

AGENDA ADDITIONS
August 15, 2023 at 5:30pm
Regular Meeting Ely City Council – City Hall, Council Chambers

1. CALL TO ORDER
2. ROLL CALL: Council members A.Forsman, Kess, Debeltz, Callen, Campbell, Bisbee, and Mayor Omerza
3. APPROVAL OF MINUTES:
(3-6) Approve minutes from the August 1st 2023 Regular Council Meeting
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Addition 7.B. Wende Nelson – Animal Licensing & Regulation
 - B. Addition 7.C. Frederica Musgrave – Animal Licensing & Regulation
 - C. Addition 7.D. Megan Wind – Concerned Pet Owners in Ely, Dog Park, Rules and Regulations etc
 - D. Addition 13.E. Minnesota Municipal Utilities Association Delegate Appointment – Harold Langowski with Warren Nikkola as alternate.
 - E. Addition 13. F. Residential Rehab Loan for Josh Brang and Sarah Murn at 931 E Harvey St for \$10,000 for a new propane boiler pending proper paperwork, fees and to direct Attorney Klun to work with the applicant and proceed with loan application.
5. MAYOR'S REPORT:
6. CONSENT AGENDA:
 - A. Motion to waive readings in entirety of all ordinances and resolutions on tonight's agenda.
7. REQUESTS TO APPEAR:
 - A. (7-15) Tom Kelly – Walker, Giroux & Hahne – Audit Presentation
 - B. (Addition A1) Wende Nelson – Animal Licensing & Regulation Ordinance
 - C. (Addition A2) Frederica Musgrave – Animal Licensing & Regulation Ordinance
 - D. (Addition A3) Megan Wind – Concerned Pet Owners in Ely, Dog Park, Rules and Regulations etc.
8. COMMITTEE REPORTS:
 - A. Standing/Special
 - a. (16) Library Board
 - b. (17) Heritage Preservation Commission (HPC)
 - c. (18-21) Ambulance Joint Powers Board
 - i. Recommendation from the Ambulance Joint Powers Board to propose ownership of the ambulance building at 32 percent for Morse, Ely, and Fall Lake with Winton at 4 percent.

- ii. Make the Joint Powers Ambulance Meeting on August 28, 2023 at 4pm at the Winton Community Center a Special Council Meeting so all Council Members can attend if they choose.
- d. (22-23) Housing & Redevelopment Authority
- e. (24-32) Donald G Gardner Humanities Trust
- f. Other Committee Meetings

9. DEPARTMENTAL REPORTS:

- A. Clerk-Treasurer
- B. Fire Chief
 - (33-35) Quarter 2 Summary and Fire Department Meeting Minutes
- C. Library Director
- D. Police Chief
- E. City Attorney
 - i. (36) 2nd Reading Ordinance No. 371 An Ordinance of the City of Ely, Minnesota, Adding to the Ely City Code, Chapter 6, Section 6.41, Entitled Public Use of Cannabinoid Products.
 - i. (37) Mortgage Satisfaction for Dean Hanninen recorded as Document No. 01394307 on October 27, 2020
 - ii. (38-56) 1st Reading Ordinance 372, 2nd Series An Ordinance of the City of Ely, Minnesota, Amending the Ely City Code, Chapter 10
 - iii. (57-58) 1st Reading Ordinance 373, 2nd Series An Ordinance of the City of Ely, Minnesota, Deleting From the Ely City Code, Chapter 6, Section 6.32, Entitled Kennels
 - iv. (59-62) Klun Law Firm Legal Representation
- F. City Engineer

10. COMMUNICATIONS:

- A. (63) Thank you from the Ely Chamber of Commerce for support during Blueberry Art Festival
- B. (64-65) Correspondence from Northwoods Partners
- C. (66) Ely Area Food Shelf Open House August 24, 2023 from 5-7pm at 15 W Conan St
- D. (67) Ely Bloomenson Community Hospital - The Pulse - August 2023
- E. (68-70) Youth in Action annual Make a Difference Conference
- F. (71) Correspondence from the EDA Authorizing to Advertise for Bids for the Trailhead Project Building Portion
- G. (72-75) Correspondence from the League of Minnesota Cities Legislator of Distinction for 2023 recognizing Representative Roger Skraba and Senator Grant Hauschild.

11. CLAIMS FOR PAYMENT:

- A. (76-89) City and EUC Claims for August 15th , 2023 for \$370,556.85
- B. (90-92) Invoice #88904 from AE2S for the Wastewater Treatment Facility Improvements Project for \$30,216.48.
- C. (93-95) Invoice #450886 from SEH for the Prospector ATV for \$3,250.26

12. OLD BUSINESS:

13. NEW BUSINESS:

- A. (96-98) Memorandum of Understanding with the Ely Bloomenson Community Hospital 340B Drug Pricing Program.
- B. Consider the Temporary Liquor License for Ely Winton Rod and Gun Club for September 2, 2023 and September 16, 2023 at the Miners Dry House at 105 Miners Landing Rd, Ely, MN 55731.
- C. (99) Cannabinoid Dealer Licenses new and renewals for 2023-2024 pending receipt of proper paperwork, insurance and fees.
- D. (100-101) Accept the Resignation from Jennifer Cole from the Police Commission and advertise for an open seat on the Police Commission.
- E. (Addition A4) Minnesota Municipal Utilities Association Delegate Appointment – Harold Langowski with Warren Nikkola as alternate.
- F. Residential Rehab Loan for Josh Brang and Sarah Murn at 931 E Harvey St for \$10,000 for a new propane boiler pending proper paperwork, fees and to direct Attorney Klun to work with the applicant and proceed with loan application.

