

Council Minutes - July 21, 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:

Debeltz/Campbell moved to approve the minutes from the June 30, 2020 Special Council Meeting, June 30, 2020 Study Session, July 7, 2020 Sanitation Contract Public Hearing, and the July 7, 2020 Regular Council Meeting. Motion Carried Unanimously.

4. ADDITIONS OR OMISSIONS TO AGENDA:

- A. Addition 8.A Budget Committee
B. Addition 9.A.i. Agreement between City of Ely and Advanced Engineering and Environmental Services, Inc. for the Ely WWTF Improvements Project.

Additions A and B were added without objection.

5. MAYOR'S REPORT

Mayor Novak voiced his frustration with the legislature regarding a bonding bill not being passed during the special session.

6. CONSENT AGENDA:

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

7. REQUESTS TO APPEAR: None

8. COMMITTEE REPORTS:

- A. Standing/Special
Projects Committee

Callen/Debeltz moved to approve the recommendation from Projects Committee to advertise for bids for the Chapman Street Pocket Park. Motion Carried Unanimously.

Callen/Campbell moved to approve the recommendation from Projects Committee to include the replacement of a retaining wall on 7th Avenue and James Street as part of the James Street project, the work is estimated to not exceed \$8000. Motion Carried Unanimously.

Airport Commission

Kess/Debeltz moved to approve the recommendation from Airport Commission to send a letter to the General Contractor for the 2019 Ramp/Parking Lot Project to notify them to correct the turf establishment issues in accordance to the construction documents within 30 days or the city will take action. Motion Carried Unanimously.

Kess/Callen moved to approve the recommendation from the Airport Commission to approve the quotes for the AD Building Window Replacement for \$4,862 in windows and \$625 in labor. Motion Carried Unanimously.

Kess/Campbell moved to approve the recommendation from the Airport Commission to solicit for quotes to replace existing furnace based on funding available, project is estimated to be approximately \$20,000. Motion Carried Unanimously.

Budget Committee

A.Forsman/Omerza moved to approve the recommendation from the Budget Committee to approve City Staff to utilize the Cares Act Funding of \$256,910.00. Motion Carried Unanimously.

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

i. Contracted services for WWTF project

A.Forsman/Kess moved to accept the agreement between City of Ely and Advanced Engineering and Environmental Services, Inc. for the Ely WWTF Improvements Project. Langowski indicated that we have been working for a couple years now on our Mercury Project at the WWTF as part of our NPDES Permit. We have been working with AE2S to submit a proposal for services to go through and complete the design documents so we can get a biddable and constructible product. We (Al Forsman, Paul Kess, EUC Commissioners Rob Wilmunen, and Jordan Richards) met with them last Thursday and negotiated an agreement for professional engineering services with AE2S. We asked for some concessions on the fee, for a not to exceed number and asked for some additional services to be provided, assistance with grant writing to reduce the city's obligations. We also had them increase their liability insurance coverage. We are requiring a tight schedule be in place to check the progress of the deliverables on the project as the project progresses. By September we want a 30-50% plan to review. Final design needs to be done by the end of January so the MPCA can approve the design, then we can go out for bids. The pilot study with the filters has been extended a bit due to Covid and the inability of the vendor to come to our plant during the shutdown period, but the pilot study is showing that it is working as we had hoped. We were able to bring the fees down approximately \$30,000.

Kess indicated that the committee did a good job going through the contract to represent the city's interest in this. Kess stated that there were several issues that came through with the negotiating of the contract for the benefit of the city.

A.Forsman stated that AE2S has provided this pilot study that is very specialized for our exact situation. We are working with engineers that are focused on one area of engineering; the pool of engineers to do what we are asking them to do is probably pretty small. Forsman gave credit to Rob Wilmunen, Jordan Richards and Langowski for negotiating the contract and trying to keep the costs down.

Motion Carried Unanimously

B. Fire Chief

Callen indicated that we have had several structure fires lately, thanks to the mutual aid of Babbitt Fire, Morse-Fall Lake Fire and the Ely Ambulance, also thanks to the local law enforcement who helped with the traffic control and to the citizens who helped on the Conan Street Fire to pull hoses and hook up the hydrants.

C. Library Director

Heinrich indicated that the library is still closed, but they are doing events and curbside pick-up, more information can be found on the Library website.

D. Police Chief

Chief Houde indicated that the hiring process has started for a police officer, we have it listed on the LMC website, POST website, and Houde has reached out to Vermilion Community College, Hibbing Community College, and the University of Crookston. Houde indicated that they have been busy cleaning and organizing the offices into more workable spaces and moving the evidence room to a better location.

E. City Attorney

i. **Omerza/A.Forsman moved to approve the 2nd Reading of Ordinance 343 2nd Series, An Ordinance of the City of Ely, Minnesota, Amending the Ely City Code, Chapter 6, Section 6.30, Tobacco and Electronic Delivery Devices. 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. **Campbell/Debeltz moved to approve the Note and Mortgage for the Storefront Rehab Loan for Douglas Scheibe at Front Porch Coffee & Tea Co. for work at 343 E Sheridan St, to tear off and replace shingles for \$12,000. Motion Carried Unanimously.**

F. City Engineer

10. COMMUNICATIONS: Matter of Information

- A. Ely Community Resource 2nd Quarter Progress Report
- B. Board of Appeal and Equalization Training Open for Council Members

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for July 21, 2020 – \$303,814.33
- B. Partial Payment Estimate No. 7 for the West End Redevelopment District, Phase 1 Project for \$249,215.89 to Utility Systems of America Inc.

