

**Clearwater City Council
Regular Council Meeting Minutes
Clearwater City Council Chamber
February 1, 2016**

CALL TO ORDER

Mayor Edmonson called the regular council meeting of February 1, 2016 to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Everyone joined in the pledge of allegiance.

ROLL CALL

- Present: Mayor Edmonson, Council Members Crandall, Ranum, Ritzer, and Lange.
- Absent: None.
- Staff present: Administrator Kress.
- Public Present: Vern Scott, Betty Moffitt, Lee Monk, and John Koshiol.
- Others Present: Kevin Bittner – Bolton-Menk, Deputy Becker – Wright County Sheriff’s Office, and Ken Francis – Citizen-Tribune.

A quorum was declared present.

APPROVAL OF AGENDA

MOTION by Lange, seconded by Crandall, to approve the agenda with the addition of item “k” under New Business and a report to be presented by Member Lange.

Motion carried unanimously.

PUBLIC COMMENT

Vern Scott addressed the Council on the last Sewer Authority meeting. Scott was concerned that the meeting took place at the Clear Lake City Hall and not at Clearwater City Hall as posted. Scott questioned why the meeting was changed and why the members were not aware of the change. Mayor Edmonson commented that the Sewer Authority had a new staff person and it was a clerical error.

CONSENT AGENDA

MOTION by Ritzer, seconded by Edmonson, to approve the following Consent Agenda items:

- b. Approval of 1-19-16 Regular City Council Meeting Minutes**
- c. Approval of 1-19-16 Regular City Council Workshop Minutes**
- d. Set Local Board of Appeal and Equalization Meeting for Monday, April 18th at 6:00 p.m.**
- f. Approval for City Administrator to Attend the 2016 MCFOA Annual Conference**

Motion failed 3-2 (Members Crandall, Ranum, and Lange voting nay.)

Mayor Edmonson stated he had questions about item “a” (Claims/Accounts Payable and item “e” Approval of Resolution 2016-05 Step Wage Increase for James Kirchenbauer.) Member Crandall expressed that he was not in favor of allowing item “e” (Approval of Resolution 2016-05 Step Wage Increase for James Kirchenbauer.) Member Crandall added that he didn’t feel it was appropriate to discuss in open session. Member Crandall expressed that he felt bullied by Mayor Edmonson and Mayor Edmonson expressed that he felt he was being bullied by Member Crandall.

MOTION by Crandall seconded by Lange to approve the following Consent Agenda items:

- a. Claims/Accounts Payable**

- b. **Approval of 1-19-16 Regular City Council Meeting Minutes**
 - c. **Approval of 1-19-16 Regular City Council Workshop Minutes**
 - d. **Set Local Board of Appeal and Equalization Meeting for Monday, April 18th at 6:00 p.m.**
 - e. **Approval of Resolution 2016-05 Step Wage Increase for James Kirchenbauer**
 - f. **Approval for City Administrator to Attend the 2016 MCFOA Annual Conference**
- Motion carried 3-2 (Mayor Edmonson and Member Ritzer voting nay.)**

WRIGHT COUNTY SHERIFF DEPUTY REPORT

Deputy Becker addressed the Council on criminal activity in the City. Member Crandall asked that the Mr. Becker keep an eye on Main Street for criminal activity.

OLD BUSINESS

There was no old business on the agenda. Mayor Edmonson questioned why the Golf Cart Ordinance was not included in Old Business on the agenda. Mayor Edmonson added that items had typically been left on Old Business so they weren't missed. Member Lange expressed that Mr. Kress and himself were meeting with the City Attorney to go over Ordinances.

