CITY OF GILBERT
MINUTES OF REGULAR COUNCIL MEETING
WEDNESDAY, NOVEMBER 22, 2016
COUNCIL CHAMBERS

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

Present: Mayor Kutsi, Councilors Pontinen, Bol and Liimatta.

Absent: Councilor Skalko (w/Notice)

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

Staff Absent: City Engineer Jamnick (w/Notice)

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

Motion by Liimatta second by Bol to approve the agenda with the additions of item 8N1 – East Range Police Department Contract and 8P – Water Plant Chemical. Motion Carried Unanimously (MCU).

Motion by Liimatta second by Mayor Kutsi to approve the November 9, 2016 Regular City Council Meeting Minutes. MCU.

Motion by Bol second by Liimatta to approve the November 15, 2016 Special City Council Meeting Minutes. MCU.

Public Input:
Herb Ocepek voiced his concern over the IT Contract being up for renewal, the contract isn't up until February 2017, and he requested that it be tabled for the new council. Councilor Pontinen noted that the IT Contract would be an increase of 30%.

Rebecca Robich, Councilor-Elect, has two agenda item concerns:
First the $14,000 DSC wireless upgrade.

- She questioned Chief Techar if they had been included in the discussions for the upgrade to determine any additions of security cameras or any other new technologies. Chief Techar stated that currently there are no additional plans for the future, the existing cameras do not currently work because the software is obsolete. Techar stated that if they can tie-in with the wireless they can get the cameras working for about ½ the price of what it would cost otherwise. Hopefully, the cameras still work, they are 11 years old. This upgrade would be beneficial to the city and community.
- Robich then questioned Public Works Operations Director Lautigar if there have been any concerns about the compatibility of the wireless system and the upgrades happening with the waste water equipment. Public Works Operations Director Lautigar stated that there has not been any discussions at this time, he hopes that the upgrades that are done at the waste water facility can be linked in to the wireless system. Steve Peterson noted that the wireless system is basically providing a link to the city's network.

- Robich then asked if any other bids been sought for this work. Steve Peterson noted that he asked other cities their opinions of different vendors and they were not happy with their current vendor and DSC was recommended by a few other computer companies in the area, and it is also used by the Police & Fire Departments.

Second the proposed Information Technology Contract

- Robich stated that the proposed 2 year term contract compared to the previously contract doubles the severance, huge increase in salary, flexibility and benefits as well as a 30% commission on all external contracts that the city enters into for service.
- Robich feels this contract is not in the best interest of the city with the huge deficits that the city will have in the near future.
- Robich also noted that under this proposed IT contract has more life insurance, more paid holidays, vacations, personal days and sick time than the LELS contract that is also up for discussion. A LEL would have to work for 10 years before they would be eligible for these types of benefits, and after 30 years a LEL would still not be eligible for this type of pay raise.
- Robich wants the current council to do the right thing and negotiate a fair contract.

Steve Giorgi – Range Association of Municipalities and Schools (RAMS)

- Georgi gave a brief update of RAMS. RAMS was founded in 1939 to pool their resources and create a larger stronger voice down at the legislature, representing interests of regional importance for the taconite assistance area. This is a unique organization in the country.
- Gilbert has been a member of RAMS for decades.
- They have a website.
- Have been working with Recharge the Range. There are eight (8) subgroups that have been created across the region because of Recharge the Range.
- RAMS supports Polymet. Technology changes daily and there is a similar mine in a neighboring state that has mined safely for years.
- Working on a legislative agenda. They have a board of 24 elected officials. Looking at items that impact the region. Broadband expansion is being looked at, many areas are underserved. Very concerned about the tax bill that did not get passed in the last session. This is needed in all of the cities.
- RAMS is non-partisan.
- Has the powerpoint from the MPCA presentation. Verify informative. There are 1300 identified waterways in MN that have wild rice, each may have their own sulfate standard. There will be meetings held soon so local cities can testify before the standards are set. Clean Water Act takes effect in January 15, 2018.
- They have meetings once a month, and they are open to the public.

Staff Reports:

- Chief Techar: Nothing to report.

