

Council Minutes - March 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 A.Forsman, Kess, Debeltz, Omerza(left at 6:45pm), Callen, and Mayor Novak

ABSENT: Council Member Campbell

3. APPROVAL OF MINUTES:

Debeltz/Kess moved to approve the minutes from the EUC Rates Public Hearing on February 18, 2020, the February 18, 2020 Regular Council Meeting, and the Wastewater Treatment Facility Plan Public Hearing on February 26, 2020. Motion Carried 6-0-1 with Campbell Absent.

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition 7.D. Eva Sebesta- Executive Director Ely Chamber of Commerce – Information regarding Blueberry Arts and Harvest Moon Festivals.

Mayor Novak noted that under Request to Appear A, B and D would speak first since they are on the same topic, then C will be after A, B, and D.

Addition A was added without objection.

Mayor Novak stated that the council does not take any action at Request to Appear.

5. MAYOR'S REPORT

Mayor Novak congratulated the Peewee Hockey team for being the consolation champs in the 12th district.

A. 2020 Sexual Assault Awareness Month Mayor Proclamation

Kess asked if the City of Ely was going to follow through with the Teal Ribbon Campaign.

Omerza indicated that some of the High School groups have done something in the past.

Kess indicated that he will follow up with the teal ribbon campaign and we can talk about it at the next meeting.

B. Resolution 2020-008 Resolution Supporting Twin Metals and Polymet Project Development

WHEREAS, The Ely City Council has passed numerous resolutions in the past concerning the support of the permitting process for the various mining projects in Northeast Minnesota; and

WHEREAS, Congresswoman Betty McCullum has authored H.R. 5598 to stop any further development or potential permitting for the Twin Metals project; and

WHEREAS, the City of Ely continues to support the continued study and exploration of minerals in the area.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Ely oppose H.R. 5598 and reaffirm the previous resolutions.

Upon vote taken thereon, the following voted:

For: Council Member A.Forsman, Kess, Debeltz, Omerza, Callen, and Mayor Novak

Against: None

Absent: Council Member Campbell

Whereupon said Resolution No. 2020-008 was declared duly passed and adopted this 4th day of March 2020.

6. CONSENT AGENDA:

Debeltz/Callen moved to waive the readings in entirety of all ordinances and resolutions on tonight's agenda. Motion Carried 6-0-1 with Campbell Absent.

7. REQUESTS TO APPEAR:

A. Patricia Koski, Margaret Sweet, Joseph Mertel, and Pam Turnbull from the Ely-Winton Historical Society – Our views on the Ely Chamber of Commerce's reasons for the ouster of the nonprofit groups from the Blueberry Art and Harvest Moon festivals. Margaret Sweet the manager of the Ely Winton Historical Society. Sweet indicated that the Ely Winton Historical Society Board has had lots of discussion on the denial of space in the park for non-profits during the Blueberry Arts Festival and probably Harvest Moon. The Ely Winton Historical Society received a letter from the Executive Director of the Chamber of Commerce indicating they would not be allowed to be in the festival. The letter stated that the festivals are to showcase what is uniquely Ely. The historical society is uniquely Ely; they publish and sell historical books about Ely. The chamber stated that the people that make the item must be present in the booths at all time. If that is the case the Ely Winton Historical Society only has 2 authors that are alive yet. History isn't today, history it is what happened today, tomorrow. Sweet stated that when they are in their booth at the Blueberry Arts Festival they are answering questions about Ely all day long. They thoroughly enjoy meeting the people and talking with them about the history of Ely. We feel the festival is losing an important part of the festival.

B. Jess Edberg – Dorothy Molter Museum regarding the recent changes the Ely Chamber of Commerce has made to its festival participation categories. Edberg indicated that she appreciates and is grateful for the work that the Ely Chamber of Commerce does for our community and her organization. However, as the person responsible for the fiscal success and sustainability of the Dorothy Molter Museum, it is my responsibility to do what I feel is best for the long-term viability of the organization. My main purpose here is to highlight just how drastic I feel this decision has been for the health of our community, and bring attention to possible ways to mitigate its effect on our local non-profit organizations.

