

**Minutes of Closed meeting of Council, Council Work Session and Regular Council Meeting
Tuesday, February 26, 2013**

Mayor Skenzich called the City Council meeting to order at 5:32 p.m. All Councilors were present. Also present were Attorney Jackie Corradi Simon and Clerk Susan Harper. Councilor Schutte offered the motion to enter into a closed session, seconded by Councilor Nemanick. Motion carried unanimously. Council moved into closed session at 5:34 p.m. according to §13D.05, Subd. 3. (b) *Meetings may be closed if the closure is permitted by the attorney-client privilege.* Attorney Corradi Simon reviewed the lawsuit that Fayal filed and was subsequently ruled in Gilbert's favor.

Motion by Councilor Schutte, seconded by Councilor Kutsi to arise from closed session and return to open session. Council returned to open session at 6:04 p.m.

Mayor Skenzich called the Work Session of Council to order at 6:05 p.m. All Councilors were present.

Council gave direction for staff to use sick or vacation time as Flex time and they can include their lunch time in the flexing.

Council discussed the Computer Policy.

Council discussed the Data Practices Policy.

Motion by Councilor Nemanick, seconded by Councilor Schutte to adjourn the Council work session. Motion carried unanimously. The Council work session was adjourned at 6:23 p.m.

Mayor Skenzich called the Regular Council meeting to order at 6:30 p.m. All Councilors were present. Also attending were City Attorney Brunfelt, City Engineer Jamnick, Police Chief Techar, Library Director Miller and Clerk Harper.

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

Motion by Councilor Kutsi, seconded by Councilor Schutte to approve the additions to agenda of Whistling Bird utilities and an equipment requests from WWTP. Motion carried unanimously.

Motion by Councilor Schutte, seconded by Councilor Nemanick to approve minutes of the Regular Council Meeting of February 12th, 2013 as presented. Motion carried unanimously.

Motion by Councilor Schutte, seconded by Councilor Kutsi to approve the minutes of the Special Meeting of the Gilbert City Council with the McKinley City Council of February 19th, 2013.

Motion carried unanimously.

Mayor Skenzich presented and read the Proclamation for Dolce Everson, 4th grade winner of the Minnesota Rural Water Association's Water Week Poster Contest.

Motion by Councilor Nemanick, seconded by Councilor Schutte to approve the Gilbert Computer Use policy. Motion carried unanimously.

Motion by Councilor Schutte, seconded by Councilor Nemanick to approve Resolution 2013-03: Data Practices policy and appointment of Clerk Harper and Chief Techar as the Responsible Authorities for their respective sections of data disclosure. Motion carried unanimously.

Mayor Skenzich asked for public input. There was none.

Reports from Staff, Boards, Commissions, Council and Mayor:

**Minutes of Closed meeting of Council, Council Work Session and Regular Council Meeting
Tuesday, February 26, 2013**

Councilor Skalko stated that the Tech School does not do restoration work so them contributing to the Community Center tuck pointing is not possible. Councilor Skalko would like a railing for the entrances to City Hall.

Councilor Kutsi stated that the Genoa Joint Trail committee will add more fill to the trail and it will be expanded in Eveleth. They are trying to achieve a grant for these projects.

Councilor Schutte stated that there continue to be street lights out on Main Street. She would like MNDOT to fix the holes in the road (Broadway Street).

City Attorney Brunfelt stated that the document between De Care and the City about the City owned parking lots was ready for authorization. Motion by Councilor Nemanick, seconded by Councilor Schutte to approve the contract. Motion carried unanimously.

City Engineer Jamnick stated that the accelerator at the WTP and the chemical feed need repairing. He has the Michigan Avenue costs determined and if there are enough funds remaining, Circle Drive will have improvements also.

Library Director Miller updated Council on her activities at the library. She announced that the census is up and until an employment situation is concluded at the library, it will close on Saturdays until further notice. She has also been participating in in cooperative reading efforts with neighboring libraries.

City Clerk Harper reminded Council of the Board of Appeal & Equalization Training. Councilor Skalko volunteered to attend the training along with Mayor Skenzich. Harper reported to Council that she was working on a plan to turn off Broadway street lights to save the City money. She will report her findings at the next Council meeting.

Motion by Councilor Kutsi, seconded by Councilor Schutte to approve the payment of Bills and Payroll as presented. Motion carried unanimously.

Correspondence: Council acknowledged receipt of the following minutes:
Minutes of the January 3, 2013 Gilbert Safety Committee Meeting
Minutes of the January 8, 2013 Gilbert Police Commission meeting
Minutes of the February 13, 2013 E.F.G.S.D. Joint Powers Recreation Board meeting

Request from the C.A.R.E. Commission to contribute financial support to their Post-Graduation Party: Council discussed this request and decided it did not meet the public use of city funds guidelines

Motion by Councilor Nemanick, seconded by Councilor Skalko to approve the purchase of safety equipment as recommended by the safety committee. Motion carried unanimously with staff presenting the exact amount and items needed at the next Council meeting. Harper will pursue a safety loan from the League of MN Cities.

Mayor Skenzich made the motion to dismiss the utility fees due on the Whistling Bird property, seconded by Councilor Kutsi. Motion failed 4-1. Councilor Schutte stated that she could support a payment plan over time, but that the almost \$8,000 due on the bill is too high to dismiss. Councilor Nemanick offered the motion, seconded by Councilor Skalko, to offset the outstanding bill with the property taxes that the sale of the Whistling Bird will produce for the City; then split the remainder between the owner and the city and allow the new owner to pay the

**Minutes of Closed meeting of Council, Council Work Session and Regular Council Meeting
Tuesday, February 26, 2013**

bill over a ten (10) year time frame, with the contingency that if the new business does not open in 18 months, the full amount gets certified to the property tax roll. Motion carried 4-1 with Mayor Skenzich voting no.

Motion to adjourn by Councilor Schutte, seconded by Councilor Skalko. The meeting was adjourned at 7:12 p.m.

Mayor Michael Skenzich

ATTEST:

Mary Olsen, Water & Light 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.