

City of Gilbert  
City Council Meeting  
Tuesday, November 12, 2019

Mayor Oberstar called the meeting to order at 6:30 p.m.  
Quorum determined.

Present: Councilors Pulles, Skenzich, Leoni, Mayor Oberstar, Jr., City Attorney Bryan Lindsay, City Engineer John Jamnick, Operations Director Sam Lautigar, Police Chief Techar, Library Director Dabbas, Deputy Clerk Gulan, Executive Administrative Clerk Paulsen.

Absent with Notice: Robich  
Quorum Established.

Mayor Oberstar led the audience in the Pledge of Allegiance.

Approve Additions to agenda:

1. Compensation time
2. Todd Arlander: temporary WWTP employee

**Motion** by Pulles, second Leoni to add the above items, numbered 1-2, to the agenda. MCU

**Approve City Council Minutes**

- A. October 22, 2019 Regular City council meeting
- B. October 29, 2019 Joint Working Session with Gilbert Water & Light Board
- C. October 02, 2019 Gilbert Public Library Board
- D. October 08, 2019 Gilbert Planning and Zoning Commission
- E. October 09, 2019 E.F.G.S.D. Joint Powers Recreation Board
- F. October 09, 2019 Cemetery Advisory Board Meeting

**Motion** by Pulles, second by Skenzich to approve the October 22, 2019 City Regular City Council Meeting Minutes. MCU

**Motion** by Skenzich, second by Pulles to approve the October 29, 2019 Joint Working Session with Gilbert Water & Light Board Minutes. MCU

**Motion** by Pulles, second by Leoni to approve the October 02, 2019 Gilbert Public Library Board Minutes. MCU

**Motion** by Skenzich, second by Pulles to approve October 08, 2019 Gilbert Planning and Zoning Commission Minutes. MCU

**Motion** by Skenzich, second by Leoni to approve October 09, 2019 E.F.G.S.D. Joint Powers Recreation Board Minutes. MCU

**Motion** by Skenzich, second by Pulles to approve October 09, 2019 Cemetery Advisory Board Meeting Minutes. MCU

City of Gilbert  
City Council Meeting  
Tuesday, November 12, 2019

**Public Input:**

- Jaime Rieberg. Stated concerns regarding blacktop, curb, and gutter water near his home.
- Mayor thanks Mr. Rieberg for his input. City and Public Works is actively addressing this issue.
- Concerned regarding concrete deposited next to the bike trail. Public Works will remove the concrete soon.

**Reports – Mayor & Council**

A) Mayor:

- Noted upcoming meetings: Truth in Taxation, Union contract negotiations, Budget items.

- a. Councilor Robich: Absent
- b. Councilor Pulles: No report
- c. Councilor Skenzich: No report
- d. Councilor Leoni: No report

**Reports – Staff, Boards & Commissions**

A) City Attorney Bryan Lindsay: No report

B) City Engineer John Jannick:

- Update on Meter project specifications - will present information to council at next City Council meeting November 26, 2019.
- Mayor: Main street infrastructure project will have American-made pipe.

C) Police Chief Ty Techar:

- Calendar parking started 11/11/19 – 10 day warnings are given. Calendar parking will be enforced until May, 2020.

D) Public Works Operations Director Lautigar:

- New MBR sewer plant online last week. Some issues, but went online smoothly.
- Currently only 2 sewer plant operators, and currently seeking new W/WWTP employee.
- Requesting allowable comp. time increase from 40 to 80 hours due to increased start-up hours for W/WWTP operators. Agreement to be made in writing with start date of November 3, 2019 through January 1, 2020, and/or start date of new employee.
- New hire to be approved by the 2<sup>nd</sup> City Council meeting in December.

City of Gilbert  
City Council Meeting  
Tuesday, November 12, 2019

**Motion** by Pulles, second by Leoni to increase compensation time to 80 hours for sewer plant operators, with proper written agreement drafted by the City Clerk. MCU

- Sam Lautigar: Hire Todd Arlander for W/WW MBR plant as a temporary sewer operator, to alleviate the extra hours needed due to start-up. Hire as a temporary contractor at \$65.00 per hour. Scheduled at Operations Director discretion, up to 24 hours per week - until the new hire is available.
- Todd Arlander: Temporary position will be at-will, independent contractor.
- Bryan Lindsay, Clerk Paulsen to draft contract. Pay would be itemized and separately invoiced, independent of Stantec invoices.

