

**Regular Meeting Ely City Council – City Hall, Council Chambers  
July 2, 2024 – Minutes**

**CALL TO ORDER**

Mayor Omerza called the Council Meeting to order at 5:30pm.

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

ABSENT: Council member Debeltz

**APPROVAL OF MINUTES:**

**Campbell/Callen moved to approve minutes from the June 18, 2024 Public Hearing and the June 18, 2024 Regular Council Meeting. Motion Carried 6-0-1 with Debeltz Absent.**

**ADDITIONS OR OMISSIONS TO AGENDA:**

**Callen/Kess moved to approve the Additions 9.B. Consider hiring Ryan Puzel, AJ Walker, Mike Muhvich, and Kenzie Peterson as probationary firefighters, pending pre-employment physical, drug test, and background check. Motion Carried 6-0-1 with Debeltz Absent.**

**MAYOR'S REPORT:**

Mayor Omerza welcomed back all the Ely Graduates that are back in town for the All Class Reunion. Thanks to the Ely Events Group and the All-Class Reunion Committee Volunteers for all the work on all the events planned.

Mayor Omerza indicated that they brought around 20+ Kindergarten – 6<sup>th</sup> Graders to learn about City Government.

Mayor Omerza indicated that herself and Council Member Campbell attended the League of Minnesota Cities Conference in Rochester last week. A lot of good information was learned and shared.

**CONSENT AGENDA:**

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

**REQUESTS TO APPEAR:** None

**COMMITTEE REPORTS:**

Standing/Special

Budget Committee

**A.Forsman/Kess moved to approve the recommendation from Budget Committee moved to approve using Ferrellgas to provide Propane to the City of Ely at \$1.399/gallon.**

Kess indicated that the city received two proposals.

**Motion Carried 6-0-1 with Debeltz Absent.**

**A.Forsman/Bisbee moved to approve the recommendation from Budget Committee to use St Louis County to provide gas and diesel fuels to the City of Ely at the Joint Public Works Garage. Motion Carried 6-0-1 with Debeltz Absent.**

**A.Forsman/Callen moved to approve the recommendation from Budget Committee to approve contracting with Custom Theatres for \$27,485 to replace the Doore Lock System at City Hall as quoted. Motion Carried 6-0-1 with Debeltz Absent.**

**A.Forsman/Callen moved to approve the recommendation from Budget Committee to allow the discontinuation of Cable TV Service from Midcontinent.**

Langowski indicated that the FCC rules concerning franchise agreements have changed slightly, the provider is no longer required to provide free services to the communities that they have a franchise from. Instead, they could reduce the cost of their franchise payments by the cost of those services. We worked for awhile to bring those costs down for cable TV, for City Hall and at the Joint Maintenance Garage. We do not have money budgeted for those services, so it was our recommendation not to continue those services. We are looking at other options concerning public access television as far as how we see what is being broadcasted.

**Motion Carried 6-0-1 with Debeltz Absent.**

**A.Forsman/Bisbee moved to approve the recommendation from Budget Committee to allow the payment of the invoice for \$16,200 to H&S Electric and the City to invoice the Ely Arts and Heritage foundation for \$8,100. Motion Carried 6-0-1 with Debeltz Absent.**

Ely Utilities Commission (EUC)

**A.Forsman/Campbell moved to approve the recommendation from EUC to approve the purchase of 10 dark sky compliant, decorative light fixtures for Sheridan Street from WESCO for \$8,490.00.**

A.Forsman indicated that adding these dark sky lights are more energy efficient and this money to replace these light will come out of our energy conservation fund.

**Motion Carried 6-0-1 with Debeltz Absent.**

**A.Forsman/Callen moved to approve the recommendation from EUC to approve \$464,954.92 payment of EUC May bills. Motion Carried 6-0-1 with Debeltz Absent.**

**A.Forsman/Kess moved to approve the recommendation from EUC to approve \$500.00 payment to Mick Shusta for A Operator Services. Motion Carried 6-0-1 with Debeltz Absent.**

**A.Forsman/Callen moved to approve the recommendation from EUC to approve \$6,696.80 payment to Dave Berg Consulting for the Electric Rate Study.**

A.Forsman stated that this was presented to the EUC at two meetings. This study has looked thoroughly at our electric rates and Dave Berg was very knowledgeable of the Electric Rates.

**Motion Carried 6-0-1 with Debeltz Absent.**

**A.Forsman/Campbell moved to approve the recommendation from EUC to approve \$1,979 payment to Frontier Energy for Residential rebates. Motion Carried 6-0-1 with Debeltz Absent.**

**A.Forsman/Bisbee moved to approve the recommendation from EUC to move the Electric Rate Study recommendations to the Rates Subcommittee to create a rates policy. Motion Carried 6-0-1 with Debeltz Absent.**

Ely Area Ambulance Joint Powers Board

A.Forsman indicated that the meeting was primarily held to remove the building in the back of the Ambulance Building and for the sale of the stove in the Ambulance Building.

**DEPARTMENTAL REPORTS:**

Clerk-Treasurer

Fire Chief

Chief Marshall discussed the current fire and medical calls for the Fire Department.

**A.Forsman/Kess moved to consider hiring Ryan Puzel, AJ Walker, Mike Muhvich, and Kenzie Peterson as probationary firefighters, pending pre-employment physical, drug test, and background check.**

Chief Marshall indicated that with this approval the fire department would have a full roster of 35 firefighter members.

