

Lewiston City Council
Council Meeting Minutes
February 14, 2018
Lewiston City Hall – 7:00 P.M.

1. Call to Order

City Council Meeting called to order by Mayor Beth Carlson at 7:04 pm February 14, 2018.

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).

4. Agenda- Changes and additions

Mayor Carlson requested to add item 18.2, Conclusion for Performance Evaluation, to the agenda.

Member Rupprecht motioned to approve the agenda with the additional item . Seconded by Member Lange. Approved 5-0.

5. Adopt Consent Agenda

A. Regular Council Meeting Minutes- January 24, 2018

B. Special Council Meeting Minutes- January 24, 2018

C. Accounts Payable

Member Kelly motioned to adopt the consent agenda as stated. Seconded by Member Lange. Approved 5-0.

6. Citizens' Concerns- None

7. Ambulance Service Monthly Report- Matt Essig

Ambulance Director Essig presented his monthly report to Council. January had 16 runs, and the January 2018 information is in the packet. Director Essig and several other members trained on a Saturday and renewed their licenses. EMR class is going on Mondays and Wednesdays until March 28, 2018.

8. Ambulance Service- Resignation of Elanda Essig

Ambulance Board approved the resignation of Ms. Essig, but City Council needs to accept it as well.

Member Rupprecht motioned to accept the resignation of Ambulance person Elanda Essig, with thanks for her service to the community. Seconded by Member Robertson. Approved 5-0.

9. Fire Department- Approval to move excess funds to new truck fund; Approval to make purchases for grant awarded in 2017- Tim Dahl (Postponed from January 24, 2018 due to fire call)

Fire Chief Tim Dahl handed out his 2017 Fire Department Annual Report. Most calls are on the rescue/accident side. Average number of calls per year is 50.

Excess budget funds were requested to be moved into the money market new truck fund. An amount will not be known until the 2017 audit is completed, and then there will be an amount identified to transfer.

Fire was awarded a FEMA AFG (Assistance to Firefighters Grant) for \$25,500 in late 2017. Approval requested to accept the grant, and make purchases for the grant (rescue airbags, thermal imaging camera, and flashlights).

Mayor Carlson motioned to accept the FEMA AFG (Assistance to Firefighters Grant) for \$25,500.

Seconded by Member Lange. Approved 5-0.

10. Police Department Monthly Report- Scott Yeiter

Chief Yeiter presented his monthly report. The March 14, 2018 City Council meeting will need to move to March 13, 2018, in order to accommodate the Use of Force Training by area law enforcement officers.

Officer Matt Stephens will be attending a three day leadership training course in the near future.

11. Public Works-Wellhead Protection Plan- Curt Benter (Vote to Accept)

The new wellhead protection plan has been received from the Minnesota Department of Health, and needs City Council approval. In the new plan, the DWSMA (Drinking Water Supply Management Area) had been reduced significantly due to the depth of wells #4 and #5 reducing the chance of surface contamination from entering the wells.

Mayor Carlson motioned to accept the Wellhead Protection Plan as presented. Seconded by Member

Rupprecht. Approved 5-0.

12. Public Works Monthly Report- Curt Benter

Public Works Director Benter reviewed his equipment. He requested to purchase a 2002 Chevy regular cab 2500HD with 147,000 miles. It can handle both the plow and sanding unit. It will alleviate wear and tear on the new vehicles being traded in yearly. Funding for this vehicle will come from 401-10413 PW Equipment account-with a current balance of \$38,000.

Member Kelly motioned to approve the purchase a 2002 Chevy from Lewiston Auto in the amount of \$8,094.25. Seconded by Member Rupprecht. Approved 5-0.

Benter also requested the purchase of a tracked skid steer instead of a wheeled skid steer.

Midwest Equipment has a 2005 New Holland LT190B Skid Steer available for \$22,900, and will allow the City to trade in the 2001 LS170 wheeled Skid Steer, the 1988 C70 truck, and a 10' Henderson snow plow. This brings the final amount due to \$10,800.

Member Rupprecht motioned to approve the purchase of a tracked skid steer from Midwest Equipment trading a 2001 wheeled skid steer, a 1988 C70 Grain truck, and a 10' Henderson snow plow for an amount due of \$10,800.00. Seconded by Member Robertson. Approved 5-0.

Benter's final request was to replace the current truck sander with a Swenson Mild steel unit from Universal Truck Equipment for a cost of \$4,093.40.

Member Rupprecht motioned to approve the purchase of a Swenson sander unit at a price of \$4,093.40. Seconded by Member Kelly. Approved 5-0.

13. MN Department of Health water radium level response letter- Curt Benter, Bryan Holtz

Public Works Director Curt Benter stated this letter needs to be approved by Council for the City's radium violation. Well #4 (the high radium level well) has been shut down, and the City is operating out of well #5 (which has a low radium level).

In an unrelated matter, the diseased trees at the North Park (aka the Kwik Trip Park) have been removed. Stumps are ground up, but topsoil and seeding needs to be done yet when the weather warms up. The Forestry department will be working with the Beautification Committee to determine the types of replacement trees to be planted.

