

**Lewiston City Council**  
**Council Meeting Minutes**  
**June 24, 2020**  
**Lewiston City Hall – 7:00 P.M.**

**1. Call to Order**

Electronic City Council Meeting called to order by Mayor Beth Carlson at 7:08 pm June 24, 2020.

**2. Pledge of Allegiance**

**3. Roll Call**

Present (5): Mayor Beth Carlson, Councilor Larry Rupprecht, Councilor Carol Boynton, Councilor Dan Robertson and Councilor Niles Lavey. Not Present (0)

Others present: City Administrator/Clerk Cheryl Knight, Ambulance Director Matt Essig, Police Chief Scott Yeiter, Public Works Director Curt Benter, Bryan Holtz, James Creaghe, Mike Bubany, Nick Ebnet and Charlie Matzke.

**4. Agenda- Changes and additions**

Mayor Carlson requested to add 10.2.4 PT Ambulance Position. City Administrator Cheryl Knight requested to add 10.2.5 new Ambulance members, and requested that Charlie Matzke notify Mark Reisetter of the correct Zoom ID for the meeting.

Councilor Robertson motioned for approval of the Agenda with said changes. Seconded by Councilor Boynton. Approved 5-0.

**5. Adopt Consent Agenda**

A. Regular Council Meeting Minutes- June 10, 2020

B. Accounts Payable

Mayor Carlson requested a correction to the meeting minutes of June 10, 2020. Page 4, paragraph 10.1 EAB Assessment plan, three lines down: the amount should be \$2,000 not \$2,00.

Mayor Carlson motioned to adopt the consent agenda with said change. Seconded by Councilor Robertson. Approved 5-0.

**6. Citizens' Concerns- None**

**7. Resolution 2020-16 Resolution Ordering Improvement and Preparation of Plans- Bryan Holtz**

Bryan Holtz stated the public hearing, held immediately before this meeting, went well. There were a few comments submitted, and a couple were taken at the meeting. Holtz wanted to address Kellie Eggert's concern regarding the equitable distribution of assessments along East Street. Holtz stated in order to assess the property owners that are not directly abutting the right-of-way, we

would need to do the assessments differently, such as using the area method or by individual parcel method. This could be very complicated and would delay the project. City policy assesses per front frontage, so Julie Hennessy pays \$135 for 5 feet, and Christian Crossings pays \$276 for 10 feet. It could be assessed differently, but it would take Council action to change it and assess the project differently. The policy could use an area policy, but it is not typically done for street projects. It will not change the project's assessment by more than a couple dollars per foot, across all the parcels, not just those on East Street. Councilor Rupprecht asked how long the potential delay could be if another method was used. Holtz stated about four weeks-to amend the report, re-advertise, and hold another public hearing. The City policy was used to create the current assessment list. Holtz was not in favor of using the area method due to irregular shaped parcels along the cul-de-sacs. Potentially, all parcels could be assessed the same amount-but that is not equitable to those with small frontages, or large frontages either. Public Works Director Curt Benter added that the Eggert's have a huge footprint on East Street. The two new East Street homes are actually on private property. Discussion continued regarding timelines for the project and potential adjustments to the easements. Proposed project end date is October 2, 2020 regardless of whether we continue our current timeline or re-assess the parcels. Any potential parcel savings could be offset by the increase in bid price.

Mike Bubany, the City's financial advisor, discussed the financing for this project. A bank placement (a bond issue that is all sold and held by one bank) is the way to go. Bubany discussed the potential project costs along with assessment revenue. Councilor Rupprecht stated that another big benefit of this project is that the next scheduled project for 2024 (which are these streets) along with the underlying infrastructure no longer needs to be done-which then allows for the proposed 2027 streets and alley ways to move up to possibly 2024. Bubany stated the City will want to revisit the CIP plan, probably this next winter.

Councilor Rupprecht moved for approval of Resolution 2020-16 Ordering Improvement and Preparation of Plans for the 2020 Street Rehab Project. Seconded by Councilor Boynton. Approved 5-0.

