

**Regular Meeting Ely City Council
November 12, 2024 – City Hall, Council Chambers**

CALL TO ORDER

Mayor Omerza called the meeting to order at 5:30pm

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

ABSENT: None

APPROVAL OF MINUTES:

Debeltz/Campbell moved to approve the minutes from the October 15, 2024 Regular Council Meeting. Motion Carried Unanimously

ADDITIONS OR OMISSIONS TO AGENDA: None

MAYOR'S REPORT:

Mayor Omerza indicated that the turnout for the general election in Ely was a little over 90%, great job Ely for coming out to vote. Langowski indicated that Ely had a little less than 700 voters vote early and almost 1400 people voted in person.

Mayor Omerza stated that she saw the movie Boundary Waters that was filmed in Ely last year. The movie brought a lot of revenue to Ely and it was great to see the familiar landmarks and faces in the movie. Hopefully the movie will be coming to the Ely Theater soon.

CONSENT AGENDA:

Bisbee/Callen moved to waive the readings in entirety of all ordinances and resolutions on tonight's agenda. Motion Carried Unanimously

REQUESTS TO APPEAR: None

COMMITTEE REPORTS:

Standing/Special

Heritage Preservation Commission: Minutes included in the Council Packet

Planning and Zoning Commission and Board of Adjustment

Matter of Information: Board of Adjustment approved a Conditional Use Permit Application submitted by Tanner Spicer, representing Voyageur North Outfitting and T-N-S Adventure Properties LLC; proposed location of 115 N 21st Ave E, Parcel# **030-0230-00086**. The applicant is seeking a Conditional Use Permit to allow for expansion of the property as a Resort with (4) 499 Square Foot log cabins, up to (3) RV sites, as well as green space, and other amenities for resort guests. The property is zoned Residential Transition (RT), and "Resorts" are allowed by Conditional Use Permit Only, per Ordinance 376, 2nd series.

Campbell/A.Forsman moved to approve the recommendation from Planning and Zoning Commission to approve to change the language in the ROW Vacation process to the October 5, 2004 Procedure and remove the fee language and for the fee to be included in current fee schedule.

Langowski indicated that the procedure will have language to reference the fee schedule which will include the application fees, attorney fees, surveys, etc to be paid for by the applicant.

Bisbee asked if we will be removing the Streets and Infrastructure Committee language. Langowski indicated that it will still be going to the Projects Committee to look at utility right of ways and other street issues. The streets and infrastructure committee and projects committees' names are used interchangeably.

Motion Carried Unanimously.

Campbell/Kess moved to approve the recommendation from Planning and Zoning Commission to have the council explore ways to fund a potential “de-pave incentive.”

A.Forsman indicated that when you look at our commercial properties in our community this is irrelevant, there really isn't the space where this would make sense. As far as taking the time to find a funding mechanism for this, he can't see it. There is the incentive where people are doing things like a pocket park, people want to beautify their properties, but he can't see the city getting involved in this and he is opposed to this.

Kess indicated that he would disagree with Forsman's concerns, it looks like the incentive is not paid for by the city and anything we can do to reduce runoff would be a good thing.

A.Forsman indicated that if you have a gravel parking lot the runoff can go down our sewer system and plug it up. Forsman stated that he is in favor of curb and paving, while a green space is different than that. The gravel is going to create more of a problem.

Langowski discussed the rain garden portion is for storm water management, on the trailhead project we have an underground sedimentation basin that was constructed as part of the infrastructure. With gravel pavements the water still runs off of them it does not all soak through. Green space and rain gardens do benefit, as far as a payment or incentive, Langowski stated that he is not sure where that money would come from.

Mayor Omerza pointed out that the sample information that is in the packet is from St. Louis Park.

Motion Carried 6-1 with A.Forsman voting No.

Campbell/Debeltz moved to approve the recommendation from Planning and Zoning to approve the Development Agreement with Depot on Central, LLC.

Langowski stated that this is the area along the power line next to the Depot property that the city is exchanging for the Old Ford Garage property, for the parking lot for the Boutique Hotel.

Motion Carried Unanimously.

