

AGENDA ADDITIONS  
August 6, 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:  
(5-9) Approve minutes from the July 16, 2024 Regular Council Meeting.
4. ADDITIONS OR OMISSIONS TO AGENDA:
  - A. Addition 9.D Post for the Police Sergeant Position internally per the LELS Local 55 Union Contract.
  - B. Addition 10.H Correspondence from the League of Minnesota Cities Legislator of Distinction for 2024 recognizing Representative Roger Skraba and Senator Grant Hauschild.
  - C. Addition 11.D Partial Pay Estimate #2 to Max Gray Construction Inc for \$94,330.46 for the Ely Regional Trailhead Building
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:
8. COMMITTEE REPORTS:
  - A. Standing/Special
    - a. (10) Heritage Preservation Commission -Minutes included in Packet
    - b. (11-13) Planning and Zoning Commission
      - i. Recommendation from Planning and Zoning to approve new language regarding 355 and 357 W Harvey St. subdivisions to "The existing lots need to remain as they are, moving forward, no additional structures. If the primary structures are removed, they must be rebuilt to current zoning code standards."
    - c. (14-17) Budget Committee
      - i. Recommendation from Budget Committee to add a study session on October 29<sup>th</sup>, 2024 to discuss civil citation fees and proposed changes.
      - ii. Recommendation from Budget Committee to adopt the 2025 Budget Calendar.

- iii. Recommendation from Budget Committee to reclassify a police officer position to police sergeant position into the 2025 Budget.
  - iv. Recommendation from Budget Committee to approve a 10% increase to Ely Community Resource funding in the 2025 Budget
  - v. Recommendation from Budget Committee to direct city staff to include a \$7500 contribution for the Ely Senior Center in the 2025 Budget.
  - vi. Recommendation from Budget Committee to direct city staff to keep the Ambulance service donations the same in 2025 at \$15.15 per capita with building expenses.
  - vii. Recommendation from Budget Committee to make the Planning and Zoning position 32 hours a week.
  - viii. Recommendation from Budget Committee to approve interest allocation with the funds with negative cash balances not being included.
  - ix. Recommendation from Budget Committee to approve purchase of a 2010 F-150 from St. Louis County for \$3600 and the disposal of the City's 2003 F-150 by posting bids.
- d. (18-19) Telecommunications Advisory Board (TAB)
- i. Recommendation from the TAB Committee to approve Treehouse Broadband to install fixed base wireless in Whiteside Park for \$2,320.00 and for a service fee of \$160.00 per month.
  - ii. Recommendation from the TAB Committee to approve a fee of \$400 for this summer's festivals that utilize WIFI and for events planned in 2025 the fee be set at \$7.00 per vendor space for each event.
  - iii. Recommendation from the TAB Committee to purchase necessary equipment ~~for~~ **WIFI to complete HD Conversion** not to exceed \$1,000.00.
  - iv. Recommendation from the TAB Committee to pay Ely Area Television \$250.00 for additional filming in May.
- e. (20-21) Employee Relations
- i. Hiring Committee - Recommendation from the Hiring Committee to hire Troy Oelke as Public Works Foreman and to step up Neil Lepisto and Eric Mattila to Equipment Operator 2.
- f. (22-26) Ely Utilities Commission (EUC)
- i. Recommendation from EUC to approve the Commercial Electric Rate Classification Policy.
  - ii. Recommendation from EUC to approve MOU regarding Water/Wastewater Chief Operator Step up pay for the current Water Operator II.
  - iii. Recommendation from EUC to approve attendance to the MPCA Operators School October 8-10<sup>th</sup> in Minneapolis.
  - iv. Recommendation from EUC to approve \$477,953.86 for payment of June EUC bills.
  - v. Recommendation from EUC to approve \$871.36 to Frontier Energy for payment of residential rebates
- g. Other Committee Meeting

9. DEPARTMENTAL REPORTS:

- A. (27-31) Clerk-Treasurer
  - i. Bids for Train Depot Excavation and Disposal of Contaminated Soils
- B. (32-37) Fire Chief
  - i. Fire Department Minutes and 2024 Quarter 1 and 2 Summaries
- C. Library Director
- D. Police Chief
  - i. **Post for the Police Sergeant Position internally per the LELS Local 55 Union Contract.**
- E. City Attorney
- F. City Engineer

