

AGENDA ADDITIONS
December 3, 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:
 - A. (3-7) Approve minutes from the November 19, 2024 Regular Council Meeting
4. ADDITIONS OR OMISSIONS TO AGENDA:
 - A. Additions 9.E.iii. Memorandum of Understanding between City of Ely and AFSCME Local Union #1490, Base Unit
5. MAYOR'S REPORT:
 - (8) Dark Sky Festival Proclamation
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. (9-18) Park and Recreation Board
 - i. Recommendation from the Park and Rec Board to approve the Memorandum of Understanding between the North Country Trail Association and City of Ely, MN.
 - b. (19-24) Planning and Zoning Commission (P&Z)
 - i. Matter of Information: P&Z approved the following Variation in the Subdivision Ordinance submitted by the First Presbyterian Church, location of 226 E Harvey St, Parcel #030-0010-02940; to subdivide this property into (2) parcels. The request is for a Variation from Subdivision Ordinance 12.05 Subd. 5(a) Each residential lot must be 6,000 sq ft. (proposal is 5,250 sq ft.), Subdivision Ordinance 12.05 Subd. 5(a) lot width minimum of 50 feet (proposal is for 42 feet in width), and a variation from ordinance 11.41, the side yard setback requirements in (R2) Zoning of 8 feet (proposal is for 6 and 9 feet). (The original subdivision that was approved in September was deemed to need adjustment due to the overhang of the building would have encroached on the adjacent property, so it was adjusted by another (2) feet.)
 - ii. Recommendation from P&Z to send the proposed dumpster ordinance to sanitation committee to review.

- c. (25-27) Range Association of Municipalities & Schools (RAMS)
- d. Other Committee Meetings

9. DEPARTMENTAL REPORTS:

A. Clerk-Treasurer

B. Fire Chief

C. Library Director

D. Police Chief

- i. Courtney Olson completed 1 year probation

E. City Attorney

- i. (28-44) Discussion on 1st Reading Ordinance No. 381 An Ordinance of the City of Ely, Minnesota, Adding to the Ely City Code, Chapter 6, Section 6.41, Entitled Regulating Cannabis Business
- ii. (45-46) Discussion on 1st Reading Ordinance No. 383 An Ordinance of the City of Ely, Minnesota, Amending the Ely City Code, Chapter 11, Section 11.50, Entitled Regulation Cannabis Business
- iii. (Additions A1-A2) Memorandum of Understanding between City of Ely and AFSCME Local Union #1490, Base Unit

F. City Engineer

10. COMMUNICATIONS:

11. CLAIMS FOR PAYMENT:

- A. (47-58) City and EUC Claims for December 3, 2024 for \$643,376.44
- B. (59) Invoice #477941 from Short Elliott Hendrickson (SEH) for the Prospector ATV Trails for \$3520.00 – Table Invoice until we get the matching funds

12. OLD BUSINESS:

- A. (60) 2nd Reading Ordinance No. 378, An Ordinance of the City of Ely, Minnesota, Amending Chapter 11, Section 11.41 of the Ely City Code Regarding Zoning District Schedule.

13. NEW BUSINESS:

- A. (61) Approve 2025 Tobacco License renewal applications pending the receipt of all required documentation and payment for the term of 1/1/2025-12/31/2025.

14. OPEN FORUM:

15. ADJOURN:

MEMORANDUM OF UNDERSTANDING
between
City of Ely
and
AFSCME Local Union #1490, Base Unit

WHEREAS, AFSCME Local Union # 1490, Base (hereinafter referred to as “Union”) and the City of Ely (hereinafter referred to as “City”) have a negotiated Collective Bargaining Agreement dated January 1, 2023– December 31, 2025 (“CBA”);

WHEREAS, a grievance was filed on behalf of the Ed Marsolek by the Union on August 12, 2024 alleging that the City failed to follow the CBA relative to the filling of the position of Public Works Foreman.

WHEREAS, the parties desire to resolve this grievance outside formal arbitration.

NOW, THEREFORE, IT IS HEREBY AGREED by and between the City and the Union as follows:

1. The City denies the grievance and/or wrongdoing for failing to follow the CBA relative to the posting and recent hiring of Troy Oelke as Public Works Foreman.
2. City agrees to a one-time payment of \$4500.00 to Ed Marsolek, paid to deferred comp.
3. In acknowledgement of payment, Ed Marsolek shall not be entitled, based on the CBA seniority language Article VIII Section 8, to the position of Public Works Foreman.
4. This agreement shall be non-precedent setting and shall be considered a full settlement of Grievance.

AFSCME Local Union # 1490, Base

City of Ely

Amanda Metsa
Staff Representative

Harold Langowski
Clerk/Treasurer of Ely

Troy Oelke
Union President

Heidi Omerza
Mayor of Ely

Ed Marsolek
Grievant