

CITY OF GILBERT
MINUTES OF REGULAR COUNCIL MEETING
TUESDAY, APRIL 25, 2017
COUNCIL CHAMBERS

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

Present: Mayor Milos, Councilors Pontinen, Robich and Vertachnik.

Absent: Councilor Bol (w/Notice).

Staff Present: City Attorney Lindsay, City Engineer Jamnick, Public Works Operations Director Lautigar and City Clerk/Treasurer Sakrison.

Staff Absent: Chief Techar (w/Notice)

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

Motion by Robich second by Vertachnik to approve the agenda with the additions of 8.F – OSHA Training, 8.G – Update Ordinance 92.06 and 8.H – Closed Session. Motion Carried Unanimously (MCU).

Motion by Pontinen second by Vertachnik to approve the March 28, 2017 Regular City Council Meeting Minutes and April 11, 2017 Regular City Council Meeting Minutes. MCU.

Public Input: None.

Staff Reports:

- Public Works Operations Director Lautigar:
 - Reported that City Engineer Jamnick has looked at manhole on Circle Drive, needs new sealant.
 - Have done alley pick-up.
 - Should be done with street sweeping soon.
 - Campground opens next week.
- City Clerk/Treasurer Sakrison: Agenda
- Liaison Reports: None

Mayor, Council, Boards & Commissions Reports:

- Mayor Milos:
 - Reminded that there will be a Pallets and Paints fundraiser on May 22, 2017 from 6:00 p.m. to 9:00 p.m. at the VFW, all proceeds will be for the Gilbert 3rd of July Parade.
- Councilor Pontinen: Agenda
- Councilor Bol: Absent w/Notice.
- Councilor Robich: Agenda
- Councilor Vertachnik: Agenda
- City Attorney Lindsay: Agenda

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- City Engineer Jamnick: Agenda
 - Were Notified 4/24/17 that IRRRB has opened a grant cycle for Public Works but there is no City Council meeting prior to the May 8th due date. Attorney Lindsay recommended to pass a new resolution.

Motion by Pontinen second by Robich to set a Special City Council meeting for Monday, May 1, 2017 @ 6:30 p.m. to pass the Resolution for IRRRB. MCU.

Motion by Robich second by Pontinen to acknowledge the March 8, 2017 EFGSD Jt. Powers Recreation Board Meeting Minutes. MCU.

Old Business:

Emergency Operations Plan Update: Nothing new to report.

Nuisance Ordinance Update: Nothing new to report.

AEOA Purchase of Property:

- City Engineer Jamnick reported that a Development Agreement was put together, and could be a counter offer.
- Councilor Robich stated that items 4 & 8 of the Development Agreement seem to be in conflict, would like to see a purchase price included and wants to see a timeline for development.
- City Engineer Jamnick stated that the Development Agreement could be clarified, the purchase agreement would be an exhibit to the Development Agreement and the timeline could be two (2) years. The Development Agreement will be updated and brought to the next council meeting.

Motion by Robich second by Vertachnik to act on and approve Minnesota Energy Resources Ordinance 2017-01 granting a 25 year non-exclusive franchise to Minnesota Energy Resources for natural gas. Roll Call: Pontinen – Aye, Mayor Milos – Aye, Robich – Aye and Vertachnik – Aye. MCU

Cancel IT Service Contracts with East Range and Eveleth Police Departments:

- Attorney Lindsay stated that an understanding has been reached with the Eveleth Police Department.
- Attorney Lindsay has reached out to the East Range Police Department and working on a solution.

Motion by Pontinen second by Robich to authorize City Attorney Lindsay to work with the East Range Police Department. MCU.

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Ovivo Contract Language:

- Attorney Lindsay stated that a letter was sent out 4/25/17.

Ditch Work at Lime Pond:

- Wetland delineation needs to be determined. JPJ has submitted a letter to the City with a reminder of some upcoming MPCA deadlines, and options available for the lime lagoon. JPJ included in the letter pricing for a wetland delineation, a cost estimate for ditch construction, and JPJ's quote for project/plan engineering for obtaining quotes.
- Need final report from Stantec regarding water plant.
- Ditch will help, but will not totally remedy.
- Councilor Pontinen asked if MPCA would allow the dike to be built up higher. Jamnick stated that this would be part of the plan.
- Public Works Operations Director Lautigar stated that the City has done some work out there. The City needs to get rid of the water so lime can be removed.