10. COMMUNICATIONS:

- A. (38) Correspondence from the Ely Chamber of Commerce thanking for the support for the 2024 Blueberry Arts Festival
- B. (39-48) Correspondence from the Coalition of Greater Minnesota Cities
- C. (49-56) Correspondence from the Arrowhead Regional Development Commission (ARDC) regarding the 2025 Tax Levy.
- D. (57) Correspondence from RAMS regarding a Lunch and Learn Session on August 8<sup>th</sup>.
- E. (58-59) Correspondence from Northwoods Partners
- F. (60-63) Burntside Ridge Trail Association Treasurer's Report and Minutes
- G. (64) Correspondence from Barbara Jones of Ely Climate Group to get City of Ely to be an active Green Step City again
- H. **(Additions A1-A4) Correspondence from the League of Minnesota Cities Legislator of Distinction for 2024 recognizing Representative Roger Skraba and Senator Grant Hauschild.**

11. CLAIMS FOR PAYMENT:

- A. (65-69) City and EUC Claims for August 6, 2024 for \$78,566.66
- B. (70-73) Partial Payment Estimate #1 to Mesabi Bituminous for \$44,137.00 for the Trailhead Site Re-bid project
- C. (74) S.E.H Invoice # 470819 for \$23,760.00 for the Prospector ATV Project
- D. **(Additions A5-A7) Partial Pay Estimate #2 to Max Gray Construction Inc for \$94,330.46 for the Ely Regional Trailhead Building**

12. OLD BUSINESS:

- A. (75-77) Committee Seats  
Park and Recreation Board  
(1 Mid-Term Seat Open – Term Expiring 1/31/2027)  
New Applicants: Resident or Non-resident  
Steven Toddie – Non-Resident  
Kristen Anthony – Resident

13. NEW BUSINESS:

- A. Consider the Temporary Liquor License for Ely Rotary for August 16, 2024 at Miners Dry.
- B. Consider the Temporary Liquor License for the Ely Winton Rod and Gun Club for August 31, 2024 at Miner's Dry.
- C. (78) Consider the Temporary Liquor License for the Dorothy Molter Museum for September 20<sup>th</sup> and 21<sup>st</sup> at Whiteside Park
- D. Consider the Residential Rehab Loan application for Morgan Sauls for \$10,000 at 518 E Pattison St to waterproof the basement and for mold treatment pending proper paperwork and fees and to direct Attorney Klun to work with the applicant and proceed with the loan application.
- E. (79) Consider the 2024-2025 Liquor License Renewals pending proper paperwork, insurance and fees.
- F. (80) Consider the 2024-2025 Cannabinoid Dealer Licenses pending proper paperwork, insurance and fees.
- G. (81) Consider approving the Ely Homecoming Parade for October 4<sup>th</sup>, 2024 at 1pm
- H. (82) Schedule Study Session

14. OPEN FORUM:

15. ADJOURN:



RECEIVED  
AUG 27 2024  
BY: .....

July 26, 2024

Mayor Heidi Omerza  
209 E Chapman St  
Ely, MN 55731-1471

Representative Roger Skraba, who represents your city at the state legislature, has been selected as a League of Minnesota Cities Legislator of Distinction for 2024. The League's Board of Directors recognized a total of 25 legislators this year, including 16 House members and 9 Senate members, for their actions and leadership on a wide variety of legislative issues of importance to cities across our state. **The enclosed letter describes the specific reasons your legislator was chosen for this recognition.** A copy of this letter, and printed certificate, has been sent to your legislator as well.

Please share this recognition with your city council and the public at your next council meeting. We also encourage you to share this information with your local newspaper. Publicly acknowledging legislators for their support of city-friendly legislation helps to continue strengthening the partnership between state and local government officials in Minnesota.

If you have any questions, please feel free to contact Ted Bengtson, IGR Coordinator at the League of Minnesota Cities at [tbengtson@lmc.org](mailto:tbengtson@lmc.org), (651) 281-1242. To read the complete list of all 25 legislators who received this designation, see the *Cities Bulletin* article online at [www.lmc.org/lod](http://www.lmc.org/lod).

Thank you, in advance, for your consideration and your support of the League's Legislators of Distinction recognition program.

