

CITY OF GILBERT
MINUTES OF REGULAR COUNCIL MEETING
TUESDAY, MAY 23, 2017
COUNCIL CHAMBERS

Mayor Milos called the meeting to order at 6:31 p.m.

Present: Mayor Milos, Councilors Pontinen, Bol (left at 7:30 p.m.), Robich and Vertachnik.

Absent: N/A

Staff Present: City Attorney Lindsay, City Engineer Jamnick, Chief Techar and City Clerk/Treasurer Sakrison.

Staff Absent: Public Works Operations Director Lautigar (w/Notice)

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

Old Business:

Ordinance 92.06 (moved up at the request of Councilor Bol)

- Land owner Cary Peterson read a lengthy statement regarding the property they own in Gilbert, the potential buyer, Julie Olson, and her variance request, and the issues surrounding their property (NOTE: A copy of the statement is available with City Clerk/Treasurer Sakrison). His statement included the hunting ordinance change. He then opened for questions. Mayor Milos asked several questions.
 - Mayor Milos stated that the City would look into the fire arm ordinance and get it figured out. City Attorney Lindsay stated that the old version may be the one available for online viewing, and it will need to be updated.
 - Mayor Milos stated that she understands that Mr. Peterson feels that he is being targeted by Councilor Pontinen, but noted that citizens have come to Councilor Pontinen with concern, and that it is disgraceful and disrespectful for Mr. Peterson and others to accuse Councilor Pontinen publicly of being unethical and citizens have come to the Mayor stating that they have spoken with Councilor Pontinen and he is being targeted. Mayor Milos stated that if people have a complaint or grievance that they need to file a grievance she does not want to hear about it.
 - Cary Peterson thanked that Mayor and Council Members for their time to hear him out.
- Julie Olson, wants to purchase the Peterson's property for a personal residence, spoke to the Mayor and Council. Olson submitted a copy of the paperwork she submitted to Planning & Zoning for her variance request. She has been dealing with this for a year and gave background information. Olson also quoted some information from recent Mesabi Daily Newspaper articles.
 - Mayor Milos stated that as far as she is concerned everything that she was in the recent Mesabi Daily News articles was completely false, and suggested that Olson watch the City Council meeting for herself.
 - Councilor Bol asked who initiated the issue of the 92.06 Ordinance. Mayor Milos noted that Councilors Vertachnik and Pontinen stated that Planning & Zoning Director Erik Wedge said something needs to be done about the ordinance or they were going to continue to have problems.

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- Councilor Bol asked why are we trying to regulate everything that people are trying to do on their property.
- Mayor Milos stated that this is procedure. All of the old business items are on the agenda so that they do not get forgotten about.
- Julie Olson noted that she wants to start construction this summer.
- Councilor Bol asked if it is necessary to have a variance. City Attorney Lindsay answered with, as stated in the language of the ordinance that it is 38.7 unplatted acres, shouldn't need a variance, but he is not giving any legal advice to any citizen. The land is a mix of platted & unplatted, need a plan. Variance requests have limitations on response time.
- Mayor Milos stated that Julie Olson's variance request is hung up because it is to be determined if it is a planning & zoning issue or an animal control issue.
- Resident Leo Skrbec pointed out a few things to the Council. Skrbec stated that Charter 11.05 R1 low density residential district– listed the permitted uses. He then read 92.06. Councilor Bol stated that there is an issue worth the word "platted".
- Resident Rob Kutsi is in support of animals on unplatted lands.
- Mayor Milos stated that current variances with animals will be grandfathered in and can transfer with property if the ordinance is changed.
- City Attorney Lindsay advised that there are two ways to do this:
 - Clarify through zoning language – change uses & preserves uses today
 - Change animal control ordinance – blanket change
- Mayor Milos is going by the Charter.
- City Attorney Lindsay stated the next step is for the City Council to decide which route they want to take.
 - Zoning controls – classifications (grandfather existing)
 - Animal control would make animals prohibited in certain areas
- Mayor Milos' opinion is that it is a Planning & Zoning Issue.
- Councilor Robich abstained.
- Councilor Vertachnik's opinion is that it is a Planning & Zoning Issue.
- Councilor Pontinen's opinion is that it is a Planning & Zoning Issue, so the Spiering's and Zadnikar's would be grandfathered in.
- Matter is being referred back to the Planning and Zoning Board.

Motion by Vertachnik second by Pontinen to approve the agenda with the addition of Old Business item 7.L. – College Intern and New Business items 8.J – Working Administrator Job Description, 8.K – AEOA Antenna usage and 8.L – Mary Olson's resignation. Motion Carried Unanimously (MCU).

Motion by Pontinen second by Vertachnik to approve the April 24, 2017 Regular City Council Meeting Minutes, May 9, 2017 Regular City Council Meeting Minutes and May 15, 2017 Special City Council Meeting Minutes. MCU.

