

June 5, 2019

The City Council conducted a Work Session on the above date beginning at 6:30 p.m.

The following were present: Council members Chris Ness, Jerry Cusick, Steve Kronmiller, Patti Ray and Mayor Christine Maefsky.

Staff members: Public Works Director Adam Hawkinson, City Attorney Eric Sherburne, City Planner Merritt Clapp-Smith, and Treasurer Colleen Firkus.

### **APPROVAL OF THE AGENDA**

Motion by Ness, seconded by Ray, to approve the agenda. Vote 5-0. Motion carried.

### **SELECTION OF FINALISTS FOR CITY ADMINISTRATOR**

Liza Donabauer, Management Consultant, DDA Human Resources, Inc., reported that the 40 applicants had been whittled down to 13 semi-finalists and requested that each Council member vote on their top three. From those results a final list of 7 finalists were chosen to be interviewed on June 27. Donabauer handed out a schedule for the day with details to be finalized with city staff.

**Ness, seconded by Cusick, moved to formerly invite the 7 semi-finalists chosen for interviews. The motion carried 5-0.**

Donabauer asked if the Council wanted to offer a travel reimbursement as two candidates are coming from long distances, one from out of state. This could apply to mileage or airline tickets.

**Maefsky, seconded by Ray, moved to offer a travel reimbursement to candidates up to \$300 that could be applied to mileage or airline tickets. The motion carried 4 – 1 with Maefsky, Ray, Cusick and Kronmiller voting yes, and Ness voting no.**

It was noted that a Special Meeting will need to be posted for the entire day.

### **MEADOWBROOK AVE ROW DETERMINATION AND LANDSCAPING PLANS FOR EXISTING SOLAR INSTALLATIONS**

The Council decided to delay discussion of both these issues until there is a new city administrator to be involved in discussions.

### **BROADBAND EXPANSION PROPOSALS**

Councilmember Kronmiller reported on the results of the EDA meeting and Midco's presentation. CTC indicated they were not interested in coming to do a presentation unless the City was going to contract a project with them. CTC's proposal for city-wide fiber optic cable was estimated to cost \$13.3 million with the City contributing \$8 million and \$5 million from a state grant. Midco's proposal was to provide Fixed Wireless service to denser areas of the City funded through state grants and Midco resources. A requirement of the grant would to have the project completed within two construction seasons.

**Ray, seconded by Ness, moved to move forward with Midco's proposal for Fixed Wireless as time was of the essence to acquire state grant money and it was a no-cost start to improve the residents' access to the internet. The motion carried 5 – 0.**

### **USE OF WARMING HOUSE AS CYCLING CENTER**

Public Works Director Hawkinson presented his report on the financial impact and building security of allowing public access during the day to the warming house shelter during the summer months. The City's insurance carrier said liability is the same with no additional charges. The financial impact would be an initial investment of \$3,142 for door lock timers and a camera system, and monthly costs of approximately \$150. A SHIP grant would cover \$1,000 of those costs.

**Ray, seconded by Kronmiller, moved to accept the proposal to open the Warming House shelter with an initial investment of \$3,142.00 for improvements to the building, and additional monthly costs of an estimated \$150.00, with the understanding \$1,000.00 is paid by a SHIP grant. The motion carried 5 – 0.**

### **RESOLUTION 06-05-19-01 AMENDING THE GENERAL FUND FOR TRANSFER TO THE CAPITAL IMPROVEMENT FUND**

Treasurer Firkus recapped a May 21, 2019 report by former Administrator Soltis, to clarify for the Council the City's fund balance goal of maintaining 50% to 65% of operating expenses, while transferring any unassigned funds above that amount to a capital improvement fund.

**Kronmiller, seconded by Ray, moved to accept Resolution 06-05-19-01 to amend the General Fund Budget to transfer \$438,962 from the General Fund to the Capital Improvement Fund to implement the City's goals outlined in the City's fund balance policy. The motion carried 5 – 0.**

### **DESIGNATE CONTACT FOR EMPLOYEE RELATED TASKS**

Attorney Sherburne asked the Council to consider designating an appropriate individual who could act in the stead of a city administrator for responsive employment-related tasks. Duties would include access to personnel files, as needed, the ability to sign Employee Action forms, receive and respond to grievances, and other employee related tasks that might require additional oversight.

**Kronmiller, seconded by Ray, moved to appoint Mayor Maefsky and Councilmember Cusick to a Personnel Committee to handle employee-related tasks until a new city administrator is hired. The motion carried 5 – 0.**

As part of this role, Council asked if Hawkinson could request the Labor Management Committee invite one or both Personnel Committee members to their monthly meetings.

