

COUNCIL MEETING MINUTES
November 26, 2018

The Council meeting was called to order at 6:00 p.m. by Mayor Werner. The Pledge of Allegiance was recited by those in attendance. Present for the meeting: Mayor John Werner; City Councilors John Goman, Greg Andrews, Suzanne Herstad and Bob Quade; Clerk-Treasurer Toni Blomdahl; and attached list of public.

PUBLIC DISCUSSION: John W. introduced Sheriff Rasch who was here to discuss citizen concerns regarding dogs potentially being poisoned. Sheriff Rasch stated he is supervising the investigation and his intent here tonight is to inform the public and stated on October 18th someone on Hicken Rd reported their dog died and reported their neighbors dog died, which turned out to be false, and 3 dogs on Kingston Rd. got sick but later recovered. Sheriff Rasch stated there have been no reports or evidence of suspicious vehicles, no suspicious people, and no suspicious packaging has been found so there is not enough evidence to point to a human poisoning these dogs. The Sheriff's Department and the City thought it was prudent to inform the public of these matters and let them know if they see anything suspicious to report it to 911.

Sue Thompson from Berglund Rd. stated she has lost 3 animals in the last year, 1 cat and 2 dogs. Sheriff Rasch stated he has received calls from Ely, Duluth Heights, and other surrounding communities and they don't seem to be related so they are not looking for a suspicious person trying to poison pets. Greg stated a resident may have a pest problem which they are treating with poison and then your pet eats the dead rodent and ingests some of the poison. Suzanne stated her dog may have gotten into some rat poison, so they brought it to the vet and they found out that all dog food has some rat poison in it which they counteract with Vitamin K.

Kim from the Rutter and Kingston Rd. stated her dogs are kenneled around her house and about six feet from the road and one of her dogs has been poisoned and its kidneys have been damaged. Kim stated if your dog looks like it's drunk or lethargic, it may have been poisoned so get it help right away.

Marcy stated there was a report of a dog on Hicken Rd. that was skinned and gutted. Sheriff Rasch stated that is horrendous but they did not receive any report on it.

John W. stated we all understand how important these animals are to us and we urge you to report any suspicious activity. Bob stated we have a lease law in Rice Lake so keep your dogs leashed or kenneled to help protect them. John W. stated we will put something in the December newsletter regarding this matter.

CORRESPONDENCE: Letter from Governor-Elect Tim Walz

CONSENT AGENDA:

Minutes:

November 13, 2018 Council meeting minutes

November 13, 2018 Board of Canvass meeting minutes

Resolution:

18-11-23 Designating Depositories for Investment Purposes

18-11-24 Certifying Unpaid Charges to Property Taxes

Executed Claim:

General fund checks – 12994 thru 13019 473E

Bob made a motion to accept the consent agenda, with a second by John G. All vote in favor except for Suzanne who abstained from voting on the minute approval as she was absent on the 13th. Motion carried.

NEW BUSINESS:

Appeal by Kyle and Julee Borg for proposed special assessment: John G. stated they did a pressure test on the water lateral at the Borg's and it was inconclusive, so the City dug and found the leak was on the Borg's side. John G. showed pictures of the connection to Kyle where the old connection was only threaded in 3-4 threads and it needed to be threaded much further than that. John also showed Kyle an aerial photo of his property noting his driveway went right over the connection and curb stop. Kyle stated his front yard has always been his driveway and he keeps it plowed all winter long. Kyle stated the City's engineer put the shutoff in his driveway. John G. stated that Kyle considers it his driveway but public utilities are put in the right of way (ROW) so it is not Kyle's property. Suzanne asked when the water lateral was installed and how deep it is. Toni stated it was installed in June of 2013. John G. stated the lateral is 6-8 feet deep where it connects with the main. Kyle stated if it would have been installed and engineered correctly, it would not have failed. Greg stated if you drive on and plow over your line, it will break and asked Kyle if he told his contractor he was using that area as his driveway. John W. stated curb stops are in the ROW, not on your property. John G. stated the City should have notified you of the fix, but we weren't sure where the leak was. Bob stated the items in the letter dated October 5th note we dropped the ball on notifying you, but you agreed it has been leaking. Kyle stated yes, it's been leaking since it was installed, and he has mentioned it to Justin in passing several times. John W. stated our monies to fix leak are very limited and we put \$30,000 in LGA money towards fixing leaks and our Ordinance requires a licensed contractor to work on city utility lines. Bob stated he gives credit to our Utility Commission who set up the ordinance and if we don't follow that we are undermining their authority. Suzanne stated she agrees with Bob and thinks the City is being very generous in splitting the bill with the Borg's. Bob stated the City buys our water from the City of Duluth, which is metered, and everyone that has City water is metered, so he asked who pays for the lost water from water leaks. John W. stated the City pays for it through tax dollars. Kyle thanked the Council for listening to him.