14. OPEN FORUM:

15. ADJOURN:



**CITY OF ELY
REQUEST TO APPEAR
REGULAR COUNCIL MEETING**

Requested Date to Appear: 8 / 15 / 2023	Estimated time needed: (5 – 15 minutes maximum) 5 minutes
Presenter(s): Wende Nelson	Committee:
Information to be presented: I have some complements on the dangerous dog actions I have some issues with aspects of the proposal which pertain to pets other than dogs and pertain to residents perhaps needing to be grandfathered in if they have house pets exceeding the number limits. I also am concerned about some of the items pertaining to house pets who never are outside.	
Supporting Documents: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> None	
Signature/Date: Wende Nelson 8/14/2023 365-4322	
ACTION TAKEN BY COUNCIL: Please consider my inputs	
Clerk/Treasurer's Signature/Date:	



CITY OF ELY
REQUEST TO APPEAR
REGULAR COUNCIL MEETING

Requested Date to Appear: Tuesday, August 15, 2023

Estimated time needed: (5 – 15 minutes maximum) : 15 minutes or less

Presenter(s): Committee: Frederica Musgrave

Information to be presented: Revisions to Ordinances 372 and 373 - Sec 10.04 Animal Licensing and Regulation

- ALL cats and dogs need to be licensed, including indoor cats: unlawful not to have a license. (Subd. 2 - page 39)
Lifetime licenses for cats and dogs might be available. Subd. 4 (page 39). If licensing of dogs and cats is to make sure they are vaccinated against rabies, how will lifetime licenses help reduce rabies?
- ALL cats and dogs need to wear a collar with their license tags. That includes indoor cats. (Subd. 6 - page 39). It is unlawful not to have the City license tag firmly attached to the collar (Subd. 23 - page 43).
- If you now have more than 4 household pets, you need a special license. (Subd. 7 - page 39). I have 1 dog, 2 cats, and 2 lovebirds (all rescued)? Anyone who has 5-6+ parakeets or finches will need a special license? The special permit might be good for 5 years? (Subd. 7 - page 39). Will we need a new special license if the bird dies and we replace it or if the birds have babies? Can we get lifetime special permits for our birds?
- Dangerous dogs are addressed in Subd. 29 (pages 44-51) . From page 45:

2. "Potentially Dangerous Dog" -- means any dog that:
 - a. When unprovoked, inflicts bites on a human or domestic animal on public or private property;
 - b. When unprovoked, chases or approaches a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner's property, in an apparent attitude of attack; or
 - c. Has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.
- B. Regulation of Potentially Dangerous Dogs
 1. Determination. An animal control officer or other law enforcement officer shall determine a dog is a potentially dangerous dog if the officer believes, based upon the officer's professional judgement, that a dog:
 - a. when unprovoked, inflicted bites on a human or domestic animal on public or

To protect the community and pets from dog attacks, I would like the City, its animal control officers and law enforcement officers to wear body cams, interview ALL witnesses, and take detailed notes when dog attacks are reported.

- Specific details about mistreatment and cruelty to any animal, including wild animals. Each instance is a separate offense. (Subd. 23 - Page 43)
- Penalties for any violations of this section are serious!!! Read Subd. 30, Page 51 of the Council packet).

Supporting Documents: ___Attached ___None

Signature/Date: *frederica musgrave* August 14, 2023

ACTION TAKEN BY COUNCIL:

Clerk/Treasurer's Signature/Date:

A2



**CITY OF ELY
REQUEST TO APPEAR
REGULAR COUNCIL MEETING**

Requested Date to Appear: 8/15/23	Estimated time needed: (5 – 15 minutes maximum) 10 min
Presenter(s): Megan Wind	Committee:
Information to be presented: Concerned pet owners in Ely, dog park, rules and regulations etc.	
Supporting Documents: <input type="checkbox"/> Attached <input checked="" type="checkbox"/> None	
Signature/Date:	
ACTION TAKEN BY COUNCIL:	
Clerk/Treasurer's Signature/Date:	

MINNESOTA MUNICIPAL UTILITIES ASSOCIATION

DELEGATE APPOINTMENT

The City of Ely hereby designates
(Governing body of utility/city)

Harold R Langowk: as its duly authorized delegated representative to cast its vote on all matters to come before the membership of the Minnesota Municipal Utilities Association. This appointment shall be valid until such time as it may be, from time to time, amended by this body.

The following is/are designated as alternates to the designated representative:

- 1. Warren Nikkola
- 2. _____
- 3. _____
- 4. _____
- 5. _____

The above appointment(s) were duly made before me this _____ day of _____, 20_____.

Attested to: _____
(clerk, secretary, etc.)

Please return completed form to: Minnesota Municipal Utilities Association
Attn: Rita Kelly, Director of Administration
3131 Fernbrook Lane North, Suite 200
Plymouth, MN 55447-5337
Email: rkelly@mmua.org
Fax: 763.551.0459