

AGENDA  
July 16, 2024 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:  
(3-7) Approve minutes from the July 2, 2024 Regular Council Meeting.
  
4. ADDITIONS OR OMISSIONS TO AGENDA:
  
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. (8-15) Tom Kelly – Walker, Giroux & Hahne – Audit Presentation
  
8. COMMITTEE REPORTS:  
A. Standing/Special
  - a. (16-17) Projects Committee
  
  - b. (18-19) Range Association of Municipalities & Schools (RAMS)
  
  - c. Other Committee Meetings
  
9. DEPARTMENTAL REPORTS:  
A. Clerk-Treasurer  
  
B. Fire Chief  
  
C. Library Director  
  
D. Police Chief  
  
E. City Attorney

F. City Engineer

10. COMMUNICATIONS:

- A. (21-25) Correspondence from St Louis County regarding county wide moratorium prohibiting registration and operation of cannabis businesses through December 31, 2024.
- B. (26-27) Correspondence from Ely Area Community Foundation regarding their Open House for the New Community Hub at 760 Miners Dr on July 31, 2024 from 4-7pm. Invitation to the City Council to attend.

11. CLAIMS FOR PAYMENT:

- A. (28-33) City and EUC Claims for July 16, 2024 for \$104,828.18
- B. (34-36) Pay Estimate #1 to Max Gray Construction for the Ely Regional Trailhead Building for \$126,282.36
- C. (37-42) Change Order #1 for the 9<sup>th</sup> Ave East Project and Final Pay Estimate #2 to Low Impact Excavators, Inc for the 9<sup>th</sup> Avenue East Project for \$12,329.97
- D. (43-47) AE2S Invoice #96037 for the Wastewater Treatment Improvements Project for \$2,682.05, and Invoice #96026 for General Consulting Services for \$1,464.00.

12. OLD BUSINESS:

13. NEW BUSINESS:

- A. (48-51) Lease of Vacant for Placement of Residential Dock between the City of Ely and Robert J Mattila and Sharon J Mattila
- B. (52) Resignation of James F Beaty from the Heritage Preservation Commission.
- C. (53) Resolution #2024-029 Resolution Authorizing Application for Sportsmen for the Boundary Waters to Apply for Raffle Permit.
- D. (54-55) In Kind request from Ely Chamber of Commerce for the Blueberry Arts Festival.
- E. (56) Resolution #2024-030 Resolution Authorizing Application for Ely Blue Line Club to Apply for Raffle Permit.

14. OPEN FORUM:

15. ADJOURN:

**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

**CITY OF ELY, MINNESOTA**  
**FINANCIAL STATEMENTS AND**  
**SUPPLEMENTARY INFORMATION**  
**Year Ended December 31, 2023**



## Audit Results

- The financial statements are fairly presented in all material respects – Unmodified (“Clean”) Opinion. See second paragraph of page 2.
- No Federal Single Audit for 2023; had been the last few years.

*From Pages 2-4 of audit report*

## FUND FINANCIALS – Governmental Funds

Cash Balances:	2023	2022	Change
General Fund	\$ 2,303,109	\$ 2,842,153	\$ (539,044)
EDA Special Revenue Fund	208,756	246,471	(37,715)
Capital Projects Fund	-	-	-
Other Govt Funds	1,257,066	1,029,182	227,884
Total	<u>\$ 3,768,931</u>	<u>\$ 4,117,806</u>	<u>\$ (348,875)</u>

Fund Balances (Equity):	2023	2022	Change
General Fund	\$ 3,715,881	\$ 3,637,768	\$ 78,113
EDA Special Revenue Fund	193,224	179,829	13,395
Capital Projects Fund	(518,907)	(840,943)	322,036
Other Govt Funds	1,023,654	873,031	150,623
Total	<u>\$ 4,413,852</u>	<u>\$ 3,849,685</u>	<u>\$ 564,167</u>

General Fund continues to present healthy fund balance at December 31, 2023; 97% of which is unassigned and available for spending on govt operations. General Fund again has a “Due from Other Funds” to other funds (Capital Projects Fund largest balance) for \$1.67m. “Due to Other Funds” of \$1.4m in Capital Projects Fund representing negative cash at year-end and the previously mentioned “DFOF’s” for financial statement presentation. Grants Receivable of \$1m at year-end to be collected in 2024. Important to remember that while cash gets the headlines, other balance sheet accounts affect financial health as well.

## FUND FINANCIALS – Governmental Funds

Govt Revenues:	2023	2022	Change	
General Fund				General Fund Revenues steady (up 2.5%)
Property Taxes	\$ 561,987	\$ 541,034	\$ 20,953	
Intergovernmental	3,105,253	3,029,739	75,514	
Other Revenues	374,457	369,823	4,634	
EDA Special Revenue Fund				Similar in total
Property Taxes	34,643	32,723	1,920	
Intergovernmental	50,000	317,414	(267,414)	
Other Revenues	325,091	101,932	223,159	
Capital Projects Fund				Decrease due to grant/intgovt'l for Airport in 2022 (reason for single audit in 2022)
Property Taxes	653,123	615,861	37,262	
Intergovernmental	1,418,071	4,336,048	(2,917,977)	
Other Revenues	231,098	157,918	73,180	
Other Govt Funds				
Property Taxes	888,239	871,141	17,098	
Intergovernmental	34,985	80,300	(45,315)	
Other Revenues	462,946	379,879	83,067	
<b>Total</b>	<u>\$ 8,139,893</u>	<u>\$ 10,833,812</u>	<u>\$ (2,748,769)</u>	Decrease due to change in Capital Projects grant/intgovt'l revenues
Govt Expenditures:				
General Fund				General Fund expenditures comparable to 2022. Decrease to EDA re VA Building debt payment in 2022; decrease in Capital Projects due to revenue explanation.
EDA Special Revenue Fund	\$ 3,943,584	\$ 3,668,248	\$ 275,336	
Capital Projects Fund	396,339	2,209,054	(1,812,715)	
Other Govt Funds	2,019,469	5,552,649	(3,533,180)	
Other Govt Funds	1,303,182	1,930,000	(626,818)	
<b>Total</b>	<u>\$ 7,662,574</u>	<u>\$ 13,359,951</u>	<u>\$ (5,697,377)</u>	
Fund Transfers In (Out)				
General Fund	\$ (20,000)	\$ (530,000)	\$ 510,000	
EDA Special Revenue Fund	-	-	-	
Capital Projects Fund	(32,335)	797,808	(830,143)	
Other Govt Funds	52,335	(267,808)	320,143	
<b>Total</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	

## FUND FINANCIALS – Enterprise Funds

Cash Balances:	2023	2022	Change	
Water Enterprise Fund	\$ 1,149,173	\$ 1,114,948	\$ 34,225	Cash increase and increase to net position from prior year. Overall healthy enterprise funds. (same as 2022 note)
Sewer Enterprise Fund	1,074,146	563,940	510,206	
Electric Enterprise Fund	2,430,484	1,926,634	503,850	
Total	<u>\$ 4,653,803</u>	<u>\$ 3,605,522</u>	<u>\$ 1,048,281</u>	
<b>Net Position (Equity):</b>				
	2023	2022	Change	
Water Enterprise Fund	\$ 6,297,224	\$ 5,827,606	\$ 469,618	Mercury Project CIP (primarily grant funded – same as 2022)
Sewer Enterprise Fund	15,620,407	12,962,263	2,658,144	
Electric Enterprise Fund	4,313,740	3,592,474	721,266	
Total	<u>\$26,231,371</u>	<u>\$22,382,343</u>	<u>\$ 3,849,028</u>	
<b>Operating Revenues:</b>				
	2023	2022	Change	
Water Enterprise Fund	\$ 807,880	\$ 823,716	\$ (15,836)	Even with revenues down slightly and expenses up slightly, Water and Sewer close to breakeven and Electric was profitable
Sewer Enterprise Fund	1,154,699	1,137,151	17,548	
Electric Enterprise Fund	3,950,212	4,054,709	(104,497)	
Total	<u>\$ 5,912,791</u>	<u>\$ 6,015,576</u>	<u>\$ (102,785)</u>	
<b>Operating Expenses</b>				
	2023	2022	Change	
Water Enterprise Fund	\$ 796,149	\$ 764,373	\$ 31,776	
Sewer Enterprise Fund	1,228,813	1,014,088	214,725	
Electric Enterprise Fund	3,672,187	3,588,888	83,299	
Total	<u>\$ 5,697,149</u>	<u>\$ 5,367,349</u>	<u>\$ 329,800</u>	

**General Fund Budget Analysis:**

	Budget	Actual	Variance
Revenues	\$ 4,000,700	\$ 4,041,697	\$ 40,997
Expenditures	3,913,100	3,943,584	(30,484)
Other financing sources (uses)	<u>(20,000)</u>	<u>(20,000)</u>	-
Net change in fund balance	<u>\$ 67,600</u>	<u>\$ 78,113</u>	<u>\$ 10,513</u>

Positive variance in revenues; negative expenditures but close %-wise (less than 1% overrun)

\$20,000 transfer to Debt Service Fund as budgeted.

## FINDING

### **SIGNIFICANT DEFICIENCY:**

#### **2023- 001 SEGREGATION OF DUTIES**

##### **Condition**

Due to the limited number of personnel within the City's business office, the segregation of accounting functions necessary to ensure adequate internal accounting control is not possible.

##### **Cause**

This occurred because of staffing limitations caused by fiscal constraints.

##### **Recommendations**

The City should constantly be aware of this condition, attempt to segregate duties as much as possible and provide oversight to partially compensate for this deficiency.

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#### **MANAGEMENT POINTS (summarized)**

1. During the audit, we reviewed pay requests submitted to grant funding sources for reimbursement. Several of these requests contained expenditures spanning long timelines across the course of the year. We recommend the City establish a December 31 cutoff period for pay requests to be submitted for that calendar year-end expenditure request for reimbursement submission, and submit pay requests on a regular, scheduled basis throughout the year.
2. While it appears the City is levying an appropriate amount for debt service obligations not paid for by other revenue sources (such as rents or utility revenues), the City should specify an amount on the final levy that exceeds said obligations by 5 percent.
3. With the City now accounting for loans to businesses and residents in the Economic Development Authority Special Revenue Fund, Storefront Renovation Special Revenue Fund, and Revolving Rehab Special Revenue Fund, it is important that loan balances, disbursements, and receipts are reconciled regularly. To make these reconciliations easier, we recommend that all receipts for principal and interest on these loans be coded to specific revenue accounts by fund, as well as loan disbursements be coded to their own specific expenditure accounts by fund in which no other transactions are coded.