14. Survey results-Community Center Mural- Cheryl Knight

City Administrator/Clerk Knight stated that survey responses to date were as follows: 42 in favor of painting, 35 opposed to painting, and 26 are indifferent. The mural was originally painted in 2002. Discussion followed. Member Rupprecht mentioned the need for improved acoustics. Member Kelly suggested a community committee be formed. Member Rupprecht was in favor of a small community committee to start meeting in two to three weeks to work with Deputy Clerk Kelly Dahl on identifying a paint color and theme. Interested persons should contact Deputy Clerk Dahl at City Hall.

15. RFP for Local Insurance Agent- Cheryl Knight

City Administrator/Clerk Knight presented a draft RFP for a local insurance agent as requested during the December 17, 2017 City Council meeting. Page 11 needs a current copy of the City Liability Insurance which has not been issued yet. Mayor Carlson commented page 7 needing to be updated to eliminate benefit language. Knight will bring this document back to Council once completed.

16. Approval to close office 3/20/18 for training- Cheryl Knight

City Administrator/Clerk Knight stated the MCFOA (Minnesota Clerks & Finance Officers Association) is holding their annual conference March 20-23, 2018. Deputy Clerk Kelly Dahl is attending the entire conference, while Knight would like to attend an election administration session on March 20th. Request made to close the office for the day of March 20, 2018. Okayed, with notice on the door to list the Public Works Director phone number.

17. Resolution 2018-03 A Resolution Approving the Loan Application from Lange Properties LLC for a Loan from the City of Lewiston Economic Development Revolving Loan Fund

The EDA committee unanimously approved this loan to Lange Properties LLC on Monday, February 12, 2018 and is requesting City Council approve this Resolution.

Member Kelly motioned the approval of Resolution 2018-03, A Resolution Approving the Loan Application from Lange Properties LLC for a Loan from the City Of Lewiston Economic Development Revolving Loan Fund. Seconded by Member Robertson. Approved 4-0, with Member Lange abstaining.

18. Committee Updates

18.1 EDA Committee-The only item from the February 12, 2018 meeting was the EDA loan to Lange Properties. The remainder of the Agenda items from that meeting were carried over to the March 19, 2018 EDA meeting.

18.2 Summary of Conclusion for Performance Evaluation- Mayor Carlson

Mayor Carlson read aloud the following information from our City Attorney:

“The City Council began Ms. Knight’s performance evaluation at its meeting on Jan. 10, 2018 and continued it at its meeting on January 24, 2018. In open session at the January 24, 2018 meeting, the City Council approved a motion to recess and continue the evaluation at a meeting on May 9, 2018. After conferring with our city attorney firm on the appropriate process for handling Ms. Knight’s performance evaluation, under recommended Council meeting process and the Minnesota Open Meeting Law, I learned our attorney was referring to our next regularly scheduled meeting so we could fulfill the obligation of Minn. Stat. 13D.05, subd. 3(a) stating that at its next open meeting, the public body shall summarize its conclusions regarding the evaluation. Furthermore, our attorney stated the meeting of May 9, 2018 should be considered a separate meeting.”

With that being said, Mayor Carlson motioned that:

The City Council rescind its approved motion at its meeting on January 24, 2018 to continue the evaluation of performance of City Administrator-Clerk Cheryl Knight at a meeting on May 9, 2018 and

instead, continue the evaluation of the performance of Cheryl Knight as a City of Lewiston employee at this meeting to summarize the council's conclusions. Seconded by Member Rupperecht. Approved 5-0.

Mayor Carlson then motioned that the City Council approve the summary of the conclusion of the evaluation of City Administrator-Clerk Cheryl Knight as follows:

1. On Jan. 10, 2018, the City Council held a closed meeting to evaluate the performance of City Administrator-Clerk Cheryl Knight. The closed meeting was continued on January 24, 2018. In accordance with governing law, at this City Council meeting, which is the next open City Council meeting following the previously mentioned closed session, the City is required to summarize the conclusions of the evaluation of the performance of Ms. Knight reached by the City Council at the closed meetings.
2. City Administrator-Clerk Cheryl Knight did not request that such meetings be open to the public. As a result, the evaluation of Ms. Knight's performance took place in closed meetings as provided under the Minnesota Open Meeting Law.
3. A summary of the conclusions of the evaluation are as follows
4. City Administrator-Clerk Cheryl Knight's probationary period as City Administrator-Clerk will be extended until May 14, 2018.
5. The VPN access of City Administrator-Clerk Cheryl Knight shall be removed.
6. Attendance of Ms. Knight must improve both in the office and at meetings.
7. City Hall Office shall be closed to the public on Fridays to provide "quiet work hours."
8. The City will again evaluate the performance of Ms. Knight at a special meeting following its regular meeting on May 9, 2018.
9. The Mayor or Personnel Committee will provide Ms. Knight any appropriate notices related to this action and discuss it with her.

Seconded by Member Lange. Approved 5-0.

Mayor Carlson motioned to adjourn the Council Meeting. Seconded by Member Kelly. Approved 5-0.

The Council Meeting was adjourned at 8:08pm on February 14, 2018.

Submitted By:
Cheryl A. Knight
City Administrator/Clerk