Campbell/Bisbee moved to approve the recommendation from Planning and Zoning to approve the changes to the second-hand goods dealer ordinance as presented and to direct Attorney Klun update the ordinance. Motion Carried Unanimously

Campbell/Callen moved to approve the recommendation from Planning and Zoning to update City Code 11.41 (land stability) to “In the Shoreland Overlay District, surrounding Miner's Lake the property owner shall be responsible for ensuring the land is safe to build on at the 75' (or greater) setback. It shall be the responsibility of the property owner to consult with a geotechnical engineer if the property owner deems necessary.

Properties known to or suspected of having inactive mine shafts, shall contact the St. Louis County Mine Inspectors Office for further guidance and requirements.” And to have Attorney Klun work on updating the Ordinance. Motion Carried Unanimously

Campbell/Debeltz moved to approve the recommendation from Planning and Zoning to approve the updated Dumpster Enclosure Ordinance (see attached Chapter 10 of the City Code) and to have the City Attorney work on updating the ordinance.

A.Forsman indicated that if you went down the alley from City Hall to Central Avenue not one business would be able to comply with this ordinance, there is not enough space to have a dumpster enclosure for most businesses in town. Forsman indicated that there is already coverage for this in the blight code.

Kess stated he is in favor of Forsman's comments.

Langowski indicated that if we were talking about green space development, we could have a dumpster ordinance regarding this, but with current spacing for businesses this would be difficult to enforce. One concern might be animals getting into the dumpsters and making a mess, we could bring this back to Planning and Zoning or it could go to sanitation since they deal with garbage.

A.Forsman indicated that there is a way to address a secure storage and aesthetically appealing storage of your trash.

Bisbee agreed that there needs to be some added language to waive the requirement depending on the property type and thinks it should be sent back to Planning and Zoning.

Motion Failed 0-7.

Debeltz/Bisbee moved to send the Dumpster Enclosure Ordinance back to Planning and Zoning.

Bisbee likes the idea of the dumpster enclosures to help prevent trash blowing around, but not making it mandatory if the property cannot handle the request.

Motion Carried 5-2 with A.Forsman and Kess voting No.

Budget Committee

A.Forsman/Callen moved to approve the recommendation from Budget Committee to approve using Positive Pay Check/ACH Fraud Detection Services with Frandsen Bank for \$50 per month and .03 cents per check. Motion Carried Unanimously

Park and Recreation Committee

Bisbee/Debeltz moved to approve the recommendation from Park and Rec to allow the Tour of Minnesota camp in Whiteside Park on June 16-June 18, 2025.

A.Forsman asked if the organizers will be providing showers and trash collection..

Bisbee indicated that they will be providing showers and garbage collection for the campers.

Motion Carried Unanimously

Mayor Omerza asked for an explanation for the statement at the end of the park and rec minutes that "There is a unanimous consensus regarding the failure of the City to provide the board with a sound budget. A desire for clarification and justification."

Bisbee indicated that at the end of the park and rec meeting there was a consensus that it feels like the boards hands are tied as being allocated a budget for the decision on park development or other areas that they have the sound judgement that they could appropriate funds for. They feel limited in their capacity to function as a board without that ability. It is very frustrating to try to make decisions on goals and objectives without having an earmarked amount of money to support those goals and endeavors.

Mayor Omerza stated that the Park and Rec board is an advisory board, they essentially do not get a budget, you have goals and you work around those items to get things accomplished. Mayor Omerza stated that Bisbee should know what the budget is, because as a council member you approved the whole process. We are at the end of our budgeting process and we have had to cut a lot of things on budget, which has been a painful process. To hear now that there is a consensus that you need clarification and justification, you have sat up here with us and helped with the process, and approved the process. It is a balance between how much do we want to or can we raise the levy for the city that has low-income residents and housing, it is very hard to work on the budget. There are better ways to go about this.

A.Forsman indicated that as an advisory board the goal should be to plan the future of the parks, and if there are things that require funding they should present those to council. Then those items can be brought to the budget committee to be included in the next year's budget during budget times. For Park and Rec Board to have a budget and decide where things are going to be spent, without council approval, it is backwards.

Kess pointed out that a lot of the Park and Rec activities that the city does now are included in the Public Works budget.

Bisbee thanked everyone for the clarification on the process.