**Staff was, as always, great to work with this audit again.**

**QUESTIONS/COMMENTS**

July 8<sup>th</sup>, 2024

**Draft Minutes**

City of Ely Projects Committee Meeting

City Hall Council Chambers

Committee member attendees: Harold Langowski, Mayor Heidi Omerza, Rob Wilmunen , Mike Banovetz, Ryan Callen, Emily Roose

Absent: Kris Winkelman, Tommy Teigen, Warren Nikkola

Also attending: John Jamnick, John Fedo

Meeting called to order 5:02 p.m. by Mayor Omerza

I. Additions or Deletions to Agenda: None

II. Approval of Minutes from June 10<sup>th</sup>, 2024 Meeting.

a. **MOTION (RW/RC) to approve the minutes from the June 10<sup>th</sup>, 2024 meeting. Passed unanimously.**

III. Special Appearances: None

IV. Communications:

a. HL provided the notifications concerning the FRTP grant awards for the Prospector ATV Club, Ely Igloo Snowmobile Club for \$75k each and the \$200k for the next phase of mountain bike trails to include approximately 5.15 miles of new trail.

b. We received notification that our CDS request for STAG funds has been recommended for funding by Congressman Stauber. The funding still needs to pass the Senate and be signed into law. This is for \$2.0 million in funding for the water supply project. We are continuing to work on PFA funding.

V. Unfinished Business

a. Reviewed the project list. A complaint was taken from 119 S. 16<sup>th</sup> Ave concerning water standing between the blacktop and their property. There is no curb or storm sewer in this area of Ely and the drainage is all on the surface.

b. All work on the carryover projects from 2023 has been completed.

c. The plans for the Burntside water line and Conan Street area are being completed. Without significant grant funds on the water project, it may need to be phased.

d. The trailhead project started and the footings are in. Additional work was required due to ledge rock being present in the locations of the footings.

e. Still waiting for the plans to be completed for Fire and ambulance for USDA review.

f. A pre-application has been submitted for IRRR funds from commercial redevelopment for the Depot and CC projects. The application was for \$437,000

g. The Depot project is still at a standstill due to the denial of DEED funding due to a lack of a RAP for the greenspace.

h. We have not had an update from CTC on the cost to install fiber in Whiteside Park.

VI. Clerk/Treasurer Report

a. HL provided information of grant funds available from the MPCA to look at climate change issues concerning sanitary and storm sewer systems. AE2S will attend the webinar.

VII. New Business



- a. HL has received two different requests to donate benches around town. One donation is for five benches to be around the Trezona, Senior Center and Whiteside Park, the second donation would be for an additional bench on 1<sup>st</sup> Ave near Northern Expressions. The donations will include all costs of installation. The donation is also being reviewed by Park and Recreation.

VIII. Bills:

- a. None

IX. Adjourned at 5:41p.m. No opposition

Respectfully submitted, Harold R. Langowski

Range Association of Municipalities & Schools

Board Meeting Minutes

Thursday, May 23, 2024 – 6:30 P.M.

Nashwauk City Hall

President Pat Medure called the meeting to order at 6:30 P.M.

**Roll Call of Board:**

Present: **Pat Medure (ISD 318-Grand Rapids); Barb Kalmi (ISD 319-Nashwauk/Keewatin); Glenn Anderson (City of Babbitt); Bob Berrini (Morse Township); Ryan Davies (Harris Township); Jim Fisher (McDavitt Township); Gary Friedlieb (City of Virginia); Dan Geotte (City of Aurora); Paul Kess (City of Ely); Julie Lucas (French Township); Phil Medure (Great Scott Township); Ron Pittman (Cherry Township); Cal Saari (City of Nashwauk); John Tuorila (City of Calumet); Warren Stolp (Nashwauk Township); Dr Rae Villebrun (ISD 319 Nashwauk/Keewatin Supt Assn); Jim Weikum (City of Biwabik); David Zins (City of Hoyt Lakes)**

Absent: City of Grand Rapids; ISD 318 Grand Rapids; City of Silver Bay; ISD 2412 St Louis County Schools; ISD 2711 Mesabi East

Also Present: **Paul Peltier, Executive Director; Kristen Kranz, RAMS Admin Assistant; Ellsburg Township; Jeff Anderson**

**(Persons highlighted were present in person; others were via Zoom.)**

**Call to Order:**

President Medure called the meeting to order at 6:30pm.

**Review and Approve Agenda:**

Medure recommends adding 9.C. (June meeting BBQ) and Kalmi recommends adding 8.A. (Letter of Support for Mesabi Metallics). Combined motion made by Berrini and supported by Fisher. Motion carried.

**Approve Meeting Minutes:**

A motion to approve the regular meeting minutes from April 25, 2024, was made by Kess and supported by Anderson. Motion carried.

### **Finance Committee Report:**

Kalmi reported on the Finance Committee Meeting held on May 22, 2024.

1. Expenditures for April 25 – May 21, 2024, totaling \$13,662.28.
2. Profit and Loss Budget vs Actual is 47.6%.
3. Balance Sheet as of May 21, 2024, is \$ 443,476.92.

A motion to accept the financial reports was made by Friedlieb and supported by Stolp. Motion carried.

### **Appearance:**

No appearance at the May meeting.

### **Director's Report:**

Executive Director Peltier gave an update on his activities in May. Peltier highlighted end of session monitoring, yearly audit prep, Superintendents meeting, APEX Partners Focus Group, MN Power Integrated Resource Planning Group engagement, letters of support, and the Keetac ribbon cutting. He also reminded everyone that RAMS will break for summer after the June 27 meeting and resume meetings in September.

### **Old Business:**

1. 8.A. A motion to send a letter of support to encourage the Governor, DNR, and Pollution Control to expedite the permit to mine amendment was made by Kalmi and supported by Davies. Those who voted in the affirmative were Pat Medure, Anderson, Kalmi, Berrini, Davies, Goette, Kess, Phil Medure, Saari, Stolp, Tuorila, and Villebrun. Those who voted in the negative were Freidlieb, Lucas, Pittman, Weikum, and Zins. Fisher abstained. The motion prevailed 12-5.

### **New Business:**

1. 9.A. Discussion was held on the open Board seat due to the resignation of Warwas. Nominations will be due by 5PM on June 20, 2024. The Board may vote to appoint a nominee at the meeting on June 27, 2024.
2. 9.B. Jeff Anderson gave a Legislative Update
  - 11,023 bills were submitted for consideration
  - Bills that made it through the finish line: Tax; Environment and Natural Resources; Jobs, Workforce, and Economic Development Finance; Firearms; Transportation, Labor, and Housing; Education; Energy and Agriculture; Human Services; Cannabis with Commerce Provisions; Emergency Medical Services
  - Uber and Lyft will stay in MN
  - Updates to the Earned Safe and Sick Time
  - EMS will receive \$30M (Bill signed in Hoyt Lakes)
  - Bonding bill, ERA, and rank choice voting did not make it through this year
  - RAMS did get an increase from the production tax

3. 9.C. Discussion was held regarding the June 27 RAMS meeting. A motion to invite the Range Delegation and one representative from each RAMS Member for a Duke Skorich BBQ at the June meeting was made by Kalmi and supported by Fisher. Motion carried.

**Board Member Updates:**

**Other:**

**Member Floor Privileges:**

**Next Meeting:**

The next RAMS Board Meeting will be held on June 27, 2024, at 6:00pm, at the Northeast Service Cooperative Building.

**Adjournment.**

The meeting adjourned at 7:40PM.



# Saint Louis County

Administration • 100 North Fifth Avenue West, Room 202 • Duluth, MN 55802  
Phone: (218) 726-2448 • [www.stlouiscountymn.gov](http://www.stlouiscountymn.gov)

Date: July 3, 2024

To: Township and City Officials

On June 6, 2024, the St. Louis County Liquor Licensing Committee (the “Committee”) voted unanimously to recommend that the St. Louis County Board enact a county-wide moratorium prohibiting registration and operation of cannabis businesses through December 31, 2024, pursuant to Minnesota Statutes sections 342.13(e) (2024) and 145A.05 (2023).

The goal of the proposed moratorium is to allow local units of government time to determine what actions are most appropriate for their respective jurisdictions relative to cannabis business operations, including zoning and enforcement implications, as well as the potential impact of those actions on the ongoing health, safety and welfare their citizens. *The St. Louis County Board will hold a public hearing on the proposed moratorium at 10:00 a.m. on July 23, 2024, at the Ely City Hall, 209 East Chapman Street, Ely, Minnesota.*

The Committee’s decision to recommend the enactment of a county-wide moratorium was reached after its consideration of several factors, including the uncertainties local units of government face regarding the cannabis business registration process. The Office of Cannabis Management is engaged in the rulemaking process. This process is not expected to be completed until sometime in early 2025.

Several changes were made during this past legislative session to the cannabis laws, including the possibility of early licensing approval by the Office of Cannabis Management for social equity applicants, which could occur prior to January 1, 2025. The Committee felt it was important to ensure no cannabis business licenses could be approved until after local units of government had an opportunity to enact local regulations.

St. Louis County will continue to monitor the results of the rulemaking process from the Office of Cannabis Management and engage in ongoing discussions with other local units of government within the County. For cities and townships who exercise independent zoning authority, note that though the proposed moratorium would apply county-wide, the County’s cannabis ordinance will apply only in areas where the County has zoning authority when enacted.

St. Louis County is also committed to prioritizing the health, safety, and welfare of its citizens in its regulations and policies. Through our ordinance development we will aim to maximize the protection of youth and vulnerable populations by preventing normalization, decreasing youth exposure and access opportunities, lessening involuntary exposure, and preventing public intoxication and impaired driving.

Attached to this correspondence please find a draft of the proposed moratorium to be considered by the St. Louis County Board, as well as a fact sheet discussing health and safety considerations for cannabis regulation and opportunities for local cannabis regulation.

**Article II. Moratorium Established**

**Section 2.1 Moratorium**

In accordance with the purpose set forth above and pursuant to the authority of Minnesota Statutes sections 342.13(e) (2024) and 145A.05 (2023), a moratorium is imposed on the registration of cannabis businesses in the entirety of St. Louis County through December 31, 2024.

**Section 2.2 Effective Date**

This Ordinance shall take effect on the date of its enactment and shall be in effect through December 31, 2024.

**Section 2.3 Prohibition**

No person, firm, entity, or corporation shall operate a cannabis business within St. Louis County through December 31, 2024.

**Article III. Administration and Enforcement**

**Section 3.1 Enforcement**

St. Louis County may enforce any provision of this Ordinance by any means allowed by local, state or federal law.

**Section 3.2 Severability**

Every section, provision, or part of this Ordinance is declared to be severable from every other section, provision, or part hereof to the extent that, if any section, provision, or part of this ordinance shall be held invalid by a court of competent jurisdiction, such holding shall not invalidate any other section, provision, or part hereof.