**Motion** by Skenzich, second by Leoni to draft contract for Todd Arlander for the position of temporary W/WWTP operator, effective until the position is permanently filled. MCU

- Rink flooding, winter preparations starting, most construction completed for the year.
- Food shelf water shut off, electricity to stay on.
- Mayor to acknowledge appreciation to City of Gilbert for 35 years of support for the Food Shelf.

E) Library Director Dabbas:

- Report on recent activities, 2<sup>nd</sup> Bazaar success, DVD rental increase, children's programming change is now family run.
- Children's programming change, Take n make event projects.
- Thanksgiving closure Thursday and Friday, November 28 & 29, 2019.
- Mid-December Tea. Cider, tea and Santa will attend.

F) Executive Administrative Clerk Paulsen: No report

**Old Business:**

A. WWTP Construction Project Update

- Todd Arlander: WWTP start-up report. Alarms working properly, employees learning new process
- Clean-up contractors, discussion.
- Mayor: message to Ron Lafond MBR system costly if damaged by bacteria.
- Sensitivity of new system to chemicals.
- Discussion re: Potential damage to sewer due to toxins or contraband substances. Benefit of current system, can system be replaced in future with another option if necessary? Precautions to be taken to prevent potential costly problems.
- Pollution: this is an organic system, not designed to handle toxic substance, only sewage.
- It was selected from facility studies and funding availability. It is effective at removing mercury but must be treated with care.

City of Gilbert  
City Council Meeting  
Tuesday, November 12, 2019

B. MN TH 37 Update

- Update from MNDOT not available at this time. Will report to the City Council when the information becomes available.
- Report on Hwy 135 storm/water, and price for electrical. Information to be provided within 2 weeks.

**New Business:**

A. Fire Department Purchase

- Assistant Fire Chief Mark Heitzman. Request purchase of turnout gear in the amount of \$1,859.95. Purchase made with funds from the 2020 budget.
- Items to be delivered in 2020.
- Grant received. -

**Motion** by Pulles, second by Skenzich to approve \$1,859.95 for the purchase of turnout coat and pants. MCU

B. Resolution 2019-11

- Designating City of Gilbert polling place for 2020.

**Motion** by Pulles, second by Leoni MCU

C. Resolution 2019-12

- Designating the City of Gilbert as member of Central Iron Range Initiative (CIRI) and CIRI Brownfield Redevelopment Program Coalition for the year 2020, for the purpose of seeking a US EPA Brownfield Assessment Grant. Application to be submitted in January 2020 through the City of Virginia.

**Motion** Pulles, second by Skenzich to approve designating the City of Gilbert as a member of Central Iron Range Initiative (CIRI) for the year 2020. MCU

D. I&I (Inflow and Infiltration) Sanitary Sewer Process

- Discussion, legal determination of penalty, fines, POS (point of sale) inspection cost, possible billing to WW fund.
- Discussion: PUC to determine start date, process, inspectors, staffing, billing, distribute notice to public.
- Contract to be drafted.

**Motion** by Pulles, second by Skenzich to agree to proceed immediately with I & I (Inflow and Infiltration) process, draft private contractor agreement through City attorney Bryan Lindsay and to give direction to PUC to determine funding for the process. MCU

E. Cemetery Board Appointment

- Patty Skofich applied for the Cemetery board, and is sole applicant at this time.
- Mayor: discussion regarding the selection process, and is now a 5 member board.

**Motion** by Skenzich, second by Pulles to approve Patty Skofich to the Gilbert Cemetery Board with term ending 1/31/2023. MCU

City of Gilbert  
City Council Meeting  
Tuesday, November 12, 2019

F. Planning & Zoning Board Recommendation

- Mark St. Lawrence has resigned from the Planning & Zoning Board, effective immediately.
- Mayor formally thanks Mr. St. Lawrence for his years of service to the City of Gilbert.

