

## **Council Minutes - April 18, 2023**

### **Regular Meeting Ely City Council – City Hall, Council Chambers**

#### **CALL TO ORDER**

The regular meeting of the Ely City Council was called to order by Mayor Omerza at 5:30pm in the Council Chambers.

PRESENT: Council members A.Forsman, Kess, Debeltz, Callen, Campbell(5:32pm), Bisbee, and Mayor Omerza

ABSENT: None

#### **APPROVAL OF MINUTES:**

**Debeltz/Callen moved to approve the minutes from the April 4, 2023 Public Hearing regarding Ordinance 367 and the Regular Council Meeting. Motion Carried 6-0-1 with Campbell Absent.**

Campbell arrived 5:32pm

#### **ADDITIONS OR OMISSIONS TO AGENDA:**

- A. Additions 8.A Budget Minutes
- B. Additions 9. A. Fire Department 2023 Q1 Summary and Fire Department Minutes
- C. Additions 9. D. Summer Parking Enforcement/Internship – Odessa Ward and Nils Deremee
- D. Additions 9. E. ii 1<sup>st</sup> Reading Ordinance No. 369, 2<sup>nd</sup> Series – An Ordinance of the City of Ely, Minnesota, Revising the Ely City Code Chapter 9, Section 9.99 Violation a Misdemeanor or Petty Misdemeanor
- E. Additions 13. A. Tabulation of Bids and Notice of Award for 9<sup>th</sup> Ave Project
- F. Additions 13. E. Cannabinoid Product Dealer License Application
- G. Additions 13. F. Residential Rehab Loan for David Wade

**Kess/Bisbee moved to approve the Additions A-G. Motion Carried Unanimously.**

#### **MAYOR'S REPORT:**

Mayor Omerza indicated that she attended the Chamber's Celebrate Ely event. Congratulations to the award winners Twin Metals and Ely Bloomenson Community Hospital for the "Good Neighbor Business Award," Jessica Slaughter from EBCH for the "Excellence in Customer Service Award," Jacob White for the Bob Cary Spirit Award for his work with the End of the Road Film Festival and Mauro Caruso for the "Good Citizen – Volunteer of the Year Award." Mayor Omerza indicated that Voyageur North had a Ribbon Cutting for their expansion, Thanks to Council Member Campbell for going.

Governor Walz was in town and visited the school and college to discuss bonding projects and child care.

Mayor Omerza indicated that she has a meeting with Grant Spickelmier with the International Wolf Center.

#### **CONSENT AGENDA:**

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

**REQUESTS TO APPEAR:**

Grant Spickelmier - Executive Director International Wolf Center – 30<sup>th</sup> Anniversary of International Wolf Center

Spickelmier indicated that the International Wolf Center is celebrating the 30<sup>th</sup> Anniversary of the grand opening of the International Wolf Center Visitor Center, back in 1993. They are hosting a special event called the State of Wolves that will be at the Historic State Theater on May 24<sup>th</sup>; Dr. David Mech will be speaking about the founding of the International Wolf Center, and his 58 years of doing research in the region. He will be joined by 2 journalists from the Star Tribune, there was a special edition called the State of Wolves, where they traced the whole history of wolves and wolf biology in Minnesota. Spickelmier also invited the City Council to the VIP Reception at the Wolf Center on May 24<sup>th</sup> from 6-7pm. They are then having the public program at the State Theater at 7:30pm.

**COMMITTEE REPORTS:**

Standing/Special

Police Commission

**Debeltz/Campbell moved to approve the recommendation from Police Commission to update the Police Commission Ordinance to include the Assistant Chief in Subd 2 – “employees of the police department except for Chief of Police and Assistant Chief”.**

A.Forsman asked why we would have the assistant chief directly under the City Council.

Chief Houde indicated that the police commission felt that since the Assistant Chief is a salary employee, and when we interviewed for the Assistant Chief the police commission was not involved with it, the council did the interviews.

Kess stated that he can see the reasoning for this since the Assistant Chief works opposite of the Chief and is fulfilling the duties as if the Chief was there.

Chief Houde indicated that if there are complaints on the officers, that are brought in and it gets investigated, Chief Houde or Assistant Chief would do these investigations.

