

35  
1/8

**CITY OF GILBERT**  
**MINUTES OF REGULAR COUNCIL MEETING**  
**TUESDAY, JULY 10, 2018**  
**COUNCIL CHAMBERS**

Mayor Pro Tem Robich called the meeting to order at 6:30 p.m.

Present: Mayor Pro Tem Robich, Councilors Pontinen, Pulles and Ouke.

Absent: Mayor Milos absent with notice.

Staff Present: City Engineer Jannick, City Attorney Lindsay, Police Chief Techar, Public Works Operations Director Lautigar, Economic Development Administrator Paulsen, City Campground Managers John and Barb Rautanen and Administrative Assistant/Utility Billing Clerk Bennett.

Absent: N/A.

Mayor Pro Tem Robich led the audience in the Pledge of Allegiance to the Flag.

Motion by Ouke, second by Pulles to approve the agenda as submitted with the addition of acknowledging the 2017 draft audit. Motion Carried Unanimously (MCU).

- A. June 25, 2018 Special City Council Meeting Minutes
- B. June 26, 2018 Special City Council Meeting Minutes
- C. June 26, 2018 Regular City Council Meeting Minutes

Motion by Pontinen, second by Ouke to approve June 25, 2018 Special City Council Meeting, June 26, 2018 Special City Council Meeting and June 26, 2018 Regular City Council Meeting Minutes. MCU

**Public Input:** N/A.

**Staff Reports:**

- Police Chief Techar: Agenda.
- Public Works Operations Director Lautigar:
  - Recycling Center update, made pad, will have the fence up by the end of the week, will move by the end of this week or early next week to the new location. Will post signage.
- Library Director Dabbas:
  - Eastern sand art projects.
  - Spam Musubi.
  - Northern Lights Music Festival.
  - July 10, 2018 Sean Emery Juggling
  - July 16, 2018 Woven straw bracelets
  - July 19, 2018 The City Mouse and the Country Mouse: The Mouseical.
  - July 23, 2018 Beans on toast
  - July 30, 2018 Summer reading picnic
  - July 31, 2018 last day to turn in summer reading.
  - Storytime with Taryn on Tuesdays at 10:30 a.m.
  - If possible, please sign up for events ahead of time.
- Economic Development Administrator Paulsen:

**CITY OF GILBERT**  
**MINUTES OF REGULAR COUNCIL MEETING**  
**TUESDAY, JULY 10, 2018**  
**COUNCIL CHAMBERS**

- Acknowledged Campground Managers, John & Barb Rautanen, had an inspection from the Department of Health, the comment made was that the campground is clean and well maintained. They do a great job.
- Campground Managers John & Barb Rautanen:
  - Issues with the internet continuing to go down. Paulsen is looking into a better and more reliable service. Difficult, all operations are computer operated.
  - Had an inspection on July 4, 2018, it was noted that there are a few broken tiles in the ladies bathroom and a standing water issue that needs to be fixed.
  - Weekends are booked through July and August with the exception of tent sites. Would likely see more revenue if there were utilities at these sites.
  - Would like to continue the Campground's Good Sam Membership, would get a 4% discount if it's purchased immediately, requesting \$1,526.40 to continue membership. Added to miscellaneous.
- Liaison Reports:
  - Mayor Pro Tem Robich, Fire Department consolidation meetings taking place at the Eveleth Auditorium on Thursday July 12, 2018 at 7:00 p.m. and Friday July 13, 2018 at 11:15 a.m. at Gilbert City Hall. The Fire Department requested attendance of at least one Council member at each meeting. Councilor Ouke and Pulles plan to attend Thursday's meeting and Councilor Pontinen plans to attend Friday's meeting.

**Mayor, Council, Boards & Commissions Reports:**

- City Councilors: Agenda.
- City Attorney Lindsay:
  - Continuing to work with Stantec to get a tax exempt status. May require tweak to the contract between the City of Gilbert and Ovivo. The difference is the City would be making the payments instead of the contractor billing the City. Needs approval to eliminate assignments. Approximate savings of \$60,000-\$70,000 in sales tax.
  - Looking primarily at the Ovivo Contract.
  - Discussion. All materials bid separately.
  - Ovivo is willing to change the contract.
  - Discussion. Is there money to cover? The money is there already, it's built into the project.
  - Looking for authority to move forward and make changes to the contract with Ovivo.

Motion by Pulles, second by Pontinen allow Attorney Lindsay to redraft Section 11.02 of the Ovivo Contract. MCU

- Meeting notice for tomorrow afternoon, not required to be held as an official meeting. Ok to have two representatives on behalf of the Council. The meeting will be recorded and the Council is able to view the recording and report back to the full Council. Ok to cancel the formal meeting and meet only between appointed Council members.
- Councilor Robich and Councilor Pulles will attend the hearing on July 11, 2018 and report back to the full Council.
- Reporting back to the full Council can happen at either the next City Council Meeting or at a Special City Council Meeting.

