

**CLEARWATER CITY COUNCIL MEETING MINUTES
REGULAR CITY COUNCIL MEETING
JANUARY 9, 2023**

1. Call to Order and Pledge of Allegiance: 7:00 p.m. at City Hall

- Mayor Lawrence called the Clearwater City Council to order Monday, January 9, 2023, at 7:00 p.m. in the Council Chambers. Members present were Mayor Lawrence, Council Members Luhmann, Winkelman, Schwinghammer, and Vazquez. Also present were members of the staff, sheriff's department, and guests.

2. Oaths of Office

- Mayor Lawrence, and Council Members Winkelman, Schwinghammer, and Vazquez took the Oath of Office.
- The city staff and consultants who were present at the meeting were introduced for the benefit of the new Council Members.

3. Approval of Agenda

- **MOTION** by Luhmann to approve Agenda as presented, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**

4. Wright County Sheriff's Report

- Deputy Marschel gave the sheriff's report. He stated that traffic stops were normal for the area. He also reported that deputies apprehended an alleged thief at Coborn's Liquor who the department believes had been involved in several other thefts in the region.

5. Public Forum

- Resident Sarah Tasa stated that she had concerns about the proposed appointments to boards and commissions. She was concerned that one resident had been appointed to two boards.

6. Consent Agenda

- a. **Claims/Accounts Payable in the Amount of \$ 189,972.04**
- b. **Approval of Minutes from 12-12-2022 Regular City Council Meeting**
- c. **Res 2023-02 – Pre-authorization of Claims Payments**
- d. **Res 2023-03 – Approving Temporary Gambling Permit**
- e. **Res 2023-04 – Accepting Donation for Fire Department**
- f. **Res 2023-05 – Accepting Donation for Library**
- g. **Approving Extension of Animal Control Contract**
- h. **Accepting LMCIT Dividend**
- **MOTION** by Luhmann to approve Consent Agenda as presented, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**

7. Old Business

a. Approving Extension of Rugby Field Lease Agreement

- Mayor Lawrence explained the history of the rugby lease agreement and that the team was asking to extend the agreement for 10 years. Member Winkelman asked if the city receives a copy of the team's schedule. Smythe stated that we do not always get copied. Member Luhmann noted

that the schedule is on the team's website. Member Schwinghammer stated that it would be nice to have it on the city's website/calendar as well. Smythe stated that staff would do their best to update the calendar, but that staffing was an issue until we get the new position filled, as calendar updates are time consuming. Responsibilities for the new position includes communications, which covers web and other social media updates. Smythe suggested scanning and posting the schedule to the website, then adding it to the calendar as time permits. Members agreed to this alternative.

- **MOTION** by Winkelman to approve the requested contract extension subject to the condition that the team annually submits a schedule for approval by the City Council.
- **AMENDMENT TO MOTION** requested by Lawrence, to have the team provide the schedule to the City Council but to not require approval. Winkelman accepted this amendment.
- **AMENDED MOTION** was seconded by Luhmann, all voted aye. **MOTION CARRIED.**

b. Bryan Kelly Code Enforcement

- Smythe reported that not much has happened since the December meeting, as she was on vacation. Mr. Kelly has submitted his application for lot combination, which the staff are presently reviewing. He has also removed several vehicles from the property. He is waiting for the staff to contact him for the next steps. Member Vazquez asked if there is a deadline for compliance. Mayor Lawrence explained that the City Council had requested monthly updates to make sure progress is being made, but that a deadline had not been set.

c. Community Center Survey Template and Funding

- Smythe explained the history of the survey and why it was being conducted. She also explained that the EDA and Park Commissioners have differing opinions about the content of the survey. Staff are looking for direction from the City Council on the content and funding of the survey.
- Members discussed the list of possible amenities and alternatives under the Local Option Sales Tax legislation. Members' consensus was that it made sense to ask residents how they would like the funds spent if not on a proposed Community Center.
- **MOTION** by Lawrence to utilize the EDA's version of the survey but swap out the list of amenities for a list of items that can be funded under the legislation, and to have the EDA continue to conduct/fund the survey. Motion seconded by Vazquez, all voted aye. **MOTION CARRIED.**

