

Lewiston City Council
Council Meeting Minutes
January 13, 2021
Lewiston City Hall – 7:00 P.M.

1. Call to Order

Electronic City Council Meeting called to order by Mayor Beth Carlson at 7:00 pm January 13, 2020.

2. Pledge of Allegiance

3. Roll Call

Present (5): Mayor Beth Carlson, Councilor Ben Borchardt, Councilor Carol Boynton, Councilor Nick Ebnet, and Councilor Dan Robertson. Not Present (0).

Others present: City Administrator/Clerk Cheryl Knight, Ambulance Director Matt Essig, Police Chief Scott Yeiter, Public Works Director Curt Benter, Erik Fredberg, A. Franzen, Bryan Holtz, and Polly Calhoun.

4. Agenda- Changes and additions

City Administrator/Clerk Cheryl Knight requested to add letter D under consent agenda: Use of the Community Center by the Fire Department for the annual township meeting February 3, 2020.

Councilor Robertson mentioned that the Fire Department changed this meeting to the Fire Station, so this item was not needed.

Councilor Robertson motioned to adopt the agenda as presented. Seconded by Councilor Boynton.

Approved 5-0.

5. Adopt Consent Agenda

A. Regular Council Meeting Minutes- December 23, 2020

B. Emergency Council Meeting Minutes- December 30, 2020

C. Accounts Payable

Councilor Boynton motioned to adopt the consent agenda as presented. Seconded by Councilor Ebnet.

Approved 5-0.

6. Citizens' Concerns-Kelly Dahl- Did not appear.

7. WWTP (Waste Water Treatment Plant) Variance Letter- Bryan Holtz

Bryan Holtz stated there was a letter in the packet that Bolton-Menk wrote on behalf of the City.

Some background: The City will have a new chloride limit on the discharge from the sewer plant with the new WWTP permit to be issued. Some time ago there was a schedule of compliance letter

sent to the MPCA. MPCA replied and stated that a variance request would be better for the City. It would be for 15 years and extendable, and renewable every 5 years. At a meeting two years ago, the variance process was very new to MPCA, but they have now completed a couple of these. These variances must also be approved by the EPA. This letter now requests that a variance be permitted.

This process does not prohibit the City from pursuing grant funding.

This letter did not need formal action but is for Council information only. This WWTP permit was due to be issued in 2020, but due to COVID was delayed. MPCA will deal directly with the EPA concerning the variance.

8. LRIP Program- Fremont Street- Bryan Holtz

The State of Minnesota put triple the amount of money into the LRIP (Local Road Improvement Program) program for this next bi-annual budget. Bolton-Menk is encouraging the City to apply for this program. If the City would be awarded funds, up to a maximum of \$750,000, the project would need to be bid by June 2023. The Fremont Street project (from Main Street to Hwy 14) would be used to allow local truck traffic to access Hwy 14 from the downtown area instead of at the Kwik Trip corner (Hwy 14 and County Rd 25), which has safety concerns. This project would be a very good candidate for the LRIP funding. It would be a full reconstruction, but the LRIP will not pay for sanitary sewer or water main. The maximum grant would cover about 96% of the allowed costs. Councilor Ebnet mentioned the truck traffic could move from in front of the high school to the elementary school. Councilor Borchardt questioned if the businesses benefitting from this new truck traffic would be assessed for this project? No, the City's assessment policy states that those properties that immediately border the project will be assessed.

Police Chief Yeiter asked if making Fremont Street part of County Road 29 is still being considered? It can be. The City could then take back part of Main Street. It could be discussed again if this were desired.

There were no objections expressed by the Council, so Holtz will complete the application form.

9. Ambulance Department Monthly Report- Matt Essig

Ambulance Director Matt Essig stated the report was in the packet. There were 235 runs for the year of 2020, only 15 less than the year before, even with the COVID pandemic. The day shift continued to be the busiest. An annual report will either be in the next Council packet or the first of February's packet.

There has been significant interest in initial and renewal EMR courses and daycare CPR certification renewals. The Red Cross has updated their materials so the ambulance service will

need to as well. Safety trainings will still be held via ZOOM and the Ambulance medical director has not opened the Ambulance service for in-person training.

10. Police Department Monthly Report- Scott Yeiter

Chief Yeiter stated the Incident Summary by Incident Type report gives the 30,000 feet review of the activity for the month. The All Coded Incident report gives the detail on that activity. Anything coded LPD is a local code and not reported to the state or federal government. The 5-digit codes are the more serious crimes and are reported as part 1 or part 2 crime to NIBRS, a new (eff 1/1/2021) national database for crime statistics. NIBRS has increased the time spent processing reports.

This monthly report had a counterfeit case at the top of the report, a \$500 incident with a local business. The two at the bottom were property damage and theft. Generally, specifics are not mentioned unless there is value to the whole community such as a rash of vehicle or business entries. If additional information is requested, please reach out to the Police Department. There is a separate phone number for the Police Department that will leave voicemail directly to the Chief's email. Numbers are down 10% from last year, and with the increased COVID infection numbers, the department is protecting employees by reducing public contact. Calls for service are being handled by phone, or by persons stepping outside at their home, or avoiding as much direct contact as possible.

11. City Administrator's Report- Cheryl Knight

11.1 Nuisance Abatement-Heller-80 Williams Street Letter

City Administrator Knight stated that the report from Chief Yeiter was in the packet. Mr. Heller is requesting time to address the property issues.

Knight stated an LMC informational memo on public nuisances was sent to Council as it contained useful information, and a copy was also included in the agenda packet.

Discussion followed. Mayor Carlson said that she would like to at least see progress with the vehicles. Councilor Ebnet requested the scaffolding and ladders be added to the list. Mr. Heller is willing to work with the City, he needs a list of what to do and a timeline for it to be done in.

