



CITY OF GAYLORD
CITY COUNCIL MEETING AGENDA
 Wednesday, September 4th, 2019
 6:30 P.M., City Hall

Members Present: Mayor Boeder and Members, Grochow, Homme, Padilla, and Uecker.

Members Absent: Muchow

Staff Present: Aaron Walton, Walton Law Office; Lory Young, City Administrator; Charlie Eichten, Chief of Police; Anthony Daily, and Kevin Fisher, Gaylord Police Officers; Stacy Brandt, Meredith Frauendienst, Don Burgess, Dan Reich, Gaylord Ambulance; Lori Waltz, City Clerk/Finance Officer and Lori Doering, Deputy Clerk

Visitors Present: Craig Morseth, Insurance Services; Tammy Omdahl, Northland Securities; Nishul Patel; David & Diane Laabs; Sarah Jancoski; Scott Kuphal; Billy Schulte; Mark Anderson, Brandy Graef, Ridgeview Medical Center; Leigh Reich and Joe Deis, Gaylord Hub

1. Call Meeting to Order

Pursuant to due call and notice thereof, the meeting of the City Council was called to order by Mayor Boeder at 6:30 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited by Council and visitors present.

3. Consider 09-04-19 Agenda

COUNCIL MEMBER MUCHOW MOVED, COUNCIL MEMBER UECKER SECONDED, TO APPROVE THE SEPTEMBER 4TH, 2019 AMENDED AGENDA WHICH INCLUDED THE FOLLOWING ITEMS. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

4. Comments, Updates, Reports, Concerns

4.A. Citizens - None

4.B. Council Members - None

4.C. City Staff - None

5. Consent Agenda

COUNCIL MEMBER MUCHOW MOVED, COUNCIL MEMBER HOMME SECONDED, TO APPROVE THE CONSENT AGENDA, WHICH INCLUDED THE FOLLOWING ITEMS. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

5.A. Minutes

5.A.i City Council Work Session Meeting – August 14th, 2019

5.A.ii HPC Meeting – August 28th, 2019

- 5.B. Accounts Payable
 - 5.B.i. Paid Bills to be Ratified – August 1st – August 23rd, 2019
 - 5.B.i.i. Accounts Payable – August 24th – August 30th, 2019
- 5.C. Reports of Officers, Boards, and Commissions
 - 5.C.i. None
- 5.D. Other
 - 5.D.i. Special Event Permit – Sibley East School

6. Public Hearings – 7:00 PM

- 6.A. Modification of Development Program for TIF District No. 6-2 – Establishment of TIF Plan for Housing – Northland Public Finance
Omdahl reviewed the three resolutions council needs to take action on. The first resolution would establish a new TIF District for the purpose of assisting an affordable housing project, the second resolution would approve an interfund loan in order to provide assistance up front for the project that would be reimbursed with tax increment, and the third resolution is approving a development agreement for the TIF assistance with the developer. Omdahl went on to discuss the details of the TIF plan for the housing. It is a fifteen-year TIF plan. There would be five four-plex's for a total of twenty units. There would be income qualifications for every one in four units.

7. Communications, Requests, and Petitions

- 7.A. Forever Young Senior Center July News Letter
- 7.B. Minnesota Police Chief – Build-a-Bike
- 7.C. Create a Happy Culture

8. Department and Committee Reports and Action Items

- 8.A. Administration Department – Lory Young - City Administrator
 - 8.A.i. Highway 5 Corridor Study
Young reported that Tim Becker, Sibley County public Works Director; Sam Parker, MnDot and herself met to discuss the three RFP's that were received for the Highway 5 Corridor Study and SEH was awarded the contract to do the study.
 - 8.A.ii. Electric for Pond Meadows
Young explained that the cost estimate for putting in the electric service at Pond Meadows is \$64,387.00. This is something the city has to pay for upfront and then the city is paid back as each parcel is developed.
 - 8.A.iii. Consider 2019/2020 Property/Casualty Insurance – Craig Morseth, Insurance Services Co.
Morseth reviewed with council the Property/Causality Insurance rates for 2019/2020. Although the rates did increase due to the addition of some items, the city had good loss prevention which gave the city a rate reduction.