8. New Business

a. Res 2023-01 – Approving Annual Appointments

- Mayor Lawrence gave an overview of the proposed appointments. She stressed that she tried to match people up with Boards based on their background and strengths. She also stated that there were multiple applicants for Planning Commission and not enough openings to accommodate all. She noted that the city tries to place residents rather than Council Members on Boards when possible so there is a diversity of opinions. Since the Boards are advisory to the City Council, Council Members will always have a say in final decisions. She encouraged Members to attend meetings of the Boards they are interested in even if they were not appointed as the liaison.
- The Council Liaison was left vacant for EDA, as no Members applied. Since this Board meets at 8:00 a.m., Mayor Lawrence wanted a volunteer to make sure it worked with people's schedules. Member Luhmann stated she could attend the January meeting until someone is appointed. Members will check their schedules and revisit the appointment at the February meeting.
- **MOTION** by Luhmann to approve Resolution 2023-01 as presented, seconded by Schwinghammer. Voting aye – Lawrence, Luhmann, Schwinghammer, and Vazquez. Voting nay – Winkelman. **MOTION CARRIED 4-1.**

b. Approving Amendment to Personnel Policy

- Smythe explained that the new Community Development staff position was intended to be a full-time, benefits-eligible position at 32 hours per week. However, full time is defined in the Personnel Policy as 36 hours per week. Staff are requesting an amendment to the policy to change it to 32 hours per week.
- Members asked if the new position could be changed to 36 hours per week. Smythe explained that it could be, but that it was only budgeted for 32 hours. It would be costly to increase the hours. Members asked if this change impacted any other staff. Smythe stated it did not. All of the other full-time staff work a minimum of 36 hours per week.
- **MOTION** by Lawrence to approve the Personnel Policy amendments as proposed, seconded by Winkelman, all voted aye. **MOTION CARRIED.**

9. Committee Reports

a. Mayor and Council

- None.

b. Boards

- EDA – EDA met December 20, 2022. They are continuing to work on digital signage proposals. They also discussed the Community Center survey that was addressed under item 7(c).
- Fire Relief Association – FRA had their quarterly meeting in December. Primary items discussed were member sign-ups to assist with events and changes to their pension qualification hours, which will be voted on at the annual meeting January 25, 2023.

c. Staff

- Smythe stated that LMC is offering classes for Planning and Land Use, which new Council Members or new Planning Commissioners may wish to attend. She will forward the email listing the available classes.
- Smythe noted that LMC will again be hosting their legislative day at the capitol for those interested in attending. Mayor Lawrence asked to be signed up. Smythe will forward the email message to the other Members for consideration.
- Smythe reported that there was a court hearing this morning on the Pesola code enforcement. Mr. Pesola was assigned a court-appointed attorney and the case was continued until March 20, 2023. Member Schwinghammer asked for a summary of the case. City Attorney Dave Anderson gave an overview of the actions taken to date and explained that the city is now seeking a contempt order for Mr. Pesola's failure to comply with the previous court order. Since the contempt order could result in jail time, the court agreed to provide an attorney to Mr. Pesola. He has been representing himself at prior hearings. Smythe noted that due to the amount of snow, the city would not be able to begin any clean-up activity until spring, so the city did not oppose the continuance.
- Smythe also reported that interviews will begin soon for the open Plant Operator position at the Sewer Authority and that the city has posted the new Community Development position.

10. Other Business

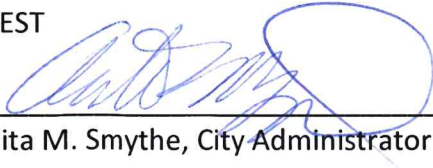
a. Next Regular Meeting – February 13, 2023 at 7:00 p.m.

- The next regular meeting will be February 13, 2023 at 7:00 p.m. Member Schwinghammer stated that he is unable to attend, as he will be out of town. Mayor Lawrence asked the other members to notify the city if there were any other absences to ensure that there is a quorum for the meeting.

11. Adjournment

- **MOTION** to adjourn by Luhmann, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**
- Meeting adjourned at 7:53 p.m.

ATTEST



Annita M. Smythe, City Administrator

APPROVED



Andrea Lawrence Wheeler, Mayor