

SPECIAL CITY COUNCIL MEETING
Tuesday, April 2nd, 2013

CITY COUNCIL PRESENT: Amy Williams, Richard Glasgow, Joe Paiement, Asia Bednar, Bob Livingston
STAFF PRESENT: Matt Kline, Chris Wallberg, Tom Niedzwiecki, Steve Iverson
OTHERS PRESENT: Brian Zeller, Gary Kriesel

Workshop on Quixote & 6th St Drainage and Council Procedures.

1. **CALL TO ORDER** by Mayor Livingston at 6:04 p.m.
2. **PLEDGE OF ALLEGIENCE** was recited.
3. **CONSENT AGENDA – M/S/P(Glasgow/Bednar). Passed Unanimously.**
 - A. Minutes of the February 19, 2013 Regular City Council Meeting
 - B. Treasurer's Report
 - C. Resolution relative to Vacation of Second Street establishing the entire property described in 2013-05 as reserved for drainage and utility easement
 - D. 2012 Financial Report for the City of Lakeland
4. **LAW ENFORCEMENT REPORT-** Livingston and Williams requested to have the law enforcement report moved back to a later point in the agenda when a Sheriff's Deputy was present.
5. **PETITIONS TO THE COUNCIL** – None.
6. **ONE-TON STREETS/PARKS/PLOW TRUCK RECOMMENDATION** – Kline stated that he had provided background information regarding a one-ton truck at the previous meeting and was seeking approval to purchase the vehicle. He stated he searched a state bid website and found a truck for \$5,000 less than had previously been anticipated. He stated the vehicle he discovered came equipped with a sander, dump box and plow, and was priced at \$60,603. He stated the new vehicle would be a replacement for the 1998 Dodge. He stated the Dodge had necessary plow repairs and that he expected further substantial maintenance expenses to be incurred. He stated uses and advantages of purchasing the truck for snow removal and public works purposes. He introduced a schedule regarding vehicle replacement and stated the specific future replacement needs of the 5-ton plow trucks. He recommended purchasing the one-ton truck after taking everything into consideration and stated the pros outweighed the cons. Williams questioned when the current fleet of trucks was purchased, and if they were new when purchased, to which Kline replied that they were not. He stated the 5-ton trucks were purchased used from the County and that he would only be comfortable purchasing this type of vehicle from the County based on maintenance standards. Kline stated that the 5-ton trucks were purchased in 2009 and that the County had put on majority of miles. He stated \$150,000 is the price estimate for a new 5-ton truck. Williams stated concern that this truck would be used a backup for the 5-ton truck. Kline reiterated that it would not act as a backup and would be used every snow fall as well as for public works purposes. Bednar questioned if delaying the purchase until a later date to further research potential trucks was a valid option. Kline stated he believed the savings would be negligible. Livingston questioned whether a 1-ton truck would be capable of plowing the main roads at the same speed and efficiency as the 5-ton truck to which Kline answered no. Bednar stated concern over Lakeland getting out of the plowing business and having no purpose for the truck. Kline replied a truck with such equipment could very easily be sold in his estimation. Livingston stated dissatisfaction with contracted snow removal and concern with having contractors responsible for Lakeland's snow removal. He stated he is in favor of continuing with plowing at the present time and feels equipping the Public Works Department with the necessary equipment is essential. Williams enquired about staffing necessary for plowing. Kline explained that one full time year round employee wouldn't be needed if plowing wasn't being performed but a seasonal employee would still be needed. Kline recommended financing the purchase of the vehicle. He also stated that there is currently roughly \$105,000 available for vehicle replacement. Glasgow stated he is in favor of purchasing the truck and wanted to provide best service to residents. Kline suggested putting 20% of the purchase price down and financing the remaining amount. Niedzwiecki agreed that financing the truck would be the best option given that the 5-ton trucks would need to be replaced in the near future. Bednar enquired about if the 1998 Green Dodge would be sold if the 1-ton were purchased to which Kline responded it would. Glasgow suggested approving the purchase but have Kline return with the total expenditure figures prior to purchase for approval. Williams stated support for purchase of the truck and suggested approving a specific expenditure range for Kline to operate in while purchasing the truck. Kline stated the truck must be ordered by May 24, 2013 to get the 2013 year class and also introduced the possibility of

purchasing an extended service plan for the vehicle. Williams questioned if \$60,000 would cover all costs including all accessories, tax, and titling. Kline responded that the \$60,000 figure did include taxes but not titling or registration. Niedzwiecki stated that street related expenses for truck purchases may be tax exempt. There was continuing discussion regarding how to proceed with the truck purchase. Livingston stated he would like to see very specific details regarding the overall cost of the vehicle and financing options at the April 16 meeting. It was agreed upon to postpone a decision until the specific figures could be provided.