**Article IV. Repealer**

This Ordinance will be repealed at 11:59 p.m. on December 31, 2024.

## St. Louis County Cannabis Business Registration Moratorium

### Article I. General Provisions and Definitions

#### Section 1.1 Purpose

This ordinance places a moratorium on the registration of cannabis businesses, as defined in Minnesota Statutes section 342.01, subdivision 17 (2024), for the entirety of St. Louis County through December 31, 2024. St. Louis County finds this moratorium is necessary to protect the planning process and to address the actual or potential public health risks posed by registration of cannabis businesses. The goal of the moratorium is to allow local units of government time to determine what actions are most appropriate for their respective jurisdictions relative to cannabis business operations, including zoning and enforcement implications, as well as the potential impact of those actions on the ongoing health, safety and welfare of their citizens.

#### Section 1.2 Background

In 2023, the Minnesota Legislature legalized adult-use cannabis and established the Office of Cannabis Management (the "OCM"), which is responsible for developing and implementing the operation and regulatory systems governing the cannabis industry in Minnesota. In 2024, the Legislature enacted revisions to further clarify the 2023 law, including one provision that authorizes the OCM's issuance of provisional licenses and a lottery for cannabis businesses prior to January 1, 2025.

The OCM controls the application and approval process for cannabis businesses. The OCM is currently engaged in the rulemaking process, which will directly impact the registration and implementation procedures for cannabis businesses under the Minnesota cannabis law. The rulemaking process will not be completed prior to December 31, 2024.

Minnesota Statutes section 342.13(e) (2024) allows for a local unit of government to adopt an interim ordinance to protect the planning process, including prohibition of the registration of any cannabis business through December 31, 2024.

St. Louis County is conducting an internal study and ongoing discussions regarding the registration of cannabis businesses in its jurisdiction related to zoning, enforcement, compliance checks, and consideration of concerns related to the public health, safety, and welfare of its citizens.

#### Section 1.3 Authority

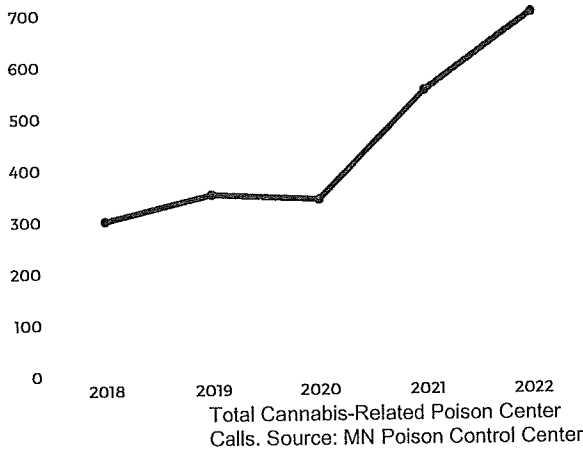
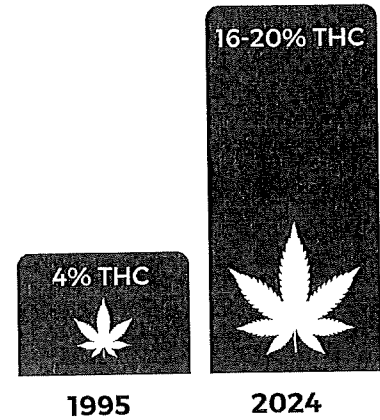
Minnesota Statutes sections 394.21 through 394.37 and Minnesota Statutes section 145A.05 allow a county to enact ordinances and official controls on a county wide-basis, including those that address actual or potential threats to public health.

Minnesota Statutes section 342.13(e) (2024) allows for a local unit of government to adopt an interim ordinance to protect the planning process, including the prohibition of the registration of any cannabis business through December 31, 2024.

# Health and Safety Considerations for Cannabis Regulation

## Potency & Risk for Addiction

Today's cannabis is stronger than ever before, with **3X the potency** of THC compared to 30 years ago. In 2022, nearly 40% of Minnesotans aged 18-25 reported using marijuana in the past 12 months. Approximately **1 in 10** people who use cannabis will develop an addiction. Youth, as well as individuals with low socioeconomic status or other vulnerabilities, are more likely to have a use disorder, with risk for addiction increasing to upwards of **1 in 6**.

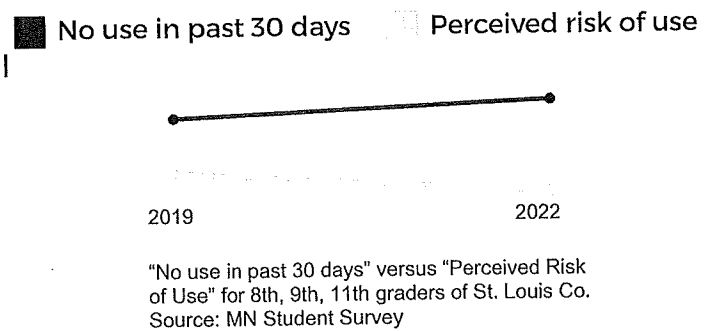


## Accidents & Poisonings

Emergency rooms and poison control center calls have seen an increase in cannabis related incidents. Cannabis related calls for kids **under age 5 increased 648%** between 2018 and 2022. Regardless of age, edibles are the most common cannabis-related product call category. Between 2018 and 2020, fatal crashes involving cannabis **more than doubled**. Driving under the influence of any cannabis product is illegal.

## Underage Use & Perceived Risk

As of early 2022, **91% of teens** in St. Louis County reported **NOT using cannabis** in a typical month, an increase from 2019. However, over time we have seen a decrease among teens in their risk perception of marijuana use. All cannabis products, including any low-potency hemp products, are illegal for anyone under the age of 21 years of age.



## Long-Term Health Impacts

Research shows that long-term cannabis use can cause permanent IQ loss, as much as **8 points**. Additionally, studies link cannabis use to **depression, anxiety, suicide planning and psychotic episodes**. Marijuana use during pregnancy, or while breastfeeding, can negatively impact the child's healthy development.





# Opportunities for Local Regulation

Local units of government are permitted to enact regulations on the time, place and manner of cannabis businesses and usage. The statutory authority and related potential public health benefits for these restrictions are listed below.

## RESTRICTING PUBLIC USE

**Minnesota Statutes section 152.0263, subd. 5 (2023):** A local unit of government may adopt an ordinance establishing a petty misdemeanor offense for a person who unlawfully uses cannabis flower, cannabis products, lower potency hemp edibles, or hemp derived consumer products in a public place.[1]

**Minnesota Statutes section 342.40, subd. 8(e) (2024):** A statutory or home rule charter city or county may enact and enforce measures to protect individuals from secondhand smoke or involuntary exposure to aerosol or vapor from electronic delivery devices.[2]

*Potential public health benefits from these restrictions include reduction in youth exposure and access to cannabis, normalization of use of cannabis, exposure to second-hand smoke and involuntary exposure, public intoxication and impaired driving.*

## LIMITATIONS ON HOURS OF OPERATION

**Minnesota Statutes section 342.27, subd. 7(b) (2023):** In addition to the statutorily-restricted hours of operation set forth in Minn. Stat. §342.27, subd. 7(a), a local unit of government can impose additional restrictions on the hours of operation of cannabis businesses to include any period between 9:00 p.m. and 2:00 a.m. the following day or between 8:00 a.m. and 10:00 a.m. on the days of Monday through Saturday.

*Potential public health benefits from the hours of operation restrictions include reduction in youth exposure and access to cannabis, normalization of use, public intoxication, impaired driving and combined consumption with alcohol.*

## RESTRICTIONS ON CANNABIS BUSINESS LOCATIONS

**Minnesota Statutes section 342.13(c) (2024):** A local unit of government may prohibit the operation of a cannabis business within 1,000 feet of a school or 500 feet of a daycare, residential treatment facility, or any attraction within a public park that is regularly used by minors, including a playground or athletic field.

*Potential public health benefits from distancing incompatible facilities include reduction in youth exposure and access to cannabis and normalization of use.*

## Additional resources around adult-use cannabis regulations and ordinances:

Minnesota Office of Cannabis Management, A Guide for Local Minnesota Governments on Adult-Use Cannabis [www.mn.gov/ocm](http://www.mn.gov/ocm)

League of Minnesota Cities [www.lmc.org](http://www.lmc.org)

Association of Minnesota Counties, Cannabis Planning & Zoning for Minnesota Counties [www.mncounties.org](http://www.mncounties.org)

Public Health Law Center [www.publichealthlawcenter.org](http://www.publichealthlawcenter.org)

St. Louis County Public Health [www.StLouisCountyMN.gov/publichealth](http://www.StLouisCountyMN.gov/publichealth)

[1] A public place has limitations as set forth in subparagraphs (1)-(3).

[2] These restrictions refer to the restrictions on tobacco smoking or vaping in the Minnesota Clean Air Act as set forth in Minnesota Statutes sections 144.413-144.414 (2023).



Fwd: Ely Area Community Foundation grand opening

1 message

Harold Langowski <elyod@ely.mn.us>  
To: Casey Velcheff <casey.velcheff@ely.mn.us>

Fri, Jul 12, 2024 at 11:02 AM

Harold R. Langowski P.E.  
Clerk-Treasurer  
City of Ely  
elyod@ely.mn.us  
Office: 218-365-3224  
Cell: 218-235-3083

----- Forwarded message -----

From: Kurt Soderberg <knwsoderberg@yahoo.com>  
Date: Thu, Jul 11, 2024 at 9:48 PM  
Subject: Ely Area Community Foundation grand opening  
To: Harold Langowski <elyod@ely.mn.us>  
Cc: Heidi Omerza <heidiomerza@ely.mn.us>, Jeffrey Sundell <jeffsundell@hotmail.com>, Todd Heiman <trheiman1@gmail.com>, Dave Marshall <david.marshall@minnesotanorth.edu>

Hello Harold,

Just in case the council, you, and the City staff have not already received their personal invitations, this email has the information for our grand opening on July 31st at 4:00 pm at 760 Miners Drive. We will have tours, free food, and a short program beginning at 5:15.

Our purchase of this building being remodeled for Happy Days Learning Center, Northwoods Partners, Well Being Development, and Functional Fitness could not have happened without the full support of the City and for that we thank you.

Please come and be part of our celebration!