**8. Resolution 2020-17 Resolution Approving Plans and Spec – Order Ad for Bid-Bryan Holtz**

Bryan Holtz stated that the project ad will run in the Lewiston Journal tomorrow. The plan is only one page and lists where the work will be done. Bids will be opened on July 7, 2020 (only a 10-day advertising period is required due to the project price). Construction costs are estimated at \$278,000, plus contingency, with estimated engineering, legal and administrative fees for a total project cost of \$367,344. Holtz anticipates the bids coming in at around \$250,000. Online

bid opening will be July 7<sup>th</sup> at 2:00pm with Holtz and City Administrator Knight handling that.

Council will hopefully be approving the low bid at the Council meeting on July 8<sup>th</sup>.

Councilor Rupprecht moved for approval of Resolution 2020-17 Approving Plans and Specifications and Ordering Advertisement for Bids for the 2020 Street Rehab Project. Seconded by Councilor Boynton. Approved 5-0.

## **9. Peopleservice Monthly Report- James Creaghe**

James Creaghe stated the monthly report was in the packet. We violated for ammonia in the month of May, with extremely high influent ammonia. Creaghe reviewed the last several years of data and we had violated in the month of May six of the last seven years-but nobody tested for influent ammonia. Creaghe is not sure if it is surface or an industry event but he is wanting to discuss with the local industry if any hydrostatic testing of anhydrous ammonia tanks might be going on where the water is then discarded down the storm drain. Average regular influent ammonia is usually 15-20. The City has the right to proceed with a pretreatment program for the local industries.

Creaghe stated that a dissolved oxygen sensor failed, and an HMI also needs to be replaced. The cost is estimated at \$8,000 to \$9,000. Creaghe will forward an estimate to the City Administrator.

## **10. Committee Reports**

### **10.1 EDA**

#### **10.1.1 Charlie Matzke- Project discussion-former sewer ponds site**

Charlie Matzke discussed the interest in revitalizing the former sewer ponds site, called the Lewiston Nature Preserve. Pictures of the area are in the agenda packet. The fire department did a controlled burn this past spring and a trail is being laid out. Jim Reisetter discussed the history he knew of this area, and how it can be a real benefit. One trail is now out there, perhaps more in the future. The EDA has voted and recommends to City Council a name change to Lewiston Prairie Trails Park. Donations to support this park can be earmarked for this park. EDA has approved \$250 towards a new sign for this area (and removal of the No Trespassing signs there). Discussion by Councilor Rupprecht of the WWTP effluent used to control the level at the ponds.

#### **10.1.2 Resolution 2020-14 Name Change- City of Lewiston Nature Preserve**

Mayor Carlson motioned for approval of Resolution 2020-14, Authorizing Name Change of the City of Lewiston Nature Preserve. Seconded by Councilor Boynton. Approved 5-0.

Mayor Carlson also mentioned the EDA requested to pay for and put out a temporary sign at these ponds. Matzke said that Gene Stevens, a former Lewiston art teacher who has now passed, has a famous pheasant portrait, and permission was given today to include it on the sign. Public Works Director Curt Benter stated that the City is not allowed to put effluent from the WWTP

into pond #2 and those pipes have been cemented. Only rainwater and snow melt can now go into this pond. And instead of a No Trespassing sign there, the request is for a No Hunting sign. Mayor Carlson motioned for approval of the EDA to spend up to \$250 and put out a new sign at the Lewiston Prairie Trails Park. Seconded by Councilor Boynton. Approved 5-0.

Mayor Carlson commented also that the property at 295 E Main Street has closed and is now owned by the EDA, with keys to be coming shortly. MHP (Minnesota Housing Partnership) Institute was discussed with more news forthcoming; the idea is to teach some of the community members how to get housing and projects going. The EDA will be sponsoring the Farmer's Market at the Crossings Center for the month of July.