Like many other leaders responsible for the fiscal health of an area non-profit organization, I was taken aback by 1) the severity of the change with little advanced warning of its severity, 2) the presentation of this change at the very end of the November 2019 Chamber newsletter, 3) that the explanation for this change reduced the value of local non-profits enhancing the diversity and culture of festivals to strictly a commercial presence, and 4) that the explanation seemed insincere given the empty booth spaces last summer at the Blueberry, and the very well-known strife between a handful of partisan non-profits that has escalated in recent years.

This change was especially jarring as I had just served on a special strategic planning committee for the Chamber where we collaboratively identified and determined needs for our shared community's success, areas that require growth, and initiatives to reach goals that would help position Ely as a diversified, enduring community for the foreseeable future.

I met with Eva Sebesta and Ellen Cashman on October 31 to share my confusion, frustration, disappointment and concerns with them over this decision. I also listened to their position on the issue. I continue to disagree with their and the Chamber Board's decision. I respect that the Chamber felt a need to make significant changes to its festival policies but I do not agree with its reasoning or potential affects to my organization. The Chamber has expressed that it

does not have the available resources or staff time to revisit its decision or work with member organizations such as mine to develop further options.

When I asked via email, the Ely Chamber of Commerce stated “we have been legally advised that everyone must be treated equally and if according to the revised policies an organization or artist or crafter doesn't fit in a category they cannot be in the festival. We must remain true to presenting a festival based on Original Arts and Original Crafts.”

Although the festivals were originally established as art and craft events to draw visitors to the community, our community has grown and changed over the last four decades – as have the audiences that these festivals draw. As such, the composition of these festivals has grown and changed to meet the diverse and continually changing interests of an ever-evolving audience base.

Although the Chamber did offer an alternative location for non-profit booths, that option will not provide an equivalent amount of time, traffic or exposure that a presence at Whiteside Park will during the July festival and is not an option for the September one.

Additionally, there has not been a public acknowledgement as to what the reason for seeking legal counsel was. I believe that equal treatment of organizations and businesses could have been achieved had the Chamber worked collaboratively with non-profits as well as legal counsel to avoid the possibility of litigious repercussions.

It is the exposure to tens of thousands of festival-goers annually that holds the true value for us. Those people who didn't know that there was a Dorothy Molter Museum or an Ely-Winton History Museum (EWHM/S) are where we plant seeds for awareness, future visitation and growth.

Since November, I have been developing ideas for how I and other non-profit leaders can 1) adapt to this change by identifying other ways to reach audiences and build new revenue streams, and 2) thinking of ways that the Chamber can collaboratively help its own member non-profits adapt to this significant change by working with them to help achieve the goal of being diverse and sustainable into the future.

The following are possible alternatives to be inclusive of non-profits in or concurrent with the Chamber festivals (July and September) while maintaining the preferred theme of “art and craft” for the Chamber festivals.

POTENTIAL ALTERNATIVE OPTIONS FOR CONSIDERATION

1. The Chamber Restructures Booth Arrangement & Vendor Definitions
According to the contract between the City of Ely and the Ely Chamber of Commerce regarding green space usage for festivals, there is additional usable space available, either for expansion of the festival contract or for a separate contract.
I propose that the Chamber allow non-profits to participate in both festivals, at Whiteside Park but in a designated non-profit area that is distinct from the “art and craft” themed booths.
2. The City of Ely steps into:
Have the City Attorney review non-profit eligibility per policies established and possibly establishes a non-profit festival committee that oversees a non-profit-only festival (for lack of a better term) concurrent with but separate from, and adjacent to the Chamber of Commerce and its Blueberry/Harvest Moon festivals but holds all responsibility for the selection process.
3. Revise category guidelines
My understanding of Chamber festival guidelines means that an organization that either coordinates the design, writing, publication and/or distribution of, or owns the copyright and/or distribution rights to products (e.g. books), the people who participated in the

product must be present at the festival at all times to be considered by the jury application process.

This excludes organizations such as the EWHS that produce publications either through volunteer collaboration or staff work. For example, if an author of an Ely history book has died but published their book through the EWHS, then left all rights to reproduce and distribute it to the EWHS, that book is not allowed as a product sold at a festival because the original author is not alive to be present at the EWHS's booth. The current category language frames an art or craft vendor as an individual person. I propose editing the category descriptions to allow non-profit organizations to be considered the artist or artisan.

