

**Lewiston City Council**  
**Council Meeting Minutes**  
**October 28, 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 October 28, 2020.

**2. Pledge of Allegiance**

**3. Roll Call**

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

Others present: City Administrator/Clerk Cheryl Knight, Ambulance Director Matt Essig, Fire Chief Tim Dahl, Police Chief Scott Yeiter, Public Works Director Curt Benter, Bryan Holtz, Nick Ebnet, Mary Matzke, and Polly Calhoun.

**4. PUBLIC HEARING: 2020 Street Rehabilitation Project Special Assessment**

Bryan Holtz stated this is the public hearing for the 2020 street project. Individual mailed notices were sent out by certified mail. All verifications except one was received back. This is a 10-year assessment at 3% interest, property owners have 30 days to pay in full at the City of Lewiston, or at any future time by paying to the Winona County Auditor. The preliminary assessment rate was \$27.66 per foot, with the final coming in at \$21.97 per foot. Average amount per parcel was approximately \$2,100. The project went well, with no complaints received.

Public hearing officially opened at 6:04pm by Mayor Carlson. Any persons wanting to comment on the 2020 Street Rehab project may do so now. Please give your name and address first before any comments. Mayor Carlson called three times for any public comments or concerns. Hearing none, the public hearing was closed at 6:06pm. A resolution to adopt the special assessment will be in the next agenda packet.

**5. Agenda- Changes and additions**

City Administrator/Clerk Cheryl Knight requested an addition the agenda: item 13.4 Cable Commission Recommendation to the City Council.

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

Approved 5-0.

## **6. Adopt Consent Agenda**

- A. Regular Council Meeting Minutes- October 14, 2020
- B. Special Council Meeting Minutes- Employee Matter- October 15, 2020
- C. Special Council Meeting Minutes- Employee Matter- October 20, 2020
- D. Special Council Meeting Minutes- September 15, 2020- REVISED
- E. Special Council Meeting Minutes- September 17, 2020-will be sent separately
- F. Special Council Meeting Minutes- Budget- October 14, 2020-will be sent separately
- G. Accounts Payable
- H. EDA Façade Grant Reimb- 30 N Fremont St.- Pierce
- I. EDA Façade Grant Reimb- 140 E Main St.- Wilson

Councilor Robertson motioned to adopt the consent agenda. Seconded by Councilor Boynton.

Approved 5-0.

## **7. Citizens' Concerns- None**

## **8. 1<sup>st</sup> and 2<sup>nd</sup> Street Alleyway Cost Estimate, 1<sup>st</sup> Ave Alleyway- Bryan Holtz**

Bryan Holtz stated that there was a cost estimate in the packet for the 1<sup>st</sup> and 2<sup>nd</sup> Street alleyway. There were three options identified: 1. Reconstruct the aggregate base and put it back inside the right-of-way where it belongs, 2. Extend the storm sewer and alleviate the drainage issues there, and 3. Pave the alley. Reconstructing the gravel does not go the full length of the alley-it only reconstructs where the gravel is today. The east end of the alley is asphalt, even though it is old. Public Works Director Curt Benter received a quote from Pearson Backhoe Service to clear and grub this area in the amount of \$5,000 approximately. These options are listed as separate projects, but lumping items together would save some costs. Paving the alley should not be done until option 2 has been done. Each segment can be thought of as a phase. To be most cost-effective, option 2 should be done at the same time as option 1 because the new gravel would not need to be dug back up to install the storm sewer. Mayor Carlson stated our upcoming discussion with Mike Bubany, the City's financial advisor, in November will help us determine funds available to do these kinds of projects. Holtz suggested that with the estimate received from Pearson, Council might want to consider getting this specific alleyway cleared and grubbed. Public Works Director Curt Benter agreed with Holtz. Councilor Rupprecht wondered if the Council would want to hear from the residents in this alley as to what they prefer to see in that alley-gravel or asphalt, as there potentially would be an assessment to those residents. It would double the cost of the project to put asphalt down. Knight thought a letter could be sent to inquire of these residents which they prefer,

