

Lewiston City Council
Special Council Meeting Minutes
January 30, 2017
Lewiston City Hall – 7:00 P.M.

1. Call to Order

Special City Council Meeting called to order by Mayor Beth Carlson at 7:00pm January 30, 2017.

2. Pledge of Allegiance

3. Roll Call

Present (5): Mayor Beth Carlson, Council Member Larry Rupprecht, Council Member Jeremy Kelly, Council Member Dan Robertson, and Council Member Bryce Lange. Not Present (0): None.

4. Agenda- Changes and Additions. Approval.

Member Robertson presented one addition for EMR Textbooks for the Ambulance Service.

Member Rupprecht motioned to approve the agenda as presented with the addition of item 11.1- EMR Textbooks. Seconded by Member Lange. Approved 5-0.

5. City Council Minutes – January 11, 2017

Administrator Brierley presented one change to the minutes. Agenda item 9.1 in the second paragraph, line 1 is changed to clarify the statement made regarding the operation of the Ambulance on route to calls.

Member Rupprecht motioned to approve the January 11, 2017 minutes with the change to the wording in item 9.1. Seconded by Member Kelly. Approved 5-0.

6. Accounts Payable

Member Robertson motioned to approve accounts payable. Seconded by Member Lange. Approved 5-0.

7. Citizens' Concerns

None

8. Public Works- Curt Benter

Director Benter informed the Council due to the winter weather there has been a substantial increase from prior years for sand and salt. The invoices for the sand and salt have yet to be received by the City.

Director Benter informed the Council that he had met with a representative from Minnesota Rural Water to finish the vulnerability report and response plan for small waste water systems. The plan needs to be updated every year and consists of wet wells and lift stations.

Representatives from Minnesota Rural Water and Minnesota Department of Health reviewed the wellhead protection area. The area is now smaller than prior years as Well #4 and Well #5 are the two wells in operation and draw water from different aquifers than Well #3. The protection area is now within City Limits. The Minnesota Department of Natural Resources has been completed and there are no more large reports to complete for the year.

Member Robertson inquired upon Pump House for Well #5 and if there was more information regarding a solution to the high temperatures. Director Benter informed the Council he has been in communication with Bryan Holtz regarding solutions. More information will be presented at a future Council Meeting.

9. People Services- Ken Johnson

Mr. Johnson informed the Council the new pump has arrived and has been installed at the Waste Water Treatment Facility. There will also be replacement equipment needed in the future as the facility is a 20 year facility and was built in 2001. Research is being done on what the future needs of the facility will be.

Mr. Johnson informed the Council the facility had a controller screen go out. The controller has been sent for repairs which will save the City about \$2,000. Mr. Johnson asked the Council to visit the plant when the weather gets warmer as he would be more than willing to provide a tour.

10. Police Department- Scott Yeiter

10.1- Joint Powers Agreements

Chief Yeiter presented agreements to the Council 2 Joint Powers Agreements which allow Police Department to access records, drivers' license, and other resources allowing the police to perform their duties better. The two agreements are the "State of Minnesota Joint Powers Agreement Authorized Agency (SWIFT Contract #11391)" and "Court Data Services Subscriber Amendment to CJDN Subscriber Agreement." There is no charge for these agreements and they help establish policies for the Police Department. The County Attorney will also have to sign the agreements which will happen after they are approved by the Council.

Member Roberton motioned to approve the State of Minnesota Joint Powers Agreement Authorized Agency, SWIFT Contract #11391. Seconded by Member Rupprecht. Approved 5-0.

Member Kelly motioned to approve the Court Data Services Subscriber Amendment to CJDN Subscriber Agreement. Seconded by Member Lange. Approved 5-0.

Chief Yeiter informed the Council there is a new scam taking place via email where the email states the recipient has an unpaid ticket from the Lewiston Police Department. If a person receives this email they should delete the email and not click on any links. The Lewiston Police Department does not have the email information for anyone who is stopped and ticketed.

10.2- Resolution 2017-04- Joint Powers Agreement

Member Roberton motioned to accept Resolution 2017-04 Approving State of Minnesota Joint Powers Agreements with the City of Lewiston on Behalf of Its City Attorney and Police Department. Seconded by Member Lange. Approved 5-0..

11. Rubbish Haulers License

Administrator Brierley informed the Council the City has received the application fee and required documents from Waste Management regarding their Rubbish Haulers License application.

Member Kelly motioned to approve a Rubbish Haulers License for Waste Management with the expiration date of December 31, 2017. Seconded by Member Rupprecht. Approved 5-0.

11.1- EMR Textbooks

Member Roberton informed the Council that Ambulance Director Essig is requesting a pre-approved amount for new EMR textbooks. The current version is several years old and the new textbooks are current as of October 2016. Director Essig will be starting a new EMR course on February 22nd, 2017. The total cost of the textbooks will depend on the number of students who enroll in the EMR course.

Member Rupprecht motioned to approve up to \$4,000 for the purpose of EMR Textbooks. Seconded by Member Lange. Approved 5-0.

12. Department Head's Expenditure Limit

Member Robertson informed the Council that City Department Heads currently have a spending limit of up to \$500. Anything over that amount currently needs approval by the Mayor. Public Works Director Benter and Police Chief Yeiter informed the Council the cost of replacing tires on trucks and the purchase of salt and sand mix are both over \$500.

Member Rupprecht expressed the current department heads are mature, respected, and good employees but expressed concerns regarding setting a precedence of opening a purse for department heads in the future. Member Rupprecht does not want to have a hindrance to public safety regarding the purchase of needed equipment and supplies but would like to have larger expenses explained to the Council.