4. City of Ely Contracts with Non-profits Directly

Given that the Chamber's contract with the City does not include all available green space at Whiteside Park, I propose the City of Ely works directly with a coalition of non-profits that establish their own event concurrent with the two festivals.

Non-profits would retain direct access to festival traffic and the potential for significant visibility of their organization, as well as fundraising and sales as appropriate to each organization. As stated above in #1, to alleviate conflict, non-profit groups must be non-activist. Of course this option would take a great deal of planning, coordination and collaboration to get off the ground but, it is an alternative.

Ideally for me and other non-profits, the Ely Chamber of Commerce would review its decision. Perhaps, request the assistance of the City of Ely to help offset any legal fees, and/or local non-profit leaders who are members of the Chamber, to work together to find a solution that would both maintain the integrity of the festival theme of a pure "art and craft" festival, and provide a diverse slate of booth themes that offer opportunities to learn more about our community via exposure to Ely's non-profit groups.

D. Eva Sebesta- Executive Director Ely Chamber of Commerce – Information regarding Blueberry Arts and Harvest Moon Festivals

Sebesta indicated that this is the 40th year of the Blueberry Arts Festival and the 27th year of the Harvest Moon. Sebesta stated that the festivals provide revenue to the Chamber, not only for the continuation of each festival, but also for the business community and non-profits.

Last year the Chamber provided advertising sponsorships and donations of \$6419 to support 14 non-profit organizations. The festival revenue is used to draw people to the area and the annual marketing expenses are approximately \$176,000. The Chamber does not get any money from lodging tax. There are 12 nonprofits in the Blueberry Arts Festival and 8 in Harvest Moon and a total of 14 nonprofits have participated in the two festivals in recent years. Sebesta stated that every year they have a waiting list for more nonprofits to be in the festivals. The Chamber considered several things as they reviewed each festival included the festival admission, intent, layout changes, and pieces that were not working. The festival mission is to promote fine art, art, crafts, and enhance art appreciation. The goals are to provide revenue for the events and promotions committee, which does the non-profit sponsorships and provides the funds marketing for the business community. Another goal is to draw people to Ely.

Sebesta stated that in the council packet are two maps original and proposed maps. One of the challenges the Chamber has faced is changes in the parks foot print. Some of the challenges include on the Sheridan Street edge a number of new trees were planted, the staking for those trees extends out farther than the original trees and consequently they have

had to shift the row a minimum of 6 feet away from the original location, which means everything is compressed more into the park, a number of booth were lost because of the shift. In the southwest corner of the park due to the playground area the ground is too rough or sloped for booth spaces. Vendors placed in this area have repeatedly expressed their frustration with trying to maintain a booth with the terrain issues. Sebesta stated that they cannot continue to use this area in its current condition. Another concern is park safety, in the last two years the Blueberry Arts Festival was threatened by severe storms. During last year's festival the Chamber and Officer George Burger monitored several large storms, and late afternoon they determined that the festival needed to be closed immediately. Sebesta asked the council to reference the original map; there are many areas that create pinch points or restricted areas of movement. Sebesta stated that the Chamber is looking at a new layout with wider aisles and increased access points. Sebesta indicated that they are looking at reducing the number of booths from 303 to 283. Sebesta went through the concerns with the new proposed layout and the reduction of booths because of trees and playground equipment. Since 2015 the chamber has paid \$15,700 in park fees and city services, the Chamber has always appreciated the city's support and paid the fees even though other events and organizations are not required to do so.