gravel or asphalt. Holtz stated the right thing to do would be to move the gravel of the alley back where it belongs into the City right-of-way and take the bushes and stumps out as if you were maintaining the right-of-way. Councilor Lavey, Boynton and Mayor Carlson agreed with the idea to send a letter. Councilor Boynton wondered why anything was being done at all? Holtz explained that the gravel of that alley is actually not where the alley is located but is on private property. When the gravel was put down, the thought was ~~hey~~ they used telephone poles to mark it. There are trees, shrubs, and a large tree stump that everyone drives around that has forced the alley to move. During the construction of the 1<sup>st</sup> and 2<sup>nd</sup> streets that alleyway was used a lot and there was increased traffic. With the project complete, there should not be lots of traffic. Also, there was one resident who thought the alley was a haven for drug activity. Police Chief Scott Yeiter stated there has never been a call received for drug activity in his six years on duty, nor for officer's use for naps. Yeiter stated that the alleyway off 1<sup>st</sup> Ave near County Road 25 is causing more headaches, but he is unsure if the neighbors understand how many trees will have to come down in that alleyway, and it's not even graveled. Knight agreed with Yeiter, but wanted to finish the discussion on the 1<sup>st</sup> and 2<sup>nd</sup> St. alleyways: there was an estimate of \$5,200 received to clear shrubs, and a letter was sent notifying the affected residents that they had the month of October to save and move any special trees or shrubs they wanted to save before the City cleared the alleyway. Mayor Carlson wondered if there were funds anywhere to pay this? Knight stated that there is money sitting in a 2009A bond fund, and this bond has been paid off. This estimate is for both alleyways in question, so we will want to quickly notify the 1<sup>st</sup> Ave residents that the alleyway 1. is an alleyway, and 2. that it is in the wrong place. Holtz stated he talked with the Winona County Engineer, who was amenable to helping us get this alleyway corrected. The alley opens onto County Road 25, and the alley apron is not in the correct location, which is driving the whole dispute. To correct this will require the movement of a large power pole, and several utility pedestals. The County Engineer will do whatever we needed to do: if the private utilities are in the way of something, they will have to be relocated at no cost to the City.

Councilor Rupprecht stated the 1<sup>st</sup> Ave alleyway was not listed, so Council action would be invalid. Knight and Mayor Carlson pointed out that it was indeed listed on the agenda item. Mayor Carlson stated that, at the very least, Pearson should attempt to clear and grub the alleyway. Only the 1<sup>st</sup> and 2<sup>nd</sup> Street alleyway residents were notified to date of this action. Holtz stated that the 1<sup>st</sup> Ave and Williams Street alley has not officially been located and staked marked by his firm yet, only the private survey completed by the Matzke's indicated the alley was in the wrong place.

Mayor Carlson motioned for approval of the Pearson Backhoe estimate to clear and grub the alley right-of-way between 1<sup>st</sup> and 2<sup>nd</sup> Streets, in an amount not to exceed \$5,000. Seconded by Councilor Rupprecht. Approved 5-0.

Councilor Rupprecht motioned to authorize Bolton-Menk to stake and mark the 1<sup>st</sup> Ave N and Williams St, and County Road 25 and Thompson St. alleyway. Seconded by Councilor Boynton. Approved 5-0.

Holtz stated the alleyway between 1<sup>st</sup> and 2nd Streets will be re-marked, so Pearson Backhoe will know where the alley boundaries are located.

#### **9. Resignation of Councilman Lavey- Mayor Carlson**

Mayor Carlson stated that Councilor Lavey had mentioned this at the last City Council meeting but has now submitted a written statement with his resignation. Council needs to accept this resignation with an effective date of October 31, 2020.

Mayor Carlson motioned to approve the resignation of Councilor Niles Lavey, effective October 31, 2020, with thanks from the City Council. Seconded by Councilor Boynton. Approved 5-0.

#### **10. Ambulance Department- Stair Chair- Matt Essig**

Ambulance Director Matt Essig stated this was regarding the resolutions adopted at the prior Council meeting for the Compeer Financial \$3,000 grant and the Ambulance Association donation of \$472.47. Essig is looking for approval to purchase this Stryker stair chair.

Mayor Carlson motioned for approval of the purchase of the stair chair from Stryker Medical in the amount of \$3,472.47. Seconded by Councilor Boynton. Approved 5-0.

#### **11. Fire Department- Purchase 8 sets PPE (See Attached Quote) -Tim Dahl**

Fire Chief Tim Dahl stated the estimate was in the packet. \$17,500 will come from the Fire department uniform line item, with the remainder from conference and travel. Only two active members will not have current PPE, and one of those two will retire at the end of this year, so only one member will be out of compliance. Councilor Rupprecht wondered why the last set of needed PPE wasn't included? Dahl stated it was a funding issue, with the last set to be purchased in next year's budget. The fire department had a furnace replacement, the shipping container purchase, and extra PPE expenses already this year, and didn't want to run too short on budget. Councilor Rupprecht felt that if it were necessary to protect a volunteer firefighter, Council would be remiss in not ordering it now as we did find some extra cash or could possibly use CARES funds. Dahl stated if funding was available, he'd love to purchase the final set of needed PPE.

