

**Council Minutes - August 18, 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 August 4, 2020 Regular Council Meeting. Motion Carried Unanimously.**

4. ADDITIONS OR OMISSIONS TO AGENDA:

Addition 8.A. Budget Committee – **Addition added without objection.**

5. MAYOR’S REPORT

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

Cemetery Committee

Debeltz/Kess moved to approve the recommendation from the Cemetery committee to update the Rules and Regulations for the Ely Cemetery as follows:

All lot pins and corners **Must** be located, marked, and **Shall Be approved** by the City **before** placement of the Monuments

Foundation Slabs **Shall Be** Aligned and Flush with Horizontal Ground grade and the middle of the Slab **Shall Be** Installed with the Center of the Slab Even with Sloped Grade Ground.(Section 26 & 28 Slabs are too high causing maintenance issues)

NO Stakes are to be installed in blacktop surfaces of the Cemetery for Memorial Service

Ceremony Tents, etc. Any Damage caused by those actions with Repairs to be done or paid for by Responsible Party. Use Counterweights instead.

All Burials are to be Recorded and Approved by the City. Only Human Remains are allowed.

A.Forsman asked for clarification on the foundation slabs being flush with the Horizontal Grade is this for the foot stones? The foot stones should remain flush with the grade from edge to edge. The upright markers should be level if the grade slopes. A.Forsman asked if he is following this correctly.

Debeltz stated that he wasn’t sure, and this might be a question for Langowski.

**A.Forsman/Omerza moved to postpone this motion until the next council meeting for more clarification on the foundation slabs. Motion Carried Unanimously.**

Projects Committee

**Callen/Omerza moved to approve the recommendation from Projects Committee to apply to the IRRR Regional Trail Grant program for funding to complete the Trezona Trail, including the connection to Semers Park and the new picnic pavilion. Motion Carried Unanimously.**

**Callen/Omerza moved to approve the recommendation from Projects Committee to apply to the IRRR Development Infrastructure Program for the VA Expansion to move the sanitary sewer main serving this portion of town, this will also require reconstruction of a portion of the road, parking lot, in addition to storm sewer and other site improvements. Motion Carried Unanimously.**

**Callen/Debeltz moved to approve the recommendation from Projects Committee to apply for IRRR Residential Demolition Funds for the property at 274 N 5<sup>th</sup> Ave. Motion Carried Unanimously.**

Budget Committee

**A.Forsman/Callen moved to approve the recommendation from Budget Committee to authorize the purchase of a Public Works and a First Responders Truck utilizing the Covid-19 CARES Act funding.**

A.Forsman indicated that we cannot have three staff in a vehicle is the reason why the Public Works truck is on there.

**Motion Carried Unanimously.**

Housing & Redevelopment Authority of Ely: Minutes included in the council packet

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

CARES Act Eligible expenses/reporting/requests- Quotes from Voltz and Custom Theaters

**A.Forsman/Campbell moved to approve the quotes from Voltz for \$13,499.60 for new laptops and Microsoft Surfaces and the quote from Custom Theaters for a new projector and screen for the council chambers using the CARES Act money. Motion Carried Unanimously.**

B. Fire Chief

C. Library Director

Heinrich indicated that they will be doing the Summer Reading/Events prizes on Facebook Live on Thursday around 9am.

D. Police Chief

Chief Houde gave an update on the hiring process of a new police officer, they received 25 applications. The police commission scored the applications and they will be interviewing 12 applicants. The interviews are going to be on September 2<sup>nd</sup> with 2 members of the Police Commission, a Councilmember and Chief Houde participating in the interviews.

E. City Attorney

**Debeltz/Omerza moved to approve the Note and Mortgage for the Storefront Rehab Loan for Pastika Building, LLC for work at 131 E Chapman St, for a new roof and insulation for \$17,500. Motion Carried Unanimously.**

F. City Engineer

10. COMMUNICATIONS: None

11. CLAIMS FOR PAYMENT:

- A. City and EUC claims for August 18, 2020 – \$373,738.33
- B. 2021 CGMC Dues Invoice for \$6172.00
- C. 2021 CGMC Voluntary Assessment for Environmental Action Fund for \$853.00
- D. Final Pay Application #3 for the Semer's Park Picnic Pavilion for \$21,750.60 to TL Construction, Inc.
- E. Partial Payment Estimate #8 for the West End Redevelopment District, Phase 1 for \$14,200.12 to Utility Systems of America Inc.

