

Regular Meeting of the Carlton City Council held Tuesday, April 12, 2011

1.00 Call to Order & Roll Call 5:00pm

Mayor Rodd calls the meeting to order at 5:01 pm.

Members: Present: Mayor Leola Rodd, Council Members Kirk Johnson, LeAnn Theisen, Adam Bailey and Wes Vork

Members absent: None

Staff in Attendance: City Administrator CJ Van Guilder and Deputy City Clerk Lori Schubitzke

2.00 Pledge of Allegiance

3.00 Presentations & Guests – Milt Hagen – Carlton County Transportation – Overlay Project

Mr. Hagen addressed the council and informed them the Carlton County Transportation is planning a bituminous mill and overlay project from County Road 4 (Scott's Corner), to County Road 1. A resolution is needed from the City due to the fact that that the project extends into the City limits.

4.00 Approve Agenda – *Council members may add items to the agenda for discussion purposes or staff direction.*

MOTION was made by Councilmember Adam Bailey and seconded by Councilmember LeAnn Theisen approving the agenda with the addition of 9.05 Meeting with Fond Du Lac College and 9.06 Marv Bodie County Commissioner. The Motion carried unanimously

5.00 Consent Agenda – *These items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event the item will be removed from the Consent Agenda and placed elsewhere on the agenda.*

- 5.01 Approval of the Minutes: Minutes of Regular Meeting, March 8, 2011: Special Meetings, January 13, February 1 and March 29, 2011.
- 5.02 Approval of Bills: Exhibit A dated April 12, 2011 in the amount of \$110,348.99.
- 5.03 Approval of Check Numbers – 22352 – 22454.
- 5.04 Review and Approval of Petty Cash.
- 5.05 Raffle Permit – Wrenshall SnoSharks Snowmobile Club – 12/10/2011
- 5.06 Raffle Permit – Carlton Area Chamber of Commerce – July 31, 2011
- 5.07 4th Quarter 2010 – Ambulance Write-offs - \$54,399.79
- 5.08 Approval Resignation of Housing Board Member – Myrtle Whelan
- 5.09 Approval of New Housing Board Member – Diane Nyquist

During the councils review of the exhibit it was asked what the payment to the Carlton County Attorney in the amount of \$3,000 was for. City Administrator Van Guilder state that the County Attorney's office took over the prosecution services after Attorney Marguerite Doran retired and the County Attorney bills the City quarterly for the services provided.

Discussion continued regarding the possibility of one of the Attorneys in the City of Carlton providing the service and the present and past prosecution fees paid by the City.

MOTION was made by Councilmember Kirk Johnson and seconded by Councilmember Wes Vork to approve Attorney Julie Emerson to be approached by City Administrator Van Guilder to discuss the possibility of Attorney Emerson providing Prosecution services to the City.

MOTION was made by Councilmember Kirk Johnson and seconded by Councilmember Adam Bailey approving the Consent Agenda. The Motion carried unanimously

6.00 Public Hearings – None.

7.00 Petitions, Communications & Correspondence

7.01 Letter from Jim Erickson – 2nd Street Speed Bumps

City Administrator Van Guilder discussed a letter that was received from a Mr. Erickson regarding damage that was done to his vehicle as he drove down 2nd Street and went over a speed bump. Mr. Erickson is not from the City of Carlton and was not aware of the speed bumps. City Administrator Van Guilder stated that Mr. Erickson submitted a bill for repairs in the amount of \$128.35. Discussion continued regarding submitting to insurance, maintenance of the speed bumps, posting of signs and liability of the City.

MOTION was made by Councilmember Adam Bailey and seconded by Councilmember LeAnn Theisen denying the payment to Mr. Erickson for alleged damage to his vehicle after going over a speed bump located on 2nd Street and submit the claim to the City Insurance. The Motion carried unanimously.

7.02 Attorney General Letter- Ambulance

City Administrator Van Guilder covered the letter that was sent to Assistant Attorney General Gina Jensen in response to the letter regarding the ambulance run for Mr. Gary Bauer's who was in an auto accident in his work vehicle and the ambulance was called by a third party which he feels he is not responsible for the no load charge of \$275.00. The letter stated the no load policy of the Carlton Ambulance Service and that Mr. Bauer needs to contact the City office with his intentions to have the fee waived.

8.00 Ordinances; Resolutions and Policies

8.01 Resolution 2011-05: 2011 Fund Balance Designation- 2nd Approval

City Administrator Van Guilder stated there was an error in the original amounts of the General Fund and Charitable Gambling 2011 designations and the corrections need to be approved.

MOTION was made by Councilmember Kirk Johnson and seconded by Councilmember Wes Vork to approve Resolution # 2011-05- to do a second approval the 2011 Fund Balance Designation. The Motion carried unanimously.

