

Lewiston City Council
Council Meeting Minutes
November 25, 2020
Lewiston City Hall – 6:00 P.M.

1. Call to Order

Electronic City Council Meeting called to order by Mayor Beth Carlson at 6:00 pm November 25, 2020.

2. Pledge of Allegiance

3. Roll Call

Present (4): Mayor Beth Carlson, Councilor Dan Robertson, Councilor Carol Boynton, and Councilor Larry Rupprecht. Not Present (0).

Others present: City Administrator/Clerk Cheryl Knight, Fire Chief Tim Dahl, Police Chief Scott Yeiter, Public Works Director Curt Benter, and Polly Calhoun.

4. Agenda- Changes and additions

City Administrator/Clerk Cheryl Knight requested an addition to the consent agenda: accounts payable #3.

Councilor Robertson motioned to adopt the agenda with said change. Seconded by Councilor Boynton.

Approved 4-0.

5. Adopt Consent Agenda

- A. Regular Council Meeting Minutes- November 12, 2020
- B. Special Council Meeting Minutes- Budget/Wage Study- November 12, 2020
- C. Accounts Payable
- D. Accounts Payable 2
- E. Accounts Payable 3

Councilor Rupprecht questioned two items. One, on page three of the current packet, at the top of the page, he questioned the Special Council meeting minutes from November 2, 2020. He had discussed this with City Administrator Cheryl Knight and yes, the wording was incorrect as approved. Mayor Carlson stated her reason for wording it the way she did was to show that it was after the meeting had been posted, but before everything had been concluded. The process had started but was not yet concluded. Knight concurred that it was after the posting for that meeting, but before the first meeting took place. 10/15/20 was the date the budget workbook was sent out.

The second item was on page 11, accounts payable, the city attorney payment to Flaherty & Hood for \$1,632.50-what was the first item? Knight stated she reached out to the attorney for information on the 2016 Aarre EDA judgment, as she had no knowledge of it, and they were able to go into the Winona County Court Administration file and pull a copy for her. The second item listed of \$1,560 was for employment matters, and Rupprecht requested Knight get the breakout of what it was. There was a total of \$2,640 expended for “data practices open meeting law, personnel issue—administration, personnel issue-labor relations/unionization”. Rupprecht realized that part of this was the Mayor talking to the City Attorney after the allegations of misconduct were first made and was probably the \$520 paid as of October 1, 2020. He was troubled about the remaining amounts that council members allowed all of that to take place rather than do some diligent questioning to find out without attorney involvement. He believed those allegations were dismissed following investigation by Council. It was way too easy to not do anything and spend \$2,640 that could have been used by the City elsewhere. Mayor Carlson stated she disagreed with Councilor Rupprecht’s statement about the allegations being dismissed. They were dealt with, and corrective actions were warranted, though not disciplinary actions.

Councilor Robertson motioned to adopt the consent agenda with said change. Seconded by Councilor Boynton. Approved 4-0.

6. Citizens’ Concerns- Councilor Boynton commented that neighbors on Meadow Drive were complaining of a resident revving up cars while he works on them, and thought he had been cited before, but nothing is changing. City Administrator Knight asked if the police department was notified when this happened? Boynton commented that a resident had talked to Knight directly. Knight stated she did speak with Councilman-Elect Nick Ebnet regarding this property and the noise issue needs to be addressed through the police department, with the residents potentially cited. There is a nuisance abatement coming to City Council on December 9, 2020 for this property also.

7. PeopleService Monthly Report- James Creaghe

Administrator Knight said the report was in the packet, along with the maintenance report, and if there were any questions, she would relay them back to Mr. Creaghe.

8. City Administrator’s Report- Cheryl Knight

8.1 CEDA Contract for EDA Services

City Administrator/Clerk Cheryl Knight stated the EDA has recommended that Council approve the CEDA contract for the economic development representative at 4 days per month, of 8 hours

each. The rate of \$26,962 is a decrease from the current 6 days per month being paid. With the current uncertainty due to COVID, the EDA wants to review this matter quarterly.

Councilor Boynton motioned to accept the recommendation from EDA to approve the CEDA contract for 2021. Seconded by Councilor Roberton. Approved 4-0.

8.2 1st and 2nd Street Alleyway- Poll of Residents: Gravel vs. Blacktop

Administrator Knight stated that at the direction of Council, letters were sent to neighbors bordering this alleyway as to whether they wanted that alley gravel or blacktop. The current report was that 3 residents wanted gravel and 3 wanted blacktop. Several calls were received questioning costs, which could not be determined until the Council decided. There were also 2 replies that did not choose either option but felt that because it was a dispute between two residents, they should not have to pay anything. Knight also stated that information from Public Works Director Curt Benter was that there were a lot of underground utilities in that alleyway that needed to be marked and moved before Mr. Pearson could clear out that alleyway, so work won't be done until next spring.

8.3 Property/Casualty Insurance- Liability Coverage Waiver Form

Knight stated that as part of the City's property/casualty insurance renewal, Council needs to decide if it will waive or not waive this coverage. If the City does not waive this coverage, the statutory limits of \$500,000 per claim, and \$1,500,000 per occurrence will apply. If the City waives this coverage and does not purchase excess liability coverage, the limits are \$2,000,000 per claim, and \$2,000,000 per occurrence. Councilor Rupprecht said the prior insurance agent told the City to not waive this coverage, resulting in the non-waiver for each of the last three years.

Councilor Boynton motioned to not waive the liability coverage waiver form. Seconded by Councilor Roberton. Approved 4-0.

9. COVID-19 Information and Updates

Administrator Knight stated that the CARES grant received by the City in the amount of \$114,743 is fully expended, with the final report submitted to MMB (Minnesota Management and Budget) yesterday. There is \$4,000 left for ambulance to reimburse their on-call members for November and December. Councilor Rupprecht commented that the 55-gallon drum of sanitizing solution cost of \$779 could be minimized by purchasing a concentrate of hydrogen peroxide and adding it to a drum of water for \$265.

Mayor Carlson reminded everyone to stay safe and protect yourself.

10. Additional Council Concerns

Councilor Rupprecht asked about the replacement for the council member that resigned a month ago. Knight stated that per Minn. Statute 412.02 subd 2a, the vacancy shall be filled by council appointment, and if a tie, the Mayor shall decide. Councilor Boynton was appointed to fill former Councilor Bryce Lange's position. This past election was to fill two seats: Councilor Rupprecht's seat and Councilor Lange/Boynton's seat. Mr. Nick Ebnet and Mr. Ben Borchardt were elected to fill those seats. Knight recommended that the Council take applications from those willing to serve out Councilor Lavey's seat through 2022, and Council can then vote to fill that seat. Decision made to hold applications open until the 12/23/20 Council meeting.

Councilor Rupprecht brought up that a resident brought up the vote forgiving some \$1,200 to Mr. Aarre at the previous Council meeting. The concerns included that a Council member recused herself because she knew one or the other of the parties, and did not want to participate in that vote, and there was probably good cause for a second council member to also declare the same. Discussion was had about whether the recusal was appropriate and when is a recusal appropriate.

Mayor Carlson stated the next meeting (budget) will start at 6:45pm, with a separate ZOOM link for that meeting.

Councilor Robertson motioned to adjourn the City Council meeting. Seconded by Councilor Boynton. Approved 4-0.

The Council Meeting was adjourned at approximately 6:35 pm on November 25, 2020.

Submitted By:
Cheryl A. Knight
City Administrator/Clerk