Kurt Soderberg  
EACF Secretary  
Sent from my iPad

FOR BE INVITED TO  
**OPEN HOUSE**  
NEW COMMUNITY BLDG



Open House Invitation.png  
114K

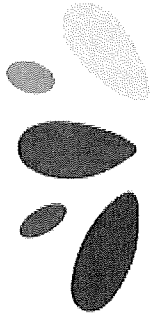
JULY 31, 2024 7:46 MINERS DR # 7  
ELY, MN 55731

PAGE 1 OF 1

YOU'RE INVITED TO

# OPEN HOUSE

NEW COMMUNITY HUB



**ELY** *area*

COMMUNITY FOUNDATION

JULY 31, 2024  
4:00-7:00 PM

760 MINERS DR. E  
ELY, MN 55731

FOOD \* MUSIC \* GIVE-AWAYS \* TOURS

**City of Ely  
Bills List for Council Meeting on  
7/16/2024**

<b>June Gen Gov Bills List</b>	<b>77,108.51</b>
<b>June Enterprise Bills List</b>	<b>27,719.67</b>
	<b><u>\$ 104,828.18</u></b>

Check Issue Date	Check Number	Payee	Amount	Description
07/01/2024	69280	J&A ENTERPRISES	9,819.65	
07/03/2024	69283	SHUSTA, MICHAEL	1,000.00	PRO. SERVICES
07/08/2024	105442	FRANSEN BANK & TRUST	5,320.00	
07/08/2024	105443	NORTHLAND TRUST SERVICES INC	10,375.00	
07/08/2024	105445	CAMPBELL, ANGELA	739.42	TRAVEL/TRAINING
07/08/2024	105446	WELLS FARGO BANK	6,740.79	CREDIT CARD
07/08/2024	105447	AT&T MOBILITY	1,176.35	TELEPHONES
07/08/2024	105448	FRONTIER	36.00	TELEPHONES
07/08/2024	105449	WELLS FARGO BANK	676.16	POLICE CREDIT CARD
07/08/2024	105450	MN B.C.A	45.00	NEW FIRE DEPT HIRES
06/30/2024	807082401	AFLAC	197.21	AFLAC
06/30/2024	807082402	BLUE CROSS BLUE SHIELD OF MN	52,715.47	BLUE CROSS
06/30/2024	807082403	HEALTH EQUITY	10,853.16	HEALTH EQUITY
06/30/2024	807082404	STANDARD INSURANCE COMPANY	1,812.79	STANDARD INSURANCE
06/30/2024	807082405	SUN LIFE ASSURANCE COMPANY O	3,321.18	SUNLIFE
Grand Totals:			<u>104,828.18</u>	

Name	Invoice	Total Cost	Description
<b>8 AFLAC</b>			
AFLAC	07/2024	197.21	AFLAC
Total 8 AFLAC:		197.21	
<b>203 FRANSEN BANK &amp; TRUST</b>			
FRANSEN BANK & TRUST	08/2024 GO	5,320.00	
Total 203 FRANSEN BANK & TRUST:		5,320.00	
<b>204 FRONTIER</b>			
FRONTIER	0607 07/202	16.20	TELEPHONES
FRONTIER	0168 07/202	19.80	TELEPHONES
Total 204 FRONTIER:		36.00	
<b>237 HEALTH EQUITY</b>			
HEALTH EQUITY	07/2024	500.00	HEALTH EQUITY
HEALTH EQUITY	07/2024	565.88	HEALTH EQUITY
HEALTH EQUITY	07/2024	150.31	HEALTH EQUITY
HEALTH EQUITY	07/2024	2,506.25	HEALTH EQUITY
HEALTH EQUITY	07/2024	27.63	HEALTH EQUITY
HEALTH EQUITY	07/2024	2,600.63	HEALTH EQUITY
HEALTH EQUITY	07/2024	843.75	HEALTH EQUITY
HEALTH EQUITY	07/2024	1,180.31	HEALTH EQUITY
HEALTH EQUITY	07/2024	1,180.31	HEALTH EQUITY
HEALTH EQUITY	07/2024	1,196.63	HEALTH EQUITY
HEALTH EQUITY	07/2024	7.52	HEALTH EQUITY
HEALTH EQUITY	07/2024	3.69	HEALTH EQUITY
HEALTH EQUITY	07/2024	20.95	HEALTH EQUITY
HEALTH EQUITY	07/2024	.72	HEALTH EQUITY
HEALTH EQUITY	07/2024	26.11	HEALTH EQUITY
HEALTH EQUITY	07/2024	8.85	HEALTH EQUITY
HEALTH EQUITY	07/2024	9.24	HEALTH EQUITY
HEALTH EQUITY	07/2024	9.24	HEALTH EQUITY
HEALTH EQUITY	07/2024	15.14	HEALTH EQUITY
Total 237 HEALTH EQUITY:		10,853.16	
<b>269 J&amp;A ENTERPRISES</b>			
J&A ENTERPRISES	06/2024	3,900.00	
J&A ENTERPRISES	06/2024	3,855.65	
J&A ENTERPRISES	06/2024	2,064.00	
Total 269 J&A ENTERPRISES:		9,819.65	
<b>365 MN B.C.A</b>			
MN B.C.A	07/08/2024	45.00	NEW FIRE DEPT HIRES
Total 365 MN B.C.A:		45.00	
<b>449 NORTHLAND TRUST SERVICES INC</b>			
NORTHLAND TRUST SERVICES INC	08/2024 ELY	10,375.00	
Total 449 NORTHLAND TRUST SERVICES INC:		10,375.00	
<b>550 SHUSTA, MICHAEL</b>			
SHUSTA, MICHAEL	05/2024&06/	500.00	PRO. SERVICES

Name	Invoice	Total Cost	Description
SHUSTA, MICHAEL	05/2024&06/	500.00	PRO. SERVICES
Total 550 SHUSTA, MICHAEL:		1,000.00	
<b>575 STANDARD INSURANCE COMPANY</b>			
STANDARD INSURANCE COMPANY	07/2024	237.45	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	25.70	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	12.60	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	51.41	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	2.47	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	89.21	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	30.24	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	31.92	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	31.92	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	92.41	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	103.97	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	40.45	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	262.83	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	7.83	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	277.31	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	106.73	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	107.01	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	107.01	STANDARD INSURANCE
STANDARD INSURANCE COMPANY	07/2024	194.32	STANDARD INSURANCE
Total 575 STANDARD INSURANCE COMPANY:		1,812.79	
<b>650 WELLS FARGO BANK</b>			
WELLS FARGO BANK	2272 06/202	17.80	CREDIT CARD
WELLS FARGO BANK	2272 06/202	41.99	CREDIT CARD
WELLS FARGO BANK	2272 06/202	6.99	CREDIT CARD
WELLS FARGO BANK	2272 06/202	125.29	CREDIT CARD
WELLS FARGO BANK	2272 06/202	50.43	CREDIT CARD
WELLS FARGO BANK	2272 06/202	27.20	CREDIT CARD
WELLS FARGO BANK	2272 06/202	46.67	CREDIT CARD
WELLS FARGO BANK	2272 06/202	183.18	CREDIT CARD
WELLS FARGO BANK	2272 06/202	70.14	CREDIT CARD
WELLS FARGO BANK	2272 06/202	70.14	CREDIT CARD
WELLS FARGO BANK	2272 06/202	17.39	CREDIT CARD
WELLS FARGO BANK	2272 06/202	87.99	CREDIT CARD
WELLS FARGO BANK	2272 06/202	7.89	CREDIT CARD
WELLS FARGO BANK	2272 06/202	122.65	CREDIT CARD
WELLS FARGO BANK	2272 06/202	317.37	CREDIT CARD
WELLS FARGO BANK	2272 06/202	79.99	CREDIT CARD
WELLS FARGO BANK	2272 06/202	17.98	CREDIT CARD
WELLS FARGO BANK	2272 06/202	45.88	CREDIT CARD
WELLS FARGO BANK	2272 06/202	1,090.00	CREDIT CARD
WELLS FARGO BANK	2272 06/202	374.99	CREDIT CARD
WELLS FARGO BANK	2272 06/202	64.41	CREDIT CARD
WELLS FARGO BANK	2272 06/202	220.99	CREDIT CARD
WELLS FARGO BANK	2272 06/202	220.99	CREDIT CARD
WELLS FARGO BANK	2272 06/202	220.99	CREDIT CARD
WELLS FARGO BANK	2272 06/202	220.99	CREDIT CARD
WELLS FARGO BANK	2272 06/202	656.85	CREDIT CARD
WELLS FARGO BANK	2272 06/202	43.99	CREDIT CARD
WELLS FARGO BANK	2272 06/202	462.45	CREDIT CARD
WELLS FARGO BANK	2272 06/202	399.95	CREDIT CARD
WELLS FARGO BANK	2272 06/202	755.10	CREDIT CARD

Name	Invoice	Total Cost	Description
WELLS FARGO BANK	2272 06/202	109.50	CREDIT CARD
WELLS FARGO BANK	2272 06/202	296.85	CREDIT CARD
WELLS FARGO BANK	2272 06/202	121.65	CREDIT CARD
WELLS FARGO BANK	2272 06/202	82.05	CREDIT CARD
WELLS FARGO BANK	2272 06/202	76.05	CREDIT CARD
WELLS FARGO BANK	1774 06/202	65.35	POLICE CREDIT CARD
WELLS FARGO BANK	1774 06/202	608.12	POLICE CREDIT CARD
WELLS FARGO BANK	1774 06/202	2.69	POLICE CREDIT CARD
Total 650 WELLS FARGO BANK:		7,416.95	
<b>945 AT&amp;T MOBILITY</b>			
AT&T MOBILITY	4550 06/202	60.92	TELEPHONES
AT&T MOBILITY	4550 06/202	46.22	TELEPHONES
AT&T MOBILITY	4550 06/202	427.66	TELEPHONES
AT&T MOBILITY	4550 06/202	78.33	TELEPHONES
AT&T MOBILITY	4550 06/202	7.23	TELEPHONES
AT&T MOBILITY	4550 06/202	116.66	TELEPHONES
AT&T MOBILITY	4550 06/202	237.84	TELEPHONES
AT&T MOBILITY	4550 06/202	201.49	TELEPHONES
Total 945 AT&T MOBILITY:		1,176.35	
<b>1031 CAMPBELL, ANGELA</b>			
CAMPBELL, ANGELA	06/03/2024	739.42	TRAVEL/TRAINING
Total 1031 CAMPBELL, ANGELA:		739.42	
<b>1319 SUN LIFE ASSURANCE COMPANY OF CANADA</b>			
SUN LIFE ASSURANCE COMPANY OF CANADA	07/2024	141.60	SUNLIFE
SUN LIFE ASSURANCE COMPANY OF CANADA	07/2024	159.79	SUNLIFE
SUN LIFE ASSURANCE COMPANY OF CANADA	07/2024	102.20	SUNLIFE
SUN LIFE ASSURANCE COMPANY OF CANADA	07/2024	550.95	SUNLIFE
SUN LIFE ASSURANCE COMPANY OF CANADA	07/2024	942.87	SUNLIFE
SUN LIFE ASSURANCE COMPANY OF CANADA	07/2024	20.49	SUNLIFE
SUN LIFE ASSURANCE COMPANY OF CANADA	07/2024	254.22	SUNLIFE
SUN LIFE ASSURANCE COMPANY OF CANADA	07/2024	313.40	SUNLIFE
SUN LIFE ASSURANCE COMPANY OF CANADA	07/2024	313.40	SUNLIFE
SUN LIFE ASSURANCE COMPANY OF CANADA	07/2024	522.26	SUNLIFE
Total 1319 SUN LIFE ASSURANCE COMPANY OF CANADA:		3,321.18	
<b>1671 BLUE CROSS BLUE SHIELD OF MN</b>			
BLUE CROSS BLUE SHIELD OF MN	07/2024	1,384.30	BLUE CROSS
BLUE CROSS BLUE SHIELD OF MN	07/2024	4,145.73	BLUE CROSS
BLUE CROSS BLUE SHIELD OF MN	07/2024	2,693.58	BLUE CROSS
BLUE CROSS BLUE SHIELD OF MN	07/2024	1,979.36	BLUE CROSS
BLUE CROSS BLUE SHIELD OF MN	07/2024	8,835.70	BLUE CROSS
BLUE CROSS BLUE SHIELD OF MN	07/2024	10,779.43	BLUE CROSS
BLUE CROSS BLUE SHIELD OF MN	07/2024	344.09	BLUE CROSS
BLUE CROSS BLUE SHIELD OF MN	07/2024	5,925.71	BLUE CROSS
BLUE CROSS BLUE SHIELD OF MN	07/2024	4,644.73	BLUE CROSS
BLUE CROSS BLUE SHIELD OF MN	07/2024	4,644.73	BLUE CROSS
BLUE CROSS BLUE SHIELD OF MN	07/2024	7,338.11	BLUE CROSS
Total 1671 BLUE CROSS BLUE SHIELD OF MN:		52,715.47	