**Motion Carried Unanimously.**

Sanitation Committee – Minutes included in the Council Packet

A.Forsman indicated that the Sanitation Committee will have an entire proposal for the council to review before we go out for the Requests for Proposals, potentially at the next council meeting.

Library Board – Minutes included in the Council Packet

Ely Public Library Strategic Plan for 2023-2028 – Matter of Information

Park and Recreation Board

**Bisbee/Debeltz moved to approve the recommendation from Park and Rec to change the Park and Rec Meeting times to the 3<sup>rd</sup> Monday of the month at 5pm. Motion Carried Unanimously.**

**Bisbee/Callen moved to approve the recommendation from Park and Rec to purchase baseball dirt for the Ely Little League Field for \$2,195. (Recommendation is being brought to Budget Meeting on Monday, April 17<sup>th</sup>)**

Bisbee indicated that this was approved at the Budget meeting.

**Motion Carried Unanimously.**

Projects Committee

**Callen/Campbell moved to approve the recommendation from Projects Committee to direct JPJ Engineering to place a Lead Service Line replacement project on the Department of Health Project Priority List. Motion Carried Unanimously.**

**Callen/Kess moved to approve the recommendation from Projects Committee to proceed with the application to the IRRR Regional Trail Grant Program for the Trailhead Project. Motion Carried Unanimously.**

Tree Board – Minutes in the Council Packet

(Recommendations are being brought to Budget Meeting on Monday, April 17<sup>th</sup>)

Housing & Redevelopment Authority- Minutes included in the Council Packet

Budget Committee

**A.Forsman/Bisbee moved to approve the recommendation from Budget Committee to increase the Short Term Rental License Fee from \$100 to \$200.**

A.Forsman indicated that this was sent back to the budget committee for further review, it was discussed in budget that more work is being put into managing the short term rental license.

**Motion Carried Unanimously.**

**A.Forsman/Bisbee moved to approve the recommendation from Budget Committee to adjust the Parking Fee Ordinance to remove the parking fee amount and to allow the Council to set the parking fee by resolution. Motion Carried Unanimously.**

**A.Forsman/Callen moved to approve the recommendation from Budget Committee to purchase 25 tons of field dirt for \$2,195 as a donation to the Ely Little League. Motion Carried Unanimously.**

**A.Forsman/Kess moved to approve the recommendation from Budget Committee to purchase 17 trees as requested by the tree board, the trees are estimated at \$125 each. Motion Carried Unanimously**

**A.Forsman/Debeltz Recommendation from Budget Committee to approve the Police Department to apply for the Cops Grant.**

Kess indicated that in committee he voted against this because of the unknown costs to the city are not yet clarified, but as the Chief moves forward, those costs will be clarified and we can make a more educated decision as a council.

A.Forsman indicated that there is a potential that we can look at the school to help with expenses for this position.

Chief Houde indicated that this is just the starting point to apply for the grant; there will be more specifics if we are awarded the grant.

Kess stated that there is a lot of work to do on this and we will see what happens.

Omerza asked if everyone knows what a cops grant is? She said it is a student resources officer that would be housed at the school for the school year.

Houde indicated we are applying to have another officer within our department that would be specifically stationed at the school 9 months out of the year, that officer would be at the school assisting staff with, DARE, Truth about Drugs, School Patrol and other events that happen

throughout the school year. Chief Houde indicated that we often get called to the school for a variety of calls and concerns, it would be nice to have an officer in the school that the kids will know by name.

**Motion Carried Unanimously**

**DEPARTMENTAL REPORTS:**

Clerk-Treasurer

Notice from MN Department of Health

Langowski indicated that we received notification from the Department of Health concerning an issue between the water testing lab and the Department of Health concerning our last round of Lead and Copper tests. It appears that one of the twenty samples we delivered to the lab was not recorded or submitted to the Department of Health. We are currently completing an additional round of testing due to this issue. One concern is with this lab issue of reporting, was there also a lab issue concerning the results. We cannot confirm that without additional testing. If there are people that have the Ely Utility Department stop at their door, we are asking you to do testing on you water; we will then collect the sample bottles and bring them to Hibbing to get tested. Attached in the council packet was information concerning the limit exceedance, proper notification is always given to the property that exceeds the limit. As we work with the Department of Health on the additional sampling and take into consideration the presence of lead service lines in the community, we have some resources becoming available to inventory the lead service lines as well as provide funding for the replacement.