Roll Call

Leola – Aye
LeAnn – Aye
Kirk – Aye
Wes - Aye
Adam - Aye

8.02 Resolution 2011-08 – Approving County Project

MOTION was made by Councilmember Kirk Johnson and seconded by Councilmember Wes Vork to approve Resolution # 2011-08– to approving the Carlton County Transportation Project milling and overlaying County Road 4 to County Road 1. The Motion carried unanimously.

Roll Call

Leola – Aye
LeAnn – Aye
Kirk – Aye
Wes - Aye
Adam - Aye

8.03 Ordinance #181 – Fats, Oils and Grease (FOG)

City Administrator Van Guilder stated that a change was made by WLSSD to have this ordinance be in effect only if the operation area of a business is being changed or remodeled and a building permit is required.

MOTION was made by Councilmember Kirk Johnson and seconded by Councilmember Adam Bailey to approve Ordinance #181 – Fats, Oils and Grease (FOG). The Motion carried unanimously.

Roll Call

Leola – Aye
LeAnn – Aye
Kirk – Aye
Wes - Aye
Adam - Aye

8.04 Ordinance #181 – PUBLISHED SUMMARY

MOTION was made by Councilmember Kirk Johnson and seconded by Councilmember Adam Bailey to approve the Published Summary of Ordinance #181. The Motion carried unanimously.

Roll Call

Leola – Aye
LeAnn – Aye
Kirk – Aye
Wes - Aye
Adam - Aye

9.00 General Business

9.01 Project updates

Twin Lakes Merger Process: There will be a meeting with David Drown on April 18th, 2011 with MSA to discuss financing avenues.

Old Hotel: Mr. Pat Oman the Carlton County Economic Development Director is working with Mr. Wenneson to find monies available through grants and other funding options to complete the repairs needed.

Energy Grant – Update: City Administrator Van Guilder is waiting on final payment and closeout.

Highway 210 Water Line Project:

The MSA project team is working on the completion of the project with the Twin Lakes Board. There will be a meeting scheduled for next Monday – April 18th with David Drown to discuss issues related to a joint merger with Carlton and Twin Lakes. Mr. Drown has some questions related to the water line project and other overlapping services regarding utilities and public works that require some input from MSA staff. Following this meeting an update will be provided to the City Administrator and the Town Clerk.

Otter Creek Trail Project:

Project Memo has been submitted to Wayne Olson at Carlton County for review. Plans have been requested from Stonebrook Engineering, but are not yet available. The portion of the trail north of Birch Avenue will be constructed as a separate project by the City this summer and will not be part of the federal project. This decision was made to save construction, planning, and design costs and keep the project moving forward. This portion of the project can be constructed this summer along with the railroad work (new crossing for both tracks) – railroad work will be completed under a force account agreement with BNSF. This agreement still needs to be executed by the City of Carlton, but the project costs calculated by railroad staff appear to be correct. The trail and bridge improvements will be completed next year (2012) to allow bridge bonding funds to be used for the Carlton County portion of the work to be constructed.

Funding Update:

MSA continues to monitor the funding situation for all projects (including future potential ones) at both the State and National Level to ensure that opportunities are discussed with staff. If opportunities are discovered that appear attractive to the City they will be brought forward to City Council for further discussion. It does not appear that another federal stimulus bill will move forward, however, the funding need is recognized and several proposals to address this issue have been raised including, Public-Private-Partnerships, Federal Infrastructure Bank, Gas Tax Increases (not popular among either party), and others.

Carlton County Road Project:

MSA has reviewed the plans for the project to reconstruct County Road 3. MSA does not have any concerns regarding the project, and supports the efforts to maintain the County Roads within the City of Carlton.

9.02 Mr. Kavanaugh Building Permit

City Administrator Van Guilder informed the council that prior to the approval of the Building Permit for Streetcar, LLS, the required CAF fee payment to WLSSD must be received. Mr. Kavanaugh discussed with City Administrator Van Guilder the possibility of asking the council if a payment plan for the Building Permit fees could be done with the balance of the permit paid in full by the end of 2011.

MOTION was made by Councilmember LeAnn Theisen and seconded by Councilmember Kirk Johnson approving the Building Permit fees of the Streetcar LLC to be paid before December 20, 2011. The Motion carried unanimously

9.03 Ben Dvorak – Fire Department Member

MOTION was made by Councilmember Kirk Johnson and seconded by Councilmember Adam Bailey approving Mr. Ben Dvorak as a new member of the Carlton Fire Department. The Motion carried unanimously

9.04 Personnel Committee

City Administrator Van Guilder stated the need for her to be removed from the personnel committee. The reason being that there needs to be someone to assist the employees with the process and that the

councilmember's that sit on the personnel committee need to be aware that they are an extension of the council; they do not act for the council individually. This protects the council from potential open meeting law violations.

Discussion revolved around the options of who should sit on the Personnel Committee, how to file a grievance and if community involvement is really needed. The Personnel Committee was created to help the council assist in the personnel process without total council involvement.

City Administrator Van Guilder will revamp the Personnel Committee and bring back to council.