NEW BUSINESS

a. Discussion and Update on North Area Street and Utility Project

Engineer Kevin Bittner addressed the Council on the North Area Street and Utility Project. Bittner informed the Council that they would be setting up a meeting with the contractors in March to go over the project. Bittner added that there would review the project after the snow melts. There were no further updates on the project. Mayor Edmonson asked the Council if they would like Mr. Bittner to continue to attend the meeting. Mayor Edmonson questioned what purpose Mr. Bittner served at the meeting. Member Crandall expressed that Mr. Bittner doesn't charge for the meetings and likes to be able to ask questions of the Engineer. Mayor Edmonson questioned why the Administrator directed Mr. Bittner to attend the meeting. Member Lange addressed Mayor Edmonson and stated he felt that the Mayor was out of order and that contentions were being made that were unnecessary in a public setting. Lange furthered that he would call for a private meeting to discuss the issue. Member Lange expressed he was concerned about some of the conduct at the last Council meetings and that a private meeting would be beneficial. Kress suggested consulting with the City Attorney during the visit that Lange and himself would be having. Administrator Kress asked for further clarification on the meeting that Member Lange brought to the table. Mr. Kress explained that at the last Council meeting he had asked for clarification on whether or not they were comfortable giving the Administrator that authority. Council consensus was that the Administrator could direct the Engineer whether or not to attend.

b. Discussion on Amending the 2016 Fire Budget

Administrator Kress and Fire Chief Pridgeon addressed the Council on Amending the 2016 Fire Budget as outlined in the Council Action Request that was included in the packet. Kress explained that the Council had amended the 2015 Fire Budget in February of 2015. Kress added that the minutes did not clarify why the budget was amended and staff was not notified of the change. Kress added that the amendment was not discovered until he began working with Pridgeon on the Fire Contract for 2017 that utilizes the 2016 Budget. Kress and Pridgeon offered four different options to the Council to consider for the 2016 Budget. Mr. Kress explained that he preferred to go with Option 2, adding \$30,000 to the Capital Equipment line in the Fire Budget. By doing so, the contracts to the Townships would be similar to years prior.

**MOTION by Crandall, seconded by Ranum, to utilize Option 2 which amends the 2016 Fire Budget by \$30,000 in the Capital Equipment line.
Motion carried unanimously.**

c. Discussion on Managed Services and Product Quotes from Now IT Connects

Mr. Koshiol addressed the Council to recommend several changes to improve the City's current server and computer network access. Mr. Koshiol walked the Council through the short term recommendations and quotes as included in the Council packet. Mr. Koshiol explained that the City's current server is tapped out and some services could be moved off the server to a cloud based Office 365 storage to free up space. Members briefly discussed the three quotes that were included in the Council packet.

**MOTION by Crandall, seconded by Lange, to end services with Windahl/Minco and to approve quote #591 Managed Services minus the sales tax.
Motion carried unanimously.**

**MOTION by Crandall, seconded by Ritzer, to approve quotes #590 and #540 minus the sales tax.
Motion carried unanimously.**

d. Discussion on Reimbursement for Trees Removed During the North Area Street and Utility Project (Agenda Request)

Mr. Niehoff addressed the Council to discuss the replacement of six trees that were removed off his property due to the North Area Street and Utility Project. Administrator Kress briefly outlined the options the Council had recently adopted for tree replacement in Ordinance 2015-03. Kress explained the City can pay for the trees that were removed or the Council can reimburse for trees to be replaced and planted that were removed. Mr. Niehoff provided two separate quotes to be reimbursed for the purchasing of trees that were taken down during the project, as included in the Council packet. Mr. Kress commented that the trees removed were Ash and the trees that would replace the Ash are Maple. Kress added that the trees that would replace the Ash is consistent with the City's Ordinance. There was a brief discussion on if the City would pay for the sales tax included in the quote. Mr. Kress commented that it depended on if the City purchased the trees or if Mr. Niehoff purchased the trees and was then reimbursed. Mayor Edmonson asked if the Council would like the staff to obtain a third quote. Member Lange asked that a motion and a second be made and then discussion could take place. Members of the Council were comfortable with the quotes provided.