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Name	Invoice	Total Cost	Description
Grand Totals:		<u>104,828.18</u>	

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Report GL Period Summary

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Vendor number hash: 0  
Vendor number hash - split: 0  
Total number of invoices: 0  
Total number of transactions: 0

**APPLICATION AND CERTIFICATE FOR PAYMENT**

**TO OWNER/CLIENT:**  
 CITY OF ELY  
 209 East Chapman Street Ely, Minnesota 55731 United States

**PROJECT:**  
 ELY REGIONAL TRAILHEAD BLDG  
 15 South 4th Ave. West  
 ELY, Minnesota 55731

**APPLICATION NO: 1**  
**INVOICE NO: 1**  
**PERIOD: 06/01/24 - 06/30/24**  
**PROJECT NOS: 2339-00**  
**CONTRACT DATE: 11/17/23**

**DISTRIBUTION TO:**

**FROM CONTRACTOR:**  
 Max Gray Construction, Inc.  
 PO Box 689 Hibbing, Minnesota 55746-0689 United States

**VIA ARCHITECT/ENGINEER:**  
 Joshua Elder (TKDA)  
 11 East Superior Street, Suite 420 Duluth, Minnesota  
 55802 United States

**CONTRACT FOR: ELY REGIONAL TRAILHEAD BLDG**

**CONTRACTOR'S APPLICATION FOR PAYMENT**

Application is made for payment, as shown below, in connection with the Contract. Continuation sheet is attached.

- 1. Original Contract Sum \$2,713,800.00
- 2. Net change by change orders \$0.00
- 3. Contract sum to date (line 1 = 2) \$2,713,800.00
- 4. Total completed and stored to date (Column G on detail sheet) \$132,928.80
- 5. Retainage:
  - a. 5.00% of completed work \$6,646.44
  - b. 0.00% of stored material \$0.00
- Total retainage (Line 5a + 5b or total in column I of detail sheet) \$6,646.44
- 6. Total earned less retainage (Line 4 less Line 5 Total) \$126,282.36
- 7. Less previous certificates for payment (Line 6 from prior certificate) \$0.00
- 8. Current payment due \$126,282.36
- 9. Balance to finish, including retainage (Line 3 less Line 6) \$2,587,517.64

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client:	\$0.00	\$0.00	\$0.00
Total approved this Month:	\$0.00	\$0.00	\$0.00
Totals:	\$0.00	\$0.00	\$0.00
Net changes by change order:	\$0.00		

The undersigned certifies that to the best of the Contractor's knowledge, information and belief, the Work covered by this Application for Payment has been completed in accordance with the Contract documents, that all amounts have been paid by the Contractor for Work which previous Certificates for payment were issued and payments received from the Owner/Client, and that current payments shown herein is now due.

CONTRACTOR: Max Gray Construction, Inc.

By:  Date: 6/28/24

State of: Minnesota

County of: St. Louis

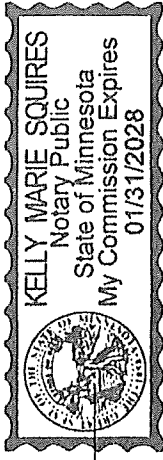
Subscribed and sworn to before

me this 28th day of

JUNE 2024

Notary Public: Kelly M. Squires

My commission expires: 1/31/2028



**ARCHITECT'S/ENGINEER'S CERTIFICATE FOR PAYMENT**

In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect/Engineer certifies to the Owner/Client that to the best of the Architect's/Engineer's knowledge, information and belief that Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED: \$126,282.36

(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT/ENGINEER:

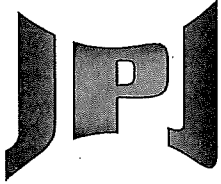
By:  Date: July 10, 2024

This certificate is not negotiable. The amount certified is payable only to the contract named herein. Issuance, payment and acceptance of payment are without prejudice to the rights of the Owner/Client or Contractor under this Contract.

A Item No.	B Description of Work	C			D		E		F Materials Presently Stored	G		H Balance to Finish (C-G)	I Retainage
		Scheduled Value	Approved Changes	Revised Scheduled Value	Work Completed From Previous (D+E)	Work Completed This Period	Total Completed and Stored to Date (D + E + F)	% (G/C)					
1	GENERAL CONDITIONS	\$185,000.00	\$0.00	\$185,000.00	\$0.00	\$9,250.00	\$9,250.00	\$0.00	\$9,250.00	5.00%	\$175,750.00	\$462.50	
2	PERMITS BONDS INSURANCE	\$68,785.00	\$0.00	\$68,785.00	\$0.00	\$68,785.00	\$68,785.00	\$0.00	\$68,785.00	100.00%	\$0.00	\$3,439.25	
3	SUPERVISION	\$85,000.00	\$0.00	\$85,000.00	\$0.00	\$3,400.00	\$3,400.00	\$0.00	\$3,400.00	4.00%	\$81,600.00	\$170.00	
4	MOBILIZATION / DEMOBILIZATION	\$45,000.00	\$0.00	\$45,000.00	\$0.00	\$29,250.00	\$29,250.00	\$0.00	\$29,250.00	65.00%	\$15,750.00	\$1,462.50	
5	CONCRETE	\$165,000.00	\$0.00	\$165,000.00	\$0.00	\$18,530.38	\$18,530.38	\$0.00	\$18,530.38	11.23%	\$146,469.62	\$926.52	
6	MASONRY	\$522,925.00	\$0.00	\$522,925.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$522,925.00	\$0.00	
7	STRUCTURAL STEEL	\$10,500.00	\$0.00	\$10,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$10,500.00	\$0.00	
8	ROUGH CARPENTRY	\$162,000.00	\$0.00	\$162,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$162,000.00	\$0.00	
9	WOOD TRUSSES - MAT	\$40,000.00	\$0.00	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$40,000.00	\$0.00	
10	WOOD TRUSSES - LAB	\$25,500.00	\$0.00	\$25,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$25,500.00	\$0.00	
11	CASEWORK	\$61,775.00	\$0.00	\$61,775.00	\$0.00	\$2,500.00	\$2,500.00	\$0.00	\$2,500.00	4.05%	\$59,275.00	\$125.00	
12	BITUMIOUS DAMPROOFING	\$22,500.00	\$0.00	\$22,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$22,500.00	\$0.00	
13	THERMAL INSULATION	\$119,750.00	\$0.00	\$119,750.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$119,750.00	\$0.00	
14	MODIFIED BITUMIOUS AIR BARRIER	\$26,000.00	\$0.00	\$26,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$26,000.00	\$0.00	
15	SHINGLE ROOFING	\$67,000.00	\$0.00	\$67,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$67,000.00	\$0.00	
16	ENGINEERED SIDING	\$120,100.00	\$0.00	\$120,100.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$120,100.00	\$0.00	
17	DOORS FRAMES HARDWARE	\$70,000.00	\$0.00	\$70,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$70,000.00	\$0.00	
18	ALUMINUM ENTRANCES	\$76,900.00	\$0.00	\$76,900.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$76,900.00	\$0.00	
19	GYP SYSTEMS	\$43,500.00	\$0.00	\$43,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$43,500.00	\$0.00	
20	CERAMIC TILE	\$13,200.00	\$0.00	\$13,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$13,200.00	\$0.00	
21	TERRAZZO FLOORING	\$56,900.00	\$0.00	\$56,900.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$56,900.00	\$0.00	
22	INTERIOR PAINTING	\$28,045.00	\$0.00	\$28,045.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$28,045.00	\$0.00	
23	LINEAR CEILINGS	\$122,125.00	\$0.00	\$122,125.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$122,125.00	\$0.00	
24	SIGNAGE	\$29,845.00	\$0.00	\$29,845.00	\$0.00	\$1,213.42	\$1,213.42	\$0.00	\$1,213.42	4.07%	\$28,631.58	\$60.67	
25	DIV 10 SPECIALTIES	\$35,000.00	\$0.00	\$35,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$35,000.00	\$0.00	

035

A	B	C			D	E		F	G		H	I
		Scheduled Value	Approved Changes	Revised Scheduled Value		Work Completed From Previous (D+E)	Work Completed This Period		Materials Presently Stored	Total Completed and Stored to Date (D + E + F)		
26	ENTRANCE FLOOR MATS	\$5,000.00	\$0.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$5,000.00	\$0.00
27	PLUMBING & HVAC	\$300,450.00	\$0.00	\$300,450.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$300,450.00	\$0.00
28	ELECTRICAL	\$206,000.00	\$0.00	\$206,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	\$206,000.00	\$0.00
<b>Grand Total:</b>		<b>\$2,713,800.00</b>	<b>\$0.00</b>	<b>\$2,713,800.00</b>	<b>\$0.00</b>	<b>\$132,928.80</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$132,928.80</b>	<b>4.90%</b>	<b>\$2,580,871.20</b>	<b>\$6,646.44</b>



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Engineering

Land Surveying

Site Development

July 1, 2024

Mr. Harold Langowski, P.E., Clerk  
City of Ely  
209 East Chapman Street  
Ely, MN 55731

**Re: Nine Avenue East  
Project No. 19-566**

Dear Mr. Langowski:

Enclosed are three copies of Change Order No 1 for the Nine Avenue East project.