7. PUBLIC WORKS STAFFING/PW DIRECTOR – Paiement stated Kline had completed a self evaluation and that the Personnel Committee recommended a salary increase between \$61,425 and \$62,010 effective retroactively to October 15, 2012. Paiement stated that this is roughly a 5% increase. Williams thanked Matt for his concise self evaluation and the committee felt the evaluation was very accurate. **M/S/P(Paiement/Williams) to approve the Personnel Committee's recommendation to increase the Public Works Director, Matt Kline's, salary to \$61,700 effective retroactively to October 15, 2012.** Discussion regarding Kline's performance and the reasoning behind the amount of the raise followed. **Passed Unanimously.**

8. PAYROLL DISTRIBUTION – Livingston stated that previous concerns with direct deposit security had been addressed and requested to pass the item with minimal debate. **M/S/P(Paiement/Glasgow) to amend the handbook as noted in the meeting materials to use direct deposit and a semimonthly pay schedule, effective immediately. Passed Unanimously.** Wallberg stated there was resolution authorizing direct deposit that needed to be addressed. She stated she had consulted other cities, as well as the City Attorney, on direct deposit procedures and the Resolution illustrated the procedures to be followed. **M/S/P(Paiement/Bednar) to adopt Resolution 2013-07 which details direct deposit procedures. Passed Unanimously. Roll Call – Williams, Glasgow, Bednar, Paiement, and Livingston voted aye[Roll Call for this Resolution was recalled by the Mayor during agenda item 10]. Resolution adopted.**

9. WASHINGTON COUNTY SEPTIC AGREEMENT – Snyder explained there were items which caused concern to the Council within the original contract that was provided to the City. He stated revisions were made, then provided to the County attorney for review, and the County approved the requested changes. Snyder explained in detail the exact changes that were made to the contract. There was discussion regarding who was responsible for enforcement of septic systems deemed non-compliant. Snyder continued to explain the changes made to the contract including usage of independent contractors and stacking of insurance policies. There was discussion regarding whether the agreement pertains to new systems or existing systems. Williams voiced concern over private inspections being permitted during sale of private properties. Discussion regarding private inspections at the point of sale followed. Glasgow stated concern over the agreement and costs incurred by the residents to replace systems. Zeller stated that he had arranged the previous agreement during his tenure as Mayor. He stated the significance of having faulty systems replaced due to the impact on the environment. He recognized the substantial cost of replacement incurred by the resident but also stated the significant potential cost of harm to the environment. He stated potential options to residents who need to replace a failed system but are experiencing financial constraints preventing them from doing so. He stated the agreement essentially contracts the County as the entity responsible for holding resident responsible to replace failed systems. Williams restated concern that transfer of property septic inspections can be done by private inspectors and does not want county to be sole provider of private septic inspection. Zeller stated he did not believe that was the purpose of the agreement and that he was unsure the County offered that service. He offered his belief was that the County became involved after the discovery of a failed system in that instance. Snyder offered to add language to contract that would reserve the right of private inspections in the case of a property sale. Livingston stated he would like to have this issue voted on in two weeks and stated any issues should be addressed well prior to that point. The item was removed from the agenda and will be revisited at the April 16 Council meeting.

10. STAFF REPORT

Attorney – Snyder reported he had dialogue with City Staff regarding direct deposit research and the fashioning of Resolution 2013-07. He reported there has been involvement with litigation matters which will be addressed in the Executive Session.

City Clerk – Wallberg thanked Alana Koppen for her videographer services provided on short notice. She stated that the annual spring cleanup will take place on May 4th. She reminded Council that on April 8th a Planning Commission meeting will be held; April 9th a Board of Equalization meeting will be held; and a Board of Equalization continuation meeting will held prior to the April 16 City Council Meeting if necessary. She asked for the Council's opinion in regard to adding individual fundraiser notices to newsletter. She stated the current policy is that individual fundraisers are not permitted in the newsletter. Glasgow suggested using the website for this type of activity. Wallberg noted the problem of creating

boundaries with this type of activity. Williams suggested our website is not appropriate venue for personal fundraisers and would like to maintain the current policy. Bednar suggested incorporating changes to the newsletter due to redundant content. Livingston stated the desire to actively improve communications with the community and that at some point he would prefer to see it become electronic. He stated at the current time there are residents that only have access to the mailed copy which provides their only source for Lakeland community news. Paiement feels that the newsletter is not an appropriate venue for personal fundraising and would prefer to keep the remaining policy. Glasgow stated he is in favor of allowing personal fundraising information in the newsletter. Livingston stated he agreed that creating boundaries would be difficult and preferred to keep the current policy at this time. There was consensus among the Council to maintain the current policy.