Sebesta stated that several weeks ago the Chamber applied for the Whiteside Park permits for the festivals, the city council also has a copy of the Park and Recreation minutes from the February 24, 2020 meeting in the packet. For many years the Park and Recreation Board granted the permits without question. This year they did not approve our permit, but they have recommended that the Chamber not receive the southern half of the park. Sebesta indicated that according to the minutes the Park and Recreation Board stated that they worked diligently with the Chamber to make sure there were no obstructions issues. Sebesta indicated that the only time the Park and Recreation board has approached us was to notify us that the trees were going to be planted. Sebesta stated that they typically find out about park changes after they have happened and are tasked to work around the changes. To remedy this issue the chamber would like to fill one of the open seats on the Park and Recreation Board, so they can have clear communication and input. A second piece to the Park and Recreation Board minutes is they note the importance of the festivals to Ely, but it seems contradictory that they would only allow the Chamber to have half of the park. Other organizations requesting the lower half have not been restricted. It seems the Park and Recreation Board opposes our decision and is attempting to penalize the Chamber by restricting our access. As the Chamber moves forward it will be mindful in when creating opportunities for non-profits. The Chamber has offered an alternate venue during the Blueberry Arts Festival for the non-profits, suggested other opportunities and funding sources.

The Chamber asks the City Council to review the park applications, both Festivals are economic drivers for the business community in Ely. The chamber has two questions of the city council. Does the City Council have the authority to interfere with the autonomy of the Ely Chamber of Commerce and its decision making process? Does the City of Ely have the right to place restrictions on one organization and not apply it to everyone else?

A.Forsman stated that this isn't a council issue; however he does think that the council has a unique position to facilitate a resolution between the nonprofits and chamber and try to work this issue out. A.Forsman suggested we get together at the next study session to work out this issue.

A.Forsman/Debeltz moved to add discussion with the chamber and nonprofits about the Blueberry Arts and Harvest Moon Festivals to the March 31st Study Session at 6:30pm. Motion carried 6-0-1 with Campbell Absent.

- C. Carol Orban, Betty Firth, Peta Barrett, Steve Piragis, and Becky Rom – Request for Resolution – Resolved: The City of Ely does not support a boycott of the Bois Forte Band’s Fortune Bay Casino or any other business.

Becky Rom came to the podium.

Debeltz stated that he would rather have a citizen of Ely speak and that since Rom is a township resident she should go to the Morse Board.

Rom indicated that that she has a business on the main street of Ely and she pays taxes in Ely, two members that want to speak tonight are citizens of Ely. Rom indicated that the two citizens of Ely that are speaking tonight are going to present the resolution and the other members would like to discuss this issue for the 15 minutes.

Orban indicated that they would like the following resolution passed: The City of Ely does not support a boycott of the Bois Forte Band’s Fortune Bay Casino or any other business.

Mayor Novak indicated that the council does not take action during requests to appear and this resolution will be moved forward at a later meeting as it is not in the correct format of City of Ely’s resolutions and the city would like to confer with council and the city attorney.

Debeltz/Kess moved to have the council members communicate with the clerk’s office and city attorney for suggestions as to how the resolution should be written and brought forward at another council meeting in the correct format.

Orban indicated that the council already passed a resolution tonight about another issue and the council had no issues with its legality, but with this one you have issues.

Mayor Novak stated that the council only votes on a resolution that is presented in writing, this is not a formal resolution, it wasn’t prepared properly, our resolutions have a proper number on them, and there was no communication with the clerk’s office to prepare a proper resolution.

Kess asked if the resolution can be amended. Mayor Novak indicated that we can amend it. **Motion Carried 6-0-1 with Campbell Absent.**

Rom asked again to speak and indicated that 3 previous speakers were allowed to speak on another issue under request to appear, we are on the agenda to speak.

Novak asked the council what they would like to do.

Debeltz indicated that they had already made their point.

Callen stated he agreed with Debeltz, and indicated that it needs to be written as a proper resolution.

Omerza stated that she is under a time crunch tonight and is ready to move on.

Kess stated that it needs to be presented as a formal action and looks forward to discussing at a future meeting.

A.Forsman wanted to make sure the council was proceeding forward properly and wanted to refer to the City Attorney.

Attorney Klun indicated that the council does have Request to Appear on its agenda and it is an equal opportunity event, the council may or may not take dispositive action and generally they do not take action as a matter of policy. The timeframe to allow a person to speak is at the discretion of the council. Whether the council has determined there has been equal opportunity that is in the councils preview.

Barrett asked why they were not informed that the resolution should be presented to the council in a specific number and format.

Mayor Novak stated that the council has spoken and this will be brought up at a future meeting.

Mayor Novak recessed the meeting at 6:25pm.

Mayor Novak called the meeting back to order at 6:35pm.