Change Order No. 1 is a compensating change order which is an adjustment to final quantities installed in the field. Change Order No. 1 increases the contract amount by \$17,076.87.

After your review and approval, please have Mayor Omerza and yourself sign and date all three copies of this change order, retain one copy for your files and return the remaining two copies to our office.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

JPJ Engineering, Inc.

John P. Jamnick, P.E.

JPJ/dj

Enclosures

**CONTRACT CHANGE ORDER**

ORDER NO.: 1  
 DATE: May 28, 2024  
 STATE: Minnesota  
 COUNTY: St. Louis

CONTRACT FOR: ELY, NINTH AVENUE EAST

Project No. 19-566

OWNER:

City of Ely, 209 East Chapman Street, Ely, MN 55731

TO: Low Impact Excavators, Inc., P.O. Box 600, Ely, MN 55731

You are hereby requested to comply with the following changes from the contract plans and specifications

Description of Changes (Supplemental Plans and Specifications Attached)	DECREASE In Contract Price	INCREASE In Contract Price
Compensating Change Order: Base Bid (SEE ATTACHED SHEET)		\$17,076.87
TOTALS		\$17,076.87
NET CHANGE IN CONTRACT PRICE		\$17,076.87

JUSTIFICATION:

Adjustment to final quantities installed in the field.

The amount of the Contract will be Increased By the Sum of: \$17,076.87

Seventeen Thousand Seventy Six Dollars and Eighty-seven Cents.

The Contract Total Including this and previous Change Orders Will Be: \$246,599.34

Two Hundred Forty Six Thousand Five Hundred Ninety Nine Dollars and Thirty-four Cents.

The Contract Period Provided for Completion Will Not Be Changed.

This document will become a supplement to the contract and all provisions will apply hereto.

Requested \_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 Date

Requested \_\_\_\_\_  
 (Owner)

\_\_\_\_\_  
 Date

Recommended \_\_\_\_\_  
 (Engineer)

5/28/24  
 Date

Accepted \_\_\_\_\_  
 (Contractor)

6/29/2024  
 Date

# COMPENSATING CHANGE ORDER

## CHANGE ORDER NO.: 1

DATE: May 28, 2024

OWNER: City of Ely

PROJECT: Ninth Avenue East

CONTRACTOR: Low Impact Excavators, Inc., P.O. Box 600, Ely, MN 57531

### BASE BID

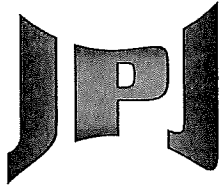
ITEM NO.	DESCRIPTION	QUAN. BID	UNIT	UNIT PRICE	QUANTITY TO DATE	QUANTITY TO CHANGE	AMOUNT TO CHANGE
2104	SAWCUT BIT PAVEMENT	124	L.F.	\$2.00	124	0	\$0.00
2105	COMMON EXCAVATION	1,488	C.Y.	\$18.00	1,501	13	\$234.00
2105	TOPSOIL BORROW (2")	49	C.Y.	\$60.00	40	(9)	(\$540.00)
2105	SELECT GRAN BORROW	829	C.Y.	\$17.00	788	(41)	(\$697.00)
2112	GEO SEPARATION FABRIC	2,354	S.Y.	\$1.86	2,365	11	\$20.46
2211	AGG BASE, CLASS 5 (CV)	783	C.Y.	\$31.00	713	(70)	(\$2,170.00)
2360	TYPE SP WEARING COURSE (2")	234	TON	\$98.98	263	29	\$2,870.42
2360	TYPE SP NON-WEAR COURSE (2")	234	TON	\$98.98	240	6	\$593.88
2506	ADJUST FRAME & RING CASTING	2	EACH	\$600.00	2	0	\$0.00
2521	4" CONCRETE WALK	3,426	S.F.	\$7.49	3,285	(141)	(\$1,056.09)
2521	6" CONCRETE WALK	34	S.F.	\$8.56	68	34	\$291.04
2521	CONCRETE DRIVE	669	S.Y.	\$72.23	887	218	\$15,746.14
2531	CONC C&G, DES B618	1,051	L.F.	\$23.54	1,194	143	\$3,366.22
2573	CONST SITE EXIT CONTROLS	4	EACH	\$1.00	4	0	\$0.00
2573	STORM DRAIN INLET PROTECT	2	EACH	\$100.00	4	2	\$200.00
2575	SODDING, LAWN TYPE	915	S.Y.	\$11.00	753	(162)	(\$1,782.00)
2575	TEMPORARY MULCH	0.2	ACRE	\$1.00	0	(0.2)	(\$0.20)

**TOTAL AMOUNT TO CHANGE - Base Bid.....** **\$17,076.87**

**TOTAL AMOUNT OF CHANGE ORDER NO. 1** **\$17,076.87**

### JUSTIFICATION:

ADJUSTMENT TO FINAL QUANTITIES INSTALLED IN THE FIELD.



Engineering

Land Surveying

Site Development

July 1, 2024

Mr. Harold Langowski, P.E., Clerk  
City of Ely  
209 East Chapman Street  
Ely, MN 55731

RECEIVED  
JUL 03 2024  
BY: \_\_\_\_\_

**Re: Ninth Avenue East  
Project No. 19-566**

Dear Mr. Langowski:

Enclosed are three copies of Final Payment Estimate No. 2 for the Ninth Avenue East project. We recommend payment of \$12,329.97 to Low Impact Excavators, Inc., P.O. Box 600, Ely, MN 55731 upon receipt of IC-134 forms.

After your review and approval, please have Mayor Omerza and yourself sign and date all three copies of the final payment estimate, retain one copy for your files and return the remaining two copies to our office.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

JPJ Engineering, Inc.

John P. Jamnick, P.E.

JPJ/dj

Enclosures



FINAL PAYMENT ESTIMATE

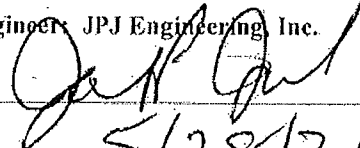
<b>PROJECT:</b> Ninth Avenue East	<b>PROJECT NO.:</b> 19-566	DATE: May 28, 2024 PAY ESTIMATE NO.: 2 PAGE 1 OF 2
<b>OWNER:</b> City of Ely 209 East Chapman Street Ely, MN 55731	<b>CONTRACTOR:</b> Low Impact Excavators, Inc. P.O. Box 600 Ely, MN 55731	<b>PERIOD OF ESTIMATE</b>  FROM: August 28, 2023 TO: April 30, 2024

CONTRACT CHANGE ORDER SUMMARY			ESTIMATE	
No.	Amount			
	Additions	Deductions		
CO #1	\$17,076.87		1. Original Contract	\$229,522.47
			2. Change Orders	\$17,076.87
			3. Revised Contract (1+2)	\$246,599.34
			4. Work Completed*	\$246,599.34
			5. Stored Materials	\$0.00
			6. Subtotal (4+5)	\$246,599.34
			7. Retainage	\$0.00
			8. Previous Payments	(\$234,269.37)
<b>TOTALS</b>	\$17,076.87		9. Amount Due (6-7-8)	\$12,329.97
<b>NET CHANGE</b>	\$17,076.87		*Detailed breakdown attached	

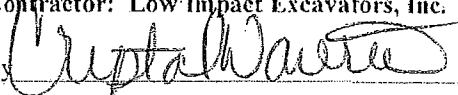
CONTRACT TIME		
Original (days): Revised:	On Schedule <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Starting Date: May 10, 2023 Substantial Completion: October 15, 2023 Projected Completion: November 15, 2023

**CONTRACTOR'S CERTIFICATION:**  
 The undersigned Contractor certifies, to the best of its knowledge, the following:  
 (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;  
 (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and  
 (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

**ENGINEER'S CERTIFICATION:**  
 The undersigned certifies that to the best of their knowledge and belief and to the extent of their assigned Contract responsibilities, the quantities shown in this estimate are correct and that the work has been performed in accordance with the Contract Documents.

Engineer: JPJ Engineering, Inc.  
 By:   
 Date: 5/28/24

**APPROVED BY OWNER:**  
 Owner: City of Ely  
 By: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 By: \_\_\_\_\_  
 Date: \_\_\_\_\_

Contractor: Low Impact Excavators, Inc.  
 By:   
 Date: 6/29/2024

# FINAL PAY ESTIMATE NO. 2

DATE: May 28, 2024

OWNER: City of Ely

PROJECT: Ninth Avenue East

CONTRACTOR: Low Impact Excavators, Inc., P.O. Box 600, Ely, MN 55731

## BASE BID

ITEM NO	DESCRIPTION	QUAN. BID	UNIT	UNIT PRICE	QUANTITY THIS PERIOD	AMOUNT THIS PERIOD	QUANTITY TO DATE	AMOUNT TO DATE
2104	SAWCUT BIT PAVEMENT	124	L.F.	\$2.00	0	\$0.00	124	\$248.00
2105	COMMON EXCAVATION	1,488	C.Y.	\$18.00	0	\$0.00	1,501	\$27,018.00
2105	TOPSOIL BORROW (2")	49	C.Y.	\$60.00	0	\$0.00	40	\$2,400.00
2105	SELECT GRANULAR BORROW	829	C.Y.	\$17.00	0	\$0.00	788	\$13,396.00
2112	GEO SEPARATION FABRIC	2,354	S.Y.	\$1.86	0	\$0.00	2,365	\$4,398.90
2211	AGG BASE, CLASS 5 (CV)	783	C.Y.	\$31.00	0	\$0.00	713	\$22,103.00
2360	TYPE SP WEARING COURSE (2")	234	TON	\$98.98	0	\$0.00	263	\$26,031.74
2360	TYPE SP NON-WEAR COURSE (2")	234	TON	\$98.98	0	\$0.00	240	\$23,755.20
2506	ADJUST FRAME & RING CASTING	2	EACH	\$600.00	0	\$0.00	2	\$1,200.00
2521	4" CONCRETE WALK	3,426	S.F.	\$7.49	0	\$0.00	3,285	\$24,604.65
2521	6" CONCRETE WALK	34	S.F.	\$8.56	0	\$0.00	68	\$582.08
2521	CONCRETE DRIVE	669	S.Y.	\$72.23	0	\$0.00	887	\$64,068.01
2531	CONC C&G, DES B618	1,051	L.F.	\$23.54	0	\$0.00	1,194	\$28,106.76
2573	CONST SITE EXIT CONTROLS	4	EACH	\$1.00	0	\$0.00	4	\$4.00
2573	STORM DRAIN INLET PROTECTION	2	EACH	\$100.00	0	\$0.00	4	\$400.00
2575	SODDING, LAWN TYPE	915	S.Y.	\$11.00	0	\$0.00	753	\$8,283.00
2575	TEMPORARY MULCH	0.2	ACRE	\$1.00	0	\$0.00	0	\$0.00

