

City of Lewiston

City Council Regular Meeting Minutes

City Hall
January 11, 2012

1. Call to Order

Mayor Sommer called the Regular Meeting of the City Council of Lewiston to order at 7:00 p.m., January 11, 2012.

2. Pledge of Allegiance

3. Roll Call

Members present: Mayor Sommer, Clm Sannes, Clm Rupprecht, and Clm Trester. Clm Fischer was absent.

4. Approve Agenda

Lewiston Event Committee was added as 7.1. Mayor Sommer said that PeopleService will be attending the January 25 meeting instead, so he would provide a brief update on item 11. Item 13 was changed to read Naming Part-time Clerk. Interim Clerk Position was added as 13.1. It was noted that item 15 will now include two inquiries, so it was changed to read Utility Bill – Inquiries from Customers. ***Motion by Clm Rupprecht, seconded by Clm Sannes, to approve the agenda with the changes presented. All voted in favor. Motion declared carried.***

5. Meeting Minutes

For the minutes of the December 28, 2011 meeting Clm Trester requested that item 10.1.a. on page 3 be changed to read, "Ambulance Director Matt Essig has a cell phone for the ambulance department that is kept in the ambulance, and he carries his personal cell phone. Instead of carrying two phones, he has requested that the council consider reimbursing him \$10 per month for the business use of his cell phone." ***Motion by Clm Rupprecht, seconded by Clm Sannes, to approve the minutes as amended. All voted in favor. Motion declared carried.***

6. Accounts Payable

The note included in the packet regarding Sam Ghareeb's reimbursement was pointed out. He is not over his allotted amount. Clm Trester asked about the payment to the Lewiston Vet Clinic. Chief Joe Hastings stated that the Winona Humane Society did not have room for a stray dog, so the dog was boarded at the vet clinic. When an owner cannot be found, the city has paid the boarding costs. Mayor Sommer asked Chief Hastings to contact other cities to find out their policies regarding the issue of runaway or stray dogs. Clm Trester asked about the maintenance and support payment to CR Solutions when the city council approved a contract with One Click Solutions at the last meeting; she will bring it up again under Council Concerns. ***Motion by Clm Trester, seconded by Clm Rupprecht, to approve accounts payable including the additions. All voted in favor. Motion declared carried.***

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7. Citizens Concerns

Garlan Hulbert approached the council with a question regarding the City Forestry and Beautification Commission. Jennifer Hengel stated that this commission is also referred to as the Tree Board in the city code. Clm Trester said that the council is reviewing the code book, and this section is one they intend to come back to. She said she would like to look at the difference between a committee and a commission. Mayor Sommer and Clm Trester expressed that they would like to see this group as a committee. Clm Rupprecht said that the ordinance exists and should be followed until changes are made to the code. Mayor Sommer told Mr. Hulbert that something will be done regarding this group. Clm Sannes asked Mr. Hulbert if he would be willing to serve on this committee or commission. Mr. Hulbert responded that he would think about it, and he was given a copy of the current language in the code book.

7.1 Lewiston Event Committee

Mark Ernster from the Heartland Days Committee requested that the committee be given the use of the Community Center at no charge for a craft show during Heartland Days. They may also serve food, so he will speak to Cindy Burt regarding the kitchen.

Motion by Clm Trester, seconded by Clm Rupprecht, to allow the Heartland Days Event Committee to use the Community Center at no charge on June 23 and 24 for a craft show and food. All voted in favor. Motion declared carried.

Motion by Clm Trester, seconded by Clm Rupprecht, to waive the \$250 security deposit for the use of the Community Center on June 23 and 24. Beth Carlson noted that the use of the kitchen is included with the rental of the Community Center. Clm Trester said that insurance on the event would be covered through the Chamber, and Lewiston has insurance for city events. ***All voted in favor. Motion declared carried.***

Clm Trester said that the Heartland Days Button Design Contest is open to any age and entries will be taken through March 9. She encouraged people to go to the website for the rules. The winner's design will go on the button and advertising, and the winner will receive \$100 in Chamber Bucks. She said entries can be submitted by individuals or groups. The winning design will be chosen within one or two weeks of March 9.