## **10.2 Personnel**

### **10..2.1. City of Lewiston Preparedness Plan**

City Administrator/Clerk Cheryl Knight stated this plan is required to be approved before City Hall reopens and meetings also open up. It is a public document that will be required to be posted once approved. This draft document has been updated with feedback received from the personnel committee meeting and staff. Page two discusses a health screening for employees to use before arriving at work each day. Letter K needs to list an event larger than "250" and not "25". If employees are unable to report to work, there is information on what they need to do. Social distancing for employees is described, as well as leave policies available. General social distancing throughout the building is also listed as well as cleaning practices. There will be three automatic hand sanitizer stations installed at City Hall. One will be immediately inside the front entrance, one at the rear kitchen entrance, and one inside the employee entrance. Signs will request that the public sanitize hands upon entering the building, maintain a 6-foot distance, and that only one person should be at the customer counter at a time. Mayor Carlson stated that this plan is only a starting point, as this document may change as more information is learned. Police Chief Scott Yeiter asked under the Communications and training section about the "required hygiene practices" and whether we could mandate them. Yeiter asked about the health status information policy and the reasonable accommodation information. Knight stated the two-page Department Head COVID-19 handout attached to this material clearly states what department heads can and cannot say or divulge regarding an employee's health status. Also, the reasonable accommodation is currently mentioned in our personnel policy as an item that the employee should discuss with the City Administrator, and wording will be updated in the plan. Councilor Lavey mentioned under Handwashing a sentence says "customers and visitors to the workplace will be required to wash or sanitize their hands..." Mayor Carlson said that the City of Chatfield

is using the wording of “strongly encouraged”. Knight will update the wording. She felt that once the doors are open is when we will see what works and what does not. Mayor Carlson stated that this plan needs to be adopted to meet the 6/29/20 deadline. The plan includes CDC guidance and a two-page handout for department heads. With the understanding that this document is a living, breathing thing subject to change and updates,

Mayor Carlson motioned to adopt this City of Lewiston Preparedness Plan and put it into action, subject to the revisions previously discussed. Seconded by Councilor Lavey. Approved 5-0.

Knight proposed an opening date of July 6, 2020. This would allow for time to inform and work with staff on protocols, get signs up, and notify the public. No disagreement from Council.

#### **10..2.2 City of Lewiston FFCRA Personnel Policy**

Knight stated this is an addition to our existing personnel policies. The Families First Coronavirus Response Act (FFCRA) law adds two pieces: the first is an eFMLA policy-which allows for 12 weeks of job-protected time away from a job due to COVID-19. This does not change the current FMLA law, it simply adds another eligible category. The second part is for emergency paid sick leave to be offered to an employee who has to quarantine or seek a diagnosis for COVID-19 symptoms. Or, it is for the employee to care for a family member or a child whose school is closed, or whose daycare is unavailable due to coronavirus (with some qualifiers). Any unused paid leave granted by this act expires 12/31/2020.

#### **10..2.3 Resolution 2020-15 Amending City of Lewiston Personnel Policies to Include FFCRA**

This Resolution formally adds the FFCRA policy to our existing personnel policy handbook.

Mayor Carlson motioned to adopt Resolution 2020-15, Amending the City of Lewiston Personnel Policies to include FFCRA (Families First Coronavirus Response Act. Seconded by Councilor Rupprecht. Approved 5-0.

#### **10..2.4 PT Ambulance Position**

Ambulance Director Matt Essig stated that the ambulance department was hoping to hire a full-time employee to the ambulance this year, but that has not happened. Essig wants to use 36 hours per week at \$15 per hour from among the current ambulance members (either a single person or multiple persons) to fill a part-time, temporary position. The Ambulance department is really hurting during the day as there are only two EMT’s available to take calls, and should one get sick or have a conflict it becomes a huge problem. Councilor Lavey asked why the full-time position was not filled. Essig commented that perhaps the pay, or maybe because it was a split position with admin. There were some applicants, but they were not hired. Essig stated the pay range was \$15-\$16. This part time position would be working either for the ambulance or the

admin office. Councilor Lavey asked if the pay could be adjusted? Essig stated the full-time position has been put on hold due to the uncertainty around COVID-19. Knight said the pay was in line with what other part-time folks get paid in the City-specifically the police officers.

