

**Regular Meeting Ely City Council – City Hall, Council Chambers  
June 6, 2023**

**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, Bisbee, and Mayor Omerza

ABSENT: None

**APPROVAL OF MINUTES:**

**Campbell/Debeltz moved to approve the minutes from the May 11, 2023 Board of Appeal & Equalization Meeting, the May 16, 2023 Public Hearing for 109 W Conan St and the May 16, 2023 Regular Council Meeting. Motion Carried Unanimously.**

**ADDITIONS OR OMISSIONS TO AGENDA:**

- A. Addition 6.B. Joint Powers Ambulance Meeting Special Council Meeting
- B. Addition 13. K. Consider the Approval of C&B Warehouse Distributing, Inc, DBA Voyageur Short Stop Off Sale Cannabinoid Dealer License at 1815 E Sheridan St pending proper paperwork, background check, insurance and fees.
- C. Addition 13. L. Consider the Approval of Ely Historic State Theater On Sale Cannabinoid Dealer License at 238 E Sheridan St pending proper paperwork, background check, insurance and fees.

**Kess/Debeltz moved to approve the Additions A-C. Motion Carried Unanimously.**

**MAYOR'S REPORT:**

Mayor Omerza stated that she attended the 30<sup>th</sup> Anniversary of the International Wolf Center Presentation and the Ribbon Cutting of the new art gallery Anova Gallery in town.

Mayor Omerza reminded everyone that school is out and to watch out for the kids that are out and about on their bikes and walking around town.

Mayor Omerza stated that the Ribbon Cutting for Midco will be on June 27<sup>th</sup> at the Chamber Building.

**A.Forsman/Debeltz moved to reschedule the July 4<sup>th</sup> Council meeting to Tuesday, July 11<sup>th</sup>. Motion Carried Unanimously.**

**CONSENT AGENDA:**

- A. Motion to waive readings in entirety of all ordinances and resolutions on tonight's agenda.
- B. Make the Joint Powers Ambulance Meeting June 12, 2023 at 4pm at the Winton Community Center a Special Council Meeting so all Council Members can attend if they choose.

**Callen/Campbell moved to approve consent agenda items A & B. Motion Carried Unanimously.**

**REQUESTS TO APPEAR:**

Aaron Kania – SNF Kawishiwi District Ranger – Update

Kania gave an update on the Fire Danger around the community which has been high. Kania stated that the Forest Service employees have been living each day as to what the weather is doing, it has been very dry so far. We have a lot of extra staff in the Ely area right now, including hot shot crews, and helicopters and planes at the Ely Airport. Kania indicated that we

can call upon others regionally if needed; there are other helicopters and crews around in Grand Rapids and Brainerd.

Kania also explained that it can be confusing with the prescribed burns that are scheduled. They take into account the weather in the area for the prescribed burn. They had a prescribed burn in the Isabella area, they had some rain in that area and the Forest Service had several engines and hot shot crews on hand and working the fire. They have a couple other prescribed burns scheduled around the area. The Forest Service has been meeting at least twice a week regarding fire restrictions and monitoring them daily.

Kania discussed the Ely Fire by Lucky Boy. Kania thanked the City of Ely, for having an evacuation plan, in case it is ever needed, they have met several times to go through the plan. Kania indicated that after the fire we have had conversations with the Officer Roy, Ely's Emergency Management Director, Police Chief, and Fire Chief on how everything went and what improvements can be made. Kania indicated that he would be willing to work with the Ely City Council on some courses in incident command. Omerza stated that she had taken some of those courses when she first got on the council many years ago.

A. Forsman thanked everyone for the quick response to the fire, it was highly impressive. Forsman asked if we know a cause yet of the fire. Kania indicated that there have been some changes, over the last several years the forest services agreement with the MN DNR expired, which talked about who are responsible for specific pieces of land. Before, it was the whole area around Ely was the Forest Service response area, but due to some changes it is more jurisdictional, as to who owns the land is who is responsible for that land, so the MN DNR is responsible for non-federal land, so private, county, and state lands. The MN DNR was responsible for the incident command of the Lucky Boy Fire and also responsible for the investigation of the fire.

Langowski indicated that we have had a couple close fires to the City of Ely in the last 10 years. Both of the fires could have been rather different outcomes if there wasn't that aircraft stationed out at the Ely Airport. Thanks for ensuring that equipment is always at the airport during those high risk fire times.

#### Bradley Roy Emergency Management Update

Officer Roy in the Emergency Management meetings we have had lots of discussion on communication and communicating with the public during an emergency. Northland Alert will notify residents about emergencies and other important community news by signing up for the regional emergency alert program. This system enables them to provide critical information quickly in a variety of situations, such as severe weather, unexpected road closures, missing persons, and evacuations of buildings and neighborhoods. Residents can sign up from the City's website under Emergency Preparedness. Roy said you there are options to sign up for different alerts. It is also important to put your address on there so you will get alerts.

