

CITY OF GILBERT
MINUTES OF REGULAR COUNCIL MEETING
TUESDAY, JANUARY 23, 2018
COUNCIL CHAMBERS

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

Present: Mayor Milos, Councilors Pontinen, Robich, Bol and Ouke.

Absent: N/A.

Staff Present: City Attorney Lindsay, City Engineer Jammick, Police Chief Techar, Public Works Operations Director Lautigar and City Clerk/Treasurer Sakrison.

Staff Absent: Library Director Dabbas absent with notice.

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

Motion by Bol, second by Pontinen to approve the agenda as submitted. Motion Carried Unanimously (MCU).

Motion by Pontinen, second by Ouke to approve the minutes of January 9, 2018 Regular City Council Meeting and the minutes of January 9, 2018 Work Session. MCU

Public Input: No public input.

Staff Reports:

- Police Chief Techar: Agenda.
- Public Works Operations Director Lautigar:
 - Snow removal is going well.
 - MN Power completed power pole replacements, they are still working on the transformers.
 - Questioned liaisons. Mayor Milos, the City Administrator will fill the shoes of the liaisons, this will cut back on the City Council's need to be at so many meetings. The City Administrator will alleviate spreading the City Council too thin. Discussion about meetings.
- Library Director Dabbas: Absent with notice.
- City Clerk/Treasurer Sakrison: W2's were distributed. If you didn't get one, please contact Sakrison.
- Liaison Reports: Agenda.

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Mayor, Council, Boards & Commissions Reports:

- Mayor Milos:
 - Attended the mayors meeting with Governor Dayton, vocal about mercury, other local mayors expressed concerns.
 - Trails, new funding this spring.
- City Councilors: Agenda.
- City Attorney Lindsay: Agenda.
- City Engineer Jannick:
 - Project status report.
 - Applied for CDBG, the city did not receive funding this cycle.
 - Pontinen questioned the Cemetery Expansion Project.
 - The concept goes back several years. Concept only, drainage. No detailed plan.
 - Several Family plots available.
 - Single graves, only 25-30 left.
 - Discussion about grave ownership changes. Can use family graves without changing ownership.
 - Mayor Milos asked about the number of graves sold annually. Lautigar, 14-20 singles are sold per year. 5-8 family plots are sold per year.
 - Pontinen questioned I & I Elimination Plan, why wasn't residential in there?
 - Jannick, it is in the I & I Elimination Plan.
 - Pontinen questioned the North Gilbert Site Improvements Project.
 - Jannick, options in concept for north of Holiday.
 - Pontinen questioned Michigan/Minnesota Avenue Alley.
 - Jannick, Summit down to the upper alley, the focus is on the water and sewer infrastructure.
 - Pontinen questioned OHV Access Project.
 - Jannick, it's been on there for a number of years. It was done 4-5 years ago.
 - Pontinen questioned Rate Study Project.
 - Jannick, Gilbert passed an interim agreement to charge McKinley for water but no meter charge.
 - Pontinen questioned the T.H.135 Infrastructure Project.
 - McKinley water project
 - Local share to the project
 - Pontinen questioned Upper Nebraska Project.
 - Done 3-4 years ago
 - Collapsing of a storm sewer
 - Shovel ready project
 - Pontinen, Water/electric meter replacement Project.
 - Jannick, water/electric meter replacement is an ongoing project.
 - Pontinen questioned the Genoa Sanitary Sewer Replacement Project.
 - 2000 foot sewer replacement in Genoa area.
 - Work was done in 2016 and completed in 2017.
 - Pontinen questioned the Kansas Addition Residential Project.

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- NHS house built on Kansas.
- Pontinen questioned the Municipal Gravel Pit Project.
 - Exploring drilling, could be a source of gravel Mesabi Bituminous interested.
- Pontinen questioned the Upper Florida Project.
 - The street is in rough shape, cost estimate.
 - Shovel ready.
- Pontinen questioned the Water Tower Rehabilitation Project.
 - Cover on ground storage done.
 - Need to clean and paint.
 - Hoping to roll with the Water Plant upgrade.
- Acknowledge Minutes:
 1. Planning & Zoning Commission October 2, 2017
 2. EFGSD Jt. Power Recreation December 6, 2017
 3. Gilbert Public Library Board December 7, 2017

Motion by Robich, second by Ouke to acknowledge the minutes of the Planning & Zoning Commission October 2, 2017 Meeting, the EFGSD Jt. Power Recreation December 6, 2017 Meeting and Gilbert Public Library Board December 7, 2017 Meeting. MCU

Old Business:

Update Nuisance Ordinance: Mayor Milos and Police Chief Techar will work on updating the Nuisance Ordinance on February 9, 2018 at 8:00 a.m.

AEOA Purchase of Property: Nothing new to report.

