

CITY COUNCIL MEETING
Tuesday, July 16, 2013

CITY COUNCIL PRESENT: Amy Williams, Richard Glasgow, Asia Bednar Joe Paiement, Bob Livingston
STAFF PRESENT: Matt Kline, Chris Wallberg, Tom Niedzwiecki, Steve Iverson, Ron Moore, Chris Johnson
OTHERS PRESENT: Leah Stanton, Nick Sullivan, Kevin Wall, Jim Stanton, Jim Stanley

City Council Workshop 2014 Preliminary Budget took place prior to the Council Meeting

1. **CALL TO ORDER** by Mayor Livingston at 6:01p.m.
2. **PLEDGE OF ALLEGIENCE** was recited.
3. **CONSENT AGENDA – M/S/P(Glasgow/Williams) to approve the Consent Agenda. Passed Unanimously.**
 - A. Minutes of the June 18, 2013 Regular City Council Meeting
 - B. Treasurer's Report
 - C. Bills to be Approved
 - D. Resolution appointing Steve Iverson as Deputy Clerk
 - E. Accept performance evaluation and approve an hourly increase of 1% per year, retroactive to the effective date of 1/1/09 for City Clerk Chris Wallberg
4. **LAW ENFORCEMENT REPORT-** Williams yielded the microphone to Deputy Nick Sullivan. He reported recent problems at Crocker Park concerning parking for youth baseball games and warned residents about non-forceable vehicle thefts which have taken place in surrounding cities. He stated ICR's were elevated for the previous month, many of the calls were river related, and that most calls were benign in nature. Williams expressed gratitude for extra patrols taking place on 3rd St. near Cully Park as citizens had expressed concern with excessive speed in the area. Williams stated that a 30 mile per hour sign had been purchased for the area and Kline added it would be installed in the near future. Kline questioned if enforcement was possible without the presence of 30 mile per hour speed limit signs. Sullivan stated it would be possible to enforce due the state statute but is more challenging to uphold if it is brought to court. Livingston suggested that Williams address working with Public Works and Law Enforcement on placing new speed limit signs. Sullivan reported that longer mainline roads running North and South, including Quinlan, Quinnell, and Quality, would benefit the most from having speed limit signs present. He added that the streets running East and West were less of a concern. Williams stated she would meet with Kline and Law Enforcement to compose a report regarding sign additions. Bednar enquired about the parking problems associated with Crocker Park. Sullivan stated that the problems were primarily taking place during baseball games and that warning citations had been issued. Livingston offered that overflow parking could be directed to park in the lot across Highway 18. Bednar pointed out that all parking should be adjacent to the park and that more adequate communication with coaches was possibly necessary to ensure their awareness.
5. **PETITIONS TO THE COUNCIL – None.**
6. **LOWER ST. CROIX VALLEY FIRE DEPARTMENT RELIEF ASSOCIATION –** Kevin Wall, President of the Lower St. Croix Valley Firefighters Relief Association, introduced himself. He stated he provided information at City Hall concerning the annual audit which he would be presenting. He stated the funding ratio at the end of 2012 was 109%, which means that payment toward the deficit would be completed at the end of 2013. The deficit was originally \$280,000 which by law could've been amortized over a 10 year period, was paid in 3 years. This was due to stabilization of the 2% state aid fund, the market rebound, and mandatory municipal contributions. He said an invoice in the amount of \$1,269.35 for 2013, which is due by the end of the year, had been provided. He stated that administrative costs had increased due to issues arising from the IRS revoking the organization's tax exempt status which caused issues with taxation on capital gains. The revocation was challenged which resulted in their tax exempt status being restored and backdated to the date of revocation. He recommended continuing contributions to a Lower St. Croix Valley Firefighter Relief Association fund due to market instability. He continued that funding being at 109% allows very little leeway for market volatility and that the 9% overage is not substantial when applied to a \$1.2 million fund. He offered the fund was at 117% in 2008 when the stock market crash took place, which caused a 40% to 50%

