

**CITY OF GILBERT  
MINUTES OF REGULAR COUNCIL MEETING  
TUESDAY, MAY 8, 2012  
COUNCIL CHAMBERS**

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

Present: Mayor Bellerud, Councilors Garrity, Gentile and Nemanick.

Absent: Councilor Schutte (with notice).

Staff Present: City Attorney Brunfelt (6:35 p.m.), Police Chief Techar, Public Works Operations Director Lautigar, Campground Caretaker Smith, City Clerk Harper and Administrative Secretary Devich.

Mayor Bellerud led the audience in the recitation of the Pledge of Allegiance.

No additions to the agenda.

Motion by Nemanick second by Gentile to approve Regular Council Meeting minutes of April 24, 2012 and Special Council Meeting minutes of May 1, 2012. All approved.

Scott Heikkenen of Sparta approached the Council on having a section of land adjacent to his property vacated by the City. Council discussed vacating the area but maintaining an easement if necessary.

Councilor Gentile recommended the Council do a job evaluation performance on the Public Works Operations Director and requested the City Attorney's recommendation. City Attorney Brunfelt stated the Council may select a personnel committee or have the full Council do the evaluation. The evaluation would be a closed meeting unless the person being evaluated requests the meeting be open and the Council would be required to give a summary of the evaluation at the next open Council Meeting. Brunfelt stated the Administrative staff and he could put together forms and information on an evaluation for the Council.

Councilor Garrity and City Attorney Brunfelt discussed the Fayal trial and that a motion by Fayal for a new trial was turned down but they still have time to appeal the matter.

Councilor Nemanick noted for the citizens that the new water and light billing system breaks down the taxes further but everything is the same, there are no additional fees or taxes, nothing has changed but the way it looks.

City Attorney Brunfelt explained there is some confusion on what the costs are for the lots in the Lake Ore-Be-Gone Addition and there was nothing but a simple two-paragraph purchase agreement with the Whites for the property they purchased for \$1,000 besides stating they must build within 18 months. Councilor Garrity stated he believes the remaining amount of the cost of the lot was supposed to be assessed over a ten-year period, the lots were never intended to be sold for only \$1,000 total cost. City Clerk Harper stated she would review the previous minutes to see what conditions were last approved for sale of the Lake Ore-Be-Gone property.

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Public Works Operations Director Lautigar announced work on the Library ramp is completed. Ritter and Ritter have been televising some lines. Lautigar recommended a list of five applicants for the Casual Laborer position. The Council stated their desire to hire summer workers from Gilbert only and not from other cities, as one of the applicants was from out of Gilbert's boundaries. Lautigar had an alternative that was acceptable with the Council.

Motion by Nemanick second by Gentile to hire Jacob Boese, Lisa Everson, Monty Heitzman, Brandon Hines and Shane Omersa for the summer position of Casual Laborers. All approved.

Motion by Nemanick second by Gentile to implement a height restriction on headstones of 32 inches. All approved.

City Clerk Harper announced there will be a preconstruction conference meeting on Thursday, May 10, 2012 at 2:00 on the Gilbert Bar Demolition Project at Gilbert City Hall.

Motion by Gentile second by Nemanick to approve payment of bills and payroll subject to audit by Mayor and Clerk (check no. 11650-11703). All approved.

Mayor Bellerud stated that the Iron Range Off-Highway Vehicle Recreation Area has requested permission for ATVs and OHMs to use the City of Gilbert's designated route through the alleys from the Campground and the OHVRA Site to access the Holiday Gas Station. Police Chief Techar stated his concerns are with the residents in those areas and the non-insured OHMs. City Attorney Brunfelt stated the City has the legal authority to allow and regulate within a limited area. Dennis Pershern stated the route would only be needed for this summer because there will be a tunnel under the highway by this fall. Councilor Nemanick recommended setting a time schedule for the ATVS and OHMs to get fuel. Chief Techar stated there would need to be an ordinance for the Police to be able to enforce any times. Attorney Brunfelt recommended details be worked out and put into ordinance form for approval by the Council.

Motion by Nemanick second by Garrity to approve LMCIT liability coverage waiver form to state "The City does NOT waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04". All approved.

Motion by Gentile second by Nemanick to accept resignation of Cindy Okstad, City of Gilbert Assessor as of June 30, 2012. All approved.

City Clerk Harper explained if Gilbert would like to hire another City Assessor rather than go with the County the City will need to purchase a new computer and printer for the Assessor.

Motion by Nemanick to contract with the St. Louis County Assessor's office for city assessor duties; motion failed due to lack of support.

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Motion by Gentile second by Garrity to table contract with the St. Louis County Assessor's office for city assessor duties. All approved.

Police Chief Techar stated that the South Side Bar Owners have requested the time for the Street Dance be from 9:00 p.m. to 1:00 a.m. rather than 8:00 p.m. to 12:00 a.m. and a few of the North Side Bar Owners would like Broadway Street blocked off from Nebraska Avenue down to Dakota Avenue. Further discussion followed.

Motion by Gentile second by Nemanick to hold the Street Dance from 8:00 p.m. – 12:00 a.m. same as in the past and close only the portion of Broadway Street off from Nebraska Avenue to Iowa Avenue. All approved.

Motion by Garrity second by Gentile to table request by Iva Lopp and Robert Klink to use the Skenzich Arena building for "Gilbert City Wide Rummage Sale" August 4 and 5, 2012. All approved. It was requested that either Lopp or Klink or both attend the next Regular Council Meeting.

Motion by Gentile second by Garrity to approve renewal of sponsorship advertisement of the Mesabi Trail listing Sherwood Forest Campground for \$100.00 through Club Mesabi. All approved.

Brief discussion was held on the sale of Block 1, Lot 1, of the Lake Ore-Be-Gone property.

Motion by Gentile second by Garrity to table sale of Block 1, Lot 1 Lake Ore-Be Gone property. All approved.

Motion by Gentile second by Nemanick to accept resignation of Pamela Smith, City Gilbert Manager of Sherwood Forest Campground effective August 30, 2012. All approved.

Motion by Nemanick second by Gentile to approve \$15.00 charge to Title companies for assessment research done by office staff. All approved.

Motion by Gentile second by Nemanick to approve appoint of Ty Techar as the City of Gilbert Emergency Management Director. All approved.

Motion by Garrity second by Gentile to approve establishment of a Health Care Savings Plan for non-union staff. All approved.

Motion by Nemanick second by Gentile to approve Resolution 2012-07: Application to St. Louis County, MN to Withhold Tax Forfeit Land from Sale Pending Acquisition by the City of Gilbert. All approved.

City Clerk Harper noted the State Historical Society will be meeting on Tuesday, May 22, 2012 in Minneapolis to consider the nomination of the First National Bank of Gilbert to the National Register of Historic Places. Harper announced Notice of filing for 2012 Elections:

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Filing for Mayor and two Council seats: July 31 – August 14, 2012. Harper also mentioned a few additional announcements.

Motion by Garrity second by Gentile to adjourn the meeting at 7:50 p.m. All approved.

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Mayor

ATTEST:

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City Clerk

The aforementioned is a summary of the action items from this meeting. To listen to the full transcript of this meeting, please contact City staff at 218.748.2232.