Motion Pulles, second by Skenzich to accept the resignation of Mark St. Lawrence from the Planning & Zoning Board, effective immediately. MCU

G. Police Officer Resignation

- Derek Donald resigns effective October 28, 2019.
- Mayor thanks Derek Donald for his service to the City of Gilbert.
- Chief Techar: New hire process has been started.

**Motion** by Pulles, second by Skenzich to accept the resignation of Derek Donald from the City of Gilbert Police Department, effective October 28, 2019. MCU

H. Wastewater Plant Statec Invoice

- Invoice for professional services rendered by Stantec on the Gilbert Wastewater Treatment project.

**Motion** by Pulles, second by Leoni to approve the Stantec invoice in the amount of \$32,218.66 for professional services rendered on the Gilbert Wastewater Treatment Plant project for the period ending November 1, 2019. MCU

I. Wastewater Plant Ovivo Invoices

- Wastewater Treatment facility improvements project invoices.

**Motion** by Skenzich, second by Pulles to approve the Ovivo invoice dated 10/15/2019 in the amount of \$391,411.44. MCU

**Motion** by Pulles, second by Leoni to approve the Ovivo invoice dated 10/22/2019 in the amount of \$54,362.70 MCU

J. Wastewater Plant Magney Invoice

- WWTP improvements project invoice.

**Motion** by Skenzich, second by Pulles to approve the Magney Construction invoice in the amount of \$297,889.31 for the period ending October 31, 2019 and to authorize submittal to PFA for reimbursement. MCU

K. Wastewater Plant Upgrade SEH Invoice

- WWTP Lime Feed equipment and safety upgrades SEH invoice
- To approve new hire pending all background check and exams.

**Motion** by Skenzich, second by Pulles to approve SEH invoice in the amount of \$7,310.30 for WWTP Lime Feed equipment and safety upgrades. MCU

City of Gilbert  
City Council Meeting  
Tuesday, November 12, 2019

L. JPJ Engineering Invoices

- Invoice #4: Lower Michigan Sanitary Sewer project \$10,510.90(perm. Improvement fund)
- Invoice: North Gilbert Site improvements-Summit Street \$1,800.00(city hall prof. serv.)
- Invoice: East Dakota Outlot pin setting \$472.50(planning & zoning)
- Invoice: Leoni lot survey for planning and zoning \$1,10250(planning & zoning)
- Discussion: Survey inquiry, city to pay for survey prior to variance hearing.

**Motion** by Pulles, second by Leoni to approve JPJ Engineering invoices totaling \$13,885.90. MCU

M. Lower Michigan Project Payment

- Partial payment estimate #2 to Bougalis & Sons

**Motion** by Pulles, second by Leoni to approve Partial Payment Estimate #2 to George Bougalis & Sons in the amount of \$182,471.72 for Lower Michigan Sanitary Sewer project. To be paid from the Permanent Improvement fund project. MCU

N. LMCIT Liability Coverage Waiver

- Lindsay: advises/discussion. Recommend to waive, allows citizens access to more funds.
- John Shega addresses council in explanation of Attractive Nuisance.
- 2018 83% of MN cities did not waive coverage.

**Motion** by Pulles, second by Skenzich to table LNCIT Liability Coverage Waiver for further review at November 26, 2019 city council meeting. MCU

O. Application for Raffle Permit

- Special Olympics, Road Runners
- Recommended by Executive Clerk to approve

**Motion** by Pulles, second by Leoni to approve the Special Olympics Road Runners raffle held on December 1, 2019 at St. Joseph Catholic Church, Gilbert, MN MCU

P. Closed Session – Peterson Litigation

**Motion** by Pulles, second by Leoni to recess the City Council meeting at 8:09 P.M. to a closed session to allow attorney/client communications relative to City of Gilbert v. Steven Peterson.

**Reconvene** of City Council Meeting

Roll Call: 8:19 P.M.:

Councilors Pulles, Skenzich, Leoni, Mayor Oberstar, Jr., City Attorney Lindsay, Deputy Clerk Gulan, Executive Clerk Paulsen.

- Bryan Lindsay: Report regarding closed session, terms of settlement, recommends to approve the League of Minnesota Cities settlement.