  - Mayor Kutsi expressed appreciation for police department, state patrol and businesses that helped with accident.
- Public Works Operations Director Lautigar: Nothing to report.
- Library Director Miller:
  - 11/23/16 – "The Jungle Book" - movie matinee at 4:00 p.m.
  - 11/24/16 & 11/25/16 – Library closed for Thanksgiving.
  - 12/3/16 – Painting Party – 12:30 p.m. - Fundraiser for Gilbert Library Foundation $40/each
  - 12/8/16 – Christmas Tea 11:00 a.m. – 4:00 p.m.
  - 12/8/16 – Kids Craft Project – Christmas Ornaments @ 4:30 p.m.
  - 12/9/16 – Animae Club
  - 12/12/16 – Adult Pinterest Project – Paper Ornaments

Mayor, Council, Boards & Commissions Reports:

- Mayor Kutsi:
  - Thanked Public Works for cleaning up after the snow storm.
  - Welcomed the new council elect and encouraged them to meet with staff to get up to date on things.
  - Hoping to have only (1) meeting in December as in years past.
- Councilor Pontinen:
  - Thanked taxpayers for paying their taxes and supporting the town.
- Councilor Skalko: Absent.
- Councilor Bol: Agenda.
- Councilor Liimatta:
  - Also thanked Public Works for their clean-up efforts.
  - Thanked Chief Techar & Police Department for the investigation from their family.
- City Attorney Kearney: Agenda.
- City Engineer Jamnick: Absent.

Old Business:

Emergency Operations Plan Update – Nothing new to report.

Nuisance Ordinance Update – Nothing new to report.

New Business:

Gary Mackley spoke regarding his post retirement health insurance. He would like a meeting held with all retirees, the insurance agent and the City Council. Mayor Kutsi stated that he wants to follow what the contract states, which is at 65 when a retiree receives Medicare, the City of Gilbert provides a Medicare Supplemental Insurance.

Motion by Pontinen to table action on Gary Mackley's Post Retirement Health Insurance until January 2017. Failed for lack of a second.

Councilor Bol questioned why a full council meeting is needed. He noted that any retirees and future retirees could meet with the insurance agent at any time. Correspondence was received, but the contract prevails.

City Attorney Kearney read the language from the contract, "When Mackley becomes eligible for coverage under Federal Medicare Provisions, Mackley shall be required to apply for such coverage and Mackley shall than be covered under City Supplemental Blue Cross Blue Shield or equivalent supplemental plan." This was agreed to by Mackley.

Motion by Mayor Kutsi second by Liimatta to follow what Mackley's contract reads to transition to a Medicare supplement policy. Kutsi – Aye; Bol – Aye; Liimatta – Aye; Pontinen – Nay; Approved 3-1.

Motion by Liimatta second by Pontinen to table request to authorizing paying the $1,200 VEBA Health Reimbursement Plan contribution for COBRA participants or to require the COBRA participants to pay the $1,200 personally, for further information can be gathered and all participants affected informed. MCU.

Motion by Liimatta second by Bol to approve Resolution 2016-21- Support for Minnesota Council for Community Growth. MCU.

Motion by Liimatta second by Pontinen to approve Resolution 2016-22 – Resolution Accepting Donations for the Fire Department in the amount of $320.33 from the United in Christ Lutheran Church. MCU.

Motion by Liimatta second by Pontinen to approve Gilbert Knights of Columbus Council 5031 to conduct excluded bingo on 3/12/17, 4/9/17, 9/24/17 and 10/22/17 at St. Joseph's Catholic Church. MCU.

Motion by Liimatta second by Bol to engage Walker, Giroux & Hahne LLC for the City of Gilbert Financial Statement Audit for the year ending December 31, 2016 for a contract amount not to exceed $32,000.00. MCU.

Motion by Liimatta second by Pontinen to approve liquor, club and tobacco licenses and to issue same provided all license paperwork is completed, property taxes are paid and license fees have been paid to the following: MCU.

- Belanger, Louise DBA The Alibi – Off Sale, On Sale and Sunday Liquor
- DEVCO, Inc. DBA Devo's Sand Bar – Off Sale, On Sale and Sunday Liquor
- Teri Gordon DBA Gladiator Bar –On Sale
- JLT Enterprises DBA The Downtown Bar – Off Sale, On Sale and Sunday Liquor

- Mudder's LLC DBA Yo'r Mudders Place – Off Sale, On Sale and Sunday Liquor
- Nick's Bar, Inc. DBA Nick's – Off Sale, On Sale and Sunday Liquor
- VFW 4456 DBA George & Mark Klobuchar Post –On Sale Club and Sunday Liquor
- Liimatta Pershern LLC DBA The Dugout – Off Sale, On Sale and Sunday Liquor
- Range Restaurants, Inc. DBA The Whistling Bird –On Sale and Sunday Liquor
- Woody's Knotty Pine Liquor Inc. DBA Woody's Knotty Pine Liquor Store – Off Sale Liquor Store and Tobacco
- Holiday Station Stores – Tobacco

Motion by Liimatta second by Bol to accept the proposal from Excel Business Systems to lease a new Toshiba e-studio 3005AC Color copier for $208.98/month plus copy charges, which is the same price for the current lease that has reached its term. MCU.

Motion by Liimatta second by Pontinen to authorize hiring Dalton Everson and James Gargano as rink attendants at the rate of $12/hour for the 2016 – 2017 rink season. MCU.