Mayor Carlson motioned for the Ambulance Service to hire a part-time, temporary EMT/administrative support position for up to 36 hours per week at \$15 per hour, depending on the needs of the Ambulance Service. This is an internal posting only and is open to more than one EMT member to fill those hours. Seconded by Councilor Rupprecht. Approved 5-0.

#### **10..2.5 New Ambulance Members**

Ambulance Director Essig is requesting approval for two new ambulance members. The first is Kelly Haines, currently an EMR and is a respiratory therapist at Mayo. She can currently be utilized as an EMR for the service. Her background check was approved and if an EMT class opened in the future, Essig would come back to Council for approval to send her to class.

Mayor Carlson motioned to add Kelly Haines to the Ambulance roster as an EMR, effective today, 6/24/20. Seconded by Councilor Boynton. Approved 5-0.

Essig requested to add Audrey Diesslin to the Ambulance service. She is a Winona State student in psychology and already has her EMT license.

Mayor Carlson motioned to add Audrey Diesslin to the Ambulance roster as an EMT, effective today, 6/24/20. Seconded by Councilor Boynton. Approved 5-0.

#### **11. City Administrator's Report- Cheryl Knight**

##### **11.1 Administrator Comp Time Review Memo**

City Administrator/Clerk Cheryl Knight stated this was an ongoing review from 5/8/20.

##### **11.2 Department Head Comp Time Review Memo**

City Administrator Knight stated this review continued from where the previous memo left off.

#### **12. COVID-19 Information and Updates**

#### **13. Additional Council Concerns-**

Councilor Lavey wondered if a link for absentee ballots can be added to the City webpage.

Mayor Carlson commented that perhaps pointing folks to the Secretary of State webpage would be helpful? Carlson stated that in Minnesota you do not need a reason to vote absentee ballot.

Knight will get it added.

Councilor Rupprecht commented on the Cedar Park tree story. An update is that the Minnesota Department of Transportation (MN DOT) cannot help with the project because it is not on the road right-of-way, so it does not qualify. Two bids for nursery and excavation costs of the stumps were received and forwarded to Donna Mack for her assistance in preparing grant

applications. \$11,000 is the estimated cost for a nice evergreen screen between Cedar Park and Highway 14.

Councilor Rupprecht inquired whether the next Council meeting will be in-person? Mayor Carlson thought that a hybrid-style meeting might work best depending on what is happening in the area around us, and what each person's comfort level is with meeting in person. Councilor Rupprecht mentioned the Emerald Ash Borer Plan assessment paragraph and whether everyone had read it. Rupprecht wants to discuss this item at an in-person meeting. The second item is the City Code Chapter 8. He feels it needs to be discussed in person. Once the City removes the dead and dying ash trees from the public lands, and gets rid of the danger of injury to pedestrians and motor vehicles, the next question is how do we address those ash trees that are on private property and not getting taken care of-typically due to the tremendous cost. The City Code places these dead trees into a nuisance category, requiring removal to be done. The City Council is the responsible agent under Chapter 8, and if the City Council will not do their duty described under Chapter 8, Rupprecht will probably prepare a motion to remove Chapter 8 from the City Code of Ordinances. He does not intend to be charged with a violation of or nonfeasance of duties as a council person and needs an in-person meeting to get this discussion started.

Mayor Carlson motioned to adjourn the City Council meeting. Seconded by Councilor Lavey.

Approved 5-0.

The Council Meeting was adjourned at approximately 9:29 pm on June 24, 2020.

Submitted By:  
Cheryl A. Knight  
City Administrator/Clerk