Ely Utilities Commission (EUC)

A.Forsman/Callen moved to approve the recommendation from EUC to approve to approve the check valve quote from Quality Flow Systems for the MnDOT Lift station for \$3,100. Motion Carried Unanimously

A.Forsman/Callen moved to approve the recommendation from EUC to approve \$160.00 Residential CIP rebate to 1101 E Conan St.

A.Forsman reminded everyone that the City has Energy Star Rebates, contact the clerk's office or the utility billing office for more information.

Motion Carried Unanimously

A.Forsman/Campbell moved to approve the recommendation from EUC to approve the \$1000 payment to Mick Shusta for A Operator Services for August and September.

Motion Carried Unanimously

A.Forsman/Bisbee moved to approve the recommendation from EUC to approve \$3040 payment to RMB Environmental Laboratories Inc for toxicity testing. Motion Carried Unanimously.

Telecommunications Advisory Board (TAB)

Debeltz/Bisbee moved to approve the recommendation from TAB to pay the \$197.16 invoice from Modern TV & Electronics Service for the attempted repair of a camera and to have the camera reevaluated locally. Motion Carried Unanimously.

Debeltz/Bisbee moved to approve the recommendation from TAB to authorize the purchase of a video camera for filming remote events for a cost not to exceed \$3500, invoice #7430 from Custom Theaters for the camera is \$3080. Motion Carried Unanimously

Debeltz/Kess moved to approve the recommendation from TAB to pay Ely Area Television \$175.00 for the additional filming, Invoice #61417. Motion Carried Unanimously.

Employee Relations

Debeltz/Campbell moved to approve the recommendation from Employee Relations to approve the open enrollment of employee health and dental using Blue Cross/Blue Shield and Sunlife. Motion Carried Unanimously.

DEPARTMENTAL REPORTS:

Clerk-Treasurer

Prospector Trail Restrooms - IRRRB funded – for \$157,200.00

Langowski explained that the City of Ely is the fiscal agent for the IRRR for a grant for this.

Callen/Campbell moved to approve the quote from Crest Precast Inc for \$157,200 for the Prospector Trail Restrooms. Motion Carried Unanimously.

Langowski indicated that at today's IRRR meeting the City of Ely was awarded \$500,000 for the 2025 Infrastructure Projects including the Burntside water line project and the Harvey and Conan Street Projects.

Fire Chief

Chief Marshall gave an update to the Council of recent fire and medical calls.

Library Director

Library Director Heinrich gave an update to the Council on upcoming programming at the library which can be found on the library website

Police Chief

Chief Houde reminded the community that Calendar Parking has started.

City Attorney

City Engineer

COMMUNICATIONS: Matter of Information

Ely Bloomenson Community Hospital Annual Member Meeting and Ely Health and Hospital Foundation

RAMS Annual Meeting on December 19, 2024 at the Iron Trail Event Center

Ely Community Resource Quarterly Progress Report Quarter 3

CLAIMS FOR PAYMENT:

A. City and EUC Claims for November 12, 2024 for \$745,052.57

B. Pay Estimate #5 for the Ely Regional Trailhead Building to Max Gray Construction, Inc for \$362,191.75

C. SEH Invoice #476133 for the Prospector ATV Trails for \$1,760.00 – Table Invoice until we get the matching funds.

Debeltz/Callen moved to approve Claims for Payment items A and B and to Table C until we get the matching funds. Motion Carried Unanimously

OLD BUSINESS: None

NEW BUSINESS:

RAMS Nominations for the Board of Directors

Kess/Debeltz moved to nominate Angela Campbell for consideration to the RAMS Board. Motion Carried Unanimously

Callen/Campbell moved to approve Resolution 2024-042 Resolution of Ely City Council – Community Development Block Grant (CDBG) application to the 2025 Infrastructure Improvements Project for the Harvey Street Project. Roll Called: A.Forsman-Yes, Kess, Yes, Debeltz- Yes, Callen, Yes, Campbell-Yes, Bisbee-Yes and Mayor Omerza-Yes. Motion Carried Unanimously.