### **PUBLIC WORKS DIRECTOR SALARY**

Public Works Director Hawkinson requested the Council consider a 20% increase in his salary as the recent salary study completed by Springsted Group noted his position, as well as the City Administrator's position, were underpaid as compared to cities of the same size. Hawkinson also pointed out he is on call 24/7 which greatly affects his personal life and a recent flooding incident affecting the 201 Sewer System caused him to be up for 34 hours. Hawkinson asked his salary be adjusted to be in line with the City Administrator salary and the Public Works union staff pay and benefits. Mayor Maefsky responded that the Council had decided to wait until it was determined what the new administrator's salary would be and then address all staff salaries

at the same time. Councilmember Cusick was also uncomfortable making this kind of decision in isolation before a new administrator is hired.

**Ness, seconded by Ray, moved to raise Hawkinson's salary by 10% immediately with a review of further increase when the new city administrator is on staff. The motion failed 2 – 3 with Ness and Ray voting yes, and Maefsky, Kronmiller and Cusick voting no.**

#### **COMMUNITY CENTER TASK FORCE COMMITTEE APPOINTMENTS**

**Ness, seconded by Ray, moved to approve the Community Center Task Force as listed:**

**Christine Maefsky, Mayor  
Colleen Firkus, Treasurer  
Bruce Swenson, Lions  
Adam Hawkinson, Public Works Director  
Patti Ray, EDA  
Lynne Moratzka, Gammelgarden  
Pam Plowman Smith  
Susan Rodsjo  
Julie Gacek**

**The motion carried 5 – 0.**

#### **WASHINGTON COUNTY BIKE + PED PLAN TECHNICAL ADVISORY COMMITTEE**

Washington County has put out a request for city staff, primarily planners, to assist with the process of creating a county-wide bicycle and pedestrian plan through a Technical Advisory Committee (TAC). The TAC would meet three times within a 1-year planning process. City Planner Clapp-Smith indicated she is available and could possibly combine the cost of her time with another city that is interested in her representing them on this committee.

**Kronmiller, seconded by Ray, moved to appoint City Planner Merritt Clapp-Smith to the Washington County TAC for 6 hours of work and possible time in a community engagement process with the understanding that the cost may be split with another city. The motion carried 5 – 0.**

#### **REINHARDT WETLAND FILL FOR DRIVEWAY**

Discussion moved to end of Agenda as Mrs. Reinhardt had to leave on an emergency medical call for her work. Mr. Reinhardt returned later to participate in the discussion.

Attorney Sherburne spoke to the lack of a process to proceed with reconsidering the Council-approved variance of a wetland setback for a driveway granted with conditions to Joe and Katie Reinhardt. Reinhardt is contesting the first condition of combining his 5 lots into one tax parcel, as well as some of the planning and legal expenses the City has incurred and is charging him. Sherburne stated an original councilmember who voted on this variance could bring it up again and ask the Council to reconsider the variance. There is no other city appeals process as the variance was not denied, but granted with conditions. There is a state statute that says anyone that feels aggrieved by a City Council action can seek a remedy in the courts.

Sherburne is unclear on the meaning the word “combine” as there are three ways of looking at a parcel at the County level; ownership, description, and taxing. The parcels have been combined under one Certificate of Title, but the property tax records were not combined into one tax identification number. Since the City is not directly involved in property sales, it cannot directly affect how parcels are sold. Once properties have been merged into one tax parcel, a city approved subdivision would have to occur to resplit the lots. Also, with separate lots, the owner could decide to not pay taxes on any of the lots and let them go to forfeiture. Mayor Maefsky asked if the variance is in effect since the conditions were not met, or if the variance has expired since it had a completion date set at 12/31/18. Sherburne indicated the date was to combine the parcels so the tax records could be updated for the next year. Councilmembers asked what other remedies are available. Sherburne said only court action if the Reinhardts felt aggrieved by the City’s action and wanted to ask for a variance without the contested condition.

Reinhardt reiterated their position asking the Council to reconsider the conditions of their driveway variance as the Watershed and DNR have indicated they would approve the wetland replacement plan and the only remaining piece is for the City to issue a driveway permit. They are also seeking to come to an agreement on fees associated with their project charged to them by the City. Planner Clapp-Smith reported that the Wetland Replacement application has expired twice through this process and would have to be resubmitted. Councilmember Kronmiller said the Watershed has indicated they would not decline the Reinhardt application. Clapp-Smith indicated it is the City’s responsibility to approve the driveway as the Responsible Government Unit.

**Ness, an original councilmember who voted to deny this variance, made a motion to have the Council reconsider the variance request. The motion died to lack of a second. No Council action was taken.**

**ADJOURNMENT**

**Motion by Ness, seconded by Cusick to adjourn the meeting. Vote 5-0. Motion carried.**

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Colleen Firkus  
Treasurer