Enclosure

AI



July 24, 2024

Representative Roger Skraba  
221 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155-1298

Dear Representative Skraba,

On behalf of the League's 839 member cities, I want to thank you for your efforts this past legislative session and to recognize you as a League of Minnesota Cities 2024 Legislator of Distinction.

League staff and member city officials appreciate your accessibility and your consultation with us on legislation impacting cities. Specifically, the League appreciates you regularly checking in with League staff to identify and understand city perspectives. You made yourself readily available to discuss concerns, consistently worked to get those issues addressed, and supported efforts to craft workable legislative solutions, often drawing on your own experience as a city official to advocate for local decision making authority. League staff appreciates your work on behalf of cities and look forward to working with you in the future on issues impacting local units of government.

Our members know that to be successful in serving our common constituents, state and city officials must work together as partners to reach solutions that meet the unique needs of rural, suburban, and urban communities across Minnesota. City leaders also understand that without the support of legislative leaders like you, this state-local partnership would not be possible.

To acknowledge your contributions last session, mayors of each city in your legislative district will receive notification of your recognition. A press release will also be issued to media in your area. City officials and League staff look forward to continuing to work with you in the future.

Sincerely,

A handwritten signature in cursive script that reads "Justin Miller".

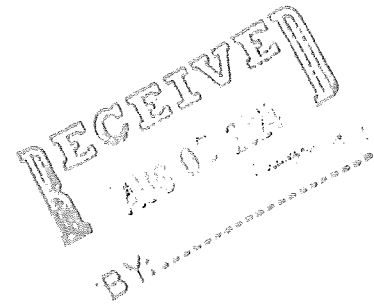
Justin Miller  
City Administrator, Lakeville  
President, League of Minnesota Cities

AJ



July 24, 2024

Mayor Heidi Omerza  
209 E Chapman St  
Ely, MN 55731-1471



Senator Grant Hauschild, who represents your city at the state legislature, has been selected as a League of Minnesota Cities Legislator of Distinction for 2024. The League's Board of Directors recognized a total of 25 legislators this year, including 16 House members and 9 Senate members, for their actions and leadership on a wide variety of legislative issues of importance to cities across our state. **The enclosed letter describes the specific reasons your legislator was chosen for this recognition.** A copy of this letter, and printed certificate, has been sent to your legislator as well.

Please share this recognition with your city council and the public at your next council meeting. We also encourage you to share this information with your local newspaper. Publicly acknowledging legislators for their support of city-friendly legislation helps to continue strengthening the partnership between state and local government officials in Minnesota.

If you have any questions, please feel free to contact Ted Bengtson, IGR Coordinator at the League of Minnesota Cities at [tbengtson@lmc.org](mailto:tbengtson@lmc.org), (651) 281-1242. To read the complete list of all 25 legislators who received this designation, see the *Cities Bulletin* article online at [www.lmc.org/lod](http://www.lmc.org/lod).

Thank you, in advance, for your consideration and your support of the League's Legislators of Distinction recognition program.

Enclosure

A3



July 24, 2024

Senator Grant Hauschild  
3111 Minnesota Senate Bldg.  
St. Paul, MN 55155

Dear Senator Hauschild,

On behalf of our 839 member cities, I want to thank you for your efforts this past legislative session and to recognize you as a League of Minnesota Cities 2024 Legislator of Distinction.

League staff and member city officials appreciate your accessibility and your consultation with us on legislation impacting cities. Specifically, the League appreciates you leading efforts to secure one-time aid for rural ambulance services and pilot programs aimed at exploring alternative emergency medical service delivery models. As a member of the tax committee, you consistently worked to ensure city needs were addressed and supported efforts to craft workable legislative solutions to numerous issues. The League appreciates your awareness of city needs and looks forward to working with you in the future on issues impacting local units of government.

Our members know that in order to be successful in serving our common constituents, state and city officials must work together as partners to reach solutions that meet the unique needs of rural, suburban, and urban communities all across Minnesota. City leaders also understand that without the support of legislative leaders like you, this state-local partnership would not be possible.

To acknowledge your contributions last session, mayors of each city in your legislative district will receive notification of your recognition. A press release will also be issued to media in your area. City officials and League staff look forward to continuing to work with you in the future.