COUNCIL MEMBER PADILLA MOVED, COUNCIL MEMBER UECKER SECONDED, TO APPROVE THE 2019/2020 LMCIT RENEWAL PREMIUM AS SHOWN ON THE ATTACHED SUMMARY AND TO CONFIRM THE COUNCIL'S INTENT TO RELY ON THE STATUTORY IMMUNITY LIMITS. WITH ALL MEMBERS VOTING IN FAVOR, THE

MOTION CARRIED.

8.A.iv. 14 4th Street S. Trailer inspection Report and Demolition Quote

Young explained that the building inspector inspected a vacant trailer at 14 4th Street S. It needs to be cleaned up and the homeowner has no funds to remove it. In the past the city has shared the cost of removal for trailers in the trailer court. Young is looking for direction if the city would like to pay for the removal and assess the property. The quote for removal is close to \$5,000.00. Council consensus is to table for now and talk to the property owner to see if the city pays for the removal, we would assess the property for the cost over a five year period. If she agrees, we would bring it back to council for approval.

8.B. City Services Department – Ty Reimers – City Services Manager

8.B.i. Sibley Avenue Frost Boil Repairs

Reimers explained there is a frost boil on Sibley Ave that basically ruined the whole street. It will need to be torn up and dug down about a foot. He obtained two quotes, the lower quote of \$12,845.00 from WM Mueller & Son's would come out of the Street Departments repairs and maintenance budget. Reimers is working on the FEMA reimbursement for frost boils which is a one-year time limit to submit. The city could potentially get some reimbursement for this.

COUNCIL MEMBER HOMME MOVED, COUNCIL MEMBER PADILLA SECONDED, TO APPROVE THE SIBLEY AVENUE REPAIR TO WM MUELLER AND SON'S FOR \$12, 845.00. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

Reimers was instructed to look at the Fire Hydrant on 3rd Street E.

8.C. Police Department – Charlie Eichten – Chief of Police

8.C.i. Evidence Room

Chief Eichten explained they are in need of an air exchanger/heater in the evidence room. It is damp in the room, items in there have mold and mildew and some items are rusting. It is recommended to have negative air pressure in the room, they obtained a bid from B&R Plumbing for \$5,198.00. The Mayor asked if these units could be moved if there is remodeling down the road. Chief Eichten said they would be. Padilla asked if there would be lights, Chief Eichten answered no there is no lights.

COUNCIL MEMBER UECKER MOVED, COUNCIL MEMBER PADILLA SECONDED, TO APPROVE THE QUOTE FROM B&R PLUMBING FOR \$5,198.00 FOR AN AIR CONDITIONER, HEATER AND AN AIR EXCHANGER FOR THE EVIDENCE ROOM.

Discussion: Padilla asked if this cost can be pushed to the 2020 budget. Eichten explained there is \$50,000.00 in the capital improvement budget that was never used and extra money in the wage budget being they were down an officer for a time. Mayor Boeder said Eichten and Young can work out where the funds come from to get the work done now.

WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

9. Unfinished Business

- 9.A. **Resolution 2019-74** Approving Modification to Development District No. 6 & Establishing TIF District No. 6-2 & Approving the TIF Plan – Tammy Omdal – Northland Public Finance

COUNCIL MEMBER UECKER MOVED, COUNCIL MEMBER HOMME SECONDED, TO APPROVE RESOLUTION NUMBER 2019-74, APPROVING THE MODIFICATION TO DEVELOPMENT DISTRICT NO. 6 APPROVING THE MODIFIED DEVELOPMENT PROGRAM THEREFOR, ESTABLISHING TAX INCREMENT FINANCING (HOUSING) DISTRICT NO. 6-2 AND APPROVING THE TAX INCREMENT FINANCING PLAN THEREFOR. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

- 9.B. **Resolution 2019-75** Authorizing Interfund Loan for Advancing of Certain Costs in Connection with TIF District 6-2 - Tammy Omdal – Northland Public Finance

COUNCIL MEMBER UECKER MOVED, COUNCIL MEMBER GROCHOW SECONDED, TO APPROVE RESOLUTION NUMBER 2019-75, AUTHORIZING INTERFUND LOAN FOR ADVANCE OF CERTAIN COSTS IN CONNECTION WITH TAX INCREMENT FINANCING DISTRICT NO. 6-2. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

