city code states to purchase tobacco you need to be 18; the new federal law indicates the new minimum age will be 21 upon final adoption of the FDA's new regulation. Several Minnesota cities have already raised the age to 21. Klun indicated that she would like direction from the council, if they would like to proceed in amending our ordinance now or wait for the final adoption of federal law. Callen indicated he would like the City to wait until the state/federal laws change. Klun indicated that they do not have a specific date for the federal law to change.

- ii. Purchase Agreement between SPI, LLC and City of Ely for the Trezona Trail Property Attorney Klun stated that the current Trezona Trail runs through SPI, LLC, the Latourell Family's land. The purchase price for this land is \$200,000 and the closing date will be March 1, 2020.

Omerza/Debeltz moved to approve the purchase agreement with SPI, LLC for the Purchase of the Trezona Trail Property.

Kess stated that the city could potentially sell parts of this land for homes.

Langowski stated that projects committee looked at other options, and this was the best option. The land is pretty much everything south of the powerline edge to the water edge. Mayor Novak indicated that this is a more than reasonable approach to this.

Motion Carried 6-0-1 with A.Forsman Absent.

F. City Engineer

10. COMMUNICATIONS: Matter of Information

- A. Ely Community Resource, Inc 4th Quarterly Progress Report
- B. Open Committee Seats
- C. Correspondence from the MN Attorney General Keith Ellison Office

11. CLAIMS FOR PAYMENT:

- A. **Debeltz/Campbell moved to approve the City and EUC claims for February 4, 2020 for \$573,607.26. Motion Carried 6-0-1 with A.Forsman Absent.**

12. OLD BUSINESS:

- A. 2020 Committee Seats - Updated

Debeltz/Callen moved to approve the following committee appointments:

Airport Commission: William Vosburgh – Renewing – Term Expiring 1/31/2023

Airport Commission: Richard Stuart – New Application- Term Expiring 1/31/2023

Gardner Trust: Beth Ohlhauser – Renewing – Term Expiring 1/31/2023

Gardner Trust: Chris Steele – New (Library Representative) – Term Expiring 1/31/2023

Gardner Trust: Mary Setterholm – New (NLAA Representative) – Term Expiring 1/31/2023

Heritage Preservation Commission: Celia Domich – Renewing – Term Expiring 1/31/2023

Heritage Preservation Commission: James Beaty – Renewing – Term Expiring 1/31/2023

Housing & Redevelopment Authority: Mark Zupec – Renewing – Term Expiring 1/31/2025

Library Commission: Hannah Bermel - Renewing – Term Expiring 1/31/2023

Library Commission: Sue Savereide - Renewing – Term Expiring 1/31/2023

Park and Recreation: Kelly Klun – Renewing – Term Expiring 1/31/2023

Planning & Zoning: Alan White – Renewing – Term Expiring 1/31/2023

Police Commission: Anthony Bermel – Renewing – Term Expiring 1/31/2023

Police Commission: Peter Tedrick – New Application – Term Expiring 1/31/2023

Projects Committee: Larry Polyner – Renewing – Term Expiring 1/31/2022

Projects Committee: Ross Peterson – Renewing – Term Expiring 1/31/2022

Projects Committee: John Esse – Renewing – Term Expiring 1/31/2022

Ely Utilities Commission: Rob Wilmunen – Renewing – Term Expiring 1/31/2023

Motion Carried 6-0-1 with A.Forsman Absent.

13. NEW BUSINESS:

A. Omerza/Kess moved to approve Resolution #2020-004 Resolution approving the issuance of Health Care Facilities Refunding Revenue Bonds by the Duluth Economic Development Authority to Refinance a Project Located in the City. Roll Called: Council Member A.Forsman- Absent, Kess-Yes, Debeltz-Yes, Omerza-Yes, Callen-Yes, Campbell – Yes, and Mayor Novak-Yes. Motion Carried 6-0-1 with A.Forsman Absent

B. Debeltz/Omerza moved to approve the Temporary Consumption and Display Liquor License for the Ely Folk School for February 12, 2020. Motion Carried 6-0-1 with A.Forsman Absent.

C. Official Newspaper Bids

Kess asked for Attorney Klun to clarify the City's obligations

Attorney Klun stated that in the City Charter it indicates that the printing contracts shall be awarded to the lowest responsible bidder. The lowest responsible bidder by looking at the cost appears to be the Echo.

Mayor Novak stated that comparing the bids from last year these bids are a lot closer in comparison.

Debeltz/Campbell moved to award the 2020 legal publishing to the Ely Echo. Motion Carried 6-0-1 with A.Forsman Absent.

14. OPEN FORUM

15. ADJOURN

Mayor Novak adjourned the meeting at 6:09pm without objection.

Casey Velcheff
Deputy Clerk