3/8

**CITY OF GILBERT**  
**MINUTES OF REGULAR COUNCIL MEETING**  
**TUESDAY, JULY 10, 2018**  
**COUNCIL CHAMBERS**

Motion by Pontinen, second by Ouke to allow Councilor Robich and Councilor Pulles to attend the hearing scheduled for July 11, 2018, to deformatize the meeting and report back to the full Council. MCU

- Will coordinate schedules for the Special City Council Meeting, will send all schedules to Paulsen to coordinate.
- Attorney Lindsay, Loudermill hearing is a due process hearing. Part of an employee discipline hearing. Not a question and answer session. The employee will provide information for the Council to consider.

Motion by Pulles, second by Pontinen to set a Special City Council Meeting on Monday July 16, 2018 at 5:00 p.m. to advise the full Council of content from the hearing that will be held Wednesday July 11, 2018. MCU

Councilor Pontinen questioned what can be done at the Special City Council Meeting. Attorney Lindsay, full discussion of employee discipline if any is necessary.

- City Engineer Jannick:
  - The MPCA was on site today. Prefill inspection. Close out the project and start the equalization basin.
  - Discussion. Water comes from the City. Costs of water, cost of pumping fees. Bougalis had to work with the DNR to determine where the water could be pumped from.
  - Updates of the Wastewater Treatment Plant project, demolition of the digester is completed. Footings and foundation. Demolition almost finished. Concrete will be later this week. Should be done hauling out. Bringing dirt back in. Start concrete forms.
- Acknowledge Minutes
  1. Planning & Zoning Public Hearing June 4, 2018

Motion by Ouke, second by Pulles to acknowledge the Planning & Zoning Meeting Minutes of June 4, 2018. MCU

**Old Business:**

Update Nuisance Ordinance: Nothing new to report.

AEOA Purchase of Property: Nothing new to report. Can be removed from the agenda moving forward.

Point of Sale Sanitary Sewer Inspection Ordinance: Discussed in a Special City Council Meeting before the Regular City Council Meeting.

Discussion. Councilor Robich questioned what aspects of I&I elimination are expected by the MPCA. Jannick, There are 4-5 points to consider under I&I elimination that are required by the MPCA.

Councilor Robich, escrowing dollars, giving buyer 12 months to rectify, putting responsibility on the seller. Attorney Lindsay, standard language. Seller will receive funds. Ok to allow some flexibility

4/8

**CITY OF GILBERT**  
**MINUTES OF REGULAR COUNCIL MEETING**  
**TUESDAY, JULY 10, 2018**  
**COUNCIL CHAMBERS**

within the provision. Agreement between the buyer and the seller what the amount in escrow would be. Where the money comes from isn't the point.

Motion by Pulles, second by Ouke to table Point of Sale Sanitary Sewer Inspection Discussion until further research. MCU

MN TH 37 Scope of Work Due June 1, 2018: Jammick met with MnDOT Representatives. Went over the scope of the project. Provided updated memo with what will be done in 2020, see memo below.

The project includes the City utility work along TH 37 (Broadway) from Kansas Avenue to Nevada Avenue that would be done before or in conjunction with MnDOT's TH 37 restoration project through the City. We have identified the corridor to include the streets from the upper to lower alleys running parallel to TH 37. Note that this summary does not include any electrical (street light) at this time.

The following project components are recommended to be completed during the MnDOT TH 37 work in 2020. The total cost for these improvements is estimated to be \$676,000.

- Florida Intersection- Note that MnDOT is planning on open cutting the Florida intersection to replace the storm sewer, therefore, replace sanitary sewer from MH A1 9 (±80') to the existing 8" PVC sewer constructed with the lower Florida project in 2016 and replace the water main that crosses TH 37. - \$49,000.
- Virginia to New York- replace the sanitary sewer main (B 15 to B 17 and B 17 to B23). - \$135,000.
- New York Intersection- MnDOT is planning to open cut the New York intersection to replace the storm sewer, therefore, replace the water main at the intersection. - \$20,000.
- New York to Nebraska-replace the sanitary sewer mam (C15 to C24) \$125,000.
- Iowa to Wisconsin-replace sanitary sewer main (E12A to E12). -\$120,000.
- Indiana Intersection-construct sanitary sewer main to lower alley (GI IA to G14). Abandon sanitary sewer lines (GI I to GI2 to GI2A). Restoration of street repair on Lower Indiana. - \$75,000.
- Indiana to Dakota-replace sanitary sewer main (GI 1A to HI 7). Abandon sewer main (HIS to HI9 to H20). -\$152,000.