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Public Input:

Cary Peterson stated that he appreciated the way that this Council is handling business. He thanked the Council.

Staff Reports:

- Police Chief Techar: Agenda
- Library Director Dabbas: Not present
- City Clerk/Treasurer Sakrison: Agenda
- Liaison Reports: None

Mayor, Council, Boards & Commissions Reports:

- Mayor Milos:
 - Shared a letter from Roberta Klink and Iva Lopp regarding the Gilbert City Wide Rummage Sale.
- Councilor Pontinen: Agenda
- Councilor Bol: Agenda
- Councilor Robich: Agenda
- Councilor Vertachnik: Agenda
- City Attorney Lindsay: Agenda
- City Engineer Jamnick:
 - Update on Grant Application to IRRRB for the Wastewater treatment project. The meeting was today but did not know the result of the meeting.

Motion by Robich second by Bol to acknowledge the Gilbert Public Library Board Meeting Minutes of April 3, 2017 and the Gilbert Planning & Zoning Commission minutes of April 3, 2017. MCU.

Tabled acknowledgement of the April 11, 2017 minutes of the Gilbert Public Library Board Special Meeting. No motion made.

Motion by Robich second by Pontinen to acknowledge the EFGSD Jt. Powers Recreation Board Meeting Minutes of April 12, 2017. MCU.

Old Business:

Emergency Operations Plan Update: Mark Kwiatkowski has scheduled a meeting July 27, 2017 for surrounding communities.

Nuisance Ordinance Update: Nothing new to report.

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AEOA Purchase of Property: Mayor Milos is meeting with representatives on May 24, 2017 for an updated plan.

Cancel IT Service Contracts with East Range and Eveleth Police Departments: Still waiting on a few more items.

Ball Field Improvements: City Clerk/Treasurer Sakrison noted that Public Works Operations Director Lautigar has been doing research with the MN State High School League and he has spoken with the Athletic Director and is waiting for additional information.

Appointment to Campground Board: City Clerk/Treasurer Sakrison has mailed an application to Jeff Thiel.

Police Chief Techar's Employment Contract: Police Chief Techar will be meeting with City Attorney Lindsay to go over some wording changes.

Genoa Sanitary Sewer Change Order No. 2:

- City Engineer Jannick stated that this is the alley on the east side of 97. Lengths added to culverts for an add on of \$2,500.00, which would be funded through the CDBG Grant.
- Motion by Pontinen second by Robich to approve Change Order No. 2 from Jola & Sopp Excavating for a net add of \$2,500.00. MCU.

Campground Board Requirements: Will be worked on with the Campground Board.

Ordinance 92.06: See beginning of meeting minutes.

Final Payment Request No. 6 – MN TH 135: On hold until June.

College Intern from Vermilion Community College: Mayor Milos stated that there are no students interested in this program.

New Business:

Motion by Pontinen second by Vertachnik to approve sending the letter to MN Public Facilities Authority requesting placement on the CWRF 2018 Intended Use Plan. MCU.

Motion by Robich second by Pontinen to authorize JPJ Engineering to Request Bids for the Equalization Basin. MCU.

Gilbert I-I Elimination Plan Review which is being looked for by the MPCA. This is a working document. They will get additional input from the MPCA after it has been submitted.

Motion by Vertachnik second by Robich to transfer up to \$6,000.00 from the Police Forfeiture account to the Operating checking account to cover the cost of the "bait car" equipment and installation. MCU.

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Motion by Pontinen second by Vertachnik to approve a 1 day On-Sale Liquor License for July 3, 2017 for the Gilbert Fire Relief Association. MCU.

Motion by Pontinen second by Vertachnik to authorize the Gilbert Fire Department to apply for the MN DNR grant matching up to \$2,500.00 in expenditures for wildland gear and tools. MCU.

Motion by Vertachnik second by Pontinen to table action regarding dust control for Enterprise Drive. MCU.

Motion by Pontinen second by Vertachnik to authorize the application of calcium chloride at a cost of \$1,232.00 on the Genoa ATV Trail to be reimbursed by trail grant funds. MCU.

Motion by Pontinen second by Robich to acknowledge the April 30, 2017 Financials prior to Audit. MCU.

Working Administration job description was reviewed briefly. Work Session scheduled for Friday, May 26, 2017 @ 8:30 a.m.

AEOA Antenna usage was discussed. Mayor Milos will get contact information to rectify the current situation.

Motion by Vertachnik second by Pontinen to accept the letter of resignation from Utility Secretary Mary Olsen effective June 16, 2017. MCU.

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

Motion by Vertachnik second by Robich to adjourn the meeting at 8:26 p.m. MCU


Debra Sakrison, City Clerk

ATTEST:


Dorothy Elizabeth Milos, Mayor