Motion by Liimatta second by Bol to approve the purchase of tires for the loader from Pomp's Tire for the quoted price of $5,792.00. MCU.

Motion by Liimatta second by Mayor Kutsi to approve the purchase of a 9hp 27" cut snowblower, for the Waste Water Treatment Plant, from Grande's Ace Hardware for the quoted price of $796.76. MCU.

Motion by Liimatta second by Mayor Kutsi to approve the wireless project, for communications and police cameras in the City of Gilbert, per the quote from DSC Communications not to exceed $14,129.94. MCU.

Motion by Liimatta second by Bol to approve the Police Contract January 1, 2017 through December 31, 2019 as negotiated with LELS. MCU

Motion by Liimatta second by Mayor Kutsi to approve the Technology Services Agreement Between the Cities of Gilbert and the Eveleth Police Department with an effective date of November 1, 2016 for a contract amount of $1,300.00 per month. Motion Carried 3-1.

Motion by Liimatta second by Mayor Kutsi to approve the Technology Services Agreement Between the Cities of Gilbert and the East Range Police Department with an effective date of November 1, 2016 for a contract amount of $1,300.00 per month. Motion Carried 3-1.

Motion by Mayor Kutsi second by Liimatta to approve Computer Information Technology Manager Job Description, dated November 22, 2016, and to approve the Employment Agreement with Stephen Peterson to perform the job duties of Computer Information Technology Manager.

- Councilor Bol questioned the language of item #4 – Limitations on Outside Work Activities, of the proposed contract. Steve interprets it as he can't get additional outside fulltime jobs, or activities that wouldn't allow him perform the contractual duties.
- Severance package of the proposed contract is also a concern.
- The new job description recognizes the additional duties performed due to the contracts with the City of Eveleth and the East Range Police Department.
- Chief Techar explained the new security policies with the other agencies they are now tied to. Gilbert purchased a server to establish a secure VPN tunnel. Each agency should have a separate tunnel. Gilbert is taking on the IP traffic for Eveleth, East Range & Gilbert/Biwabik, and then it tunnels it to St. Louis County and BCA. The cost is then split in thirds and saving all the communities monies. Steve has a higher BCA clearance than Chief Techar, and specialized with law enforcement IT.
- Councilor Bol questioned his cell phone. City of Gilbert provides the cell phone. The City has a shared data package, which is a 10 gig package. Steve currently uses 3 gigs of data. It has not been an issue.
- Councilor Bol questioned about not having to keep track of his hours. Steve noted that a salaried employee is assumed to be available at all hours of the day at no extra cost to the City.
- Councilor Bol questioned the vacation accrual without keeping track of hours, how possible. Steve stated that the vacation is eligible for 156 hours of paid vacation annually, which accrues at the rate of 6 hours per pay period, it used to be 5.
- Councilor Bol asked about a non-compete cause. Steve would have to terminate his employment with the City prior to taking on another job.
- Councilor Bol feels that the contract is financially aggressive and feels under-informed about it.
- Steve noted that he negotiated the contract with the mayor, he has a previous contract with the City of Gilbert, he has provided services to the City of Gilbert for over 10 years. The $59,000 base includes services for the additional contracts. The City makes money each time Steve is contracted out.

Roll Call: Pontinen – Nay; Kutsi – Aye; Bol – Nay; Liimatta – Aye. Motion Failed 2 – 2.

Motion by Pontinen to table the Employment Agreement with Stephen Peterson until January 2017. Motion failed for lack of second.

Motion by Bol second by Pontinen to table the Employment Agreement with Stephen Peterson until January 2017 with a retroactive statement for back compensation for the workload he is taking on now. Roll Call: Pontinen – Aye; Kutsi – Nay; Bol – Aye; Liimatta – Nay. Motion Failed 2 – 2.

Motion by Liimatta second by Bol to table the Employment Agreement with Stephen Peterson until the next Council Meeting. Roll Call: Pontinen – Nay; Kutsi – Aye; Bol – Aye; Liimatta – Aye. Approved 3-1.

Motion by Liimatta second by Mayor Kutsi to approve ordering Ferric Chloride for the waste water plant. The current price is $4/gallon so the order will exceed $500.00. MCU.

Motion by Liimatta second by Bol to approve bills and payroll subject to audit by Mayor and Clerk. Pontinen – Nay; Kutsi – Aye; Bol – Aye; Liimatta – Aye. Approved 3 - 1.

Motion by Liimatta second by Mayor Kutsi to acknowledge EFGSD Jt. Powers Rec Board Minutes of October 12, 2016, and RAMS Soliciting Nominations. MCU.

Motion by Bol second by Liimatta to adjourn the meeting at 8:38 p.m.

Debra Sakrison

Debra Sakrison, City Clerk

ATTEST:

Robert Kutsi, Mayor