Kess/Bisbee moved to develop a subcommittee for the “Ely Green Team” for the green step initiative. Eight (8) total members with 7 voting members – 1 Council Representative, 1 Projects Representative, 1 EUC Representative, 4 at Large Representatives and 1 non-voting Planning & Zoning Administrator, majority members would be City of Ely Residents. The Green Team committee would meet Quarterly.

Langowski stated that this is the next step in the green step program. We are currently in step 2 and we need to set up this committee to get to step 3. A lot of getting to the next step is documenting things that we are already doing. This committee will be working on getting to the next steps in the green step process, and it will be a sub group of projects committee.

Bisbee asked if the council representative will be a voting member. Yes, they will be.

Mayor Omerza discussed that when she was on the League of Minnesota Cities Board she used to work with this, and she believes that we probably qualify for most of the steps, but we just haven’t gotten the paperwork done on it.

Kess indicated that he had heard that there was some interest from park and rec to be on the committee also.

Langowski indicated that these will be open meetings and we could have the park and rec council representative to be on the committee. We can post for nominations through December then vote on the committee members in January.

Motion Carried Unanimously

Debeltz/Callen moved to approve Resolution 2024-043 Resolution authorizing Application for Jake Forsman Memorial Scholarship to Apply for Raffle Permit. Roll Called: A.Forsman-Yes, Kess, Yes, Debeltz- Yes, Callen, Yes, Campbell-Yes, Bisbee-Yes and Mayor Omerza-Yes. Motion Carried Unanimously.

Campbell/Callen moved to approve the Residential Rehab Loan application for Linda Enquist-VandenBranden for up to \$10,000 at 845 E Pattison St for a new propane furnace pending proper paperwork and fees and to direct Attorney Klun to work with the applicant and proceed with the loan application. Motion Carried Unanimously

Debeltz/Campbell moved to approve the Commercial Renovation Loan application for Jim Mealey for \$17,000 at 124 N Central Ave for new electrical service for retail space, 3 apartments, and storage areas pending proper paperwork and fees and to direct Attorney Klun to work with the applicant and proceed with the loan application. Motion Carried Unanimously

Callen/Bisbee moved to approve the Change Order #1 for the Ely Regional Trailhead Building. Motion Carried Unanimously

Callen/Campbell moved to approve the Proposal for Additional Architectural and Engineering Services – Amendment #1 for the Ely Fire Department Apparatus Building. Motion Carried Unanimously

Debeltz/Callen moved to approve the Proposal for Additional Architectural and Engineering Services – Amendment #1 for the Ely Area Ambulance Service Garage-Design, CD, and Bidding

A.Forsman asked if this will have to get approved by the Joint Powers Ambulance Board. Langowski indicated that this is the next step to get the design completed and this will go to the Joint Powers Ambulance Board when they have a meeting.

Motion Carried Unanimously

Resolution 2024-044 Resolution Authorizing Application for Ely Blue Line Club to Apply for a Raffle Permit Roll Called: A.Forsman-Yes, Kess, Yes, Debeltz- Yes, Callen, Yes, Campbell-Yes, Bisbee-Yes and Mayor Omerza-Yes. Motion Carried Unanimously.

Resolution 2024-045 Resolution Authorizing the Application of the Knights of Columbus Council 3238 to Conduct Bingo. Roll Called: A.Forsman-Yes, Kess, Yes, Debeltz- Yes, Callen, Yes, Campbell-Yes, Bisbee-Yes and Mayor Omerza-Yes. Motion Carried Unanimously.

Debeltz/Kess moved to approve the Temporary Liquor License for Northern Lakes Arts Association on December 5, 2024 at the Hidden Valley Chalet. Motion Carried Unanimously

A.Forsman/Bisbee moved to approve the 1st Reading Ordinance 382 An Ordinance of the City of Ely, Minnesota, adding to the Ely City Code, Chapter 5, Section 5.41, Alcoholic Beverages Licensing and Regulation. (Sunday On Sale timing) Roll Called: A.Forsman-Yes, Kess, Yes, Debeltz- Yes, Callen, Yes, Campbell-Yes, Bisbee-Yes and Mayor Omerza-Yes. Motion Carried Unanimously.

OPEN FORUM: None

ADJOURN:

Mayor Omerza adjourned the meeting at 6:31pm without objection.

Casey Velcheff
Deputy Clerk