8. Ambulance Report

Ambulance Director Matt Essig referred to the detailed report available in the packet. He summarized the report by stating that the ambulance had 240 runs in 2011, which was two more than the year before. There were fewer runs within Lewiston but more in the surrounding areas served. He mentioned that more calls were taken in tandem with the Lewiston Police Department, and he liked to see this joint response. The average response time was under four minutes, and it is a goal of the department to get the response time closer to the three-minute mark in 2012. Clm

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Trester asked how Lewiston's ambulance compares to other departments of similar size. Mr. Essig responded that other departments' data are not available.

In regards to billing rates for 2012, Mr. Essig stated that Lewiston is on the low end when compared with other cities. The Ambulance Board approved new rates a couple weeks ago, and Mr. Essig is seeking the council's confirmation of these new rates. ***Motion by Clm Rupprecht, seconded by Clm Sannes, to approve the proposed ambulance billing rates for 2012. All voted in favor. Motion declared carried.***

Mr. Essig stated that he started his refresher training, which must be completed every two years. He will also be teaching a first responders class for the Fire Department and is teaching a lot of CPR classes. He mentioned that in the first eleven days of 2012 the department has responded to nine calls.

Mr. Essig said a Safety Committee meeting was held a few weeks ago, and it was beneficial to have all the emergency response department heads at one table. The Safety Committee will have quarterly meetings. Mr. Essig will be providing the city's safety training to small groups of employees, including the ambulance, public works and other city personnel. It was pointed out that the Ambulance Board roster for 2012 was included in the packet.

9. Police Department Report

Chief Hastings reported 137 calls for service in December. He said the interview panel is almost finished scoring the applications for the part-time officer position, and interviews will be scheduled soon. He mentioned that round two of the alcohol compliance checks will begin any time now and continue through May 31. Clm Trester asked about the squad car, and Joe responded that he is waiting to hear from Lewiston Auto on the state bid price.

10. Fire Department Report

Chief Charlie Matzke said that he would have the department's year-end report in February. He invited the council to the annual meeting with the townships on February 1 at 7:00 p.m.

10.1 Resolution 2012-01 Accepting Fire Company Donation

Motion by Clm Sannes, seconded by Clm Trester, to adopt Resolution 2012-01 accepting the Fire Company's donation. All voted in favor. Motion declared carried. Mayor Sommer requested that future resolutions accepting donations for the new pumper truck not include the language of a new truck fund, since the donations are now reimbursing the General Fund for the down payment that had been made towards this purchase.

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11. Information about Wastewater Treatment Plant Upgrade

Mayor Sommer stated that the MPCA has denied the appeal by engineer Tom Madden of Yaggy Colby to leave Lewiston's plant a class B. The MPCA feels the scores it gave the plant were justified and the plant should be a class A. More information will be presented at the next meeting.

12. Annual Appointments

- 12.1 Mayor Pro-tem: ***Motion by Clm Trester, seconded by Clm Rupprecht, to appoint Clm Sannes as Mayor Pro-tem. All voted in favor. Motion declared carried.***
- 12.2 Official Depository: ***Motion by Clm Sannes, seconded by Clm Trester, to name Security State Bank as the city's official depository. All voted in favor. Motion declared carried.***
- 12.3 Official Newspaper: ***Motion by Clm Rupprecht, seconded by Clm Trester, to name the Lewiston Journal as the city's official newspaper. All voted in favor. Motion declared carried.***
- 12.4 City Attorney: ***Motion by Clm Trester, seconded by Clm Rupprecht, to name Scott Springer and Jennifer Gumble of Springer & Gumble Law Firm as the city's official attorneys. All voted in favor. Motion declared carried.***
- 12.5 City Engineer: ***Motion by Clm Sannes, seconded by Clm Trester, to name Yaggy Colby Associates as the city engineer. All voted in favor. Motion declared carried.***
- 12.6 Fire Chief: ***Motion by Clm Rupprecht, seconded by Clm Sannes, to name Charlie Matzke as Fire Chief. All voted in favor. Motion declared carried.***
- 12.7 Committees, Ambulance Board and Fire Department Officers
Motion by Clm Trester, seconded by Clm Rupprecht, to approve the recommended roster of the Lewiston Ambulance Board. All voted in favor. Motion declared carried.

Motion by Clm Rupprecht, seconded by Clm Trester, to approve the Lewiston Fire Department officers as presented by the department. All voted in favor. Motion declared carried.