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

12. OLD BUSINESS:

A. Commercial Waste Disposal Contract

A.Forsman/Kess moved to approve the recommendation from the Sanitation Committee to approve the Commercial Waste Disposal Contract and to put the contract out for RFPs.

Omerza asked why the minimum size of the truck was reduced, wouldn't this requires the businesses to get new dumpsters, is this what is best for Ely?

A.Forsman indicated to assume that any contractor would use an 8 yard enclosed truck wouldn't make any sense, but there is the possibility that a contractor has a customer only on Sunday; they could use a smaller truck.

Kess stated that we are not requiring them to use an 8 yard truck, but it could provide flexibility to the vendors so they can provide different levels of service to their customers. Why not open up the contract to some competition.

Nikkola member of the Sanitation Committee indicated that it was his understanding that the prior committee of Callen, A.Forsman, and Kess made an agreement with the GMen to obtain a one year extension on the contract there would be no changes to the provisions to the contract when it went back out for bids. Nikkola indicated that he is disappointed in the way things went.

A.Forsman stated that last October 2019 the previous committee met and agreed to extend the contract for 1 year while we formed a sanitation committee. At that time we did assure Mr. Day that our intent was to maintain the standards of service that we currently held, we did not say there would not be any changes to the contract. There are 3 basic changes to the proposed contract the specs of the cart, and the size and age of the trucks, and they are not allowing for a lowering of standards.

Mayor Novak stated that if we are changing the requirements of the equipment that is a standard that was in the previous contract. If you are allowing for older trucks, that standard is being changed. Mayor Novak indicated that he is not sure why we are changing something that was working.

Omerza stated that she does not recall any complaints that we received about GMen. We have someone right now who has been a willing partner.

Kess indicated that last fall was not an agreement to not change anything in the contract. The only thing this has done is to open up the commercial contract to more than one vendor.

Motion Carried 6-1 with Omerza voting No.

13. NEW BUSINESS:

A. 2020 Committee Seats – Cemetery Committee

(1 Seat Open, Term Expires 1/31/2022)

Angela Campbell as resident

Debeltz/Callen moved to approve Angela Campbell to be on the Cemetery Committee as a resident with the term expiring 1/31/2022. Motion Carried 6-0-1 with Campbell abstaining.

B. Approve Election Judges for 2020

Campbell/Omerza moved to approve Resolution 2020-024 Resolution Appointing Additional Election Judges for the 2020 Primary Elections Roll Called: Council Member A.Forsman- Yes, Kess – Yes, Debeltz-Yes, Omerza -Yes, Callen – Yes, Campbell-Yes, and Mayor Novak – Yes. Motion Carried Unanimously.

C. **Debeltz/Omerza moved to approve the Change Order No. 2 for the 17th Avenue East/7th Avenue East/Water Tower Supply Line Project for additional costs incurred to Mesabi Bituminous Inc for the paving on 17th Avenue East which increases the contract amount by \$20,824.00. Motion Carried Unanimously.**

D. **Omerza/Callen moved to approve the Change Order No. 3 for the 17th Avenue East/7th Avenue East/Water Tower Supply Line Project making adjustment to final quantities installed in the field which decreases the contract amount by \$15,688.10. Motion Carried Unanimously.**

E. **Campbell/Omerza moved to approve the Final Payment Estimate No. 10 for 17th Avenue East/7th Avenue East/Water Tower Supply Line Project for \$125,542.13 to Casper Construction Inc. Motion Carried Unanimously.**

F. **Campbell/Debeltz moved to approve Amendment No. 1 to the Agreement for Professional Services between City of Ely and Short Elliott Hendrickson, Inc, which was effective October 15, 2019 for the Prospector Loop Project. Motion Carried Unanimously.**

G. Omerza/Callen moved to approve Resolution 2020-025 Minnesota Public Facilities Authority Point Source Implementation Grant Form 7- Grant Application Resolution. Roll Called: Council Member A.Forsman- Yes, Kess – Yes, Debeltz-Yes, Omerza -Yes, Callen – Yes, Campbell-Yes, and Mayor Novak – Yes. Motion Carried Unanimously.

H. Langowski indicated that the resolution needed to be amended to include up to before the \$1,700,000 on Resolution #2020-026.

Omerza/Debeltz moved to amend Resolution #2020-026 to include up to before the \$1,700,000 on the resolution in two places. Motion Carried Unanimously.

Debeltz/Campbell moved to approve Resolution 2020-026 Resolution Authorizing City of Ely to Make Application to and Accept Funds from IRRRB FY21 Regional Trails Grant Program as amended with adding up to before the \$1,700,000 on the resolution in two places. 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 6:32pm without objection.

Casey Velcheff
Deputy Clerk