8. COMMITTEE REPORTS:

A. Standing/Special

Planning and Zoning Commission- Minutes included in the packet

Park and Recreation Board

Omerza/Debeltz moved to approve the recommendation from the Park and Recreation Board to approve Darren Visser to fill the ISD #696 spot on the Park and Recreation Board. Motion Carried 6-0-1 with Campbell Absent.

Approve the recommendation from the Park and Recreation Board that the section marked “this section not for rent or exclusive use” be not available to the Chamber for the Blueberry Arts and Harvest Moon Festivals.

Omerza indicated that the Park and Recreation will come to the Study Session to further discuss the festivals.

Omerza indicated that the Rink at the Rec Center is closed for the season with the warm weather.

Heritage Preservation Commission

Omerza/A.Forsman moved to approve the recommendation from the Heritage Preservation Commission to request authorization from the City to apply for the LCCMR grant (due on April 15, 2020) for funds payable in 2021, to complete the construction work on the Pioneer Wall. Motion Carried 6-0-1 with Campbell Absent.

Sanitation Committee

A.Forsman stated that the minutes are in the packet, the committee has been reviewing the commercial contract criteria and the suggestions will be brought up at the first council meeting in April.

Omerza asked if the minutes could be written with more detail. Omerza indicated that she needed to go back to the contract to try to figure out what was discussed at the meeting. The minutes need to have more information.

Mayor Novak stated that the minutes were very cryptic.

Kess stated that discussion was on specific contract information.

Mayor Novak asked who made the motions and who supported them?

A.Forsman stated that the minutes from the next meeting will be complete.

Ely Utilities Commission – Minutes included in the packet

Library Board – Minutes included in the packet

RAMS – Minutes included in the packet

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

i. Approve the EUC Consent Agenda from February 26, 2020:

1. Approved payment of \$2,490.00 to Kuster’s Water for a gear box at the WWTF.
2. Approved the January EUC Bills List for \$525,577.43.

Debeltz/Callen moved to approve the EUC Consent Agenda items 1 and 2 from the February 26, 2020 EUC meeting. Motion Carried 6-0-1 with Campbell Absent.

Omerza left the meeting at 6:45pm to go to her son's last home Basketball game.

B. Fire Chief

C. Library Director

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

E. City Attorney

i. Trezona Trail Property

Attorney Klun indicated that the property has closed; the 16+ acres are in the hands of the City of Ely. The money has been exchanged and we are working on recording all the documents. This is a good thing as it has been years in the making; the piece of land is the part that is gravel on the Trezona Trail.

F. City Engineer

10. COMMUNICATIONS: Matter of Information

A. Correspondence from Northwoods Partners regarding the Northland Foundation's Integrated Rural Community Aging Program, March 12, 2020 11:30pm – 1:30pm at the Ely Bloomensen Community Conference Room.

B. Correspondence from the MN State Historic Preservation Office regarding the Sigurd F. Olson Writing Shack being considered for nomination to the National Register of Historic Places.

C. Correspondence from Frontier Communications

D. Correspondence from Margaret Sweet, Manager of the Ely Winton Historical Society regarding the Chamber of Commerce's removal of all nonprofits from participation in the Blueberry Arty Festival.

E. Correspondence from Joseph Mertel Secretary of the Ely Winton Historical Society regarding the Chamber of Commerce's removal of all nonprofits from participation in the Blueberry Arty Festival.

F. Correspondence from RAMS opposing H.R.5598, the Boundary Waters Wilderness Protection and Pollution Prevention Act.

G. Correspondence from the Iron Range Mayors opposing HR 5598 and support the continued environmental review and permitting process for the Twin Metals Project.

11. CLAIMS FOR PAYMENT:

Callen/A.Forsman moved to approve the City and EUC claims for payment for March 4, 2020 for \$231,171.92. Motion Carried 5-0-2 with Omerza and Campbell Absent.

12. OLD BUSINESS:

A. 2020 Committee Seats – Heritage Preservation Commission

Kess/Debeltz moved to approve Pam Turnbull for the Heritage Preservation Commission term expiring 1/31/2023. Motion Carried 5-0-2 with Omerza and Campbell Absent.