Resolution 18-11-25 Certifying Special Assessments #18: Toni presented Council with a resolution for certifying a special assessment to Kyle and Julee Borg's property at 4296 W Calvary Rd for lateral water line repair in the amount of \$1,924.53. Suzanne made a motion to approve Resolution 18-11-25 with a second by John G. All vote in favor. Motion carried. Council asked Toni to contact the Borg's and see if they would like to pay us before certifying it to their taxes.

Resolution 18-11-26 Certifying Special Assessments #19: Toni presented Council with Resolution 18-11-26 for certifying a special assessment to Mark Pilon's property at 3857 Nelson Rd for lateral water line repair in the amount of \$2,670.88. Toni also presented Council with an email from Mark Pilon. John G. stated they pressure tested the line and it was inconclusive, so the City dug and found the leak on the owner's side of the line. John stated the City offered to split the costs with the Pilon's. John W. stated again only licensed contractors can repair our lines and only City Staff can turn the water off at the curb stops. Suzanne stated again the City has been generous to split the costs with the property owner. Suzanne made a motion to approve Resolution 18-11-26 with a second by Greg. All vote in favor. Motion carried.

Animal Control Report for October: Jessica read her attached Animal Control report into record and noted we have been having issues with the Davey's dogs running at large. Jessica stated we have pictures and videos of the dogs on someone else's property on Luzerne Rd. so we have issued them a citation and mailed a fine.

Comprehensive Plan Update Budget: Toni stated Teresa Koivula, our Zoning Officer has been contacting a couple different planners regarding assisting us in updating our comprehensive plan and one of them asked if we have a budget set for the update. John W. stated we updated our plan more than 10 years ago with ARDC so he's not sure what it would cost to do an update now. Council agreed they would like to get some estimates from the planners to get a better idea of costs.

New Truck for Road and Bridge: John G. presented the Council with two estimates for a new Ford F550 to replace the older truck that Justin Aleshire has been driving. John stated one estimate was from a dealer in St. Cloud for \$46,451 and one from Benna in Superior for \$46,739 both estimates do not include tax, title, and license. John stated he is recommending the truck from Benna as it's closer and they provided excellent service on the last truck we bought. John stated he also got an estimate from Crysteel for an 11-foot tipper box for the back of the truck in the amount of \$17,535.18. Suzanne stated she agrees it would be better to buy it locally and noted the importance of having a workable box that meets our needs. John G. stated we have put about \$12,000 in repairs to Justin's old truck over the past few years and the floor boards are rotting out, so we need a new replacement. Suzanne made a motion to purchase the new truck at Benna with the box from Crysteel for a total of \$64,274 with a second by Bob. All vote in favor. Motion carried.

Employee Health Insurance Renewal: Suzanne stated she and John G. and Toni met with Jeremy from Cartier Agency to go over the renewal options for employee health insurance. Suzanne stated the proposal shows a break down of our current policy and four other options. Suzanne stated she and John G. are recommending going with the same plan for renewal which has only a 5% increase from last year which is much better than we have had the last few years. John W. asked if union employees pay 20% of the premium. Suzanne stated yes, it's an 80/20 and all employees pay the same percentage. John G. stated we are bound by the union contract to maintain similar health insurance unless we want to open up the contract to renegotiate, which we do not want to. Suzanne made a motion to renew with the same health insurance policy we currently have with a second by Greg. All vote in favor. Motion carried.

Council Pay: John W. stated our City operates different than other cities do as our Council act as department heads and we received a letter from the State Auditor noting we can no longer operate as we did as a township. Toni stated our City Attorney is recommending the Council should only be paid meeting pay for actual meeting and then we need to establish an hourly rate for non-Council related employment. John stated the committee pay is \$40 per meeting for the Chair and \$35 per meeting for members and their meetings are usually an hour. John G. stated we are trying to find a solution for the problem that arose from the State Auditor and all councilors pay wouldn't equal a City Administrator's salary. Suzanne stated we are still transitioning from a town to a city and our staff and budget haven't caught up with hiring a full time City Administrator, but we need to be transparent in what Council is being paid to do. Bob stated he agrees with the recommendation from Mike Couri and following the employee health care discussion, we would have to pay for that as well if we hired a City Administrator and the Council doesn't charge for everything they do. Greg stated nobody is trying to get rich from being a Councilor, but we should be compensated for what we do. John W. stated we actually need a Public Works Supervisor and a City Administrator but to keep costs down, Council has been performing these duties. Toni presented the Council with resolutions authorizing a contract with interested officers noting what work the Mayor and Councilors would be performing for the City with the pay rate of \$32 per hour for Councilors and \$37 per hour for the Mayor. Council agreed Toni should add training and

workshops on the resolution for work performed. John G. made a motion to approve Resolution 18-11-27 for authorizing a contract with interested officers for Mayor Werner with a second by Bob. All vote in favor except for Mayor Werner who abstained. Motion carried. Suzanne made a motion to approve Resolution 18-11-28 for authorizing a contract with interested officers for Councilor Goman with a second by Greg. All vote in favor except for Councilor Goman who abstained. Motion carried. Bob made a motion to approve Resolution 18-11-29 for authorizing a contract with interested officers for Councilor Andrews with a second by John G. All vote in favor except for Councilor Andrews who abstained. Motion carried. John G. made a motion to approve Resolution 18-11-30 for authorizing a contract with interested officers for Councilor Herstad with a second by Bob. All vote in favor except for Councilor Herstad who abstained. Motion carried. Greg made a motion to approve Resolution 18-11-31 for authorizing a contract with interested officers for Councilor Quade with a second by Suzanne. All vote in favor except for Councilor Quade who abstained. Motion carried.