City Engineer – Kline reported for Parotti that both were present for bid opening for the 2013 Street Project. He reported three bids were received, all of which were under the estimated cost of \$310,000. He reported that Harddrives, Inc. presented the lowest bid of \$254,000. He stated estimated costs did not include engineering expenses or a contingency.

Public Works Director – Kline reported that pot-hole patching will be taking place in near future and provided details regarding that process. He reported the League of Minnesota Cities is attempting to pass a bill for street improvement districts. He stated this bill is essentially an alternative to assessments and makes collecting funds for street improvement less complicated. He stated that monies collected by these means are set aside specifically for street projects. He stated Lakeland has avoided using assessments in the past and like would not use them in the foreseeable future but this bill would provide another avenue for street funding. He stated the League of Minnesota Cities is seeking that cities pass a resolution backing the proposed bill, and that he and John Parotti are in favor of the bill. He reported that Trynn Bryant, who had been hired by the Water Department, had accepted a different job and would no longer be accepting the position. He reported that he called other potential candidates, and will be reinterviewing and also holding a meeting on April 5.

Zoning Administrator – Wallberg reported that four public hearings regarding proposed ordinance amendments would take place at the Planning Commission meeting taking place on April 8. The Council agreed that they would prefer to have materials presented to them after the Planning Commission had made recommendations.

Treasurer – Niedzwiecki reported that the budget is on track at this point. He reported that the only line item that was currently over budget was the vehicle maintenance fund due to replacing the transmission in one of the 5-ton plow trucks. He also highlighted the long term improvement fund has three items of interest – 1) There is a receiveable balance for the beach fund due to not yet receiving grant money from FEMA. 2) The communication fund has a balance of \$40,000 3) Washington County is still owed for the CSAH 18 project but no correspondence has been received requesting payment.

11. COUNCIL MEMBER REPORT/ Williams reported on Law Enforcement and stated there were 79 calls in February[1 citation was issued]. She reported she had been working on a number of small projects and that there had been no recent activity with the Gateway Corridor.

12. COUNCIL MEMBER REPORT/ Glasgow reported that the Alliance meeting had been cancelled. He stated that he attended the Board of Equalization and Appeals meeting. He attended the Cable Commission meeting which had a consultant, Holly Hanson, attend to provide advice on the upcoming franchise agreement. He attended a training burn in Afton with the Lower St. Croix Valley Fire Department. He reported he met with Kline on a phased development regarding moving city hall to the Water Plant.

13. COUNCIL MEMBER REPORT/ Bednar reported she has been in contact with St. Croix Receptions regarding park structures and potential upgrades, specifically for Crocker Park. She stated a meeting with the company representative will take place to present potential ideas.

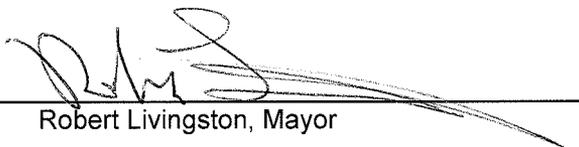
14. COUNCIL MEMBER REPORT/ Paiement stated the Personnel Committee met on April 1st. He stated the Committee was in the process of creating an agenda aimed at completing the staff restructuring.

15. MAYOR'S REPORT/ Livingston reported he attended the Board of Equalization and Appeal training. He stated materials from the meeting are available for other Council Members to review if desired.

16. CLOSED EXECUTIVE SESSION – Snyder stated the City's right to exit open session and enter an executive session to discuss pending litigation, The City of Lakeland vs. Donald James Space. **M/S/P(Glasgow/Paiement) to**

recess from the regular City Council meeting 7:45. Passed Unanimously. M/S/P(Bednar/Glasgow) to open executive session at 7:45. M/S/P(Glasgow/Bednar) to close the executive session at 8:15. M/S/P(Bednar/Williams) to reconvene the regular meeting at 8:15. Passed Unanimously. Snyder reported that the City Council met in executive session with the Attorney and City Clerk and received information regarding James Space/1109 Quixote Avenue North; and that no decision is needed at this time.

15. ADJOURN – M/S/P (Williams/Glasgow) to adjourn meeting at 8:16 p.m. Passed unanimously.



Robert Livingston, Mayor



Steven Iverson, Clerk