B. A.Forsman/Kess moved to accept the Police Chief Job Description as written, but take out under Minimum Qualifications a minimum of three years of supervisory experience as an assistant chief or equivalent. Motion Carried 5-0-2 with Omerza and Campbell Absent.

C. Authorize to post for the Police Chief Position
Debeltz/Callen moved to post the Police Chief opening with the approved job description and to post it internally and externally. Motion Carried 5-0-2 with Omerza and Campbell Absent.

13. NEW BUSINESS:

A. **A.Forsman/Debeltz moved to approve Resolution 2020-005 Resolution to Approve and Adopt Mercury Preliminary Engineering Report and Facility Plan Amendment. Roll Called: Council Member A.Forsman-Yes, Kess-Yes, Debeltz-Yes, Omerza-Absent, Callen-Yes, Campbell – Absent, and Mayor Novak-Yes. Motion Carried 5-0-2 with Omerza and Campbell Absent.**

B. Callen/A.Forsman moved to approve Resolution 2020-006 Resolution Supporting Ely Public Schools Request for State Funding.

A.Forsman stated that he supports the project, but looking at the plan he is disappointed in the lack of Industrial Education. The school needs to focus on vocation education, and without that he is unable to support this proposal.

Mayor Novak stated he is disappointed also, but the funding for this project is needed.

Roll Called: Council Member A.Forsman-No, Kess-Yes, Debeltz-Yes, Omerza-Absent, Callen-Yes, Campbell – Absent, and Mayor Novak-Yes. Motion Carried 4-1-2 with A.Forsman voting No, and Omerza and Campbell Absent.

C. **Callen/A.Forsman moved to approve Resolution 2020-007 Resolution Requesting Funds from the State of Minnesota for Ely Trailhead and Prospector’s Loop Trail System. Roll Called: Council Member A.Forsman-Yes, Kess-Yes, Debeltz-Yes, Omerza-Absent, Callen-Yes, Campbell – Absent, and Mayor Novak-Yes. Motion Carried 5-0-2 with Omerza and Campbell Absent.**

14. OPEN FORUM

Kess thanked the Clerk’s office for all the time they put in for the Presidential Nomination Primary.

Langowski thanked Deputy Clerk Velcheff, Accounting Clerk Richards, and the election judges. Ely’s voter turnout was over 31% and the state was around 25%.

Becky Rom stated that she has two matters she would like to address to the council. First is the matter that they had on the agenda, the Minnesota Chippewa Tribe consists of six bands, one of which is the Bois Forte Band. The bands have a government to government relationship, which is how it communicates. The Minnesota Chippewa Tribe sent a letter supporting HR 5598 which is a bill pending in the US House of Representatives that would protect federally owned lands and waters from copper-nickel mining. The bill would prohibit hard rock mining only; it does not impact taconite or iron ore mining, sand and gravel pits or granite quarries. The position of the Minnesota tribe supporting that bill is the same as 60% of Minnesotans and 57% of Northern Minnesotans and it is also a view shared by many residents in the greater Ely area. It is also the

view of the US Forest Service. The Hibbing Daily News had a news story on February 15th and an updated story on February 29th; this is what we know from the news story. Senator Bakk said that he was canceling his annual fundraiser at Fortune Bay because of the trades unions, but he said he was not personally boycotting Fortune Bay. Mayor Novak then took to twitter to express his support for Senator Bakk's decision and he called on other groups to follow suit. Rom indicated that with his tweet Mayor Novak urged a boycott of Fortune Bay. At the February 18th council meeting the mayor justified his tweet by making the following statement, "If I'm working in the mine and you don't support the mines, I'm not spending my money there. It's as simple as that." Following Mayor Novak's actions the Laurentian Chamber of Commerce and the Lake Vermilion Chapter of the Deer Hunters Association canceled events they had previously had scheduled. Mayor Novak's twitter feed has exploded, and numerous comments indicate that people are going to boycott Ely. The Mayor has misinterpreted the position of the Minnesota Chippewa Tribe; the tribe has not expressed any opposition to operating mines in Minnesota all of which are taconite mines. The reason for the council to pass the resolution is the Ely Mayor publicly called for a boycott of Bois Forte Band's Fortune Bay, the Mayor is holding himself out for speaking for the City of Ely, and the public is interrupting the Mayor's statements as the position of the City of Ely. If the city does nothing the public will continue to blame Ely for these remarks and attribute them to the City. Rom indicated that she encourages the City of Ely to host an event at Fortune Bay to compensate for the loss of business incurred by the Bois Fort Band as a result of Mayor Novak's call for a boycott.

