

AGENDA ADDITIONS
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:
 - A. Addition 9.A.i. Bid for Train Depot Excavation and Disposal of Contaminated Soils
 - B. Addition 10.C Correspondence from Ely Community Resources asking for additional one-time donation
 - C. Addition 13.F Resolution 2024-031 Resolution Authorizing Temporary Deputy Clerk for Election Purposes

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
 - i. (Additions A1-A5) Bid for Train Depot Excavation and Disposal of Contaminated Soils

 - 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.
- C. (Additions A6) Correspondence from Ely Community Resources asking for additional one time donation

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 9th Ave East Project and Final Pay Estimate #2 to Low Impact Excavators, Inc for the 9th 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.
- F. (Additions A7) Resolution 2024-031 Resolution Authorizing Temporary Deputy Clerk for Election Purposes

14. OPEN FORUM:

15. ADJOURN:

Ely Train Depot Redevelopment- Excavation and Disposal of Contaminated Soils

Specific Requirements

DESCRIPTION

This WORK shall consist of the excavation, stockpiling, disposal and replacement of approximately 1,000 cubic yards of soil around the foundation of the Train Depot buildings as shown on the plans within the construction limits in accordance with the Minnesota Department of Transportation Specification 2106, the Plans, and the Specific Requirements.

CONSTRUCTION REQUIREMENTS

The removal of existing contaminated soil around the foundation of the depot as identified and in the Specific Requirements shall be done by the CONTRACTOR. All materials not designated as contaminated shall be separated and salvaged for backfill of the foundation by the CONTRACTOR in accordance to all applicable laws, ordinances and any requirements of the applicable regulatory agency. A phase II environmental assessment was completed on the property and a response action plan (RAP) is in place for the excavation work. It is the responsibility of the CONTRACTOR to verify that hazardous materials are disposed of properly. The CONTRACTOR is responsible to review all reports concerning the contaminated soil on this project and develop a plan for excavation, separating and stockpiling and disposal. All regulated wastes removal shall be in accordance to all applicable rules and regulations.

Before commencing excavation work, preserve in operating condition, active utilities traversing the project site; protect property, including but not limited to water mains, sewer mains, electrical service, telephone service, valve boxes, poles, property pins, guys and/or other appurtenances.

The CONTRACTOR shall conduct excavation and stockpiling operations and the removal of debris to ensure minimum interference with streets, roads, walks, and other adjacent occupied building or facilities.

The building and site conditions existing at the time of inspection for bidding purposes will be maintained by the OWNER in so far as practicable. The CITY assumes no responsibility for the actual condition of the building or the soils.

The CONTRACTOR shall prepare a schedule for the excavation work at least two weeks prior to the start of excavating to ensure the consultant is present to screen the excavated materials.

The CONTRACTOR is responsible for coordinating with a hazardous material consultant during the excavation operations.

Contaminated Soil Foundation Excavation/ Stockpiling

The excavation of the contaminated foundation material as shown on the plan sheet and indicated as Hot Spot (Building Footprint) shall be at the contract unit price per cubic yard of contaminated material excavated, screened by the environmental consultant, and stockpiled. The CONTRACTOR must ensure positive drainage is maintained at the site during excavation to ensure additional materials are not saturated and contaminated. The management of the stockpiled material is as follows:

Excavated soils will be stored on an impermeable surface such as heavy (10-millemeter) plastic and covered with plastic. The plastic will need to be anchored in place with clean soil berms or other suitable material at the base of the pile and weights, such as tires, on top of the pile. Adjacent plastic sheets will be overlapped by at least three feet. Additionally, temporary stockpiled waste will remain in the staging area and will not be transported until a final use (reuse or disposal) is determined. Temporary stockpiles will not remain longer than 180 days from initial placement and will not exceed 250 cubic yards in size. Soil samples collected from the temporary staging area stockpiled material will be measured for waste characterization for disposal in an appropriate Subtitle D landfill. Excavation, separation, stockpiling, loading, hauling and disposal are part of this request.

Subtitle D Landfills:

- General Waste- 35005 County Road 571, Keewatin, MN 218-778-6600
- WM- Voyageur Landfill- 6830 US- 53 Canyon, MN 866-909-4458
- Shamrock Environmental Landfill- 761 MN Highway 45 Cloquet, MN 218-878-0112
- Saint Louis County Regional Landfill-5341 Landfill Road Virginia, MN 218-741-8207

Foundation Fill

Foundation fill shall be measured and compensated for at the contract unit price per cubic yard placed (CV) and shall be compensation in full for all costs of filling and compacting the foundation fill in 6” lifts and restoring the site elevation. The material shall be clean, non-frost susceptible granular borrow not exceeding 4” in size. The excavated material that is suitable for reuse as backfill will be paid as “salvaged backfill material” and will also be required to be compacted in 6” lifts.