The following project components is work within the TH 37 corridor that should be done, but could be considered a lower priority. The total cost for these improvements is estimated to be \$325,000.

- Florida to Louisiana-slip line the sanitary sewer main (A19 to B7). -\$33,000.
- Louisiana to Virginia-slip line the sanitary sewer main (B7 to B 15). -\$32,000.
- Nebraska to New Jersey-slip line the sanitary sewer main (C24 to D10). \$33,000.
- New Jersey Intersection-replace the water main in TH 37. -\$45,000.
- New Jersey to Ohio-slip line the sanitary sewer main (D 10 to D 19). -\$33,000.
- Ohio to Iowa-slip line sanitary sewer main (D19 to D21). -\$27,000.
- Wisconsin to Minnesota-slip line sanitary sewer from E12 to E19. -\$38,000.
- Minnesota Intersection-replace the water line in TH 37. -\$45,000.

5/8

**CITY OF GILBERT**  
**MINUTES OF REGULAR COUNCIL MEETING**  
**TUESDAY, JULY 10, 2018**  
**COUNCIL CHAMBERS**

- Minnesota to Michigan-slip line sanitary sewer main (E19 to FIS). -\$39,000.

The following project components are outside the TH 37 corridor limits, but within the area from the Upper Alley and Lower Alley that should be completed based on the availability of funding. The total cost for these improvements is estimated to be \$933,000.

- Louisiana Intersection-extend the storm sewer from MnDOT line on the east side of TH 37 behind the existing curb to the lower alley. -\$29,000.
- Virginia Intersection-extend the storm sewer from MnDOT line on the east side of TH 37 to the lower alley. Replace 3 valves at the lower alley intersection. Restoration includes ½ street width repairs of lower Virginia. - \$63,000.
- New York Intersection-replace the storm sewer from upper alley to lower alley (connecting to MnDOT's storm replacement) and replace the water main for upper alley to lower alley. Restoration includes full street on both upper and lower New York. -\$155,000.
- Nebraska Intersection-full street reconstruction on upper Nebraska to upper alley. -\$47,000.
- New Jersey Intersection-replace the storm sewer from MnDOT line to the lower alley and replace water main to lower alley. Restoration includes full street reconstruction of lower New Jersey. -\$85,000.
- Iowa Intersection-replacement hydrant and valves at the lower TH 37/Iowa intersection. Restoration is a street repair to lower Iowa. -\$24,000.
- Wisconsin Intersection-replace storm sewer from upper to lower alley (connect to MnDOT lines). Replace sanitary sewer to upper alley (E12 to ES). Replace hydrant in area and valve at upper alley intersection. Restoration includes full street of upper Wisconsin. -\$195,000.
- Minnesota Intersection-replace water main from upper alley to lower alley. Replace storm sewer from TH 37 to upper alley, including new catch basins. Replace 4 valves in upper alley. Restoration includes full street reconstruction of upper Minnesota and street repair of lower Minnesota. -\$170,000.
- Michigan Intersection-replace storm sewer from upper alley to lower alley. Replace hydrant and 4 valves between TH 37 and upper alley. Slip line sanitary sewer main to lower alley (FIS to F16). Restoration includes full street of upper Michigan and street repair of lower Michigan. -\$127,000.
- Dakota Intersection-construct sanitary sewer main to upper alley (HI 7 to H9). Restoration includes street repair to upper Dakota. -\$38,000.
- The restoration of TH 37 crossings includes replacement of the subgrade, placement of Class 5 aggregate or concrete base (based on what exists) and the placement of one lift of bituminous.
- The restoration of TH 37 in areas that run parallel with the highway includes curb and gutter, sidewalk, replacement of the sub grade, placement of Class 5 aggregate or concrete base (based on what exists) and placement of one lift of bituminous, assuming 15' wide.
- Note that it is unknown the scope of MnDOT work, and the estimate includes all the necessary restoration on TH 37. If MnDOT, for example is removing and replacing curb on a particular block, then that cost would not be included in the City's portion.
- The upper/lower work is for utilities from Broadway to both the upper and lower alleys as noted. It would be outside the MnDOT work and the areas identified for which, if any, of the local street and utility work would be done.

6/8

**CITY OF GILBERT  
MINUTES OF REGULAR COUNCIL MEETING  
TUESDAY, JULY 10, 2018  
COUNCIL CHAMBERS**

Add MN TH 37 to the agenda for the July 16<sup>th</sup> Special City Council Meeting. On the 16<sup>th</sup> 5-6 p.m. will be a closed meeting and MN TH 37 will be discussed at 6:00 p.m. Lautigar and Paulsen are not available on July 16, 2018. Jamnick is available.

Jamnick, still don't have the full scope of the project.