Member Rupprecht motioned to approve the department head expenditure limit be adjusted upwards to \$1,500 without immediate Council approval and that any expenditures are reported the Council within 30 days. Seconded by Member Robertson. Approved 5-0.

Discussion was had regarding the approval of an expenditure limit by the City Administrator. Since the limit was adjusted to \$1,500, anything over \$1,500 would need the approval of the Mayor who can approve up to \$3,000 as previously approved during a past Council Meeting.

13. Business Associate Agreement

Administrator Brierley presented a change to the original agreement that was presented in the original Council Packet. The change regarded item number 16 changing the laws of the State of Minnesota would be used rather than that of the State of Illinois. This change was discussed with the City Attorney Jennifer Gumbel. The agreement as presented is between Gallagher Benefit Services, Inc. and the City of Lewiston regarding the management of City Staff health care plans and information.

Member Robertson motioned to approve the Business Associate Agreement with the change to item number 16 changing the Governing Law to the State of Minnesota. Seconded by Member Lange. Approved 5-0.

14. Utility Billing Accounts

Administrator Brierley informed the Council the total number of delinquent accounts of 60 and 90 days had increased by 5 accounts bringing the total amount past due of 60 and 90 days to

\$11,501.50. Administrator Brierley has sent letters to users of the delinquent accounts earlier in January. There are also 9 payment plans in place to allow community members to get caught back up on their past due amounts and 8 of those plans are current.

Administrator Brierley informed the Council there was one water account which had a discrepancy. The discrepancy was investigated by City Administrative staff to include record checking and conversations with the account holder. It was determined by Administrator Brierley there was a payment made on the account but the funds were not credited to the accounts.

Member Rupprecht motioned to have the City credit account 01-000069003-00-3 in the amount of \$90.22. Seconded by Member Lange. Approved 5-0.

15. Additional Council Concerns

Member Rupprecht expressed his thanks for their hard work in removing snow during the previous snow falls.

Member Rupprecht stated there was a Winona Daily News article which covered the League of Women Voters in Winona who invited all the area elected officials. Member Rupprecht stated he was invited as an audience member by the League but the article stated he did not show up as panelist. Member Rupprecht wanted to clarify he was not invited as a panelist but only as an audience member and unfortunately was not able to attend.

Member Rupprecht informed the Council he had spoken with Administrator Brierley about presented the Council Agenda and changes prior to the start of a meeting. Administrator Brierley will present changes at the start of the meeting by asking for the floor to avoid the possibility of an open meeting law violation.

Member Rupprecht informed the Council he would like to review the Committee Appointments approved during the January 11, 2017 Council Meeting. Member Rupprecht was appointed to 5 committees and as Mayor Pro-Tem along with the list of appointments provided in the initial Council Packet did not match the appointments approved during the meeting.

Member Rupprecht motioned to rescind the approval of Committee Appointments made on January 11, 2017 [item number 12]. Seconded by Member Kelly. Member Rupprecht stated the Council appoints the committee positions and the appointments should be reviewed. Approved 5-0.

Member Rupprecht stated he would have to decline the appointments in his name as he had been appointed to 6 appointments as other Council Members had been appointed to only 2 committees. Mayor Carlson stated the Public Works Committee and the Bikes and Trails Advisory Committee had not met in a long time. Member Rupprecht stated the City would want to keep the Bikes and Trails Advisory Committee would still be needed as the City moves to achieve the development of residential properties.

Member Rupprecht stated he would be willing to serve as Vice-Mayor and on the Beautification Committee and as the liaison to the Chamber of Commerce. Discussion also included the usefulness of a Public Works Committee as its role is covered by City Engineer Bryan Holtz with Bolton & Menk. Member Rupprecht asked if the expense of lunch during the Chamber of Commerce meetings would be covered by the City. The Council agreed the cost would be covered. Further discussion included the willingness of Council Members to serve on different committees as previously approved.

Member Rupprecht motioned to approve the Committee Appointments [as follows]

Mayor Pro-Tem: Larry Rupprecht

Emergency Services Building Committee: Jeremy Kelly

Parks and Recreation Committee: Bryce Lange

Personnel Committee: Jeremy Kelly and Dan Robertson

Bicycle & Trails Advisory Committee: Bryce Lange

City Forestry & Beautification Committee: Larry Rupprecht

Planning & Zoning Commission: Jeremy Kelly

Lewiston Ambulance Board: Dan Robertson

Economic Development Authority: Beth Carlson and Bryce Lange

Cable and Technology Commission: Beth Carlson

Safety Committee: Beth Carlson

Council Liaison to the Fire Department: Beth Carlson

Seconded by Member Lange. Approved 5-0.

Member Lange motioned to remove the Public Works Committee [as a Council appointed committee]. Seconded by Member Robertson. Approved 5-0.

Member Lange presented to the Council his idea to create a City Flag. The creation of the flag would be done similar to that of the Police Department squad car design by involving the community to compete for the best design. Member Rupprecht expressed his interest in creating a banner which could be put on Main Street. It could be interchanged with the Fools Five banners throughout the year.

Member Kelly informed the Council the Emergency Services Committee met the week prior. Through discussion during the meeting the Committee would like to present their presentation regarding the status of the creation of a new Emergency Services Building. The presentation would be included in the meeting with key city advisors at a date to be determined.

Mayor Carlson informed the Council about the Fire Department Township Meeting on Wednesday, February 1st at 7pm at the Fire Station. The meeting has been posted as a possible quorum. Council Members and the public are more than welcome to attend.

Member Rupprecht motioned to adjourn. Seconded by Member Kelly. Approved 5-0

Special Council Meeting was adjourned at 8:06 on January 30, 2017.

Submitted By:
Travis Brierley
City Administrator-Clerk