decrease. He stated the association is in the beginning stages of examining criteria for a benefit increase. The current benefit is \$3,100 yearly and he would like to have precedent in line in the event of increase request. He explained that the Fire Relief Association is a pension fund for firefighters and also provides compensation for those who have been injured or passed away in the line of duty. 100% funding is required in the event of a major catastrophe. Funding has historically come from the state 2% insurance premium with voluntary contributions coming from municipalities. The market crash of 2008 caused the fund to drop drastically below the 100% funding requirement causing the need for mandatory municipality contributions for the first time. He stated the current benefit is \$3,100 yearly which is considered low in comparison with other departments in the metro area. Firefighters become 65% vested after 10 years and fully vested after 20 years. There was continuing discussion regarding funding details and potential future increases. He also explained how the Board of Trustees was comprised and noted that meetings were held quarterly.

- 7. LOWER ST. CROIX VALLEY FIRE PROTECTION DISTRICT** – Jim Stanton, chair of Lower St. Croix Valley Fire District, introduced himself and stated he was present to address the recently distributed 2014 budget. He stated changes between 2013 and 2014 included a \$1,290, or 1.26%, levy increase for Lakeland. There was 4.24% overall increase in levy. Lakeland's tax capacity has decreased which caused Lakeland to be responsible for a smaller percentage of the increase. Lakeland's cost per capita is \$57.80 and cost per household is \$152.43. He explained the major changes to the 2014 budget, what the increases were for, and why the increases took place. Those increases included a 2% in increase in vehicle replacement fund, Medicare billing adjustments which are costs that are written off, the addition of an administrative position, and a 13% raise in workman's compensation insurance. He stated a new billing system was instituted which has resulted a 15% decrease in delinquent payments. The district has begun examining hiring a full time firefighter position as it has become increasingly difficult to find volunteers. Williams questioned how a full time firefighter would be compensated in terms of pension. Stanton explained that time spent in the field was subject to relief fund compensation while time as an employee would be subject to PERA. Glasgow asked for an explanation on how the firefighters are currently compensated. Stanton stated that firefighters received single pay which is \$10.46 per call no matter what the duration and that the only other compensation is the relief fund after vesting 10 years. The Mason Fund, which is a college fund that was endowed by an Afton man, also helps firefighters and their families with financing college education. They are currently working toward using a compensation style used in Bayport which compensates the firefighter \$10 per call and an additional \$10 for every ensuing hour. Another trend being considered is offering housing to college age individuals that also work as firefighters. Jim Stanley added that by adding paid full and part time firefighter positions, a burden is removed from the Captains which they have recently had trouble staffing. This is due to the fact that being a Captain carries much greater responsibility in terms of administrative tasks. The new addition of the administrative position has helped to lessen that burden, making a Captain position more attractive to volunteers. Stanley also reiterated that Bayport gets \$5,700 per year for relief association contributions while Lower St. Croix Valley Fire District receives \$3,100 per year. He stated there was a very low amount of runs early in the year but that number had increased over the course of the previous two months. He also explained how the system works for on-call fire fighters.
- 8. EQUIPMENT TO STREAM CITY MEETINGS** – Glasgow stated his research indicated that live streaming would be too costly of an option. He instead suggested a preference to using the site Vimeo.com to host the meetings online. The cost of Vimeo.com is \$200 per year. He intends to propose at the Cable Commission meeting that the cost is covered by the Commission and all five cities post their meetings on one site as a means to minimize cost. In order to upload the video it would be necessary to reformat it to H264 using software called DVD Ripper. He continued to explain how the process of uploading the video would take place. After uploading, a link would then be made available on the City website. There was discussion regarding how many meetings would be made available on the website and the duration of time each video would be made available. Further discussion ensued regarding maximum storage on the site, which was stated to be 50GB. There was discussion regarding the advantage of using Vimeo.com as opposed to a free service such as Youtube.com. Glasgow stated Vimeo.com is a more dedicated site with no advertising. It was stated that it would be possible to imbed a video player on Lakeland's website and that hosting the video through Lakeland's website would be much more expensive and time consuming for staff. Glasgow stated that the computers in the Clerk's office are in need of an upgrade. Livingston stated that Lakeland is exploring options for IT services. Glasgow stated another option would be to purchase a DTE recorder which is memory based and records video directly onto a memory card. He does not view this as a viable option at the time being since the cost is \$500 but it may be an option in the future. Glasgow stated that \$38,000 is currently available in the cable fund and would like to use some of it for computer equipment upgrades for the Clerk's office. Livingston stated it was possible the website would be down for a short period of time while the IT company transition took place. Glasgow suggested trying Vimeo.com on a trial basis, and if unsuccessful, it can be discontinued. There was further