9.05 Meeting with Fond Du Lac College –

Councilmember Kirk Johnson discussed the meeting he had with City Administrator Van Guilder and Bryan Jon Maciewski with the Fond Du Lac College regarding the possibility of the college business programs working toward a business that would give experience to the students on how to run a business. Mr. Maciewski would like to attend the next CCDEC meeting on May 2, 2011 to discuss the possibility of opening a business in town.

Discussion continues regarding bringing businesses into the City and getting the assistance from the Carlton Chamber of Commerce and the CCDEC Board.

9.06 County Commissioner Marv Bodie –

Councilmember Kirk Johnson stated that the City of Carlton is represented by County Commissioner Marv Bodie and the need to have the City of Carlton be represented by Commissioner Bob Olean instead.

City Administrator Van Guilder discussed the redistricting process taking place in the state. Ms. Van Guilder discussed the process with County Auditor Paul Gassert. Mr. Paul Gassert stated that 2011 would be a good year to change the boundaries of the County Commissioners due to the fact the 2010 census has been completed. If there is a redistricting change it would start at the State Level and then downward to County then City levels. The redistricting is for election and setting up precincts.

Discussion continued regarding how the redistricting occurs, how population affects redistricting, if the City of Carlton would be affected, how the merger would affect the City's redistricting and if the City could opt out of a district and be covered by a different County Commissioner. Council instructed Ms. Van Guilder to contact Mr. Gassert regarding opting out of Commissioner Marv Bodie's area.

10.00 Staff and Committee Reports & Recommendations

10.01 City Administrator Report –

I attended the MCFOA Conference in St. Cloud March 15- 18, 2011. As usually, the conference was informative and helpful. Thank you for this training.

The Audit is officially over and we can get back to the real City Operations.

Getting caught up from being gone and finally seeing the bottom of the desk.

WLSSD FOG Ordinance.

Wellhead protection – updated plan. Working with the MN Department of Health, MN Rural Water, Guy and Derek to stay in compliance on our ten year plan.

Monthly financial requirements.

BUDGET REVIEW AND MORE BUDGET REVIEW!!! Believe it or not, going to being meeting with fire department to start their budge

10.02 City Engineer Report – Previously covered.

10.03 Public Works Report –

Spring has sprung and we have been busy getting our equipment ready for summer.

The cemetery should be ready to open in a couple of weeks.

The community garden is almost all rented out again and we are just waiting for the ground to dry up a little before we roto-till it.

Bruce is done working now but has to come in for a little while on June 3rd. He probably won't get much work accomplished on that day, but I want to get a picture of him mowing in the cemetery with the same Lawn Boy that he used on his first day working for Carlton.

We had a water leak on School Ave. the last week of March. It was reported to me on Saturday but it was not doing any damage and we were not losing a lot of water so we waited until Monday to dig. Scanlon dug for us and helped do the repair. There is still clean up to do but we have to wait for the ground to dry up before we can drive equipment in there.

One hydraulic cylinder on the loader developed a bad leak so we removed it and brought it to Hermantown Hydraulics to have it repaired.

The sidewalks have been swept and the county has been sweeping our streets a little at a time. They will be patching the streets here soon.

I went to Mexico for one week and when I came back the snow and Bruce have both disappeared.

10.04 Fire Department Report – None

10.05 Business Development Committee Report – None

10.06 Parks & Recreation Committee Report - None

10.07 Library Board Report – None

10.08 Four Seasons Report –

Per Janet Adkins of the Hockey Association, there was a Circus at the Four Seasons and they had a good turnout.

Mayor Leola Rodd contacted Pat Oman regarding getting bleachers in the Four Seasons.

10.09 Council Member Report – Councilmember Wes Vork stated that the minutes came up nicely on the Website.

Councilmember Kirk Johnson stated that the CCDEC came to a resolution regarding the poles at the Four Seasons and Mr. Russ Grover can move the poles for \$600.

Mr. Johnson also stated that the CCDEC committee had an aerial photo done of the disc golf course and there seems to be a big interest in aerial photos of the City.

MOTION was made by Mayor Leola Rodd and seconded by Councilmember Wes Vork to approve a three way split with the CCDEC Board, Chamber of Commerce to pay for five aerial photos to be distributed to retiring local business men and City employee.

10.10 Mayor's Report –

11.00 Carlton Comment – *Individuals may address the Council about any item not contained on the regular agenda. A maximum of 15 minutes is allotted for the Forum. If the full 15 minutes are not needed for the Forum, the City Council will continue with the agenda. The City Council will take no official action on items discussed at the Forum, with the exception of referral to staff or Committee for future report.*

12.00 RECAP ACTION ITEMS

13.00 UPCOMING MEETINGS

13.01	Monday, April 18, 2011	Board Appeals	10 AM	Carlton County Board Room
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14.00 Adjournment Having no further business to conduct, a MOTION was made by Council Member Wes Vork and seconded by Council Member Adam Bailey to adjourn, the time being 7:10pm. **The motion carried unanimously.**

Respectfully Submitted,

Lori Schubitzke
Deputy City Clerk