The EPA is requiring all communities to inventory the service line materials by the end of 2024. Ely like a lot of other communities has a lot of old private service lines. All service lines in Ely from the connection at the water main to the home are owned and maintained by the property owner. It is our understanding that the Lead Service Line funding will be at 100% for customer owned service lines. The State Legislature is currently working on funding for the identification and replacement of lead service lines (LSL). This fall there will be funding made available up to \$75,000 for communities to inventory the private water services. There will also be a Project Priority List (PPL) developed for LSL replacement projects. We currently have three separate projects in the water system on the Project Priority List. Langowski indicated that he would like to request that JPJ Engineering work on amending one of these requests to include an LSL project following the guidance provided by the Department of Health. We are also reviewing the possibility of utilizing the EPA and DOH to complete a Comprehensive Performance Evaluation (CPE) of the system. It is our understanding that this is at no charge to the community. This will be reviewed by the EUC at the next meeting.

Ely Spring Clean Up Days May 19<sup>th</sup> and 20<sup>th</sup> – Approximate cost \$2500

Langowski indicated that we are looking at partnering with G-Men, the Dairy Queen, and other community partners like Young Life and Incredible Ely for this event. This event encourages people to clean up your yards and property. Some things that are not acceptable are tires, cardboard, Mattresses or box springs, Yard Waste or Household Trash, and Hazardous waste. This is for City of Ely Residents only and you will need to show proof.

Fire Chief

Chief Marshall discussed the recent calls for the fire department.

Fire Department 2023 Q1 Summary and Fire Department Minutes - In Quarter 1 they had 69 medical calls, 15 fire calls, and 8 other (meetings, training, etc). Marshall indicated that the response rates for fire calls ranged from a low of 0% to a high of 100%. Five members had 80%

or better response rate (Tommy Deyak, Louis Gerzin IV, Kyle Lakner, Dave Marshall, and Mark Walker). The Department average response rate was 50%.

Chief Marshall indicated that the fire department has responded to more carbon monoxide calls this year than he can remember from his time on the department. Marshall stated that every carbon monoxide call that they have gone to this year has been a legitimate CO call that had an excessive level of CO in people's homes. Marshall discussed the importance of CO detectors and the presence of CO detectors in those people's homes saved their lives. CO detectors are critical in your home, if you have any kind of appliance in your home that burns fossil fuel or wood, those appliances can produce Carbon Dioxide. Carbon Dioxide is the silent killer. A lot of people in town right now have wet basements, so people are running fans in their basements to dry them out. One of the calls they were on recently, the boiler was running properly, but there was a large industrial fan in the basement going to dry out the basement and that fan was pointed right at the boiler. That fan being pointed at the boiler had an impact on the natural ventilation and drafting of that boiler and that caused the CO condition of that house. Please don't place those fans in front of a boiler or furnace. Marshall indicated that he cannot stress enough about having CO detectors in your house.

Library Director

Library Director Heinrich discussed the current programming at the Library which can be found on the Library website.

Police Chief

**Debeltz/Campbell moved to approve the Summer Parking Enforcement/Internship to Odessa Ward and Nils Deremee. Motion Carried Unanimously.**

Chief Houde reminded everyone that Saturday is National Take Back Day for Prescriptions items. The front doors to City Hall will be open and we have a secure box in the lobby you can put your meds in.

Langowski reminded everyone to NEVER flush them down the toilet or drain; it is not good for our Wastewater Treatment Plant.