Lautigar will contact MnDOT to see if any of their representatives can attend.

Jamnick, MnDOT schedule warrants environmental evaluation.

Illegal Structure of 506 South Broadway: Attorney Lindsay served an initial notice. Waiting.

Recycling Center: Lautigar updated during Staff Reports.

McKinley Water Agreement: Attorney Lindsay made contact. Reviewed thoroughly. Getting additional clarification. Asked to table.

**New Business:**

PERA contribution for firefighters: Councilor Robich, submitted to PERA Fund, not able to find record of contributions. Funds need to be issued. Oversight. Need to notify auditor, budget for 2018 will appear off. Needs to make notes. Councilor Robich and Paulsen have spoken with Auditor Greg Knutson.

Per Councilor Robich, the approval November 14, 2017 was to increase the Fire Department benefit to \$1,600 effective November 14, 2017. A payment was released in the amount of \$6,100 in 2017 (this was the remaining unallocated budget from the 2017 Fire Department). Any remaining balance required to fulfil the \$1,600 increase was to be charged to the 2018 budget. The Fire Department was going to advise what if any additional amount was needed once they received confirmation from PERA.

Motion by Pontinen, second by Pulles to reauthorize expenditure to PERA in the amount of \$1,600. MCU

Approve Whistling Bird Permit to Conduct Outside Liquor Sales July 22, 2018: The Whistling Bird is requesting a temporary one day liquor license for July 22, 2018. They will have music from 4:00-8:00 p.m. in their parking lot and will be seating customers outdoors from 3:00-9:00 p.m.

Motion by Ouke, second by Pulles to approve Whistling Bird permit to conduct outside liquor sales on July 22, 2018. MCU

Request to Waive Arena Rental Fee for City Wide Garage Sale August 2-4, 2018: Linda Curry requests to rent the arena at no charge August 2-4, 2018 for the City Wide Garage Sale. Discussion. Benefit to the community. Issues last year with damage to the electrical box. Councilor Robich will look into what been done in the past and report back to the Council.

7/8

**CITY OF GILBERT  
MINUTES OF REGULAR COUNCIL MEETING  
TUESDAY, JULY 10, 2018  
COUNCIL CHAMBERS**

Motion by Pontinen, second by Pulles to table request to waive arena rental fee for the City Wide Garage Sale August 2-4, 2018.

Wastewater Treatment Plant Change Order #4: A change order (change order #4) for the equalization basin project recommending a time extension of 30 days to complete the water balance test. Jamnick, the reason for the extension is weather related. Does not change the contracted dollar amount. The request came from the contractor. Discussion.

Motion by Pulles, second by Ouke to approve the 30 day extension for the Wastewater Treatment Plant Change Order #4. MCU

Motion by Pontinen, second by Ouke to approve final completion date of August 30, 2018. MCU

Discussion regarding 30 day extension and project completion.

Miscellaneous:

Good Sam Membership: Paid advertisement membership for the Campground. The cost is \$1,526.40. 4% discount for paying early. Good use of advertising for Campground, advertised nationally, brings in business and have been a member for years. Paulsen will follow up on Good Sam Membership timeline of due date to receive the 4% discount.

Motion by Pontinen, second by Pulles to approve \$1,526.40 to renew Good Sam membership. MCU

Acknowledge Draft Audit: Councilor Robich spoke with Knutson, need formal recognition from the Council to proceed with final audit version.

Motion by Ouke, second by Pontinen to acknowledge 2017 audit draft. MCU

Councilor Ouke questioned an A1 invoice, how many portable units? Lautigar stated there are 9 or 10 units.

Councilor Pontinen questioned an invoice for course sand. Lautigar replied the loads of sand were spread out between Gilbert and Ely Lake.

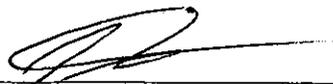
Councilor Pontinen questioned invoice for steaking out the municipal gravel pit. Jamnick, Mesabi Bituminous steaked the four corners of the potential limits. Councilor Pontinen questioned if the project had Council approval. Lautigar had spoken with Tom from Mesabi Bituminous last spring. Jamnick, exploratory digging.

Motion by Pontinen, second by Ouke to approve bills and payroll. MCU

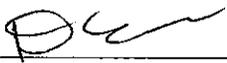
Motion by Robich, second by Ouke to adjourn at 7:43 p.m. MCU

2/8

**CITY OF GILBERT  
MINUTES OF REGULAR COUNCIL MEETING  
TUESDAY, JULY 10, 2018  
COUNCIL CHAMBERS**

  
\_\_\_\_\_  
James Paulsen, Interim City Clerk/Treasurer

ATTEST:

  
\_\_\_\_\_  
Mayor Pro Tem Rebecca Robich