- 9.C. **Resolution 2019-76** Approving Development Agreement for Multifamily Townhome Housing - Tammy Omdal – Northland Public Finance

COUNCIL MEMBER HOMME MOVED, COUNCIL MEMBER UECKER SECONDED, TO APPROVE RESOLUTION NUMBER 2019-76, APPROVING DEVELOPMENT AGREEMENT FOR MULTI-FAMILY HOUSING. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

- 9.D. **Resolution 2019-77** Authorizing the Gaylord Ambulance Service to move forward with the trial merger

Mayor Boeder stressed this is a six-month trial merger. Arlington City Council is also voting on this resolution tonight. Padilla asked what the members of the JPA Board consist of. Graef stated the board would consist of two council members from each city, two administrators and a captain from each ambulance department. We would go to seven days a week paramedic coverage. There will be monthly combined training meetings. There would be quarterly JPA Board meetings and the Captains would give monthly updates.

COUNCIL MEMBER GROCHOW MOVED, COUNCIL MEMBER HOMME SECONDED, TO APPROVE RESOLUTION NUMBER 2019-77, AUTHORIZING GAYLORD AMBULANCE TO PARTICIPATE IN A JOINT EFFORT WITH ARLINGTON TO PROVIDE SHARED AMBULANCE SERVICE FOR A PERIOD OF UP TO EIGHT (8) MONTHS. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

- 9.E. **Resolution 2019-78** Accepting the DDA Wage and Compensation Study and Implementation of Recommendations

Boeder stated the consensus of the personnel committee was to implement the wage and Compensation study immediately. Employees were placed on the grade according to their job descriptions and wages assigned according to the market. Padilla and Uecker wanted to table the discussion of where people are placed and to schedule a workshop along with Tessa from

David Drown and Associates.

COUNCIL MEMBER PADILLA MOVED, COUNCIL MEMBER UECKER SECONDED, TO TABLE RESOLUTION NUMBER 2019-78, ACCEPTING THE DDA WAGE AND COMPENSATION STUDY AND IMPLEMENTATION OF RECOMMENDATIONS AND TO SCHEDULE A WORKSHOP WITH DAVID DROWN. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

9.F. Resolution 2019-79 Resolution Adopting Proposed 2020 Tax Levy & Call for Truth In Taxation Hearing

Uecker asked Young if she called the Sibley County about the county doing our criminal cases or if she spoke to Aaron about it. Young stated we had talked to the county and she also spoke to Aaron about it. The county would charge \$125.00 per hour plus expenses. Aaron explained that the county would have to hire an additional lawyer and a half time clerical to take on another city and needs to be approved by the county board. Uecker and Padilla would like to see the county do the criminals and Aaron stay on as the City Attorney. Aaron stated the appeal when he came on board was to do both.

COUNCIL MEMBER UECKER MOVED, COUNCIL MEMBER MUCHOW SECONDED, TO APPROVE RESOLUTION NUMBER 2019-79, A RESOLUTION ADOPTING PROPOSED 2020 TAX LEVY, COLLECTIBLE IN 2021 AND CALL FOR TRUTH IN TAXATION HEARING. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

9.G. Resolution 2019-80 Resolution Amending Resolution 2019-14 Approving Conditional Use Permit for Mud Lake Solar Garden

Young explained that Dave Coughlan attended the last Planning and Zoning meeting to amend two of the setbacks. After completing the wetland delineation study, it was found that it was not cost effective to delineate all the wetland and install housing in this area, so he would like to make it all a solar garden. The Planning and Zoning committee approved the request. The setbacks changing would be the front (north) to 50 feet and the side (west) to 80 feet the length of the property. The other side (east) would stay at 100 feet.

COUNCIL MEMBER PADILLA MOVED, COUNCIL MEMBER UECKER SECONDED, TO APPROVE RESOLUTION NUMBER 2019-80, (AMENDING RESOLUTION NUMBER 2019-14) A RESOLUTION OF THE CITY OF GAYLORD, MINNESOTA APPROVING THE REQUEST FOR A CONDITIONAL USE PERMIT (CUP) #C2019-01 TO ALLOW THE CONSTRUCTION OF SOLAR GARDEN ON MUD LAKE FIRST ADDITION, OUT LOT A. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

10. New Business

10.A. Kevin Fisher – Step Increase – Tony Padilla

Padilla stated the Chief asked to have this on the agenda to be heard by the council for a policy that is currently in place that was approved by the city council which states on an officers' anniversary date, they would get a step increase. Fisher's anniversary date is August 16th. Padilla read the policy aloud that was approved on June 21st, 2017. This is the current policy and step system that is in place for the Police Department.