Sincerely,

A handwritten signature in black ink that reads "Justin Miller".

Justin Miller  
City Administrator, Lakeville  
President, League of Minnesota Cities

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**APPLICATION AND CERTIFICATE FOR PAYMENT**

**TO OWNER/CLIENT:**

CITY OF ELY  
209 East Chapman Street Ely, Minnesota 55731 United States

**FROM CONTRACTOR:**

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

**PROJECT:**

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

**VIA ARCHITECT/ENGINEER:**

Joshua Elder (TKDA)  
11 East Superior Street, Suite 420 Duluth, Minnesota  
55802 United States

**APPLICATION NO: 2**

**INVOICE NO: 2**  
**PERIOD: 07/01/24 - 07/31/24**  
**PROJECT NOS: 2339-00**

**CONTRACT DATE: 11/17/23**

**DISTRIBUTION TO:**

**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)	\$232,224.02
5. Retainage:	
a. 5.00% of completed work	\$11,611.20
b. 0.00% of stored material	\$0.00
Total retainage (Line 5a + 5b or total in column I of detail sheet)	\$11,611.20
6. Total earned less retainage (Line 4 less Line 5 Total)	\$220,612.82
7. Less previous certificates for payment (Line 6 from prior certificate)	\$126,282.36
8. Current payment due	\$94,330.46
9. Balance to finish, including retainage (Line 3 less Line 6)	\$2,493,187.18

CHANGE ORDER SUMMARY		
	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner/Client:	\$0.00	\$0.00
Total approved this Month:	\$0.00	\$0.00
Totals:	\$0.00	\$0.00
Net changes by change order:	\$0.00	\$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: *[Signature]* Date: 7/30/24

State of: Minnesota

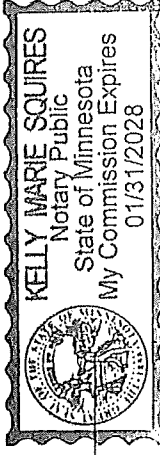
County: St. Louis

Subscribed and sworn to before

me this 30<sup>th</sup> day of July 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: \$94,330.46

(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: *[Signature]* Date: 08/06/2024

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.

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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	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	\$9,250.00	\$9,250.00	\$5,250.00	\$0.00	\$18,500.00	10.00%	\$166,500.00	\$925.00	
2	PERMITS BONDS INSURANCE	\$68,785.00	\$0.00	\$68,785.00	\$68,785.00	\$0.00	\$0.00	\$0.00	\$68,785.00	100.00%	\$0.00	\$3,439.25	
3	SUPERVISION	\$85,000.00	\$0.00	\$85,000.00	\$3,400.00	\$5,100.00	\$0.00	\$0.00	\$8,500.00	10.00%	\$76,500.00	\$425.00	
4	MOBILIZATION / DEMOBILIZATION	\$45,000.00	\$0.00	\$45,000.00	\$29,250.00	\$0.00	\$0.00	\$0.00	\$29,250.00	65.00%	\$15,750.00	\$1,462.50	
5	CONCRETE	\$165,000.00	\$0.00	\$165,000.00	\$18,330.38	\$30,763.97	\$0.00	\$0.00	\$49,294.35	29.88%	\$115,705.65	\$2,464.72	
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	\$2,500.00	\$0.00	\$0.00	\$0.00	\$2,500.00	4.05%	\$59,275.00	\$125.00	
12	BITUMINOUS DAMPROOFING	\$22,500.00	\$0.00	\$22,500.00	\$0.00	\$14,250.00	\$0.00	\$0.00	\$14,250.00	63.33%	\$8,250.00	\$712.50	
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 BITUMINOUS 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	\$1,213.42	\$0.00	\$0.00	\$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	

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A	B	C			D	E		F	G		H	I
		Scheduled Value	Approved Changes	Revised Scheduled Value		Work Completed From Previous (D+E)	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	\$39,931.25	\$0.00	\$0.00	\$39,931.25	13.29%	\$260,518.75	\$1,996.56
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
Grand Total:		\$2,713,800.00	\$0.00	\$2,713,800.00	\$132,928.80	\$99,295.22	\$0.00	\$0.00	\$232,224.02	8.56%	\$2,481,575.98	\$11,611.20

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