Mayor Novak stated that his twitter account is his personal account and not an official city account. Mayor Novak discussed the comments he had been receiving on his twitter account about oil and fracking, indicating that most people are uneducated about copper-nickel mining. Mayor Novak indicated that he has never used the work boycott and he is tired of all the insults and being called a racist, Mayor Novak stated that he is done talking about the issue.

Carol Orban asked the council to consider this resolution, if you don't it will leave this issue unresolved in the public eye. As a resident of Ely she would like the council to show that they do not discriminate against any business.

Debeltz said that he has been on the council for 27 years and is tired of listening to one side of the issue. Debeltz said that one of you people called the Mayor a racist. Debeltz asked if they are going to apologize to him for saying that, or are you just going to say that he has to apologize to everyone else, but you don't have to apologize to him. This goes two ways, if you do something wrong you should apologize too, you called him a racist you should apologize.

Peta Barrett stated that she is deeply concerned about the comments that are in the newspaper and on twitter. Barrett stated she is here tonight to support the Chippewa Tribe who is simply defending its way of life. She supports the tribes 1st Amendment rights, as she does for everyone in this country and this city. For any of our public leaders, public servants, or a mayor who speaks for the city, to support or encourage a boycott of any business seems really counterproductive.

Debeltz stated that he used to work for Fortune Bay and has a lot of friends there. If you want the mayor to apologize then you should apologize to him.

Steve Piragis said that in our discussion at the last council meeting the word racism was brought up, but he doesn't think anyone was accusing the mayor as being racist. When you call for a boycott of a Native American Casino the issue is going to raise a head in the public and the word racism is going to come up. Piragis stated that he doesn't think the mayor is racist or that Senator Bakk is racist. Piragis stated the main concern is that the Mayor asked for a boycott of Fortune Bay. Piragis would like the council to pass the resolution at the next meeting that the city does not support a boycott of any businesses.

Kess stated that he did not think that the mayor used the word boycott. Kess also stated that the mayor does not speak for the council, as elected officials we have the freedom of speech. This issue has just come forward to the council during the last couple of meetings and we will take dispositive action in the future.

A.Forsman indicated that the mayor is a politician; the mayor has a right to have his own words. The city has already addressed the resolution in our Mission, Vision and Values statement which A.Forsman quoted. We took a lot of time working on these statements and this is who we are. Forsman indicated that we are a welcoming and fair council; you can see where we are on issues because we don't always vote the same.

Mike Banovetz stated I'm here to voice my opinion about the careless and thoughtless use of calling people racists. The anti-mine zealots have created a significant amount of community divisiveness with their demeaning, derogatory, and disgusting comments from the likes of anti-mine leaders Becky Rom and her husband Reid Carron. Now we have very disturbing use of race baiting by other anti-mine zealots Peta Barrett and Betty Firth. There is no condemnation or repudiation of these people's reckless use of racism accusations by the other anti-mine zealots, and thus at minimum, they give this repugnant behavior tacit approval.

To be clear, I'm not here to defend comments by Mayor Novak and I'm also not here to criticize him. And I'm not here to condemn Fortune Bay for their unfortunate stance about copper nickel mining projects; it is their right to do so. But I also do not need to reward the Fortune Bay casino and nor does anyone else who disagrees with what the Tribal Council did, it is our right to do so. I also do not need to reward any other business for the same reasons. I will fight tooth and nail for the legitimate and legal process established by the National Environmental Protection Act and will fight against those who thwart the environmentally responsible advancement of these projects; it is my right to do so.

I do not want to see the city council kowtowing to these environmental bullies, especially since they have gotten to the very offensive and disturbing new low of mouthing off racist comments.

15. ADJOURN

Mayor Novak adjourned the meeting at 7:28pm without objection.

Casey Velcheff
Deputy Clerk