Langowski indicated that more grants will be available through Firewise to make more defensible boundaries for Ely.

Officer Roy indicated that we are in compliance with our Emergency Plan for the City and the County has been great to work with.

#### Todd Burlet, President of Starry Skies North

Burlet indicated that he is here to discuss Astro-Tourism; Minnesota has the most remaining dark skies east of the Mississippi River. Burlet stated that only 1 in 5 Americans can see the Milky Way and 99% of Americans Live under light pollution. The world's largest International Dark Sky Sanctuary is right here in the Boundary Waters. Burlet indicated that poorly-designed lightscapes create glare and visual clutter that reduces safety of drivers and pedestrians. Lights

should illuminate Objects not shine in the eyes of drivers, pedestrians, or workers. Bright lights can create a false sense of security, and may help criminals see what they're doing. When used properly, light at night can improve our quality of life, protect drivers and pedestrians, aid emergency services, and help us feel safe. However, there's no scientific consensus that adding light actually improves personal safety.

Burlet discussed Astro Tourism, he stated that it is any intentional experience of the night sky, can be as simple as a blanket in your backyard, but often involves travel to dark skies. Common types of Astro Tourism is naked eye stargazing, binocular & telescope stargazing, Astrophotography, event specific – eclipses, aurora, occultations, and wellness, spiritual and cultural. Ely offers the gateway to the world's largest international dark sky sanctuary with a Bortle Class 1 darkness for example MSP is a Bortle Class 9 and Ely Area is a 1. Ely offers an installed base of tourism businesses and lake that provide low horizons for aurora, meteors, etc. Burlet stated that the low occupancy shoulder seasons are the perfect for Astro-tourism. Some ideas for the City are to distinguish Ely as an International Dark Sky Community, and promote Ely as an Astro-destination.

**COMMITTEE REPORTS:**

Standing/Special  
Planning and Zoning

**Campbell/Debeltz moved to approve the recommendation from Planning and Zoning to look into adding Handicapped Designated Parking Spaces year-round at Whiteside Park.**

Langowski stated that he will review with the Police Chief to look at the number of spots at the park.

**Motion Carried Unanimously.**

Ely Utilities Commission (EUC)

**A.Forsman/Callen moved to approve the recommendation from EUC to work on the application for the Burntside Waterline Project. Motion Carried Unanimously.**

**A.Forsman/Campbell moved to approve the recommendation from EUC to approve Commissioners and staff to attend the MMUA Summer Conference in Duluth on August 21-23, 2023. Motion Carried Unanimously.**

**A.Forsman/Debeltz moved to approve the recommendation from EUC to approve payment of the EUC April Bills for \$756,334.66. Motion Carried Unanimously.**

**A.Forsman/Bisbee moved to approve the recommendation from EUC to approve payment to AMPTEK for \$1659.00 for the WWTF. Motion Carried Unanimously.**

Telecommunications Advisory Board (TAB): Minutes included in the Council Packet  
Langowski indicated that there was discussion on upgrading the system, and will be having a meeting with Midco to upgrade to high definition.

Housing & Redevelopment Authority (HRA): Minutes included in the Council Packet

**DEPARTMENTAL REPORTS:**

**Clerk-Treasurer**

**Electric Vehicle (EV) Charging Infrastructure**

Langowski indicated that additional efforts are being made from a Federal Level to bring in additional funds, IRRR is working on additional project funding and they are asking for a letter of support which is in the packet. Right now it does not obligate the City or Ely Utilities, just states that we are interested in getting additional infrastructure installed.

**A.Forsman/Campbell moved to approve the support letter from the City of Ely for the MnDot Office of Transit and Active Transportation’s Charging and Fueling Infrastructure (CFI) Discretionary Grant for Federal Fiscal Year 2022 and 2023 to implement electric vehicle (EV) charging infrastructure in Greater Minnesota under MnDot’s Moving Greater Minnesota Forward program. Motion Carried Unanimously.**

**MN Department of Health – Lead Public Education**

Langowski indicated that this is an ongoing effort on public education on lead and copper. Due to the Minnesota Department of Health not receiving the required number of test results from the State selected lab for lead and copper testing completed in August of 2022 and the City of Ely not being notified of all sampling results from that round of testing, we need to provide notification to the public concerning lead in drinking water in private service lines in Ely.