The committees presented in the agenda packet were reviewed one at a time. There is one vacancy on the EDA Board. The vacancy will be posted on the cable channel and the website. ***Motion by Clm Rupprecht, seconded by Clm Sannes, to approve of the EDA Board as listed and noting the one vacancy. All voted in favor. Motion declared carried.***

The Comprehensive Plan has been developed so that committee is no longer needed. The Safety Committee had no changes. ***Motion by Clm Rupprecht, seconded by Clm Trester, to approve the Safety Committee as presented. All voted in favor. Motion declared carried.***

Clm Rupprecht noted that the Public Works Committee does not routinely meet. ***Motion by Clm Trester, seconded by Clm Sannes, to approve the Public Works Committee as listed. All***

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voted in favor. Motion declared carried. Mayor Sommer suggested the committee be included on more public works related issues.

Scott Rinn was added to the Bicycle & Trails Advisory Committee, and it was determined to be a five-member committee. **Motion by Clm Sannes, seconded by Clm Trester, to approve the Bicycle & Trails Advisory Committee with the changes presented. All voted in favor. Motion declared carried.**

There may be one opening on the Planning & Zoning Commission as one member has not responded. The second name was removed from the list. **Motion by Clm Trester, seconded by Clm Sannes, to approve the Planning & Zoning Commission members with the change described and noting the one vacancy. All voted in favor. Motion declared carried.** The vacancy will be posted on the cable channel and website.

Motion by Clm Rupprecht, seconded by Clm Trester, to approve the Cable Commission with one vacancy noted. All voted in favor. Motion declared carried. The vacancy will be posted.

Clm Sannes mentioned that a couple of the members did not attend Park & Rec Committee meetings in 2011. Scott Rinn had requested to be removed from this committee as he has joined another. The third name was removed. If Richard Finger is not interested in continuing, there would be two vacancies. Mayor Sommer would like to see the committee at seven members. **Motion by Clm Rupprecht, seconded by Clm Trester, to approve the Park & Rec Committee with the changes and providing notice of two vacancies. All voted in favor. Motion declared carried.**

The third seat on the Personnel Committee was changed to read City Clerk, and it was requested that all staff positions be changed so just their titles appear on the committees. **Motion by Clm Rupprecht, seconded by Clm Sannes, to approve the Personnel Committee as listed with the change. All voted in favor. Motion declared carried.**

The Public Safety Building Committee was changed to the Emergency Services Building Committee, and Police Chief was added to the roster. **Motion by Clm Rupprecht, seconded by Clm Trester, to approve of the Emergency Services Building Committee with the changes. All voted in favor. Motion declared carried.**

Motion by Clm Rupprecht, seconded by Clm Trester, to approve Clm Fischer as the Ambulance Department liaison.

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Motion by Clm Trester, seconded by Mayor Sommer, to approve of Clm Rupprecht as the Fire Department liaison.

The City Forestry & Beautification Commission was discussed. Clm Trester believes a commission has different rights than a committee. Mayor Sommer suggested the council tackle this issue at a February 8 Council Work Session and invite Mr. Garlan Hulbert in on the discussion. The Planning & Zoning Commission meeting for that night will be cancelled. The Work Session on February 8 will be scheduled at 5:00 p.m.

Motion by Clm Rupprecht, seconded by Clm Trester, to appoint Clm Fischer as the Technology Coordinator for the City Council. All voted in favor. Motion declared carried.

13. Naming Part-time Clerk

Clm Trester read the following:

“The Personnel Committee met on Monday, January 9, 2012 to conduct interviews for the Part-Time City Clerk. The interview process consisted of review of candidate’s qualifications, education and work history. There were thirteen behavioral questions that focused on commitment, attention to detail, time management, relationship management, assertiveness and problem solving. These questions asked the candidates to describe specific experiences that illustrated these skill sets. The ratings were from 0-4.

Based on the interview, experience, education and work history, the recommendation of the committee is to hire Ms. Jennifer Hengel as the Part-time City Clerk. The position responsibilities and tasks are outlined in the job description.

The Personnel Committee recommends that the hiring wage would be \$25.00 per hour as budgeted for in the Administrative Options Plan.”

Motion by Mayor Sommer, seconded by Clm Rupprecht to offer the part-time city clerk position to fulfill statutorily required duties to Jennifer Hengel at the rate of \$25 per hour pending the background check. All voted in favor. Motion declared carried.