**Omerza/Campbell moved to approve the Claims for Payment items A-E.**

A.Forsman discussed the CGMC Voluntary Assessment for Environmental Action Fund. Forsman stated this is important with our wastewater treatment plant that we have, we have seen what the MPCA can mandate on us without support of the legislature. We are in a tight spot right now since we are currently in the process of updating our wastewater treatment plant, the process isn't complete and the MPCA could change things as we are going through our WWTP updates. Forsman indicated that he is in support of the CGMCs efforts on our behalf and it is important that we support these efforts. Mayor Novak stated that last year was the first year we approved the Voluntary Assessment; the CGMC does good things for us.

**Motion Carried Unanimously**

12. OLD BUSINESS:

- A. Ely Area Ambulance Joint Powers – Annual payment of \$10.10 per capita  
Mayor Novak indicated that the Ely Area Ambulance has had a shortfall in funds due to the lack of transports due to Covid. The Ambulance Joint Powers is requesting all participating entities increase the contribution from \$5.05 per capita to \$10.10 per capita. We don't know what the end of the year financials will be. We need to bring this to the next Ambulance Joint Powers meeting since the townships need to have their levy done by September.

**A.Forsman/Omerza moved to increase the contribution for the City of Ely to \$10.10 per capita for 2020 to the Ambulance Joint Powers.**

A.Forsman indicated that there needs to be different ways we can calculate the disbursement of the fees for the areas covered. This is leading towards an unfair cost to the City of Ely and our taxpayers. A.Forsman stated that he is unlikely to support the \$20.20 per capita proposed for 2021. Mayor Novak stated that there has been a lot of discussion on this issue, Ely and Winton are ok with per parcel, Fall Lake doesn't have any skin in the game, what they pay gets reimbursed through the county, Town of Morse is the odd man out.

Omerza stated that we are making this decision early as we do not know what our financials will be to suit their needs for next year. We as a city are going out on a limb to suit their needs.

Mayor Novak stated that the current contribution of \$5.05 per capita is around \$17,000. To quadruple that next year we would be looking at around \$70,000. Mayor Novak stated that regarding the Town of Morse when you look at per parcel, the summer seasonal residents do not pay on a per capita basis because they are not residents. The Town of Morse rational is because

they put it in their levy they are technically are paying for the ambulance service, but if you look at a per capita/per parcel between Ely and the Town of Morse those properties are very diluted to what there share would be, the City of Ely residents would end up paying the bulk of the expenses.  
**Motion Carried Unanimously.**