UNFINISHED BUSINESS:

Payment to A+ Landscaping and investment transfer: Toni presented Council with an invoice from A+ Landscaping for the work completed so far on Lift Station 6 and 7 removal for approval. Toni stated we did not receive the invoice early enough to include it with the check run for today so she's asking for approval to print the check tomorrow. John G. made a motion to pay A+ Landscaping in the amount of \$116,242.19 for work completed so far with a second by Greg. All vote in favor. Motion carried. Toni also requested Council approve a transfer of \$50,000 from Utility Investments to cover the check if needed, until we get our December apportionment. Suzanne made a motion to approve the transfer from investments to checking if needed with a second by Bob. All vote in favor. Motion carried.

5028 Rice Lake Rd. property tax status: Toni stated she received an email from Kristen at Reliable Insurance which noted the property is covered under our liability insurance and the City has liability coverage on all property that is owned by the City with no buildings on it. Council agreed the public could use the property for recreational purposes. Toni will submit the tax-exempt request form to the county noting such.

Animal Allies Contract: Toni presented Council with an updated contract between the City of Rice Lake and Animal Allies and stated she met with Lindsay from Animal Allies to discuss the changes Mike Couri had suggested. Toni stated because Animal Allies is associated with the Humane Society, so of the laws that govern them are different than an animal shelter or dog pound. Bob made a motion to approve the contract as presented with a second by Suzanne. All vote in favor. Motion carried.

2019 Fee Schedule: Toni read through the 2019 Proposed Fee Schedule changes noting we don't currently have a fee associated with habitual barking for animal control, yet our ordinance notes it as a violation. Council agreed on a \$55 fine for habitual barking and agreed with the Utility Commission's recommendations for the Utility Fee Schedule. Toni stated for the Building Fee Schedule, she was requesting an increase in the plumbing and mechanical permit fees as these permits are inspected by Comfort Systems and they have raised their fees they charge us. Toni stated the Zoning Fee Schedule now needs to be encompassed in the Zoning Ordinance, so Teresa will update those when they update the Zoning Ordinance. Suzanne made a motion to approve the Fee Schedule as presented with a second by Bob. All vote in favor. Motion carried.

2019 Meeting Schedule: Toni presented Council with the 2019 Meeting Schedule noting the last Council meeting in December of 2019 has been removed.

December calendar: Toni shared a copy of the December calendar.

COUNCIL REPORTS:

- John G. stated he has been working on truck quotes and utility repairs.
- Suzanne stated she had the insurance meeting with John G. and Toni. Suzanne stated the Board of Adjustment needs members and their decisions are independent of Council, the Planning Commission needs members as one of their members is moving to the City Council and the Planning is the grassroots level of how the City will look and they meet the 3rd Tuesday of the month at 6:00. Suzanne stated the Utility Commission needs members as one of their members is also moving to the City Council and they handle the utility fees and rates and utility ordinances, and they meet the 3rd Monday of the month at 6:00. Suzanne stated all these members receive pay for their work.
- Greg stated he attended the Planning Commission meeting and the resident that is interested in being on the Commission is very qualified.
- Bob stated he attended the Utility and Planning Commission meetings but not the MIC meeting. Bob stated the MIC is finishing up their truck route study and bike route study in Duluth, it is not in Rice Lake yet, and a traffic study around Bentleyville in which they opened an extra lane of traffic, so people can access the businesses in that area.
- John W. stated they had the first burial at the Veteran's Cemetery and there is a monument to veterans with Agent Orange. John stated the JAZB meetings are starting up again trying to get the zoning updated prior to the cross-runway extension.

Having nothing further to discuss, Bob made a motion to adjourn the meeting. Mayor Werner adjourned the meeting.

Respectfully submitted,


John Werner, Mayor

12-10-18
Date


Toni Blomdahl, Clerk-Treasurer

12-10-18
Date

Counc. Meeting
Date: November 26, 2018

	Name:	Address:	phone and/or email address:	X-speak
1	Hollee Scheffer	5234 Hg Rd		
2	Marella E. Johnson	4039 E Calvary Rd.		
3	Melba H. Miller	Calvary Rd		
4	Carrie Sturm	Kingsdon Rd		
5	Bile Thompson	5066 Berglund Rd		
6	Erin Deady	4182 W Calvary Rd		
7	Ronnie Deady			
8	Gregory Deady	3470 Nelson		
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