13.1 Interim Clerk Position

Mayor Sommer said that Interim City Clerk Beth Carlson could move to CEDA employment as soon as Monday, and the city will need to sever her employment. ***Motion by Mayor Sommer, seconded by Clm Rupprecht, to terminate Beth Carlson as interim city clerk effective the close of business on January 13, 2012. All voted in favor. Motion declared carried.***

Mayor Sommer asked about paying out Ms. Carlson’s sick time. Clm Rupprecht found a reference in the city code, but it was not clear. Mayor Sommer asked Clm Rupprecht to contact the city attorney, and the issue will be addressed at the next council meeting.

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Clm Rupprecht stated that in the previous item, the motion was made to offer the position to Jennifer Hengel, but one more step is needed if she accepts. Ms. Hengel stated she will accept the position. ***Motion by Clm Rupprecht, seconded by Clm Sannes, to accept Jennifer Hengel as the part-time statutory city clerk at a maximum six hours per week. Motion by Clm Rupprecht, seconded by Clm Sannes to amend the motion to replace "a maximum of six hours per week" with "a maximum of 312 hours per year." All voted in favor of the amendment. Motion declared carried. Mayor Sommer called for a vote on the now amended, original motion. All voted in favor. Motion declared carried.***

14. Naming P & Z Administrator

Motion by Mayor Sommer, seconded by Clm Rupprecht, to approve Beth Carlson as the P & Z Administrator. All voted in favor. Motion declared carried.

15. Utility Bill – Inquiries from Customers

Ms. Hengel summarized the first customer inquiry, which was explained in the agenda packet. The council members discussed instances of forgiving utility bills in the past. There was concern about making these types of situations more problematic in the future. Clm Rupprecht pointed out that no clear policy exists. ***Motion by Mayor Sommer, seconded by Clm Rupprecht, to accept the customer's request to pay for all the water usage and the average sewer usage and waiving the \$287.72 in additional sewer charges.*** Clm Trester felt that this action will set precedence. Rupprecht stated that going forward the city council needs to look at having something in the code for these types of situations. ***Voting in favor of the motion were Clm Sannes, Clm Rupprecht and Mayor Sommer. Voting against the motion was Clm Trester. Motion declared carried.***

Beth Carlson stated that the second request is in regards to the sewer meter letters that were sent to the five households that still have sewer meters but have not yet installed them. The letter stated that if the customer chooses to return the meter by the date provided they would receive a credit on their utility account. This customer would like to have the refund provided in cash or check. Mayor Sommer said the city does not have a problem with taking the unused meter back but that the refund should go on the utility bill. The council determined to leave the refund as stated in the letter. The customer may call his council members if he chooses.

16. Water/Sewer Usage at National Chemicals

Since the agenda packet was distributed, Gary Babcock and Larry Peterson had discussed the different options for National Chemicals' water usage and felt the best option was a separate meter plumbed for the water that would go into the company's products. Mr. Babcock spoke with the company's Lewiston plant manager and was told the company uses the same method to monitor its water usage for products at its Winona facility.

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17. Court Street Addressing of Mobile Homes

A diagram of the proposed new addressing at the Court Street mobile home park was included in the council packet. Beth Carlson and Jennifer Hengel related that they, along with Gary Babcock, Larry Peterson, and Matt Essig, had met with Paul Kieffer to discuss the addressing. The change is proposed to take effect March 1, and Mr. Kieffer will be informing the park's residents. The city will inform the county and Gopher One.

18. Council Concerns

CIm Trester said now that the city has maintenance and support agreement with One Click Solutions the contract with CR Solutions is not needed. Beth Carlson and Jennifer Hengel explained that the city's contract with CR Solutions has a 30-day out clause, but the two contracts would overlap for at least one month while the city's new equipment and server are installed.

Motion by Mayor Sommer, seconded by CIm Sannes, to notify CR Solutions that the city will no longer need their services effective tomorrow in order to provide the 30-day notice. All voted in favor. Motion declared carried.

CIm Trester commended the Public Works crew on the construction of the ice rink. No concerns were brought forward by CIm Rupprecht, CIm Sannes, or Mayor Sommer.

19. Adjourn

Motion by CIm Sannes, seconded by CIm Rupprecht, to adjourn. All voted in favor. Motion declared carried. The meeting adjourned at 8:50 p.m.