

CITY OF GILBERT
MINUTES OF REGULAR COUNCIL MEETING
TUESDAY, FEBRUARY 23, 2016
COUNCIL CHAMBERS

Mayor Kutsi called the meeting to order at 6:30 p.m.

Present: Mayor Kutsi, Councilors Pontinen, Skalko, Bol & Liimatta.

Absent: None.

Staff Present: City Attorney Michael Kearney, City Engineer Jannick, Chief Techar, Public Works Operations Director Lautigar, Library Director Miller, and City Clerk/Treasurer Sakrison.

Staff Absent: None.

Mayor Kutsi led the audience in the Pledge of Allegiance to the Flag.

Motion by Bol second by Liimatta to approve the agenda. All approved.

Public Input:

Beth Milos is concerned about Item D of the agenda in regards to "Recommendation from League of MN Cities". Attorney Kearney responded that there have been complaints received about a City Councilor and he had reviewed the complaints & consulted with the League of MN Cities, and they recommended to hire an independent, impartial investigator to investigate said complaints. Her concern was that the citizens of Gilbert will have to pay for these services and will not be made aware of anything until after the investigation is over. Kearney noted that information will be available after the investigation has been completed. Milos then wanted to know what the complaint policy is. City Clerk Sakrison responded that it is in the employee personnel manual and that complaints are to be written and given to her and she will forward them to the City Attorney, or they can be given directly to the City Attorney. Milos wanted to know if the Council and City Attorney had tried to remedy the situation themselves. Mayor Kutsi stated that they are following the policies and procedures put in place. Milos stated her concern about no monies in the budget for this issue. Mayor Kutsi acknowledged the issue and again stated that they are following policy and procedures.

Leo Skrbec complained that per the City Charter the bills and payroll are supposed to be included in the monthly minutes, and he stated that they have not been included for the years 2014 & 2015. He cited Charter Section 6.03 Subd. 5 and Subd. 7. He also noted that per the City Charter all purchases & contracts are to be approved by the council if the amount is over \$500. Mayor Kutsi noted that a copy of the bills & payroll will be made available with the minutes to be viewed at City Hall and the Public Library. (The city quit publishing the minutes in the newspaper in 2012).

Motion by Liimatta second by Skalko to approve the February 9, 2016 Regular City Council Minutes. Approved.

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Motion by Skalko second by Liimatta to approve the Final Pay Estimate No. 9 for 2013 Street/Infrastructure Project in the amount of \$55,486.64 but withhold \$2500 for some seeding to Utility Systems of America, Inc. Approved.

Motion by Bol second by Skalko to table the decision of replacing the water heater in the fire department or tie into the city hall water heater, until additional quotes have been received. Approved.

Motion by Skalko second by Liimatta to approve SIM Supply quote of \$921.80 to purchase safety gear for electric arc flash. Approved.

Motion by Liimatta second by Skalko to approve moving forward with the recommendation from the League of Minnesota Cities and the City Attorney to hire an independent, impartial investigator to investigate written complaints received from city employees about a City Councilor. Due to confidentiality & data practices there cannot be a disclosure of details. Councilor Pontinen is concerned about the cost to the City for hiring an independent attorney and wanted to know if research was done to find a local attorney. John Shega, of Aspire Agency, stated that the League of MN Cities carries the City of Gilbert's insurance and has a vested interest in the City and is in place to protect the City. The LMC is recommending the person that they feel is best qualified to investigate the complaints. Councilor Bol feels that they are being railroaded into hiring an outside attorney, and wanted to know why they could not have a closed meeting to try and remedy the situation. Mayor Kutsi stated that he is aware of the complaints and feels that the recommendations of both the City Attorney and the League of MN Cities is the correct way to continue. Roll Call: Pontinen ó Nay; Skalko ó Aye; Kutsi ó Aye, Bol ó Nay; Liimatta ó Aye. Approved 3 - 2.

Councilor Skalko would like to set up a meeting at the Food Shelf with City Engineer Jammick for Wednesday, February 24, 2016.

Mayor Kutsi read an email about the MN Rural Water Association coloring contest, entries from the Eveleth/Gilbert 4th Grade class were collected and they chose 1 entry that will be viewed and voted on in March. 1 ó Mia Stark; 2 ó Adrian Thompson; 3 ó Chase Anderson. He noted that all the kids did a great job on their pictures. He thanked Terah Rinerson, of the Gilbert Public Utilities for working with the kids.

Councilor Bol thanked Public Works Director Lautigar and his crew for a great job with the slush removal.

Councilor Liimatta also thanked the Public Works crew for all the work they've done with keeping the roads clear.

Councilor Bol asked City Attorney Kearney if he had a right as a City Council member to see the complaints that were made. City Attorney Kearney said that he would seek advisement from the League of MN Cities and let him, and the rest of the councilors know.

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City Engineer Jammick noted that Wednesday (2/24/16) there will be an updated wastewater planning meeting at 2:00 at City Hall. This will be to find out the status of planning studies. Also the IRRRB awarded a grant for the Kansas Plat Site Correction.

Public Works Operations Director Lautigar working on snow removal.

Library Director Miller

- 2/26/16 movie "Goosebumps" will be shown at 5:30 p.m.
- 2/29/16 Legacy program at the school "Arn Kine" "MN Firsts"
- Toddler Tails is moving to Wednesdays at 2:00 p.m.
- 3/3/16 Lego Club @ 3:30 p.m. (8 weeks) "ages 6 & up"
- 3/14/16 Pinterest Project "Ceramic Tile painting" "20 spots total, already 1/2 filled."

John Shega, of Aspire Agency, congratulated Library Director Miller for her enthusiasm for the Library in our community of Gilbert.

Motion by Liimatta second by Skalko to approve bills and payroll in the amount of \$221,305.79 subject to audit by Mayor and Clerk. Roll Call "Pontinen" "Nay; Skalko" "Aye; Kutsi" "Aye; Bol" "Aye; Liimatta" "Aye. Approved 4 - 1

Motion by Skalko second by Liimatta to acknowledge the Police Commission Minutes of December 8, 2015 and the EFGSD Joint Powers Rec Board Minutes of January 13, 2016. Approved.

Motion by Bol second by Skalko to follow the City Charter regarding information for the meeting minutes and have them also available for public viewing at the Library. Approved.

Motion by Skalko second by Bol to adjourn the meeting at 7:34 p.m.

Debra Sakrison, City Clerk

ATTEST:

Robert Kutsi, Mayor