

Lewiston City Council
Council Workshop Meeting Minutes
June 14, 2017
Lewiston City Hall – 6:00 P.M.

1. Call to Order

City Council Meeting called to order by Mayor Pro-Tem Larry Rupprecht at 6:00pm June, 2017.

2. Roll Call

Present (5): Mayor Beth Carlson (Arrived 6:12 pm), Council Member Larry Rupprecht, Council Member Dan Robertson, Council Member Bryce Lange, and Council Member Jeremy Kelly. Not Present (0): None.

3. Water/Sewer Billing Late Fees

Council discussed the late fee charges on the water/sewer billing accounts for the residents of Lewiston. The discussion included setting a standard late fee amount that would not be based on the amount due, setting a rate that would be charged on the past due amount plus the past due late fees, setting a rate on the just the past due amount not including the late fees, putting a late fee on the current charges only, or not having a late fee.

The consensus of Council was not to have late fee charges compound on current late fee charges. Discussion of having late fee amounts as a single fixed amount resulted in a consensus to use a percentage based system. The Council agreed late fee charges should only be on the delinquent charges which become delinquent. This would allow for community members who get behind on their water/sewer bill to not be affected by a late fee that discourages payments on their account.

Council discussed the minimum amount due on an account before late fees would be applied. This is due to the community members who pay a standard amount regardless of changes to their bill each month. If a payment is made and there is a minimal balance remaining, it was agreed they should not be charged a late fee. Council through consensus agreed that amount would be decided by the City Administrative Staff.

Council discussed the payment plan system. Administrator Brierley informed Council an account that becomes delinquent can take 6 months before the water is turned off due to the ability to have up to 2 payment plans made and the time allotted for residents to speak with Council regarding a shut-off notice. The idea to turn off someone's water is not the goal of the payment

plans. Instead, it is the goal to provide the ability for someone who gets behind the ability to reasonably catch back up.

Member Rupprecht motioned to approve a late fee schedule to be charged only on the delinquent amount of a water/sewer bill not to include taxes and surcharges at a rate of fifteen (15) percent.

Seconded by Member Lange. Approved 5-0.

4. City Code- Liquor Ordinance

4.1- Chapter 6, Part 1

4.2- Chapter 6, Part 2

4.3- Chapter 6, Part 3

Administrator Brierley provided a copy of the Chapter 6, Parts 1 through 3 of the City Code which pertain to the liquor laws. Council discussed the change to the state law involving the sale of off-sale alcohol on Sundays which was set for 11:00 am to 6:00 pm effective July 1, 2017. Administrator Brierley presented two different options regarding the change to the City Code. The first would be a direct insertion of the language used by the State of Minnesota regarding Sunday Off-Sale. The second would be using language that would cite State Statute 340A.504 and any changes the State would make would automatically take effect within Lewiston.

Discussion resulted in the question being asked what would happen if the state repealed or modified the statute and how that would affect the City Code. Administrator Brierley informed the Council if a change was to be made at the State level, it would be very unlikely the City would be informed until a question arose where the City would have to reference the statute. Other questions included potentially not having the statute directly referenced to avoid a situation where a lack of knowledge could be an issue.

Due to time constraints for the regular Council meeting, it was agreed those answers would be provided at a continuation meeting.

Member Kelly motioned to recess the City Council Workshop until Monday, June 19, 2017 at 7:00 pm. Seconded by Member Lange. Approved 4-0. (Member Robertson was not present for the motion or the vote)

Mayor Carlson called the continuance of the City Council Workshop at 7:00 pm on June 19, 2017.

Council members present included Mayor Carlson, Member Robertson, and Member Lange.

Administrator Brierley presented both options of the language for the change in liquor law to the Council. The Council was also informed that using the language provided by City Attorney Jennifer Gumbel would be the best language to use when referencing the change to the Off-Sale laws of alcohol. If there was a change and the City was not informed, the change would take automatic effect. The Council was also informed there were two paragraphs which would need to be changed to avoid conflict within the City Code if the Council chose to allow Sunday off-sale.

Member Robertson motioned to approve the change of Ordinance 601.06 subdivision 3 paragraph a to read Sunday Off-Sale. The hours of operation and days of sale on Sunday shall be those set by Minn. Stat. § 340A.504, as it may be amended from time to time, except that the City Council may, by resolution or ordinance, provide for more restrictive hours than state law allows. Seconded by Member Lange. Approved 3-0.

Member Robertson motioned to approve the change of Ordinance 601.06 subdivision 2 paragraph a to read Sunday Off-Sale. The hours of operation and days of sale on Sunday shall be those set by Minn. Stat. § 340A.504, as it may be amended from time to time, except that the City Council may, by resolution or ordinance, provide for more restrictive hours than state law allows. Seconded by Member Lange. Approved 3-0.

Member Lange motioned to adjourn the City Council Workshop. Seconded by Member Robertson. Approved 3-0.

The City Council Workshop was adjourned on June 19, 2017 at 7:15 pm.

Submitted By:
Travis Brierley
City Administrator/Clerk