discussion about the computer equipment in the Clerk's office. Livingston was impressed with the video and is in favor of a trial period. There was discussion regarding retention policy. Johnson stated keeping the meetings available on the website is not question of retention and that retention is the responsibility of the Clerk's office in the form of written minutes. The concensus of the Council was to give Vimeo.com a trial run and revisit it at a later date.

9. STAFF REPORT

Attorney – Johnson stated that the detachment action had been withdrawn by the petitioners. He acknowledged West Lakeland Township had changed positions and opposed the detachment. They had previously remained neutral on the matter. Another factor was increased pressure created by Dave Snyder to produce information through discovery. Johnson also reported that Dave Snyder recognized great effort by staff to produce necessary documents. These three factors caused the petitioners to reconsider their position and sign an agreement to dismiss the detachment proceeding. It will eliminate the cost of further proceedings and also eliminates the potential success of the detachment request. The Space litigation continued in the final phases of the proceedings. Williams questioned if recouping legal fees associated with cost of the detachment would take place. Johnson stated legal expense reimbursement would not be part of the petition withdrawal agreement. He added no additional work tasks would be requested of staff regarding the detachment. Livingston stated that currently there are two other situations that could potentially lead to litigation.

City Clerk – Wallberg stated that many Segways had recently been frequenting the bike baths and that they are legal to do so by State statute. The Planning Commission set a public hearing on August 6th for the matter of keeping chickens.

City Engineer – None.

Public Works Director – Kline stated that the St. Croix River water level is below 680 feet and the beach is now open for public use. There is a trash receptacle available and the beach has been cleaned. He reported a pre-construction meeting for the 2013 Street Improvement project with the engineer and contractors will take place. He stated work isn't expected to start before August 1st. Kline reported on meeting with the residents of Quixote Avenue regarding ongoing drainage issues. The WMO engineer will be providing plans with potential drainage solutions and Kline hopes to have that information by the end of August. Placing an infiltration basin at the north end of the road along with a fall-out to the river was discussed at the meeting.

Zoning – None.

Treasurer – None.

10. COUNCIL MEMBER REPORT/ Bednar reported she will be meeting with a Little Tikes representative to discuss park equipment. She has visited many parks with her young children to gauge what would be appropriate for Lakeland's parks. She stated she met with Kline in regards to multiple dead evergreen trees in Cully Park and intends to examine an adopt-a-tree type program to replenish them. She went on to introduce her proposal for rental of Lakeland's parks. This rental would be for exclusive use of the desired park or beach. The proposed charges were arrived at by examining pricing in other cities that offer park rental. When this proposal was presented to the Planning Commission they voiced a large concern with allowing alcohol in the parks. She stated a city located in close proximity to Lakeland also does not regularly allow alcohol in their parks but offer a permit to consume alcohol for special events. This particular city also required a liquor license if the group attending the event was larger than 75 people. She stated her desire to have a Police Officer present at gatherings regardless of the presence of alcohol. Livingston stated he is against having an open alcohol policy in the parks but would consider it for events if ample security were present. Bednar stated the Police Officer(s) would be paid for by the party renting the park and would not be included in the park rental fee. She added that the cost is \$40 per hour with a minimum of four hours. The draft proposal states that one Police Officer must be present per 100 attendees. There was further discussion regarding criteria necessary to require the presence of a Police Officer. There was discussion regarding only allowing beer and wine and not allowing hard liquor. Another area of concern that was examined by the Planning Commission was staff expense associated with park rental and the security deposit associated with it. She stated she disagreed with that assessment and feels the security deposit is adequate and doesn't see expectations placed on staff as being overly burdensome. Williams stated she would prefer to see event notification to the surrounding properties take place via the newsletter as opposed to mailing a letter. She also mentioned she would like to see an enclosure located at the parks for posting an upcoming schedule. She continued to state she felt the proposed fees are too high which Bednar had stated was due to fees associated with mailings and potential damage. Williams suggest lowering the fees and raising the deposit. She felt that the current proposed prices were prohibitive to potential usage and

