

Council Minutes _ June 16, 2020
Regular Meeting Ely City Council – City Hall, Council Chambers

1. CALL TO ORDER

The regular city council meeting was called to order by Mayor Novak at 5:30pm.

2. PRESENT: Council members A.Forsman, Kess, Debeltz, Omerza, Callen, Campbell, and Mayor Novak

ABSENT: None

3. APPROVAL OF MINUTES:

A. Campbel/Debeltz moved to approve the minutes from the June 2, 2020 Regular Council Meeting. Motion Carried Unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:

A. Addition 11.E. Partial Payment Estimate #6 for the West End Redevelopment District Phase 1 for \$96,923.24 to Utility Systems of America Inc.

B. Addition 13. B Ely State Theater Amplification Permit

Additions A and B were added without objection.

5. MAYOR’S REPORT

6. CONSENT AGENDA:

Debeltz/Callen moved to waive the readings in entirety of all ordinances and resolutions on tonight’s agenda. Motion Carried Unanimously.

7. REQUESTS TO APPEAR:

A. Ely Patriotic Club- 4th of July

Nick Wognum from the Patriotic Club indicated that the club is going to have a Patriotic March after consultation with the City Attorney, insurance providers and others regarding the liability. A patriotic march would meet the requirements from the state and would be using their 1st amendment rights. Wognum said the committee has given suggested two routes which include an additional 8 blocks from the original route. Wognum indicated that they are requesting that people do not put out chairs ahead of time, to encourage people to spread out. Due to the late start of planning they are expecting the parade length to be much shorter. They are encouraging kids to decorate their bicycles and to be part of the event. The Honor Guard has offered to lead the march and the Ely Klown Band will provide music. Wognum will work with the City Attorney and Police Chief to work out the details regarding traffic control.

8. COMMITTEE REPORTS:

A. Standing/Special

Heritage Preservation Commission – Minutes included in the agenda packet

Planning and Zoning Commission – Minutes included in the agenda packet

Sanitation Committee –

A.Forsman/Campbell moved to approve the recommendation from the Sanitation Committee to approve the Commercial Sanitation Contract to go to a Public Hearing. Omerza stated she would like the commercial sanitation contract to go to a study session for more discussion. Omerza also asked why the committee went from at 20 yard to a minimum of a 8 yard packer truck.

A.Forsman indicated that a 20 yard packer truck is the max that can be accepted at the transfer station. A number of committees run smaller trucks and going to a smaller truck was approved by the sanitation committee.

Mayor Novak stated that he does not see a recommendation from the Sanitation Committee that approves the redlined contract.

Kess stated that we can have it go to a study session and let the customers weigh in.

Motion Carried Unanimously.

A.Forsman/Debeltz moved to have a Public Hearing on July 7th at 5pm to discuss the Commercial Sanitation Contract. Motion Carried Unanimously.

Employee Relations Committee -

Omerza/Debeltz moved to approve the recommendation from the Employee Relations Committee to send a letter to Tim Riley thanking him for his service and determine a replacement plan for the Zoning Administrator. Motion Carried Unanimously.

Projects Committee

Callen/Omerza moved to approve the recommendation from Projects Committee to have the WWTF facility plan on the June Study Session Agenda and to invite the EUC Commission and AE2S to be in attendance to explain the process, the schedule, and the anticipated expense. Motion Carried Unanimously.

Omerza reminded everyone to call our legislatures in St. Paul to get money and support for the bonding project and to make sure the CARES money gets allocated fairly.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

B. Fire Chief

C. Library Director

D. Police Chief

Debeltz/Omerza moved to approve Chief Houde to attend the MCPA Leadership Academy on September 22-25, 2020 in New Brighton, MN. Motion Carried Unanimously.

E. City Attorney

- i. Correspondence from Attorney Klun regarding the City Code Book being codified. Attorney Klun indicated that the code book has been codified, there were 13 ordinance changes through June 2020.

Attorney Klun commented on the Patriotic Club's Request. With regard to the City authorizing a parade we got significant push back from the League of Minnesota Cities with regard to the governor's current order and our ability to authorize a parade. Individuals do have the ability to have a 1st amendment right to have a patriotic march. Attorney Klun has spoken with Chief Houde and they will work with the committee through the details. The city is not authorizing this, but we do respect the individual's 1st Amendment rights and their ability to act on the rights.

- ii. **Omerza/Campbell moved to approve the Quit Claim Deed for Lot 2, Block 2, East Spaulding to William G Schmidt. Motion Carried Unanimously.**
- iii. **Debeltz/Callen moved to approve the Note and Mortgage for the Storefront Rehab Loan for Ely Area Senior Citizens, Inc for work for 27 S 1st Ave E, for renovation of existing building for \$17,000. Motion Carried Unanimously.**

- iv. Ely Community Center-K America Foundation
Attorney Klun indicated that on May 30th the City received correspondence from Mr. Yoon representing K America Foundation. They purchased the Ely Community Center and indicated that the purchase is unproductive for the organization and they are requesting that the City accepts the building back with our right of reentry. They have produced a Quit Claim Deed to transfer the property back to the City of Ely. Per the purchase agreement we would return the \$30,000 less a number of expenses that would come out.

Kess/Omerza moved to accept the Quit Claim Deed and have Attorney Klun work out the details with the Yoons.

Attorney Klun indicated that if they have a conflict with the expenses, she will bring it back to the council.

Motion Carried 6-0-1 with Campbell abstaining.

F. City Engineer

10. COMMUNICATIONS:

- A. Correspondence from St. Louis County Environmental Services Department regarding no change proposed for the 2021 MSW Disposal Fee
- B. Correspondence from Anthony Bermel requesting to purchase property
Langowski indicated that Planning and Zoning discussed this, and their recommendation was to bring it to the city council. The parcel is being considered for redevelopment, when we go through our comprehensive plan this year, we want to take a look at how the parcel would be redeveloped. We need to come to a decision as to how that property is going to be used.

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for June 16, 2020 – \$ 426,886.92
- B. Ely Community Resources 3rd Quarter Payment of \$5125.00
- C. Benchmark Engineering Invoice 2006-16 for QCA19-03 – N Virginia to Laurentian for \$375.00, Invoice 2006-017 for QCA19-04 – Pfeiffer Lake Forest Rd to 361 for \$2,125.00, and Invoice 2006-015 for QCA 19-02 Master Plan Development for \$0.00.
- D. Pay Estimate #6 for the 2018 Payment Rehabilitation Project to KGM Contractors for \$14,449.80.

E. Partial Payment Estimate #6 for the West End Redevelopment District Phase 1 for \$96,923.24 to Utility Systems of America Inc.

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

12. OLD BUSINESS:

13. NEW BUSINESS:

A. Omerza/Debeltz moved to approve Resolution 2020-019 Resolution Authorizing the City of Ely to Make Application to and Accept Funds From IRRRB Residential Redevelopment Grant Program for the Demolition of 15 S Central Avenue. 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. Omerza/Callen moved to approve the Ely State Theater Amplification Permit.
The State Theater plans on having a event in the Rockwood parking lot on July 3rd, part of the event the movie would be shown after the noise ordinance is in effect, after 9pm. This is what the amplification permit is meant for.
Motion Carried Unanimously.

14. OPEN FORUM

15. ADJOURN

Mayor Novak adjourned the meeting at 6:13pm without objection.

Casey Velcheff
Deputy Clerk