The City of Ely found elevated levels of lead in drinking water in some homes/buildings. Lead can cause serious health problems, especially for pregnant women and young children. Please read this information closely to see what you can do to reduce lead in your drinking water. The City of Ely has been working closely with the Minnesota Department of Health on additional testing. Recently forty additional samples were taken within the system and none of the samples exceeded the action level for lead.

The City of Ely will be completing a system wide inventory of possible lead service lines for prioritization of replacement. A system wide project proposal has been submitted to the Minnesota Department of Health for state funding. The City of Ely will also be collecting additional sampling this summer to continue to monitor for lead in services.

Lead is rarely found in natural sources of water such as rivers and lakes or underground aquifers. You may be in contact with lead through paint, water, dust, soil, food, hobbies, or your job. The most common way for Minnesotans to come in contact with lead is through lead-based paint found in homes built before 1978.

Homes built before 1940 may have lead service lines that connect them to public water.

Plumbing systems built before 1986 may have lead parts. New “lead free” pipes and plumbing parts may still contain 0.25% lead. Brass parts may also contain some lead. Note that many faucets are made of brass even if they do not have a “brass” color. The amount of lead that gets into in drinking water depends on many factors, such as the amount of lead in plumbing materials, water chemistry, and water usage.

**How Can I Reduce My Exposure to Lead in Water?**

- **Let the water run** before using it for drinking or cooking. If you have a lead service line, let the water run for 3-5 minutes. If you do not have a lead service line, let the water run for 30-60 seconds. The more time water has been sitting in your home’s pipes, the more lead it may contain.
- **Use cold water** for drinking, cooking, and preparing baby formula. Hot water absorbs more lead from pipes than cold water.
- **Boiling water does not reduce lead levels** and may actually increase them.

- **Test your water.** The only way to know if lead has been reduced by letting it run is to check with a test. If letting the water run does not reduce lead, consider other options to reduce your exposure. Many laboratories can test your water to see if it contains lead.
- If you would like to have your water tested you can contact the following area labs:
  - Pace Analytical, Virginia MN 218-735-6700
  - RMB Environmental, Hibbing MN 218-440-2043

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The City of Ely protects private water services from corrosion utilizing pH control measures. The City will continue to monitor the potable water closely to ensure optimal corrosion protection is provided.

Langowski indicated that every utility customer was sent an informational brochure regarding lead in drinking water; we will also have information on the website.

### Fire Chief

Chief Marshall discussed the recent calls for the fire department.

Chief Marshall indicated that they were on standby for the Memorial Day/Lucky Boy Fire. There was some great internal communication, Marshall said he was in contact with CareFree Living, the Hospital, the School, Mayor Omerza and Chief Krueger from Morse/Fall Lake Fire Department and Public Utilities and Public Works, there was some concern with the location of the fire with some of the City infrastructure. There was a lot of communication between Clerk Langowski, Chief Houde and Emergency Management Director Roy.

The new trucks have been decaled and they are working on putting the equipment on the truck and will be putting them into service soon.

### Library Director

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

### Police Chief

Chief Houde indicated that over the weekend there was some vandalism at Semers, Whiteside, and at Trezona Trail the Story Board. If anyone has any information please let the police department know. Chief Houde also reminded everyone if you see something, say something and call 911, don't call the local city number, that number doesn't get answered off hours. You can call 911 and just state that it is a non-emergency and you would like an officer call back or to check on something.

Chief Houde also reminded the kids that the city has a curfew from 11pm-5am.

Chief Houde stated they will be sending out letters soon for people to mow their lawns that have long grass.

City Attorney

**A.Forsman/Callen moved to approve the Quit Claim Deed for James Marzella for Lot 2 Block 3 East Spaulding.**

Attorney Klun indicated that he is selling to a new individual and this will release the right of reentry. Once the new person purchases we will have another right of reentry for them.

**Motion Carried Unanimously**

**Kess/Debeltz moved to approve the Purchase Agreement for Lot 7 Block 1 in East Spaulding First Addition between Kevin Richards and City of Ely. Motion Carried Unanimously.**

City Engineer

**COMMUNICATIONS:** Matter of Information

Correspondence from League of Minnesota Cities new Executive Director Luke Fisher. TKDA Existing Condition Assessment Report for the Ely Area Ambulance Service's Property Langowski indicated that this information given to the Joint Powers Ambulance Board for the meeting discussion coming up. This was tasked by the Joint Powers to look at the needs and requirements for the Ambulance Service and to develop a cost estimate. The next step for the Congressionally Directed Spending, the \$1.3 Million that was given jointly for both the Ambulance Building and the Ely Fire Department Apparatus Storage is to come up with an actual budget of what the money is going to be spent on.