Councilor Rupprecht motioned for approval to purchase 9 sets of PPE from Fire Safety USA in the amount of \$22,355.55. Seconded by Councilor Robertson. Approved 5-0.

## **12. Public Works Report- Curt Benter**

Public Works Director Curt Benter stated the dump truck is at Peterson Trucking in Lewiston for its annual DOT inspection and needs repairs in the total cost of \$3,474.76.

Councilor Lavey motioned for approval of the repair estimate from Jim Peterson Trucking for the dump truck in the amount of \$3,474.76. Seconded by Councilor Boynton. Approved 5-0.

Benter also notified Council that the grinder pump at 106 Lift Station was re-installed yesterday.

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

### **13.1 Reschedule Council Meeting Dated 11/11/20- Veteran's Day Holiday**

City Administrator/Clerk Cheryl Knight stated the first meeting in November is scheduled for Wednesday 11/11/20-Veteran's Day and needs to be rescheduled. According to City Code, the meeting moves to the next business day. There is a CIP meeting with the City's financial advisor Mike Bubany already scheduled for 11/12/20 at 6:30pm. Discussion followed as to what Council preferred. Knight stated that Bubany had offered alternate dates of November 16-19 and 23-25. All council members were available on Thursday 11/19 at 6:30pm for the CIP discussion with Mike Bubany. Council will then meet the 12<sup>th</sup>, at 6:00pm, with budget following at 6:30pm.

### **13.2 Schedule City Administrator annual review**

Knight stated it was time to schedule the City Administrator's review. Mayor Carlson discussed possible dates and requested the review forms be sent to the council members. Tuesday, November 10<sup>th</sup> will be the day, at 6:00pm.

### **13.3 Resolution 2020-35 Setting TIF 1-2 Hearing**

Knight stated this Resolution 2020-35 Setting TIF 1-2 Hearing, because of concerns with the notice not including the ZOOM electronic meeting information, bond counsel advised to redo the TIF procedure. The TIF hearing will be Wednesday 12/9 at 6:00pm. Councilor Rupprecht stated the extract information at the top of the resolution page listed the month of August, instead of October. Knight stated that was incorrect, it should read October.

Councilor Lavey motioned for approval of Resolution 2020-35 Calling a Public Hearing on the Establishment of a Tax Increment Financing District No. 1-2 and the Adoption of a Tax Increment Financing Plan Relating Thereto. Seconded by Councilor Boynton. Approved 5-0.

### **13.4 Cable Commission Recommendation**

Knight stated the Cable Commission met Wednesday 10/21/20 at 5:30pm. Her memo recommends that a 2021 budget transfer be made from the Cable Fund to the General fund-Civil Defense Department for the purchase of one Motorola radio in the amount of \$3,250, which was approved unanimously by the Cable Commission.

Mayor Carlson motioned for approval of the Cable Commission recommendation for a 2021 budget transfer from the Cable Fund to the General Fund-Civil Defense Department for the purchase of one Motorola radio in the amount of \$3,250. Seconded by Councilor Lavey. Approved 5-0.

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

Mayor Carlson reminded everyone to follow the recommendations from the State of Minnesota, the Centers for Disease Control, our preparedness plan to re-open the City, and to wear our protective equipment. With the election coming up, we want to make sure we are following our protocols. Councilor Boynton stated the school district is now closed with only remote learning starting Monday 11/2/20.

#### **15. Additional Council Concerns**

Councilor Roberton inquired about the City grants for COVID reimbursements. Knight stated there were only two grant applications received. She will put another reminder on Facebook. Knight stated with the poor response, we might need to re-assign funds to purchasing PPE supplies.

Councilor Lavey wanted to thank the City of Lewiston-the residents, employees, and fellow council members-for allowing him to serve the community. It was a learning experience and a pleasure. Lavey plans on running for public office where he currently lives. It opened his eyes to all the hard work the employees and the Council members do for the City. Mayor Carlson and Administrator Knight thanked Councilor Lavey again for his service.

Mayor Carlson stated the next meeting will start at 7:30pm, with a separate ZOOM link for that meeting.

Councilor Boynton motioned to adjourn the City Council meeting. Seconded by Councilor Roberton. Approved 5-0.

The Council Meeting was adjourned at approximately 7:19 pm on October 28, 2020.

Submitted By:  
Cheryl A. Knight  
City Administrator/Clerk