

Lewiston City Council
Council Meeting Minutes
January 24, 2018
Lewiston City Hall – 7:00 P.M.

1. Call to Order

City Council Meeting called to order by Mayor Beth Carlson at 7:00 pm January 24, 2018.

2. Pledge of Allegiance

3. Roll Call

Present (4): Mayor Beth Carlson, Council Member Larry Rupprecht, Council Member Jeremy Kelly, and Council Member Bryce Lange. Not Present (1) Council Member Dan Robertson.

4. Agenda- Changes and additions

Member Rupprecht motioned to approve the agenda as presented. Seconded by Member Lange. Approved 4-0.

5. Adopt Consent Agenda

- A. Regular Council Meeting Minutes- January 10, 2018
- B. Accounts Payable
- C. Accounts Payable Addtl
- D. Accounts Payable Addtl 2

City Administrator/Clerk Knight mentioned under A. Regular Council Meeting Minutes for January 10, 2018, number 14 the first paragraph should be updated to read: Member Kelly motioned to close the Council Meeting under MN Statute 13D.05 subd 3(a) for the performance review of Kelly Dahl, Deputy Clerk, and Cheryl Knight, City Administrator/Clerk.

Member Rupprecht also mentioned that under A. Regular Council Meeting Minutes for January 10, 2018, number 7, item #2 the last sentence should read “The Beautification Committee will need to let the Forestry Department know what types of trees are wanted and how many”.

Member Kelly motioned to approve the consent agenda with the corrections noted above. Seconded by Member Lange. Approved 4-0.

6. Citizens’ Concerns-

Niles Lavey-320 East Main St- At a meeting held before the end of the year, Public Works Director Curt Benter had mentioned the City’s water bill going up \$10,000. Clarification was requested because Mr. Lavey did not know what that meant. Member Rupprecht stated the new well had electrical service, but Mienergy had failed to note the meter number and bill the City of

Lewiston for the electric service for over a year. Mr. Lavey wanted to know how that would affect his water bill. Member Rupprecht stated it would have no effect, as it was an expected expense and part of the budget.

7. EMS Building Committee and Five Bugles Presentation- Steve Gausman, Matt Essig, Scott Yeiter

Introduction of Steve Gausman was made by Mr. Essig. Mr. Gausman presented the proposed EMS (Emergency Services Building) building area, as well as a diagram of how the new building would be located on the existing lot. An architectural drawing of the proposed building exterior was presented, along with an estimate of probable costs. Discussion followed. No action taken by City Council.

8. Ambulance Service 2017 Annual Report- Matt Essig

Ambulance Director Essig presented his annual report to Council. 2017 had 8 more runs than 2016, but patients transported were 12-14 persons less. Average call time is 1 hour and 41 minutes from time of dispatch until completion of the run. 2017 saw 16 more car accidents than 2016. Advanced Life Support Intercepts decreased from 21 in 2016 to 12 for 2017. The 2017 Lewiston Ambulance Run Statistic report is new for the annual report this year, showing 218 total runs, and 25,598 total shift hours.

On the Safety side, the OSHA 300 Log (of Work Related Injuries and Illnesses) showed 0 accidents and injuries for 2017.

9. Fire Department- Approval to move excess funds to new truck fund; Approval to make purchases for grant awarded in 2017- Tim Dahl

Due to the Fire Department being called out, Chief Dahl's items will be postponed until the next city council meeting to be held on February 14, 2018.

10. PeopleService Monthly Report- Ken Johnson

Mr. Johnson presented the monthly report.

11. Rubbish Haulers Permits- Cheryl Knight

City Administrator/Clerk Knight stated that the 2018 annual applications and fees have been received from Advanced Disposal, Harter's Trash & Recycling, J&J Rubbish Service, and Sunshine Refuse. No application was received from Waste Management of Rochester. A follow up application was sent to Waste Management for them to complete and return.

12. Evaluation of Performance of Cheryl Knight, dated January 10, 2018- Mayor Carlson

The City Council began Ms. Knight's performance evaluation at its meeting on January 10, 2018. At that meeting, the City Council did not reach any final conclusions on Ms. Knight's

performance and approved a motion to refer further evaluation of Ms. Knight to the City personnel committee. After conferring with our city attorney firm after that meeting on the appropriate process for handling Ms. Knight's performance evaluation under recommended Council meeting process and the Minnesota Open Meeting Law,

Mayor Carlson motioned the following:

1. The City Council finds that it did not make any conclusions regarding City Administrator-Clerk Cheryl Knight evaluation at its meeting on January 10, 2018.
2. The City Council rescind its approved motion at its meeting on January 10, 2018 that further evaluation of Ms. Knight's performance be referred to the City personnel committee.
3. The evaluation of the performance of Cheryl Knight as a City of Lewiston employee at its meeting of January 10, 2018 be deemed recessed.
4. The City Council continues the evaluation of the performance of Cheryl Knight as a City of Lewiston employee a meeting immediately following its January 24, 2018 regular meeting.

Seconded by Member Lange. Approved 4-0.

**13. Proposal to repeal Chapter 2, Part 6 –Personnel Policy from the City Code, first consideration-
Mayor Carlson**

Mayor Carlson stated our City Attorney said that the Personnel Policy should not be part of the City Code, as the City Code is law, but instead removed and put into the City's Policy handbook. Member Rupprecht mentioned that the League of MN Cities Handbook Chapter 3-Statutory Cities which states "statutory cities lack the power to change the City Code. They (the cities) are dependent upon the legislature for all changes." This information appears to conflict with the information received from the City Attorney. Discussion continued. More information appears to be needed before a decision is made.

Following the Council meeting, City Administrator/Clerk Knight investigated the matter further. Member Rupprecht's information from the League of MN Cities Handbook is referring to the fact that statutory cities (which includes the City of Lewiston) operate under the statutory city code (city code) found at Chapter 412 of the Minnesota Statutes. Only the Legislature can make changes to the Minnesota Statutes.

Mayor Carlson was referring to removing the Personnel Policy from the Code of Ordinances for the City of Lewiston, commonly called the City Code.

These items are not referring to the same thing, and are not in conflict.

14. Additional Council Concerns

Member Lange stated he has a potential conflict of interest with the Economic Development Authority Revolving Loan Fund (RLF). That loan is not on vote for this meeting, but in the future it may be, and he was letting everyone know that there is a potential conflict of interest and he would recuse himself and abstain from any vote.

Member Kelly motioned to adjourn the Council Meeting, Seconded by Member Lange. Approved 4-0.

The Council Meeting was adjourned at 7:53pm on January 24, 2018.

Submitted By:
Cheryl A. Knight
City Administrator/Clerk