**TOTAL WORK COMPLETED THIS PERIOD - Base Bid..... \$0.00**

**TOTAL WORK COMPLETED TO DATE - Base Bid..... \$246,599.34**



Mr. Harold Langowski  
 City of Ely, MN  
 209 E Chapman St  
 Ely, MN 55731-1471

July 09, 2024  
 Project No: P05184-2020-001  
 Invoice No: 96037

Project Manager Jayme Klecker  
 Project P05184-2020-001 WWTF Improvements Project  
**Professional Services for the period: June 01, 2024 to June 28, 2024**

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Phase	030	Preliminary Engineering			
<b>Contract Maximum</b>			<b>Current Billing Against Maximum</b>	<b>Previous Billings Against Maximum</b>	<b>Total Billings To Date</b>
Total Billings			0.00	214,168.86	214,168.86
Maximum					215,000.00
Remaining					831.14
<b>Phase Total</b>					

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Phase	040	Final Design			
<b>Contract Maximum</b>			<b>Current Billing Against Maximum</b>	<b>Previous Billings Against Maximum</b>	<b>Total Billings To Date</b>
Total Billings			0.00	269,523.32	269,523.32
Maximum					440,000.00
Remaining					170,476.68
<b>Phase Total</b>					

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Phase	050	Bidding/Negotiations			
<b>Contract Maximum</b>			<b>Current Billing Against Maximum</b>	<b>Previous Billings Against Maximum</b>	<b>Total Billings To Date</b>
Total Billings			0.00	45,568.61	45,568.61
Maximum					49,000.00
Remaining					3,431.39
<b>Phase Total</b>					

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Phase	060	Construction Services - Admin			
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Please make checks payable to: Advanced Engineering and Environmental Services, LLC • 4050 Garden View Dr, Ste 200, Grand Forks, ND 58201

We accept most major credit cards for payment: a 3.5% convenience fee will be added to all credit card transactions.  
 To pay by credit card please call 701-746-8087.



<b>Contract Maximum</b>	<b>Current Billing</b>	<b>Previous Billings</b>	<b>Total Billings To</b>
	<b>Against Maximum</b>	<b>Against Maximum</b>	<b>Date</b>
Total Billings	0.00	353,017.19	353,017.19
Maximum			358,600.00
Remaining			5,582.81

**Phase Total**

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Phase 061 Construction Services - RPR

**Professional Services**

	Hours	Rate	Amount	
Klecker, Jayme	1.00	264.00	264.00	
Klecker, Jayme	1.00	282.00	282.00	
Totals	2.00		546.00	
<b>Professional Services Total</b>				<b>546.00</b>

**Reimbursables**

Lodging			208.67	
Meals			29.38	
<b>Reimbursables Totals</b>			<b>238.05</b>	<b>238.05</b>

<b>Contract Maximum</b>	<b>Current Billing</b>	<b>Previous Billings</b>	<b>Total Billings To</b>
	<b>Against Maximum</b>	<b>Against Maximum</b>	<b>Date</b>
Total Billings	784.05	113,375.39	114,159.44
Maximum			145,800.00
Remaining			31,640.56

**Phase Total 784.05**

-----  
Phase 070 Post-Construction/Warranty

**Professional Services**

	Hours	Rate	Amount	
Robertsen, Alexander	12.00	140.00	1,680.00	
Totals	12.00		1,680.00	
<b>Professional Services Total</b>				<b>1,680.00</b>

**Reimbursables**

Lodging			208.67	
Meals			9.33	
<b>Reimbursables Totals</b>			<b>218.00</b>	<b>218.00</b>

<b>Contract Maximum</b>	<b>Current Billing</b>	<b>Previous Billings</b>	<b>Total Billings To</b>
	<b>Against Maximum</b>	<b>Against Maximum</b>	<b>Date</b>
Total Billings	1,898.00	73,330.92	75,228.92
Maximum			77,600.00
Remaining			2,371.08

**Phase Total 1,898.00**

**Project Invoice Total 2,682.05**

Please make checks payable to: Advanced Engineering and Environmental Services, LLC • 4050 Garden View Dr, Ste 200, Grand Forks, ND 58201

We accept most major credit cards for payment: a 3.5% convenience fee will be added to all credit card transactions.  
To pay by credit card please call 701-746-8087.



**Outstanding Invoices**

<b>Number</b>	<b>Date</b>	<b>Balance</b>
95592	6/11/2024	8,038.66
<b>Total</b>		<b>8,038.66</b>

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Mr. Harold Langowski  
 City of Ely, MN  
 209 E Chapman St  
 Ely, MN 55731-1471

July 09, 2024  
 Project No: P05184-2023-002  
 Invoice No: 96026

Project Manager Jason Kosmatka  
 Project P05184-2023-002 General Consulting Services  
Professional Services for the period: June 01, 2024 to June 28, 2024

Phase 010 General Consulting

**Professional Services**

	Hours	Rate	Amount	
Kosmatka, Jason	6.00	244.00	1,464.00	
Totals	6.00		1,464.00	
<b>Professional Services Total</b>				<b>1,464.00</b>

Contract Maximum	Current Billing Against Maximum	Previous Billings Against Maximum	Total Billings To Date	
Total Billings	1,464.00	8,150.24	9,614.24	
Maximum			10,000.00	
Remaining			385.76	
			<b>Phase Total</b>	<b>1,464.00</b>
			<b>Project Invoice Total</b>	<b>1,464.00</b>

**Outstanding Invoices**

Number	Date	Balance
95594	6/11/2024	2,267.00
<b>Total</b>		<b>2,267.00</b>

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# Billing Backup

Monday, July 8, 2024

AE2S

Invoice 96026 Dated 7/9/2024

6:41:33 AM

Project	P05184-2023-002	General Consulting Services		
Phase	010	General Consulting		

**Professional Services**

			Hours	Rate	Amount	
12698	Kosmatka, Jason	6/6/2024	.50	244.00	122.00	
	Billing review.					
12698	Kosmatka, Jason	6/10/2024	1.50	244.00	366.00	
	Reviewing info. Continued MDH notification response. Replying to Indran and Harold.					
12698	Kosmatka, Jason	6/13/2024	1.50	244.00	366.00	
	MDH CA requirements, research, and response. C/C with Indran and David W.					
12698	Kosmatka, Jason	6/19/2024	1.00	244.00	244.00	
	MDH emails and responses. Compliance order.					
12698	Kosmatka, Jason	6/21/2024	.50	244.00	122.00	
	Plan review update. Putting together compliance schedule.					
12698	Kosmatka, Jason	6/27/2024	1.00	244.00	244.00	
	MDH compliance agreement requirements and timeline. C/C with MDH.					
	Totals		6.00		1,464.00	
	<b>Professional Services Total</b>					<b>1,464.00</b>
				<b>Phase Total</b>		<b>1,464.00</b>
				<b>Project Total</b>		<b>1,464.00</b>
				<b>Total this Report</b>		<b>1,464.00</b>

Please make checks payable to: Advanced Engineering and Environmental Services, LLC • 4050 Garden View Dr, Ste 200, Grand Forks, ND 58201

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To pay by credit card please call 701-746-8087.

## LEASE OF VACANT LAND FOR PLACEMENT OF RESIDENTIAL DOCK

This is a lease. This Lease is dated July 11, 2024. It is a legal agreement between the Tenant and the Landlord to rent the Land described below. The word LANDLORD as used in this Lease means the City of Ely, a Minnesota Municipal Corporation and the Landlord's address is: 209 E Chapman St, Ely, MN 55731.

The word TENANT as used in this Lease means Robert J Mattila and Sharon J Mattila and the Tenant's address is 1501 North 19<sup>th</sup> Ave E, Ely MN 55731.

This Lease is a legal contract that can be enforced in court against the Landlord or the Tenant if either one of the them does not comply with this Lease. A written copy of this Lease will be delivered to the Tenant(s).

1. **Description of Land.** The Land known as unplatted lakeshore between Tenant's land and Shagawa Lake situated near 15<sup>th</sup> Street and 19<sup>th</sup> Avenue in the City of Ely, County of St. Louis, State of Minnesota contiguous with Tenant's property legally described as follows:

**Block 39, Lots 17-21, Town of Spaulding.**

2. **Term of Lease.** This Lease is for a term of 1 year beginning on June 1, 2024 at 12:01 o'clock a.m. and ending on May 31, 2025 at 11:59 o'clock p.m. Provided, the Landlord may terminate this lease on 30 days written notice to Tenant at any time.
3. **Rent.**
  - a. **Amount.** The rent for the Land is One Hundred Dollars (\$100.00) per year paid in advance.
  - b. **Payment.** The rent payment for each year must be paid before the 1<sup>st</sup> day of June at Landlord's address. Landlord does not have to give notice to Tenant to pay the rent. Tenant understands that Landlord will not accept a partial payment of rent.
  - c. **Responsibility for Rent.** Every Tenant listed above is individually responsible for paying the full amount of rent owed to Landlord.
4. **Purpose/Compliance with Law.** The Landlord grants the Tenant the right to use the Landlord's vacant land between the Tenant's Land and the shore of Shagawa Lake to place a single residential dock to be located on the northern 50 feet of the property (as far as possible from the public landing). The dock shall not be constructed out of any materials that create a permanent structure or foundation. No cribs shall be used. The dock shall be of a portable type such as a dock on wheels. The Tenant shall use the land only in compliance with all applicable laws, rules, regulations, codes and policies. The tenant shall not, without written permission, remove any vegetation or modify the property in anyway. The Tenant shall make inquiry with the City Planning and Zoning



Administrator and obtain any permits which may be required. The Tenant shall also make inquiry with the Department of Natural Resources for placement of the dock and obtain any permits or licenses as may be necessary.