Contaminated Material Disposal

After the contaminated material has been stockpiled and a determination has been made on how much needs to be disposed of in a landfill. The CONTRACTOR shall haul to the landfill they have received

A2

approval from for disposal. This work will be paid for by the unit price per cubic yard and include all work to uncover, load, transport and dispose of at the location they have contracted with. Payment for this work will not occur until a manifest is received itemizing the quantity and location of disposal. All stockpile cover materials must be disposed of as part of this work.

Greenspace Test Pitting

Additional soil testing is required in the green space for a future phase of this project. A grid pattern of 18 excavations are required at a total depth of four feet. A sample is required at two feet beneath the land surface and at four feet beneath the ground surface. The consultant will mark the location and take the samples as the excavations are occurring. The test pit is required to be backfilled with in place material when complete. Payment will be by the lump sum and include all work to excavate, provide access, and backfill.

Quote Form

<u>Item</u>	<u>Quantity</u>	<u>Quote Price</u>	<u>Total</u>
Contaminated Soil Foundation Excavation / Stockpiling	1000 Cubic Yards x	_____ =	_____
Foundation Fill (Borrow)	1000 Cubic Yards x	_____ =	_____
Foundation Fill (Salvaged)	500 Cubic Yards x	_____ =	_____
Contaminated Material Disposal	1000 Cubic Yards x	_____ =	_____
Greenspace Test Pitting	Lump Sum	_____ =	_____
TOTAL:			_____

The City of Ely reserves the right to reject any and all quotes and award the bid in the best interest of the City of Ely and the Property Owner. The low bid will be determined by the total of all items quoted. Final payment on the project will be by

A3

the unit price for the work completed as required.

Contractor Name

Signature and Title

Sealed quotes will be accepted at Ely City Hall, Clerk's Office 209 East Chapman Street until 3 pm Wednesday July 31, 2024 for the above referenced work. The City of Ely reserves the right to reject any and all quotes and award the project in the best interest of the City of Ely and the property owner.

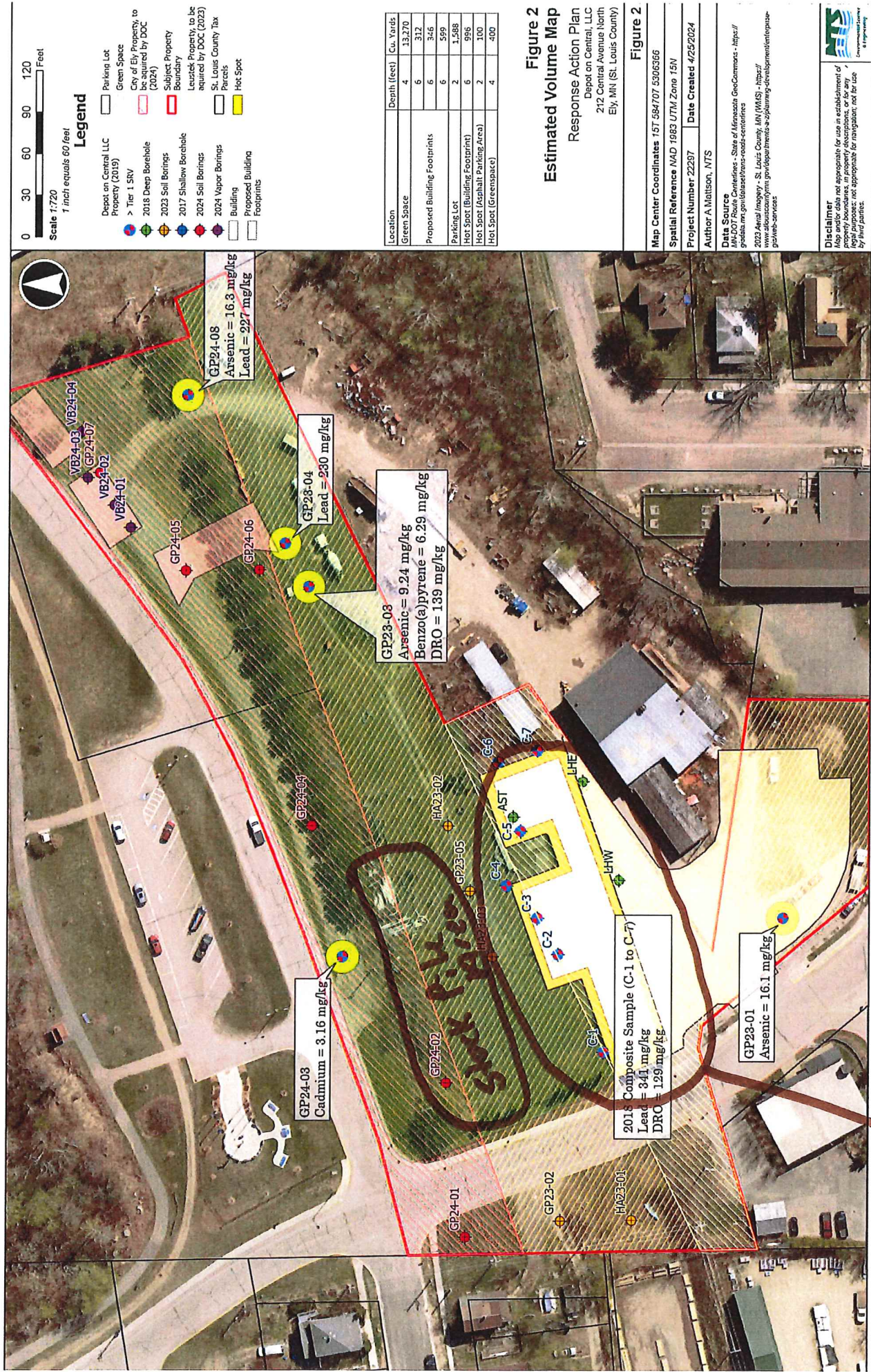
The Contractor will be given 15 calendar days from the notice to proceed to start the work.