- B. Maintenance of Private Property Inspection Report Updated August 13, 2020 for 106 E Harvey. Building Official Doug Whitney provided an updated inspection report for 106 E Harvey, Owners Paul and Laurie Kess. Whitney indicated that in the original order the dates to have the items completed was: board or repair all broken windows by January 1, 2020, removed loose siding by January 1, 2020, and repair roofing and roof sheathing by August 15, 2020. Whitney stated in the inspection report that there are windows in disrepair, the roofing is not done and there are large holes in the roof and fascia, and there is some loose siding. The biggest issue with the dwelling is that the roof has not been completed yet. Whitney stated we had orders that were put together by the City Council and it is now up to the council to decide what to do next, raze the building, fine the owners, or give them more time.
- Mayor Novak asked if the other issues besides the roof were completed.
- Whitney indicated that the original windows that needed fixing were boarded up, but now there are additional windows that are in disrepair.
- Whitney asked if Kess has a schedule or contractor lined up to fix the roof. We have had approximately 12 roofs put on this year in the City.
- Campbell was concerned that the property has been vacant for 10 years. She is concerned with people walking by and the neighbor has debris in their yard from shingles and stuff falling off the house. Campbell stated that she finds this disappointing and it is unacceptable.
- Mayor Novak stated that he's not sure what we are supposed to do since we do not have a recommendation of what to do.
- A. Forsman indicated that we have had other properties that have been in other states of disrepair. We need to see some results on this, we cannot sit back idly forever on this, this needs to get done. Somehow Kess needs to get the project completed. We need to see some progress and we need to be responsible to all of our constituents.
- Mayor Novak stated that he would like to see status updates, maybe once a month update to the council on these properties.
- Whitney indicated that Kess has reached out to him, but he still hasn't completed the issues. Last year when this order was made August 15<sup>th</sup> seemed like it would have been plenty of time to get this completed, but now here we are.
- Mayor Novak stated that we need a better process on reports to the council in the mid-term of these properties and there dates to be completed.
- Omerza stated that if she was a property owner with a house in disrepair she would be contacting the building official to see what needs to get done, this should not be on Whitney; it should be on the property owner to contact Whitney. Omerza asked if Whitney and Kess can sit down and discuss dates of when this can be done.
- Mayor Novak stated that by the next council meeting we need to have a status report with the dates of when these items can be completed.
- Kess stated that he might have a contractor, he has contacted several contractors to get this done, but they are booked out.
- Campbell asked if Kess could put a casing or a protective barrier around the house to protect the neighbor and the city sidewalks and streets for safety.
- Attorney Klun stated that this has been ordered already in Resolution 2019-039 and that corrective action needed to be taken by August 15, 2020 or the City will move for the summary of enforcement of this order.

Omerza is hoping what we have said has been heard and the property will get cleaned up. If it is not cleaned up by the next meeting dispositive action will need to be taken.  
Mayor Novak indicated that Whitney and Langowski have to execute this order.  
Whitney stated that the next step would be for Kess to appeal the order and ask for an extension.  
Kess stated that he has been trying to contact contractors all summer.  
Debeltz asked if Whitney and Kess could sit down together and discuss how to get this done.  
Mayor Novak told Whitney and Langowski to discuss a date of when this needs to be completed by, then talk to Kess to see if it is feasible and bring back to the September 1<sup>st</sup> Council Meeting.

13. NEW BUSINESS:

- A. Omerza/Debeltz moved to approve Resolution 2020-029 Resolution urging lawmakers to pass a bonding bill in the special session to be held in September 2020. 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 Resolution 2020-030 Resolution authorizing City of Ely to Make Application to and Accept Funds from the IRRRB FY21 Regional Trails Grant Program. 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/Callen moved to approve Resolution 2020-031 Resolution authorizing City of Ely to Make Application to and Accept Funds from the IRRRB FY21 Development Infrastructure Grant Program. Roll Called: Council Member A.Forsman- Yes, Kess – Yes, Debeltz-Yes, Omerza -Yes, Callen – Yes, Campbell-Yes, and Mayor Novak – Yes. Motion Carried Unanimously.**
- D. Omerza/Campbell moved to approve Ely’s Historic State Theater On-Sale and Sunday Liquor License pending proper paperwork, fees and insurance. Motion Carried Unanimously.**

14. OPEN FORUM

Lottie Pickney – 114 E Harvey St. Pickney stated that she has been monitoring Kess since the meeting back in September. Pickney indicated that Kess has accused her that the stuff on her property is in his way to do things. Pickney stated that she is not going to accommodate Kess anymore. She accommodated him to allow access from her property when they removed the back house, and she accommodated his workers when they did other things to the house. She will not be accommodating him anymore. She said she has observed rain coming down through the roof and is presuming rain has got in the building and ruined the wood floors. Kess has also not mowed the lawn in over 2 months. Pickney stated she is sick and tired of looking at this house, she would rather it be razed. He has had over 10 years to work on this.

Mayor Novak indicated that this would not be happening next door to my house. We are not trying to give any special treatment to him, but there are rules that we need to abide by.

15. ADJOURN

Mayor Novak adjourned the meeting at 6:35pm without objection.

Casey Velcheff  
Deputy Clerk