City Attorney

**Callen/Bisbee moved to approve Mortgage Satisfaction for a Storefront Loan from TMC Property, LLC recorded as Document No. 01380360 on May 20, 2020. Motion Carried Unanimously.**

**A.Forsman/Callen 1<sup>st</sup> Reading Ordinance No. 369, 2<sup>nd</sup> Series – An Ordinance of the City of Ely, Minnesota, Revising the Ely City Code Chapter 9, Section 9.99 Violation a Misdemeanor or Petty Misdemeanor. Roll Called: Council Members A.Forsman – Yes, Kess- Yes, Debeltz – Yes, Callen – Yes, Campbell – Yes, Bisbee – Yes, and Mayor Omerza – Yes. Motion Carried Unanimously.**

City Engineer

**COMMUNICATIONS:** Matter of Information

City of Ely Water Supply Improvements Project – Senator Smith and Klobuchar submitted the Congressionally- Directed Spending to the Appropriations Committee

Press Release for the Gawboy Mural Ribbon Cutting on May 4<sup>th</sup> at 5pm at the Minnesota North –Vermilion Campus in the Quiet Study Room in the Classroom Building

Northwoods Kids Fishing Derby 2023 on June 10, 2023 – Looking for sponsors and volunteers

2023 Household Hazardous Waste Community Collection Schedule – June 15, 2023 10am-2pm at the Ely Joint Public Works Facility and August 31, 2023 from 10am-2pm at the Northwoods Transfer Station

**CLAIMS FOR PAYMENT:**

- A. City and EUC claims for April 18, 2023 for \$638,963.46
- B. Short Elliott Hendrickson (SEH) Invoice #443958 for \$935.00 and Invoice #443758 for \$11,080 for the Prospector ATV Trail.
- C. AE2S Invoice #86500 for the Waste Water Treatment Facility Improvements Project for \$30,769.95

**Debeltz/A.Forsman moved to approve the Claims for Payment items A-C. Motion Carried Unanimously.**

**OLD BUSINESS:** None

**NEW BUSINESS:**

- A. Received 4 Bids for the 9<sup>th</sup> Avenue East Project from KGM, USA, Mesabi Bituminous and Low Bidder Low Impact Excavating for \$229,522.47. Tabulation of Bids and Notice of Award for 9<sup>th</sup> Ave Project

Langowski indicated that we took bids for 9<sup>th</sup> Ave East, between Sheridan St and Harvey St. The bids came in very good, with Low Impact as the low bid.

**Callen/A.Forsman moved to approve the low bid of \$229,522.47 to Low Impact Excavating for the 9<sup>th</sup> Avenue East Project and to approve the notice of award for the project. Motion Carried Unanimously.**

- B. **Kess/Bisbee moved to approve Resolution 2023-009 Resolution Authorizing Edible Cannabinoid Products Dealers License Fee. Roll Called: Council Members A.Forsman – Yes, Kess- Yes, Debeltz – Yes, Callen – Yes, Campbell – Yes, Bisbee – Yes, and Mayor Omerza – Yes. Motion Carried Unanimously**
- C. **Callen/Campbell moved to approve Resolution 2023-010 Resolution Authorizing Application for Rotary Club of Ely to Apply for Raffle Permit. Roll Called: Council Members A.Forsman – Yes, Kess- Yes, Debeltz – Yes, Callen – Yes, Campbell – Yes, Bisbee – Yes, and Mayor Omerza – Yes. Motion Carried Unanimously**
- D. **Kess/Debeltz moved to approve the Letter of Support for the St. Louis County FY 2023 Cohesive Fire Strategy – Cross Boundary Grant application.**  
Langowski indicated that Gloria Erickson is the St. Louis County Fire Wise Director, she is spearheading this application. In the media you may have heard there was a \$900,000 grant

toward other efforts. This is separate from that, but we will be working with Gloria, our police department, our Emergency Management Coordinator and the Fire Chief with possible projects with this funding and hopefully if this is awarded to do some of the things we have discussed in the past regarding fire lines and other sorts of things.

**Motion Carried Unanimously**

**E. Debeltz/A.Forsman moved to approve the Cannabinoid Product Dealer License Application. Motion Carried Unanimously.**

**F. Debeltz/Campbell moved to approve the Residential Rehab Loan for David Wade for \$10,000 at 955 E Chapman St to bring all Electric, Plumbing and Heating systems up to code pending proper paperwork and fees and to direct Attorney Klun to work with applicant and proceed with the loan application. Motion Carried Unanimously.**

**OPEN FORUM:** None

**ADJOURN:**

Mayor Omerza adjourned the meeting at 6:33pm without objection.

Casey Velcheff  
Deputy Clerk