Councilor Borchardt requested a formal letter be sent to Mr. Heller listing the vehicles, scaffolding, and ladder nuisances to be addressed by March 1, 2021.

Chief Yeiter was concerned about due process regarding this matter. Yeiter stated the vehicles are the quickest things to take care of. There is a question of exactly how much needs to be taken care of, as there is a lot of stuff. Mr. Heller was on the ZOOM meeting but did not speak. Mayor Carlson stated Council needed to see progress made on the property, and Councilor Borchardt

added that he felt the City was more than fair regarding timelines. Discussion continued at length. Mayor Carlson stated that perhaps March 1st might be only the first deadline of many in dealing with this property. She wants to see progress and continuing communication in this matter. Chief Yeiter stated that Mr. Heller was indeed on the call, but his microphone was inoperable. Knight will send a letter to Mr. Heller listed the vehicles, scaffolding, ladders, and the refrigerator on the porch to be taken care of by March 1st.

11.2 Nuisance Abatement-85 Meadow Drive

Knight stated there was a report from Chief Yeiter in the agenda packet for this property also. Mr. Gibbs, the brother of the owner, is living in the home. The home is in foreclosure. A letter from the former building official, Randy Peterson, stated that the exhaust pipe exiting the garage needed to stop being used, and a mechanical permit obtained to inspect proper installation of this item. The current city building official, Chad Sommer, after reading Chief Yeiter's report that the heater in the garage is not being used, stated that it can stay, but as soon as or if exhaust is seen coming from this pipe, someone needs to notify Mr. Sommer who will then cite him and require it be removed. There are no noise complaints listed in Yeiter's report, as none had been received by the Police Department. Knight stated that she had received several verbal reports of noise from this residence. Councilor Ebnet stated that the vehicle that was intended to be gone has been moved to another part of the yard, but there was some cleanup done with the small machinery moved into the garage, and the five vehicles were still in the driveway, just re-arranged. It appeared that an attempt was made to remove the stove pipe. Chief Yeiter confirmed that a part of the pipe was removed. Timm's was contacted to get the blue Dodge. The Camaro/Firebird without the hood was a parts vehicle and was going to be moved into the garage and out of sight. The other four vehicles are currently registered and used. Councilor Ebnet stated he would be happy to keep an eye on this property as he drives past it every day.

11.3 LMC Information Memo- Public Nuisances- Information Only

11.4 Resolution 2021-01 Designating Official Depository

Knight stated that this was a housekeeping item due at the beginning of every year. The official depository will be MinnWest Bank with the authorized signatures listed on the resolution.

Councilor Boynton motioned to approve Resolution 2021-01 Designating an Official Depository.

Seconded by Councilor Ebnet. Approved 5-0.

11.5 Resolution 2021-02 Designating an Official Newspaper

Knight said this was another housekeeping item to designate the official newspaper for the City, which will be the St. Charles Press and Lewiston Journal.

Councilor Robertson motioned to approve Resolution 2021-02, Designating an Official Newspaper to publish ordinances and other matters as required by law. Seconded by Councilor Boynton. Approved 5-0.

11.6 Resolution 2021-03 Accepting of Donation from Lewiston Volunteer Fire Department
Councilor Boynton motioned to approve Resolution 2021-03 Accepting of Donation from the Lewiston Volunteer Fire Department for a vehicle purchase in the amount of \$40,000. Seconded by Councilor Robertson. Approved 5-0.

11.7 Resolution 2021-04 Establishing New City Committees

Knight stated the City is authorized to create their standing and special committees per City Code.

The list is in the resolution. Mayor Carlson combined committees to simplify things.

Councilor Boynton motioned to approve Resolution 2021-04 Establishing the new City Committees as listed on the resolution. Seconded by Councilor Ebnet. Approved 5-0.

11.8 First Read- Ordinance 2021-01 Water and Sewer Rates eff 1/1/2021

Knight stated that this is the first read of Ordinance 2021-01 and per the annual budget, water rates increased 3% this year, but the sewer rates did not change. This proposed ordinance will be posted and will be on the next Council agenda for a second and final read.

11.9 Mayor Carlson's Council Assignments for City Committees

Mayor Carlson stated that several assignments needed Council approval. She tried to spread the Council members out among the committees.

Councilor Ebnet motioned to accept the council assignments as presented. Seconded by Councilor Robertson. Approved 5-0.

Knight requested to re-establish a date and time for the Personnel Committee, to remove this from an as-needed meeting requiring special notice, to a standing committee meeting that does not require special notice. The fourth Tuesday does not work due to ambulance training. The second Tuesday of the month works for all as a regular meeting, at 6:00pm. A meeting is scheduled for January 19, 2021 at 6:00pm, a special meeting which requires public notice.

12. COVID-19 Information and Updates

Chief Yeiter stated that the second round of vaccinations are coming up February 1, 2021.

Knight asked if there was information regarding the next group, the 1b group? Nothing.

Councilor Ebnet asked if the Ambulance and Police Departments got what they needed from the CARES grant? Ambulance Director Matt Essig stated the Ambulance is set for the next five months.

13. Additional Council Concerns

Mayor Carlson stated a Welcome to the New Year and to the new Council members! She hopes everyone finds it both rewarding and challenging, some days you wonder why you do it, but for the most part it's a good feeling to be involved in the community, so thank you for stepping up and helping out!

A reminder to take care of yourself! The new COVID strain is in our state and in Wisconsin. So protect yourself and your family-be safe!

Councilor Robertson motioned to adjourn the City Council meeting. Seconded by Mayor Carlson.
Approved 5-0.

The Council Meeting was adjourned at approximately 8:35 pm on January 13, 2021.

Submitted By:
Cheryl A. Knight
City Administrator/Clerk