suggested starting at a lower rental fee and higher deposit fees with future adjustments as needed. Wallberg stated that fees universally were in need of being raised and she was unsure that lowering rental fees would be beneficial. Bednar stated there had been issues with park rental schedules being provided by baseball organizations and stated next year it would be required. Williams stated she believes lowering fees could result in more usage which may increase revenue lost by lowering the fee. Livingston stated he would like to see the Council be presented items to vote on by January. Things he would like to see addressed include sales of advertising, the cost of advertising, and selling special events. Livingston stated to move forward with finalizing the current proposal so that the individual requesting to rent the park could be accommodated. He stated that allowing the rental could be used as a starting point from which changes could be made. Johnson stated it would be necessary to review the proposal and change it as necessary from a legal standpoint. He also stated that if alcohol were to be allowed at events, the ordinance would need to be amended to reflect that. There was additional discussion regarding when a Police Officer would be required and it was determined that a minimum of one would be required at any event that alcohol was present; an additional Police Officer would be required for each additional 100 guests. Wallberg stated that signs are not permitted in residential zones so the ordinance would need to be amended if signs were going to be used for advertising in the parks.

11. **COUNCIL MEMBER REPORT/** Glasgow reported the Alliance meeting taking place in August will focus on septic systems. At the previous Alliance meeting a Lower St. Croix Valley community website was discussed which is in the process of being developed. The web address will be lowerstcroixvalley.com. He is also developing a website for Yellow Ribbon. In regards to the Cable Commission, he reported having a discussion an Attorney including joining in with Central Cable on their agreement with Comcast and potentially using PEG fees. There was discussion regarding the usage of cable funds.
12. **COUNCIL MEMBER REPORT/** Williams reported the Gateway Corridor Commission is seeking members for the Community Advisory Committee for which she will be part of the application review process. She added she will be attending a workshop on the St. Croix River.
13. **COUNCIL MEMBER REPORT/** Paiement reported the Personnel Committee is working toward updating job descriptions.
14. **MAYOR'S REPORT/** Livingston reported on forming committees to augment what is currently in place. He stated he would like to institute a finance committee. This would be an advisory committee which would keep an eye on the cities finances and examine alternative funding options. He suggested the committee start with 3 members, potentially expanding to 5, originally comprised of 1 Council member, 1 Staff member, and 1 member of the community. He stated he has meeting with an individual who would like to volunteer services for the finance committee. He has yet to name the second committee but its function would be similar the garden club with some expanded responsibilities. This committee would be tasked with reviewing the landscaping in the city and examining opportunities to enhance public land. He stated he will ask Jeri Ryan to chair the committee and will seek 5 to 9 members of the community. There was discussion regarding what the Garden Club has done in the past and what the new committee would be responsible for. These items include landscaping at City parks and City Hall, planting, weeding, and examining forestry. There was discussion regarding a community garden. Williams stated she didn't feel the application process was clear in the past and wants the selection process to be clearly laid out. Livingston stated the garden committee would be inclusive and the finance committee would be exclusive in the selection process.
15. **ADJOURN – M/S/P (Glasgow/Bednar) to adjourn meeting at 7:56. Passed unanimously.**



Robert Livingston, Mayor



Steve Iverson, Deputy Clerk/Recorder