MOTION by Lange, seconded by Crandall, to approve the bid from Tri-Co Tree Movers up to \$3,156.88 minus the sales tax. An amendment to this MOTION was accepted and changed to the following:

Member Ranum questioned if the City would be liable if they were to purchase the trees and questioned how the warranty would work. Member Ranum suggested having Mr. Niehoff purchase the trees and the City reimburse so the liability and warranty would be Mr. Niehoff's responsibility.

**MOTION by Lange, seconded by Crandall to have Mr. Niehoff purchase the trees from Tri-Co Movers, submit a receipt to the City, and the City reimburse Mr. Niehoff.
Motion carried unanimously.**

e. Discussion on Moving the Customer Service Window to Nearby Adjoining Wall

Administrator Kress led the discussion on moving the customer service window at City Hall. Kress explained that the current set up is unsafe and inefficient. Kress recommended that the service window be moved to the nearby adjoining wall.

MOTION by Ranum, seconded by Ritzer, to authorize the Public Works Department to move the customer service window to the adjoining wall at a cost not to exceed \$500, if above \$500 additional Council approval is required.

Motion carried unanimously.

f. Discussion on Appointing Park Commission Members and Assigning Council Liaison

Council members briefly reviewed the three applications that were included in the Council packet. Administrator Kress mentioned that the City's Ordinance required the City to appoint a Liaison to the Park Commission. Kress asked the Council if they were interested in making the Liaison seat a voting position. Council debated the matter and decided to leave the Liaison as a non-voting member.

MOTION by Crandall, seconded by Ranum, to appoint Andrea Lawrence to the Park Commission.
Motion carried unanimously.

MOTION by Ranum, seconded by Crandall, to appoint Vern Scott to the Park Commission.
Motion carried unanimously.

MOTION by Ritzer, seconded by Crandall, to appoint Richard Petty to the Park Commission.
Motion carried unanimously.

MOTION by Ritzer, seconded by Ranum, to appoint Kris Crandall as Council Liaison to the Park Commission.
Motion carried unanimously.

g. Discussion on Placing a Porta Potty by Lions Park Hockey Rink

Administrator Kress addressed the Council and asked if they would like to place a Porta Potty at Lions Park near the hockey rink. Members were in favor of placing a Porta Potty at Lions Park near the hockey rink. Members questioned whether the Porta Potty had to be a single stall or handicap accessible. Members questioned whether rubber matting should be placed leading to the Porta Potty.

MOTION by Crandall, seconded by Lange, to approve the placement of a Porta Potty at Lions Park near the hockey rink. Staff was directed to review whether a handicap stall was required and purchase either a single stall or handicap depending on the requirements.
Motion carried unanimously.

h. Discussion on Landform Memo for 2015-2016 Work Plan

Administrator Kress walked the Council through the memo that Landform submitted as included in the Council packet. Kress asked the Council to clarify that they were in favor of the City Administrator, Mayor, and Landform meeting with Clearwater and Lynden Township. Council consensus was that this was the agreed strategy. Kress asked the Council to clarify that they were in favor of the Administrator and the Mayor meeting with Clear Lake Township. Council consensus was they were in favor of that strategy. Council asked Mr. Kress to review if any grant opportunities were available to the City for Sewer Plant upgrades. Council asked that Administrator Kress review the contract with WSB, the previous City Planner, and determine if an inventory parcel map was to be completed.

i. Consent Agenda Procedure (Mayor Request)