City of Gilbert  
City Council Meeting  
Tuesday, November 12, 2019

**Motion** by Pulles, second by Leoni to approve the settlement as recommended by City Attorney Bryan Lindsay. MCU

Q. Miscellaneous: N/A

**Approve Payment of Bills and Payroll:**

**Motion** by Pulles, second by Skenzich to approve payment of bills and payroll upon proper audit of the Clerk and Mayor. MCU

**Motion** by Pulles, second by Leoni to adjourn meeting at 8:21 P.M. MCU

ATTEST:

  
\_\_\_\_\_  
Karl Oberstar Jr., Mayor

  
\_\_\_\_\_  
James Paulsen, Executive Administrative Clerk

## Report Criteria:

Report type: Summary

Check.Type = {&lt;-&gt;} "Adjustment"

Check Issue Date	Check Number	Payee	Amount
10/22/2019	22559	A1 SERVICES INC	1,155.86
10/22/2019	22560	CITY OF VIRGINIA	2,625.00
10/22/2019	22561	GRANDE ACE HARDWARE	194.77
10/22/2019	22562	HAWKINS INC	6,618.84
10/22/2019	22563	TACONITE TIRE SERVICE	1,203.80
10/22/2019	22564	RANGE OFFICE SUPPLY	131.62
10/22/2019	22565	TRENTI LAW FIRM	379.00
10/22/2019	22566	DELTA DENTAL OF MN	1,707.70
10/22/2019	22567	LAKE COUNTRY POWER	36.00
10/22/2019	22568	MINNESOTA POWER	182.40
10/22/2019	22569	UNION SECURITY INSURANCE COMPANY	707.40
10/22/2019	22570	TRENTI LAW FIRM	2,422.86
10/22/2019	22571	APG Media of MN	1,439.40
10/22/2019	22572	EXCEL BUSINESS SYSTEMS	438.75
10/22/2019	22573	FERRELLGAS	117.13
10/22/2019	22574	FIVE SEASONS SPORTS CENTER	106.99
10/22/2019	22575	LEAGUE OF MN CITIES	177.25
10/22/2019	22576	MAYER, BARB	64.00
10/22/2019	22577	MINNESOTA POWER	28.06
10/22/2019	22578	MINNESOTA TELECOMMUNICATIONS	365.70
10/22/2019	22579	RON'S BODY SHOP	314.80
10/22/2019	22580	SKUBIC BROS INTERNATIONAL	123.44
10/22/2019	22581	TDS METROCOM - MN	8.29
10/22/2019	22582	TOMAHAWK FORD INC	8,959.13
10/22/2019	22583	USABLE LIFE	326.30
10/22/2019	22584	VERIZON WIRELESS	152.09
10/22/2019	22585	ARMORY SHELL	476.05
10/22/2019	22586	GLASS & DOOR INC	25.00
10/22/2019	22587	HIBBING COMMUNITY COLLEGE	395.00
10/22/2019	22588	MEDIACOM	91.04
10/22/2019	22589	NORTHERN ENGINE & SUPPLY INC.	48.77
10/22/2019	22590	UNITED ELECTRIC	80.75
10/22/2019	22591	VERIZON WIRELESS	200.02
10/22/2019	22592	BLUE CROSS & BLUE SHIELD OF MN	205.30
10/22/2019	22593	BLUE CROSS & BLUE SHIELD OF MN	205.30
10/24/2019	22594	BLUE CROSS & BLUE SHIELD OF MN	219.00
10/24/2019	22595	medicareblue rx	37.90
10/24/2019	22596	BLUE CROSS & BLUE SHIELD OF MN	205.30
10/24/2019	22597	BLUE CROSS & BLUE SHIELD OF MN	205.30
10/24/2019	22598	JPJ ENGINEERING INC	345.00
10/24/2019	22599	GEORGE BOUGALIS & SONS CO.	118,904.85
10/24/2019	22600	MESABI BITUMINOUS INC	1,423.00
10/24/2019	22601	L & M SUPPLY	622.69
10/24/2019	22602	QUILL	168.69
10/24/2019	22603	RANGE AUTO PARTS CO	338.28
10/24/2019	22604	ADVANCED AUDIO INC	19.95
10/24/2019	22605	AMERICAN ENGINEERING TESTING INC.	711.00
10/24/2019	22606	RANGE PAPER	41,361.90
10/24/2019	22607	SLIPSTREAM	440.64
10/24/2019	22608	AFLAC	957.66
10/24/2019	22609	BRADACH, JACK	125.00
10/24/2019	22610	D & D BEVERAGE	36.35
10/24/2019	22611	HAWKINS INC	624.04