The CONTRACTOR will be required to provide liability insurance totaling no less than \$1.5 million listing the City of Ely and the property owner as insured prior to the start of demolition.

The CONTRACTOR is responsible for providing a waste manifest and certification that the materials were property disposed of at a State licensed facility prior to receipt of payment for the work performed.

The CONTRACTOR is required to have all appropriate licenses and permits to legally perform demolition work and disposal in the State of Minnesota.

The City has applied for DEED funding for this project and the CONTRACTOR will need to follow all additional requirements of DEED.



Building Footings Estimate 1,000 Cu. Yd Soil Removal

A5



Ely Community Resource

Supporting Youth and Their Families since 1978

111 S. Fourth Avenue E. - Ely, MN 55731

www.elycommunityresource.org 218-365-5254

Dear *Harold,*

ECR Board of
Directors

Wende Nelson

BJ Kobierski

Jodi Chaffin

Leslie Thibodeaux

Marisa Haraldson

Brett Ross

Toni Dauwalter

Linda Sutton

Kate Willis

Craig Haberman

Lindsey Keen

Andrea Kannas

Jay Gustafson

We need your help. Ely Community Resource needs your help. As volunteer Board members we have watched with pride as ECR has consistently met and surpassed our expectations in providing services to our community, its youth, and families. The organization's after school activities, mentoring, homework help, peaceful playground work, basic needs support, and all the increased programming these past few years have been stunning. The appreciation expressed by the school and the community has been so gratifying.

But right now we have a serious budget shortfall due to changes in funding at the state level. After many years of very consistent grant awards, the state determined to redirect much of its youth program funding into a newly formed department. Unfortunately for ECR and many other youth programs in our state, that new department will not be functional and awarding grants until after July 1, 2025. That has left us with an unanticipated \$200,000 gap in our funding for 2024. If this gap is not filled it could lead to ECR reducing much of its programming in the school this fall.

We are asking our friends, family, and supporters to join us to help fill the gap by making a one-time donation to ECR at this time. We realize this may not be possible for all of you and we certainly understand, but for those of you that can help us, we need you now.

Just think, if 400 of us give \$500 the gap is filled. If 200 of us give \$1000, the gap is filled. Any amount will be much appreciated.

We can do it!

Thank you for your consideration of this request.

Wende Nelson

Wende Nelson, Ely Community Resource Board President

Please help!

A6

CITY OF ELY

**RESOLUTION AUTHORIZING TEMPORARY DEPUTY CLERK
FOR ELECTION PURPOSES**

WHEREAS, the City of Ely is an absentee ballot precinct for elections, and

WHEREAS, a Deputy Clerk or a Temporary Deputy Clerk can perform Absentee Ballot Board functions,

NOW, THEREFORE BE IT RESOLVED, that Scott Kochendorfer will be a Temporary Deputy Clerk for Election Purposes for the 2024 Absentee Ballot Election Periods for the Primary (June 28, 2024 through August 13, 2024) and General Elections (September 20, 2024 through November 5, 2024).

Upon vote taken thereon, the following voted:

For:

Against:

Whereupon said Resolution No. 2024-031 was declared duly passed and adopted this 16th day of July, 2024.

Heidi Omerza, Mayor

Harold R Langowski, Clerk/Treasurer