Mayor Edmonson led the discussion on Consent Agenda procedures. Mayor Edmonson walked through a League of Minnesota Cities handbook report on Consent Agendas. Members of the Council debated on the proper procedure for utilizing a Consent Agenda. A heated discussion took place over whether the Council should or shall allow for items to be removed off the Consent Agenda for discussion. Member Crandall expressed that he felt Parliamentary Procedure had been followed with prior Consent Agenda's. Mayor Edmonson expressed his concern that items prior were taken off for consideration. Member Lange commented that he had contacted staff for additional information if he didn't understand or needed further clarification prior to the meeting. Lange also commented that specifically regarding the COLA increase it was budgeted and approved and was not necessary to be removed off the Consent Agenda. There was a heated discussion on what is interpreted by each member as controversial and non-controversial. Administrator Kress gave several options that are used by Cities in regards to utilizing a Consent Agenda. Kress explained that many Cities do allow for items to be pulled off the Consent Agenda for further discussion. Often times this is done so Members can gather further information or vote no on a particular item. Kress mentioned that there are some Cities that make a vote to approve the Consent Agenda and discussion takes place as part of the motion. The Council was divided on the proper procedure to utilize the Consent Agenda.

**MOTION by Ritzer, seconded by Edmonson, to no longer utilize a Consent Agenda.
Motion failed 3-2 (Members Crandall, Ranum, and Lange voting nay.)**

j. Discussion on 2016 Goals (Mayor Request)

Mayor Edmonson led the discussion on establishing goals for 2016. Mayor Edmonson requested members of the Council to review the Comprehensive Plan and offer ideas for amending the plan. Members of the Council briefly discussed the Work Plan that is currently being used as the 2016 Goals. Mayor Edmonson encouraged the Council to come up with ideas and action steps that can be used to change the Comprehensive Plan.

k. Discussion on Wages

Member Ritzer asked for a brief discussion on wages and structures. This item was added at the beginning of the meeting. Administrator Kress briefly walked the Council through the current structure the City utilizes to pay its' employees. Kress explained that the City established a Step Wage Program in 2013 and it was used to compensate employees. Kress added that since 2013 the Step Wage Program had gone unchanged until 2016 when a COLA adjustment was made that changed the Step Wage Program. Mr. Kress explained that it was common for Cities to use both compensation plans to provide for a competitive recruitment and retention program. Kress added that the City does not offer anything to employees that have reached the final step of the Step Program, and that a COLA was often used to retain those employees. If a COLA is not used the City would have to determine what is an appropriate plan to retain employees that have reached the final step. Member Ritzer asked for additional information on different programs in March. Administrator Kress explained that could be done but it would make more sense to review during the budget season.

REPORTS

- a. Mayor and Council** – Member Lange informed the Council about his participation in the recent League of Minnesota Cities conference for Newly Elected Officials. Lange added that he would like the City to explore the idea of purchasing electronic devices for staff and Council to be used for emails and City business. Mayor Edmonson informed the Council that he would be sending a letter to Lynden Township in regards to the recent meeting about annexation.

- b. **Boards** – Member Crandall informed the Council that the Planning and Zoning Commission had met. Crandall informed the Council that the Commission felt the Eldorado Park access was premature and there were better options to access the park. Planning and zoning evaluated the cost to build an exit for the Cedar Ridge apartments in return for additional footage to access the park. Members of the Planning and Zoning Commission were in agreement that the \$10,000 cost to install the exit was not a fair trade for approximately \$1,500 worth of land to widen the entrance to Eldorado Park. Engineer Bittner clarified that the \$10,000 was for creating the exit from the Apartments.
 - c. **Staff** – Mr. Kress informed the Council that his annual review should take place at the next meeting and that he would like to have the City Attorney in attendance. Council was in favor of having the attorney in attendance.
7. **Other** – Member Ranum encouraged the Council to explore the option of establishing an Ordinance for Drones. Members also asked that the Growth Incentive Program be added to the next agenda for discussion.

a. **Next Meeting – Tuesday, February 16th, 2016.**

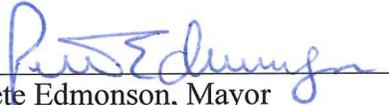
ADJOURN:

MOTION by Ritzer, seconded by Lange, to adjourn the council meeting, at 9:09 p.m.

Motion carried unanimously.



Kevin Kress, City Administrator



Pete Edmonson, Mayor

2-16-2016

Date Approved