Check Issue Date	Check Number	Payee	Amount
10/24/2019	22612	HEIMAN FIRE EQPT	5,001.80
10/24/2019	22613	NORTHLAND FIRE & SAFETY	1,353.25
10/24/2019	22614	OFFICE OF MN IT SERVICES	307.10
10/24/2019	22615	SEH Inc.	108.35
10/24/2019	22616	USIC locating service	2,100.00
10/25/2019	22617	magney construction inc	239,208.53
10/25/2019	22618	STANTEC CONSULTING SERVICES INC.	27,497.51
11/06/2019	22619	AQUA POWER	1,050.25
11/06/2019	22620	BARR ENGINEERING CO	558.68
11/06/2019	22621	EOC/TriMark	516.44
11/06/2019	22622	HAWKINS INC	10,391.47
11/06/2019	22623	KAMAN	58.18
11/06/2019	22624	KLM ENGINEERING, INC.	2,100.00
11/06/2019	22625	LELS	255.00
11/06/2019	22626	MACQUEEN EQUIPMENT INC	399.26
11/06/2019	22627	MINNESOTA STATE FIRE DEPT ASSOC	175.00
11/06/2019	22628	MN BUREAU OF CRIM APPREHENSION	150.00
11/06/2019	22629	NCBERS MINNESOTA	32.00
11/06/2019	22630	USIC locating service	400.00
11/06/2019	22631	VISA	673.30
11/06/2019	22632	1st ayd corp	267.00
11/06/2019	22633	AFSCME Council 65	655.50
11/06/2019	22634	AFSCME PEOPLE	12.00
11/06/2019	22635	AMERIPRIDE SERVICES	297.57
11/06/2019	22636	ARMORY SHELL	325.00
11/06/2019	22637	ARROWHEAD EMS ASSOCIATION	85.00
11/06/2019	22638	CW TECHNOLOGY	2,852.00
11/06/2019	22639	D & D BEVERAGE	19.35
11/06/2019	22640	DISPLAY SALES	105.00
11/06/2019	22641	HAWKINS INC	681.24
11/06/2019	22642	INTER CITY OIL CO	796.17
11/06/2019	22643	LACAL EQUIPMENT	296.96
11/06/2019	22644	MEDIACOM	249.95
11/06/2019	22645	MENARDS	2,034.86
11/06/2019	22646	MINNESOTA MUNICIPAL UTILITIES ASSOC	217.00
11/06/2019	22647	NORTH AMERICAN ELECTRIC	500.00
11/06/2019	22648	PRAXAIR DISTRIBUTION INC	123.89
11/06/2019	22649	UNITED ELECTRIC	460.81
11/06/2019	22650	USA BLUE BOOK	522.87
11/06/2019	22651	UNITED STATES POSTAL SERVICE	627.30
11/06/2019	22652	Paulsen, Jim	83.40
11/06/2019	22654	PARKHURST, RANDALL	710.00
11/06/2019	22655	FIRST NATL BANK OF GILBERT	1,927.00
11/06/2019	22656	GILBERT POLICE DEPT PETTY CASH	49.50
10/24/2019	201508365	WEISS, FRANK	633.60
10/28/2019	201508366	PAYCHEX PAYROLL SERVICES	210.15
10/28/2019	201508367	PAYCHEX PAYROLL SERVICES	47,224.30
10/28/2019	201508368	PERA	10,407.04
10/28/2019	201508369	STATE OF MN	742.69
10/28/2019	201508370	STATE OF MN	447.48
11/07/2019	201508371	NORTHEAST SERVICE COOPERATIVE	47,154.00
Grand Totals:			<u>611,311.39</u>

Dated: 11-12-19

Mayor: Karl Oberster

City Council: [Signature]  
[Signature]  
[Signature]

City Administrator/Clerk: [Signature]

Report Criteria:  
Report type: Summary  
Check.Type = {<>} "Adjustment"