**Motion Carried 6-0-1 with Debeltz Absent.**

Library Director

Library Director Heinrich discussed the current programming for the Ely Library which can be found on the library website

Police Chief

Chief Houde indicated that new Police Officer Charles Peterson started today, as of today the Police Department is at full staff.

Chief Houde stated that town is busy, and we need to have more patience with all the people in town for the All Class Reunion and the 4<sup>th</sup> of July. Chief Houde also discussed the road closures for the 4<sup>th</sup> parade and fireworks.

City Attorney

**Kess/Callen moved to approve Resolution 2024-024 Resolution Declaring A Temporary Moratorium on the Establishment of New Uses or the Operation of an Adult-Use Cannabis Business Related to Sales, Testing, Manufacturing/Cultivation, and Distribution of Real Tetrahydrocannabinol (THC) Products.**

Attorney Klun stated that this does not restrict current sales that are occurring within the community under the licenses provided, but it does restrict new sales and the manufacturing, cultivation, and distribution of THC Products. We are waiting for some guidance from the office of cannabis and to how the state is going to handle this. Attorney Klun is anticipating that we will have to look at zoning regulations, as to if there is any cultivation where would that be, including distribution and any future sales.

Kess asked depending on how the state moves on this, can we extend it if the state does.

Attorney Klun indicated that we can extend it if the state does.

Bisbee asked if this was just for commercial cultivation. Attorney Klun indicated that it was.

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

**COMMUNICATIONS:** Matter of Information

- A. Correspondence from the League of Minnesota Cities
- B. Correspondence from the MN Department of Natural Resources regarding the 2024 Federal Recreational Trail Program (FRTP) grants for the ATV Trail Maintenance Equipment grant was approved for \$75,000, the Snowmobile Trail Groomer Tractor Replacement grant was approved for \$75,000, and the Phase Two Mountain Bike Trail Expansion grant was approved for \$200,000.

**CLAIMS FOR PAYMENT:**

- A. City and EUC Claims for July 2, 2024 for \$410,670.14
- B. SEH Invoice #468759 for the Prospector ATV Trails for \$4182.00
- C. AE2S Invoice #95592 for the Wastewater Treatment Improvements Project for \$8,038.66, Invoice #95593 for the Water Treatment Plant Improvements Project for \$1,043.75, and Invoice #95594 for General Consulting Services for \$2,267.00.

**Kess/Callen moved to approve the claims for payment items A-C. Motion Carried 6-0-1 with Debeltz Absent.**

**OLD BUSINESS:**

Committee Seats

**A.Forsman/Bisbee moved to appoint Hudson Kingston an Ely Non-Resident to the Library Board for a mid-term Expiring 1/31/2026. Motion Carried 6-0-1 with Debeltz Absent.**

**NEW BUSINESS:**

**Campbell/A.Forsman moved to approve Resolution 2024-025 A Resolution Appointing Election Judges for the 2024 Primary Elections. Roll Called: Council members**

**A.Forsman-Yes, Kess- Yes, Debeltz – Absent, Callen-Yes, Campbell- Yes, Bisbee-Yes, Mayor Omerza-Yes. Motion Carried 6-0-1 with Debeltz Absent.**

**A.Forsman/Callen moved to approve Andy Luthens for the Building Engineer position within the City of Ely under the AFSCME 1490 Union.**

Langowski stated that with this transfer it will open a position for Equipment Operator.

**Motion Carried 6-0-1 with Debeltz Absent.**

**Kess/Bisbee moved to post for Equipment Operator position internally per the AFSCME 1490 Union Contract. Motion Carried 6-0-1 with Debeltz Absent**

**Callen/Bisbee moved to approve Resolution 2024-026 Resolution Authorizing City of Ely to Make Application to and Accept Funds from FY 25 Commercial Redevelopment Grant Program. Roll Called: Council members A.Forsman-Yes, Kess- Yes, Debeltz – Absent, Callen-Yes, Campbell- Yes, Bisbee-Yes, Mayor Omerza-Yes. Motion Carried 6-0-1 with Debeltz Absent.**

**Callen/Campbell moved to approve Resolution 2024-027 Resolution Authorizing City of Ely to Make Application to and Accept Funds from IRRRB FY25 Regional Trails Grant Program.**

Langowski indicated that we will be applying for \$100,000 per the IRRR guidelines.

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

**A.Forsman/Callen moved to approve Resolution 2024-028 Resolution Authorizing City of Ely to Make Application to and Accept Funds from IRRR FY25 Public Works Grant Program. Roll Called: Council members A.Forsman-Yes, Kess- Yes, Debeltz – Absent, Callen-Yes, Campbell- Yes, Bisbee-Yes, Mayor Omerza-Yes. Motion Carried 6-0-1 with Debeltz Absent.**

**Bisbee/Campbell moved to approve the request from Dutchman Tree Service to have a climbing event at Whiteside Park with Young Life for the 4<sup>th</sup> of July.**

Bisbee indicated that Dutchman Tree Service brought this request to Park and Rec and showed them a demonstration at Whiteside Park. Park and Rec were in favor of the request but they were unable to have a quorum at their meeting to approve it. Bisbee indicated that Dutchman will be providing Liability Insurance and Waiver Forms.

**Motion Carried 6-0-1 with Debeltz Absent.**

**OPEN FORUM:** None

**ADJOURN:**

Mayor Omerza wished everyone a Happy Independence Day, and to be safe.

Mayor Omerza adjourned the meeting at 6:14pm without objection.

Casey Velcheff  
Deputy Clerk