Motion by Robich second by Pontinen to authorize Public Works Operations Director Lautigar and City Engineer Jamnick do some exploratory digging for the ditch at the lime pond and move forward with obtaining quotes to do ditch work at the lime pond. MCU.

Motion by Pontinen second by Robich to approve the MN Power quote for the electric line relocation at the WWTP. MCU.

Final Payment Request No. 6 – MN TH 135

- On hold

Water tower wiring:

- Mayor Milos asked City Clerk Sakrison to compose a letter to send to the entities that have wiring on the water tower.

New Business:

Motion by Vertachik second by Robich to approve all variance requests that were approved by the Planning Commission. MCU.

- Allow Rocco Leoni to construct second accessory structure and sub-divide lots as per description pending City of Gilbert legal counsel review of land subdivision granting a six-month extension of building permit, which will be valid for 18 months once approved located on Lot 9 and 10 West 17 feet of south 44 feet of lot 8, all in Block 40 Second Addition.
- Allow Linda Tyssen to replace back porch with larger addition and deck covering 37% of the lots' available area located on Lot 1 and easterly 20' of Lot 2, Gilbert First Addition.
- Allow Gulbranson Excavating Company to construct another accessory structure higher than 15'-0" located on LOTS 1 THRU 9 EX THAT PART OF LOT 1 COMM AT SW COR OF LOT 1 THENCE NOODEG00'30"W ASSIGNED BEARING ALONG W

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LINE 92.33 FT TO PT OF BEG THENCE N83DEG12'30"E 121.63 FT TO CENTERLINE OF AN EXISTING CREEK THENCE N31DEG05'33"E ALONG SAID CENTERLINE 52.49 FT TO SLY R/W OF CTY HWY 97 THENCE N68DEG56'30"W ALONG SAID R/W 16.08 FT THENCE CONT ALONG R/W LINE NWLY ALONG A TANGENTIAL CURVE CONCAVE TO THE NE HAVING A RADIUS OF 1999.86 FT A CENTRAL ANGLE OF 04DEG08'27" AND A DISTANCE OF 144.53 FT TO W LINE OF LOT 1 THENCE S00DEG00'30"E ALONG W LINE 121.87 FT TO PT OF BEG GUBBYS HOMESITES CITY OF GILBERT.

Motion by Robich second by Vertachnik to authorize request by south end bar owners to close Broadway Street Saturday, July 1, 2017, for a street dance. MCU.

Motion by Vertachnik second by Pontinen to approve the renewal of the service contract with HACH for \$3,662.00 annually, 06-06-2017 to 06-05-2018. MCU.

Motion by Councilor Robich second by Vertachnik to approve request of Operator Trudy Salo to attend the MPCA Process Control continuing education in Duluth, June 21-22, 2017 for a cost of \$75 registration for 12 direct wastewater continuing education hours. MCU.

New Committees:

- On the list of committees the City Council would like to establish, there are several committees that do not currently exist in the City of Gilbert and need to be added by formal action as recommended by City Attorney Lindsay.
- A resolution will be put together by Councilor Robich and given to City Clerk Sakrison and added to the Special City Council meeting to be held on May 1st.

OSHA Training:

- Mayor Milos contacted OSHA and gave a background on the situation with Councilors Pontinen and Vertachnik visiting the City Facilities and OSHA stated that training is not needed but they need to follow PPE Standards and City Policies.
- Mayor Milos stated that it is important that Councilors Pontinen and Vertachnik are at plants since the City is going to be putting \$8.5 million into the WWTP. Very important that they are involved.

Motion by Vertachnik second by Pontinen to approve amending Ordinance 92.06 – Barnyard Animals; which covers both platted & unplatted areas, to have NO animals allowed. Attorney Lindsay said this action does not stand because the material was not sufficient for a “first reading” as it was not made available to all council members ahead of the meeting.

Motion by Pontinen second by Vertachnik to approve bills and payroll subject to audit by Mayor and Clerk. MCU.

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Motion by Robich second by Pontinen for a closed session, attorney client privilege at 7:22 p.m. MCU.

Reconvened Open Meeting at 7:53 p.m.

No action.

Motion by Pontinen second by Vertachnik to adjourn the meeting at 7:55 p.m. MCU



Debra Sakrison, City Clerk

ATTEST:



Dorothy Elizabeth Milos, Mayor