

**Regular Meeting Ely City Council – City Hall, Council Chambers
October 3, 2023 – Minutes**

CALL TO ORDER

Mayor Omerza called the meeting to order at 5:30pm in the City Hall Council Chambers.

PRESENT: Council members A.Forsman, Kess, Debeltz, Callen, Campbell, and Mayor Omerza

ABSENT: Council Member Bisbee

APPROVAL OF MINUTES:

Debeltz/Callen moved to approve the minutes from the September 19, 2023 Regular Council Meeting. Motion Carried 6-0-1 with Bisbee Absent.

ADDITIONS OR OMISSIONS TO AGENDA:

A. Additions 13.E Mortgage Subordination Agreement for the Residential Rehab Loan for Jerome Debeltz dated January 26, 2021 as Document No. 1402078.

B. Additions 13.F. Resolution 2023-024 Resolution Supporting Grant Application to the MN DNR Grant-In-Aid Off Highway Vehicle Trail Assistance Program for Maintenance

Callen/Campbell moved to approve the additions A and B. Motion Carried 6-0-1 with Bisbee Absent.

MAYOR'S REPORT:

Mayor Omerza indicated that she held the finish line tape for the Ely Marathon and had a lot of fun congratulating the runners.

CONSENT AGENDA:

Callen/Debeltz moved to waive the readings in entirety of all ordinances and resolutions on tonight's agenda. Motion Carried 6-0-1 with Bisbee Absent.

REQUESTS TO APPEAR: None

COMMITTEE REPORTS:

Standing/Special

Cemetery Committee

Debeltz/Campbell moved to approve the recommendation from Cemetery Committee to have City Public Works Crew do the Landscaping and Concrete Work (Foundations, Sidewalks, with possible tinting, brushing, etc.) at estimated \$50,000 savings for the Columbarium Site.

Langowski indicated that we had bids from contractors to do other work around town and if the Public Works department does the concrete work for columbarium, it could be a great savings for the Cemetery. Langowski indicated that the savings could go towards the purchase of a mini excavator that could be used for cemetery burials and lawn mower.

Motion Carried 6-0-1 with Bisbee Absent.

Ely Utilities Commission (EUC)

A.Forsman/Campbell moved to approve the recommendation from EUC to approve change orders #9 for \$1,897.04, #10 for \$11,556.89 and #11 for \$3,698.15 for the Waste Water Treatment Facility Project. Motion Carried 6-0-1 with Bisbee Absent.

A.Forsman/Callen moved to approve the recommendation from EUC to approve payment of the August EUC Bills list in the amount of \$394,057.88. Motion Carried 6-0-1 with Bisbee Absent

A.Forsman/Debeltz moved to approve the recommendation from EUC to approve payment of \$1000.00 to Mick Shusta for July and August A Operator Services for the Water and Waste Water Treatment Plants. Motion Carried Unanimously.

A.Forsman/Campbell moved to approve the recommendation from EUC to approve payment of \$2,302.15 to Frontier Energy for professional services for Conservation Improvements. Motion Carried 6-0-1 with Bisbee Absent

A.Forsman/ Debeltz moved to approve the recommendation from EUC to approve payment of \$3,400.00 Fryberger Law for the WWTF Project Legal Services.
Langowski indicated that this was for the PFA loan financing.
Motion Carried 6-0-1 with Bisbee Absent

A.Forsman/Campbell moved to approve the recommendation from EUC to approve payment of \$33,483.61 to AE2S for the WWTF Improvement Project. Motion Carried 6-0-1 with Bisbee Absent

Housing and Redevelopment Authority: Minutes included in the Council Packet

DEPARTMENTAL REPORTS:

Clerk-Treasurer

Langowski indicated that we are working on finishing up projects, patching will be done by Starkman, and the other bigger projects will be completed soon.

The Utility Department will be working on closing down the parks water and winterizing the water lines in the next couple of weeks.

Fire Chief

Chief Marshall discussed the recent calls for the fire department. The public safety open house was a success with approximately 300 people attending. The Fire Department will be supporting the Jake Forsman Memorial Car Show and Burnout Competition by selling burgers and brats out of the fire hall.

Chief Marshall indicated that we received an offer for the 1983 Seagrave Ladder Truck from the City of Cook for \$15,300.

Kess/A.Forsman moved to accept the offer for the 1983 Seagrave Ladder Truck to the City of Cook for \$15,300. Motion Carried 6-0-1 with Bisbee Absent

Library Director

Library Assistant Tricia Flake discussed the current programming at the library which can be found on the library website. Flake also thanked the council for allowing the library workers to attend the ARSL Library Conference.

Police Chief

Chief Houde indicated that the radar sign has been installed by the school.

City Attorney

Discussion on Ordinance 372, 2nd Series An Ordinance of the City of Ely, Minnesota, Amending the Ely City Code, Chapter 10 and 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.

Attorney Klun indicated that if the council has any changes, they would like to the ordinance to make a motion for each change, then we can have discussion and a vote on the matter.

A.Forsman/Kess moved to limit the licensing of the animals to dogs and not to include cats.

A.Forsman stated that his reasoning behind not having cats licensed is there are 100s of families that have cats that do not let them out of their homes. Forsman indicated that he does understand that we do have cats that run at large around town, but the ordinance discusses those incidences.