**CLAIMS FOR PAYMENT:**

- A. City and EUC claims for June 6, 2023 for \$420,126.04
- B. Burntside Ridge Trail Association 2023 Road Dues \$200
- C. Pay Estimate #14 for the Waste Water Treatment Facility Improvements Project to Rice Lake Construction for \$101,090.45.

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

**OLD BUSINESS:**

**A.Forsman/Campbell moved to approve the 2<sup>nd</sup> Reading of Ordinance 370 An Ordinance of the City of Ely, Minnesota, amending Chapter 2, Section 2.57 Police Civil Service Commission. Roll Called: Council Members A.Forsman – Yes, Kess- Yes, Debeltz – Yes, Callen – Yes, Campbell – Yes, Bisbee – Yes, and Mayor Omerza – Yes. Motion Carried Unanimously.**

**NEW BUSINESS:**

**Debeltz/A.Forsman moved to approve Jesse Brooks Massage for an Off Sale Cannabinoid Dealer License at 41 E Chapman St pending proper paperwork, background check, insurance and fees. Motion Carried Unanimously.**

**A.Forsman/Campbell moved to approve Mitska's Market for an Off Sale Cannabinoid Dealer License at 141 E Chapman St pending proper paperwork, background check, insurance and fees. Motion Carried Unanimously.**

**Debeltz/Campbell moved to approve the Temporary Liquor Licenses for the Ely Fire Department Relief Association for July 1, 2023 and July 28, 29, and 30, 2023 at Whiteside Park, pending proper paperwork, insurance and fees. Motion Carried Unanimously.**

**Bisbee/A.Forsman moved to approve the Temporary Liquor License for Boundary Waters Connect for July 2, 2023 at Chapman Street Commons/Pocket Park on Chapman St at 115 E Chapman St pending proper paperwork, insurance and fees. Motion Carried Unanimously**

**Campbell/Callen moved to approve the Temporary Liquor Licenses for the Ely-Winton Rod and Gun Club for July 8, 2023 and July 15, 2023 at Miners Dry House, 105 Miners Landing Rd, pending proper paperwork, insurance and fees. Motion Carried Unanimously.**

**Kess/Bisbee moved to approve the Temporary Liquor License for the Friends of the Boundary Waters Wilderness for July 2, 2023 at Semer's Beach at 476 N Shagawa Rd, pending proper paperwork, insurance and fees. Motion Carried Unanimously.**

Residential Waste Request for Proposals and Residential Waste Disposal Contract

**A.Forsman/Kess moved to approve GMen Contract for Residential Waste Disposal for 4 years based on the proposal they submitted.**

A.Forsman indicated that GMen has been a good partner with us for our Residential Waste Removal for over a decade. We put this out for proposals and only received the one proposal from GMen. This solidifies that we are getting a good deal and a good service for our community,

Omerza indicated that GMen asked for a 5 year contract can we change it to a 5 year contract. A.Forsman stated that we advertised for the contract to be 4 years. Forsman indicated that council member have a 4 year term so want to keep it at 4 so it's fair to future council members. Omerza indicated that since they are a valued contractor and we have not had another RFP proposed in the last 15+ years.

Bisbee asked how long the past contracts have been.

A.Forsman stated 4 years.

**Motion Carried Unanimously**

**Campbell/Bisbee moved to approve the Listing Contract Agreement Exclusive Right to Sell for Keller Williams Classic Realty NW and Brokerage Disclosures for 2211 Sibley Drive. Motion Carried Unanimously.**

**Debeltz/Bisbee moved to approve the Memorandum of Understanding for the AFSCME Local 1490 Essential, AFSCME Local 1490 Base, Ely Supervisors of Other than Essential Employees, Supervisors of Essential Employees, and Law Enforcement Labor Services(LELS) to add Juneteenth as a paid holiday in 2023 and future years per MN Statute 645.44. Motion Carried Unanimously.**

**Debeltz/Bisbee moved to approve the request for in kind services from Young Life for the 4<sup>th</sup> of July Activities in Whiteside Park. Motion Carried Unanimously**

**Campbell/Debeltz moved to approve C&B Warehouse Distributing, Inc, DBA Voyageur Short Stop Off Sale Cannabinoid Dealer License at 1815 E Sheridan St pending proper paperwork, background check, insurance and fees. Motion Carried Unanimously.**

**Debeltz/Bisbee moved to approve Ely Historic State Theater On Sale Cannabinoid Dealer License at 238 E Sheridan St pending proper paperwork, background check, insurance and fees. Motion Carried Unanimously.**

**OPEN FORUM:** None

**ADJOURN:**

Mayor Omerza adjourned the meeting at 7:11pm without objection.

Casey Velcheff  
Deputy Clerk