5. **Quiet Enjoyment.** If Tenant pays the rent and complies with all other terms of this Lease, Tenant may use the Land for the term of this Lease.
6. **Use of Land.** The Land shall be used and occupied by no more than one residential dock in conjunction with Tenant's Land. The Tenant may not use the Land for any unlawful activity. The Tenant may not use the Land for the purpose of carrying on any business, profession or trade. In particular, Tenant agrees that (a) Tenant will not unlawfully allow controlled substances in the Land; and (b) the common area in which the Land is located will not be used by the Tenant or others acting under his or her control to manufacture, sell, give away, barter, deliver, exchange, distribute, or possess a controlled substance in violation of any local, state, or federal law, including Minnesota Statute Chapter 152. This agreement by Tenant is not violated if a person other than Tenant possesses or allows controlled substances in the Land or in the common areas or building unless the Tenant knows or has reason to know of the activity. If unlawful activities are conducted by Tenant(s) or with Tenants' knowledge, Landlord can bring or assign to the county attorney an action for unlawful detainer. The Tenant shall not act in a loud, boisterous, unruly or thoughtless manner or disturb the rights of the others to peace and quiet. Tenant may not keep animals or pets of any kind on the Land without the written consent of the Landlord.
7. **Right of Entry.** Landlord and/or Landlord's agents must make a good faith effort to give notice to Tenant(s) prior to entering Land for reasonable business purposes except for emergency reasons such as Tenant(s) safety, injury, or to stop unlawful activity. "Reasonable business purpose" includes, but is not limited to, making necessary repairs and inspections and to show the Land to prospective Tenant(s) at reasonable hours during the last 30 days of the Lease term.
8. **Tenant's Right to Seek Police or Emergency Assistance.** Tenant(s) has/have the right to seek police or emergency assistance for disorderly or other unlawful conduct. This right cannot be waived by Tenant(s) and Landlord cannot require this right to be waived.
9. **Assignment and Subletting.** Tenant may not assign this Lease, lease the Land to anyone else (sublet), sell this Lease or permit any other person to use the Land without the prior written consent of the Landlord. If Tenant does, Landlord may terminate this Lease immediately. Any assignment or sublease made without Landlord's written consent will not be effective. Tenant must get Landlord's permission each time Tenant wants to assign or sublet. Landlord's permission is good only for that specific assignment or sublease.
10. **Utilities.** Tenant should pay for all utilities provided to the Land if any.

- 11. Maintenance and Repair.** Tenant promises, at Tenant's expense, to make all repairs and eliminate any violation of health and safety laws that result from the negligent, willful, malicious or irresponsible conduct of the Tenant or the Tenant's family, agent or guest, Tenant shall comply with all the sanitary laws affecting the cleanliness and preservation of the Land.
- 12. Insurance.** The Tenant shall obtain a Certificate of Insurance from their insurance agent with respect to their residential property extending liability to the land described in this lease. The Tenant shall provide to have the Landlord's name added as an additional insured under the Tenant's homeowner's policy. The Tenant shall deliver a copy of the Certificate of Insurance to the Landlord.
- 13. Liability.** Landlord is not responsible for any damage or injury that is done to Tenant on his/her property caused by fire, water, explosion or any other cause in the Land. Landlord is not responsible for loss of any of Tenant's property from the Land by theft or other cause.
- 14. Surrender of Premises.** Tenant shall move off of the Land when this Lease ends. When Tenant moves out, Tenant shall leave the Land in as good condition as it was when the Lease started, with the exception of reasonable wear and tear.
- 15. Abandonment.** If Tenant moves off of the Land before the end of this Lease, Landlord may bring a legal action to recover possession of the Land. The Landlord may rent the Land to someone else. Any rent received by Landlord for the re-renting shall be used first to pay Landlord's expenses for re-renting the Land and second to pay any amounts Tenant owes under this Lease. Tenant shall be responsible for paying the difference between the amount of rent owed by Tenant under this Lease and the amount of rent received by Landlord from the new tenant together with any court costs and attorney's fees. If a Tenant abandons the rented premises and the Landlord recovers possession, the Landlord may take possession of the Tenant's personal property remaining on the premises in the manner allowed pursuant to Minn.Stat. 504.24.
- 16. Default.** If Tenant does not pay the rent or other amounts when due or if Tenant violates any term of this Lease, Landlord may terminate this Lease. If Tenant does not move out, Landlord may bring an eviction action. If Tenant violates a term of this Lease and Landlord does not terminate this Lease or evict Tenant, Landlord may still terminate this Lease and evict Tenant for any other violation of this Lease. If contraband or a controlled substance manufactured, distributed, or acquired in violation of Minnesota law is seized in the Land or on the property on which the Land is located incident to a lawful search or arrest, and if Tenant has no defense under Minnesota Statute 609.5317, Tenant shall have no further right to possession of the Land, and Landlord may bring an eviction against Tenant.

**17. Heirs and Assigns.** The terms of this Lease apply to the Tenant and Landlord. The terms of this Lease also apply to any heirs, legal representatives and assigns of Tenant or Landlord.

**LANDLORD:**

**TENANTS:**

---

Mayor

---

Tenant

---

Clerk/Treasurer

---

Tenant

July 8, 2024

I have resigned from my position on the Heritage Preservation Commission.

Signed:

James F. Beatty

**CITY OF ELY**

**RESOLUTION AUTHORIZING APPLICATION FOR  
SPORTSMEN FOR THE BOUNDARY WATERS  
TO APPLY FOR RAFFLE PERMIT**

**WHEREAS**, the Sportsmen for the Boundary Waters has applied for a Minnesota Lawful Gambling Permit to conduct a raffle on August 24, 2024 at the Grand Ely Lodge located at 400 N Pioneer Rd, Ely MN 55731 and

**WHEREAS**, the City of Ely approves of said application and that the Sportsmen for the Boundary Waters be authorized to submit the necessary paperwork to the State of Minnesota Department of Gambling Control.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Ely, Minnesota does hereby adopt this resolution.

Upon vote taken thereon, the following voted:

For:

Against:

Whereupon said Resolution No. 2024-029 was declared duly passed and adopted this 16<sup>th</sup> day of July, 2024.

\_\_\_\_\_  
Heidi Omerza, Mayor

\_\_\_\_\_  
Harold R Langowski, Clerk/Treasurer

BLUEBERRY ART FESTIVAL  
2024  
Work Request for City Workers

Hours for Festival:

Friday, July 26 <sup>th</sup>	9 am - 5 pm
Saturday, July 27 <sup>th</sup>	9 am - 5 pm
Sunday, July 28 <sup>th</sup>	10 am - 4 pm

Exhibitors will be setting up their displays on Thursday, July 25<sup>th</sup>, from 7 am to 7 pm. Friday, vendors are not allowed to set up. No vehicles or trailers are allowed in the park after Thursday until the all-clear on Sunday.

Vendors are not allowed to park RVs and campers on the residential streets around the park during the festival.

MONDAY & TUESDAY, July 22 & 23

Chamber Staff will be marking booth spaces in the park starting at about 8:30. We will work around any city workers in the park.

TUESDAY & WEDNESDAY, July 23 & 24

- Trim trees around booths #103, #104, #105 and bushes if needed
- A-1 will deliver portable toilets on Wednesday evening.
- G-Men will deliver trash containers on Thursday.
- Set up power for food vendors and three vendors, booth #67 Angry Tomato Salsa, #78 Permanent by Abigail, #113, #114 Flying Carpet, and booth #125, #126 Frozen Tundra, #173, #174 Heim Made, #225 Cotton Candy Skies
- Attached is the map and a vendor list of those using power.
- The Kiwanis in the past have requested picnic tables to be moved out of the Pavilion
- Five extra barricades by the pavilion on 7<sup>th</sup> Avenue.
- Three barricades on 8<sup>th</sup> Avenue by band shell.
- Twelve orange cones to mark walking hazards in the park and reserved areas.

THURSDAY, July 25:

Vendors arrive at 7 am and will set up till approximately 7 pm

Security arrives around 8 p.m. until 6 a.m. The company Per Mar, Kelly Voigt, is our contact at 651-253-3832. They are providing 3 people: 1 mobile patrol and a 2-foot patrol.

- Park restrooms can be locked on Thursday. A1 Services will have the porta-potties ready for use.

FRIDAY, July 26:

- Handicapped parking signs on both sides of Harvey Street between 7<sup>th</sup> & 8<sup>th</sup>
- There are no parking signs on both sides of 7<sup>th</sup> Ave. The Chamber will provide reserved parking signs for Kiwanis, staff and the Ely Ambulance by the pavilion and restrooms. The remaining space to Harvey is no parking.
- Police Parking signs, 2 spaces next to Food Court #A
- No parking signs on Sheridan Street's south side between 7<sup>th</sup> and 8<sup>th</sup> Avenues
- 15 Min parking signs on the North side of Sheridan for food court patrons
- No Parking signs on Stukel Way from Harvey to 1<sup>st</sup> school entrance
- Block off 7<sup>th</sup> and 8<sup>th</sup> Avenues between Sheridan and Harvey.
- No Parking Sign behind the band shell; this will be the customer pickup and entertainment parking area.
- Block off Chapman St between 6<sup>th</sup> Ave & 7<sup>th</sup> Ave.
- Reserved parking signs for two homeowners on the corner of Chapman; violators will be towed.

FRIDAY, July 26:

On Friday, the festival will be open from 9 a.m. to 5 p.m. No setup or vehicles will be allowed in the park; only hand carts will be allowed.

FRIDAY, SATURDAY & SUNDAY

- Request Police Department help in monitoring threatening weather and clearing the park if needed
- Police Department help to monitor beer staying in the park
- Security will arrive (Friday/Saturday) from 7 p.m. until 6 a.m.

SUNDAY, July 28:

On Sunday, the festival will be open from 10 a.m. to 4 p.m. Vehicles are not allowed in the park until the all-clear.

SUNDAY JULY 28:

- Request that the police department help control the vendors driving in the park at the end of the festival, which will close at 4 pm on Sunday. The Chamber will provide an all-clear text to vendors when they can drive in.

**CITY OF ELY**

**RESOLUTION AUTHORIZING APPLICATION FOR ELY BLUE LINE CLUB  
TO APPLY FOR RAFFLE PERMIT**

**WHEREAS**, the Ely Blue Line Club has applied for a Minnesota Lawful Gambling Permit to conduct a meat raffle on July 24, 2024 at the Zaverls Bar at 509 E Sheridan St, Ely MN 55731 and

**WHEREAS**, the City of Ely approves of said application and that the Ely Blue Line Club be authorized to submit the necessary paperwork to the State of Minnesota Department of Gambling Control.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Ely, Minnesota does hereby adopt this resolution.

Upon vote taken thereon, the following voted:

For:

Against:

Whereupon said Resolution No. 2024-030 was declared duly passed and adopted this 16<sup>th</sup> day of July, 2024.

\_\_\_\_\_  
Heidi Omerza, Mayor

\_\_\_\_\_  
Harold R Langowski, Clerk/Treasurer