Ordinance 92.06: Julie Spiering has been there for 20 years with horses. Reviewed language. Concerned that no language to protect future owners of the property, has put substantial investments into their property, will not recoup these investments. Expressed concerned for property value and rights. Asking to respect the promise the city made to her 20 years ago.

Attorney Lindsay, broken into 3 sections

1. Prohibition.
2. Grandfather, maintain current use.
3. Sanction provision for violations.

Pontinen stated the Charter had no provisions for animals, that was the intention of the Charter Commission.

Spiering, animal ordinance, offered ideas of an exception to animal ordinance for their property or to annex property into Biwabik Township.

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Attorney Lindsay, Subdivision 2 superfluous if spin off to Biwabik Township. Re-zoning is a process that takes time.

Spiering, no protection for value of property.

Bol, uncertainty with future property value because of barn and fences etc.

There was heated discussion.

Attorney Lindsay, three viable options.

Variance exists as long as use exists.

Mayor Milos, why can't we put parcel numbers as exceptions? Discussion. Attorney Lindsay hasn't specifically researched calling out specific parcel numbers.

Motion by Pontinen, second by Robich to constitute 1st reading of Ordinance No. 18-01. Aye Pontinen, Robich and Ouke Nay Bol and Milos (This was only introduction of the Ordinance, not a 1st reading)

Attorney Lindsay read Ordinance 18-01.

Title Searches for Outlot S: Waiting for property information from property owners.

Ore-Be-Gone Recreational Proposal: Nothing new to report.

Stantec Design Fee for Delay in Schedule: Stantec will be sending an explanation, will be available at the next City Council Meeting.

Request to Attend MN Rural Water Association Annual Conference: Bradach needs CEUs for licenses. This is a requirement and part of continuing education.

Motion by Robich, second by Pontinen to approve request for Bradach to attend MN Rural Water Association Annual Conference in St. Cloud March 6-8, 2018. MCU

Bol left at 8:00 p.m.

New Business:

RGGS Surface Lease for Genoa ATV Trail: Surface Lease for 40 foot wide ROW for Genoa ATV Trail across RGGS property in the amount of \$1,186.00 annually.

Motion by Ouke, second by Pontinen to approve surface lease in the amount of \$1,186.00. MCU

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Eveleth Fee Office License G-1 for Water Main: License #G-1 with Eveleth Fee Office for an 8 inch water main pipeline easement in the SW-NW of Section 35, Township 58, Range 17 in the amount of \$130.00.

Motion by Pontinen, second by Ouke to approve license agreement renewal for 1/1/2018-12/31/2018 in the amount of \$130.00. MCU

Request for Continuing Education – Trudy Salo: Request from Trudy Salo for continuing education for Water Supply Operator Class B license and exam April 3-5, 2018 in Brooklyn Center. Course \$245, exam fee \$32, three nights lodging, meals and mileage. Credits of continuing education discussed.

Motion by Pontinen, second by Robich to approve continuing education for Trudy Salo. MCU

2018 Dues for Minnesota Municipal Utilities Association: Dues in the amount of \$1792.00. Discussion about Minnesota Municipal Utilities Association. Concerns about the amount of money. Thinks it is very high.

Mayor Milos moved to table.

Motion by Robich, second by Ouke for a special meeting on January 29, 2018 at 4:00 p.m. MCU

St. Louis County Youth in Action Request for Conference Support: St. Louis County Youth in Action are requesting support for their annual conference to be held February 12. Conference expenses are \$50 per student.

Motion by Pontinen, second by Robich to not support St. Louis County Youth in Action Request. MCU

City Administrator Position: Robich is in the process of working through specifics with the City Attorney.

Motion by Robich, second by Ouke to table until the next City Council Meeting. MCU

Miscellaneous:

The Fire Department found an extractor for \$2,800, \$300 in excess of authorized amount. Police Chief Techar would contribute \$300 for excess. The extractor can be used by multiple departments.

Motion by Pontinen, second by Ouke to authorize purchase of the extractor. MCU

Robich wanted it noted the bill payment review schedule option 2 excluding Bol from the rotation was presented.

Moved to a closed session.

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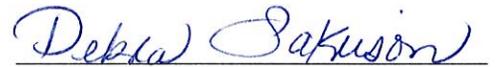
Need to recess the Regular City Council Meeting to go to a closed session to discuss attorney client privileged information and to discuss strategy regarding the litigation between Stephen Peterson and the city of Gilbert.

Motion by Pontinen, second by Robich to recess the Regular City Council Meeting at 8:23 p.m. MCU

Motion by Robich, second by Pontinen to reopen the Regular City Council Meeting at 8:53 p.m. MCU

Motion by Robich, second by Pontinen to approved payments of bills and payroll. MCU

Motion Robich, second by Pontinen to adjourn at 8:55 p.m. MCU


Debra Sakrison, City Clerk/Treasurer

ATTEST:



D. Elizabeth Milos, Mayor