COUNCIL MEMBER PADILLA MOVED, COUNCIL MEMBER UECKER SECONDED, TO APPROVE A STEP INCREASE FOR OFFICER FISHER TO STEP TWO (2) EFFECTIVE AUGUST 16TH, 2019 AT A RATE OF \$27.05 PER HOUR. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

10.B. Anthony Daily – Back Pay to Probationary Period – Tony Padilla
Padilla stated the issue is Officer Daily was removed from probation and given his pay increase however, his pay was not adjusted to his anniversary date of 5/29/19, he was paid back to the date council approved the pay increase.

COUNCIL MEMBER UECKER MOVED, COUNCIL MEMBER PADILLA SECONDED, TO APPROVE ANTHONY DAILY'S BACK PAY TO MAY 29TH, 2019. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED.

10.C. Possible Closed Session pursuant to Minnesota State Statue 13D.05 Subd.3.

"To evaluate the performance of an individual who is subject to its authority."

Reich chose to have an open meeting. Young stated there are two written reprimands for Reich. One that was brought by the Ambulance for the failure of not complying with parts of the handbook where he missed three consecutive meetings and also for missing trainings and not making them up. Reich admitted he is missing meetings and missing trainings and not following up. Reich read a written statement and council after some discussion, the consensus was to have the first reprimand go back to the Ambulance Board for further consideration and include all members who are missing meetings or trainings. Young stated the second reprimand has to do with the behavior towards another employee, that has happened on more than one occasion. Again, Reich read a written statement to the council and after a lengthy discussion, council consensus was all personnel issues fall under the city personnel policy, (each department can have their own bylaws, procedures etc.) and that all employee files of every employee should be at city hall under lock and key. Reich agreed to accept a written reprimand before council came to a consensus on a verbal versus a written reprimand. Reich signed the written reprimand before the end of the meeting and received a copy.

10.D. Possible Closed Session pursuant to Minnesota State Statue 13D.05 Subd.3.

"To evaluate the performance of an individual who is subject to its authority."

Council went into a closed session to evaluate the performance of an employee.

Council came back into open session and the summary was as follows;

Mayor Boeder stated pursuant to Minnesota State Statue 13D.05 Subd.3. "To evaluate the performance of an individual who is subject to its authority." The individual was Lori Waltz, the recommendation of the council at this time was to do a written reprimand, and this is the consensus of the council at this time.

11. Other

11.A. Minnesota College of Osteopathic Medicine Update – Phil Keithahn
None

12. Closing Comments

- Council - None
- Staff – None

14. Upcoming Meetings and Events

- 14.A. Monday September 2nd – City Hall Closed in Observance of Labor Day
- 14.B. Tuesday September 3rd – 6:30 - Ambulance Meeting @ EMS Bldg.
- 14.C. Wednesday September 4th – 5:30 - P & Z Meeting
- 14.D. Monday September 9th – 5:00 – EDA Meeting
- 14.E. Monday September 9th – 6:30 – Parks & Rec Board Meeting @ Library
- 14.F. Friday September 13th – Noon – Chamber Meeting @ Library
- 14.G. Wednesday September 18th – 6:30 – City Council Meeting
- 14.H. Wednesday September 25th – 6:30 – HPC Meeting @ Library
- 14.I. Monday September 30th – 7:00 – Fire Department Meeting @ Fire Hall

13. Adjournment of Regular Meeting

There being no further business to come before the City Council.

COUNCIL MEMBER UECKER MOVED, COUNCIL MEMBER PADILLA SECONDED TO ADJOURN. WITH ALL MEMBERS VOTING IN FAVOR, THE MOTION CARRIED. THE MEETING WAS ADJOURNED AT 9:16 P.M.

Lory Young
City Administrator

Don Boeder
Mayor