Motion Carried 6-0-1 with Bisbee Absent

A.Forsman/Kess moved to include household pets and not just dogs in Subd 13: Running at Large. Motion Carried 6-0-1 with Bisbee Absent

Attorney Klun asked the council about Subd 6 and allowing 6 animals per dwelling. Council was fine with how it was written with 6 animals allowed. Attorney Klun asked if any other changes needed to be made. No one had any more changes. Attorney Klun indicated that the 2nd Reading of the Ordinance with the changes will be on the next council agenda.

A.Forsman/Debeltz moved to approve the 2nd Reading Ordinance 374, 2nd Series An Ordinance of the City of Ely, Minnesota, Adding to the Ely City Code, Chapter 5, Section 5.01, Alcoholic Beverages Licensing and Regulation. Roll Called: Council Members A.Forsman – Yes, Kess- Yes, Debeltz – Yes, Callen – Yes, Campbell – Yes, Bisbee – Absent, and Mayor Omerza – Yes. Motion Carried 6-0-1 with Bisbee Absent

Debeltz/Campbell moved to approve the Note and Mortgage for the Residential Rehab Loan for Michael Dusich Jr and Alyce Dusich at 129 S 16th Ave E for \$10,000 for a new furnace. Motion Carried 6-0-1 with Bisbee Absent

A.Forsman/Callen moved to approve the Note and Mortgage for the Commercial Rehab Loan for Surrey Trail, LLC – Abby Dare – at 15 E Sheridan St for \$17,500 for a new heating system. Motion Carried 6-0-1 with Bisbee Absent

City Engineer

COMMUNICATIONS: None

CLAIMS FOR PAYMENT:

Kess/Debeltz moved to approve the City and EUC Claims for October 3rd, 2023 for \$291,781.79. Motion Carried 6-0-1 with Bisbee Absent

OLD BUSINESS: None

NEW BUSINESS:

Callen/A.Forsman moved to accept the bids for the Trailhead Building project were received on September 14, 2023 the low bidder was Max Gray Construction at \$2,760,000 (\$862/SF), pending approval from granting agency. Motion Carried 6-0-1 with Bisbee Absent

Campbell/Callen moved to approve the Residential Rehab Loan for Joe and Nicole Shusta at 539 E Chapman St for up to \$10,000 for a new energy efficient propane furnace, pending proper paperwork, fees and to direct Attorney Klun to work with the applicant and proceed with loan application. Motion Carried 6-0-1 with Bisbee Absent

A.Forsman/Callen moved to approve Resolution 2023-023 - Resolution Making Levy Assessment Against Taxable Properties for Delinquent Water, Sewer, and Electric Accounts. Roll Called: Council Members A.Forsman – Yes, Kess- Yes, Debeltz – Yes, Callen – Yes, Campbell – Yes, Bisbee – Absent, and Mayor Omerza – Yes. Motion Carried 6-0-1 with Bisbee Absent.

Consider Public Hearing regarding Blighted Property at 1545 E Harvey St
Langowski indicated that the property owner reached out and they plan on fixing/securing the trailer and selling the property.

Building Official Whitney indicated that he talked to the property owner and she plans to fix up the property and sell it.

A.Forsman/Campbell moved to get a schedule/timeline from the property owner at 1545 E Harvey Street for fixing up the property. Motion Carried 6-0-1 with Bisbee Absent.

Kess/Campbell moved to approve the Mortgage Subordination Agreement for the Residential Rehab Loan for Jerome Debeltz dated January 26, 2021 as Document No. 1402078. Motion Carried 6-0-1-1 with Bisbee Absent and Debeltz abstaining.

Callen/Debeltz moved to approve the Resolution 2023-024 Resolution Supporting Grant Application to the MN DNR Grant-In-Aid Off Highway Vehicle Trail Assistance Program for Maintenance.

Langowski indicated that this is for the Prospector Loop Trails to support the application process for Grant-in Aid, also for the planning, permitting, and maintenance of the trail sections.

Roll Called: Council Members A.Forsman – Yes, Kess- Yes, Debeltz – Yes, Callen – Yes, Campbell – Yes, Bisbee – Absent, and Mayor Omerza – Yes. Motion Carried 6-0-1 with Bisbee Absent.

OPEN FORUM:

Joe Pioreschi – 1325 N 19th Ave E – Pioreschi stated that as people were leaving after the Board of Adjustment meeting on September 20th someone fell going out the front steps. Langowski indicated that we are working on doing tuck pointing and some improvements at City Hall, with that project we are looking at doing improvements to the front stairs.

Doug Johnston – 1302 18th Ave E – Johnston apologized to the Board of Adjustment Commission stating that the system was rigged. Johnston invited the council members to his house to check out how the RV Park is going to affect the neighborhood.

Fredericka Musgrave – 30 W Shagawa – Musgrave thanked the council for the process of the animal licensing ordinance. Musgrave was happy about the process and opening the process up to the public comment several times. Appreciate the council taking input from the citizens. Musgrave indicated that she is upset that the public comment is closed for the next meeting for the Board of Adjustment on October 11th. She would like to see that meeting open to public comment.

ADJOURN:

Mayor Omerza adjourned the council meeting at 6:20pm without objection.

Casey Velcheff
Deputy Clerk