

REGULAR CITY COUNCIL MEETING ~ APRIL 15, 2019

1. **CALL TO ORDER**

The regular City Council meeting of the City of Little Falls was called to order by Council President Hircock on Monday, April 15, 2019, at 7:30 p.m. in the City Council Chambers at City Hall. Councilmembers Knafla, Lundberg, Storlie, Hanson, Gosiak, Council President Hircock and Mayor Zylka were present. Councilmember Liljegren was absent. It was determined there was a quorum.

2. **APPROVAL OF AGENDA**

Motion was made by Councilmember Storlie, seconded by Councilmember Gosiak to approve the agenda of April 15, 2019, as presented. Ayes: Knafla, Lundberg, Zylka, Hircock, Storlie, Hanson, and Gosiak. Nays: none. Motion carried.

3. **APPROVAL OF MINUTES**

Motion was made by Councilmember Storlie, seconded by Councilmember Hanson to approve the City Council minutes of the special work session meeting of April 1, 2019; and the regular meeting of April 1, 2019, as presented. Ayes: Lundberg, Zylka, Hircock, Storlie, Hanson, and Gosiak. Nays: none. Abstention: Knafla. Motion carried.

4. **APPROVAL OF BILLS**

Motion was made by Councilmember Gosiak, seconded by Councilmember Knafla to approve the bills totaling \$309,773.34 for check numbers 100363 through 100453. Ayes: Knafla, Lundberg, Zylka, Hircock, Storlie, Hanson, and Gosiak. Nays: none. Motion carried.

5. **AWARDS, DONATIONS, PRESENTATIONS AND PROCLAMATIONS**

a. **Proclamation**

1. **Richard Howard Ferrell Post 46 American Legion Day, 100 Years** – Mayor Zylka proclaimed April 19, 2019, as Richard Howard Ferrell Post 46 American Legion Day in Little Falls and thanks the all our service men and women and their families for their dedication to our communities.

b. **Presentation**

1. **Camp Ripley Economic Impact and Update** – Brigadier General Lowell Kruse of Camp Ripley gave a presentation on their 2018 economic impact, accomplishments, environmental oversight, community outreach, and the 2019 training schedule. No action taken.

6. **CONSENT AGENDA**

Motion was made by Councilmember Hanson, seconded by Councilmember Lundberg to take the following action on Consent Agenda items a. through r.:

a. Received and placed on file the 2018 Consumer Confidence report, aka 2018 Drinking Water report; and

b. Received and placed on file the Animal Control report for March 2018; and

c. Approved to the Minnesota Charitable Gambling Control Board, an Application for Exempt Permit to allow bingo, paddlewheels, pulltabs, and a raffle, with no waiting period; and a Temporary On Sale Malt Beverage License, both requested by Our Lady of Lourdes Church for their annual bazaar to be held on the church grounds at 208 West Broadway, on July 27 and 28, 2019, contingent upon the appropriate paperwork, insurance and fees being provided, and approval is granted by the Police Chief; and

d. Approved to the Minnesota Charitable Gambling Control Board, an Application for Exempt Permit to allow bingo and a raffle; with no waiting period, and a Temporary On Sale Malt Beverage License, both requested by Holy Family Church for their annual Heritage Day to be held on the church grounds at 18777 Riverwood, on June 9, 2019, contingent upon the appropriate paperwork, insurance and fees being provided, and approval is granted by the Police Chief; and

e. Received and placed on file the Building report for March 2019; and

f. Authorized the placement of a medallion on, not buried, within the City's property for the 2019 Dam Festival Medallion Hunt, with the exception of Maple Island and Mill Parks which cannot be used, from June 10 through 14, 2019, contingent upon Mid Minnesota Federal Credit Union holding the City harmless from liability and that they clean up after the event; and

g. Approved a Display of Fireworks application as requested by Dean Schmiedt, Fort Ripley, to allow a display at Lions Park on May 2, 9 or 16, 2019, [weather dependent], contingent upon the appropriate paperwork and insurance is provided, and approval is granted by the Fire Chief; and

h. Received and placed on file the Fire report for March 2019; and

i. Received and placed on file the Heritage Preservation Commission minutes of April 2019; and

- j. Received and placed on file the Housing and Redevelopment Authority minutes of March 2019; and
- k. Received and placed on file the Investment Recap dated March 31, 2019; and
- l. Ratified and confirmed a two week internship as requested by Cory Steininger within the Wastewater and Water facilities from April 8 through 19, 2019, with no pay or benefits, per Policy 11, Internships; and
- m. Received and placed on file the updated nomination to the National Register of Historic Places of the Charles A. Weyerhaeuser and Richard Drew Musser houses located at 608 Highland Avenue, by the Friends of Linden Hill; and
- n. Approved an On Sale Malt Beverage License as requested by Sanchez Burrito, 110 Northeast Eleventh Street, contingent upon the appropriate paperwork, insurance and fees being provided, and approval is granted by the Police Chief; and
- o. Received and placed on file the Police report for March 2019; and
- p. Received and placed on file the Public Works report for March 2019; and
- q. Received and placed on file the Recycling reports for January and February 2019; and
- r. Received and placed on file the Wastewater report for March 2019.

Ayes: Knafla, Lundberg, Zylka, Hircock, Storlie, Hanson, and Gosiak. Nays: none. Motion carried.

7. **PUBLIC HEARINGS AND LETTINGS**

a. **Lettings**

1. **Leaf and Brush Collection, Bob LeMieur Rolloffs Refuse and Recycling** – Motion was made by Councilmember Knafla, seconded by Councilmember Storlie to award the only quotation received of \$4,050 from Bob LeMieur Rolloffs Refuse and Recycling, Inc., Little Falls, for the leaf and brush collection, to be charged to the SCORE Grant, and held on Saturday, May 11, 2019, rail or shine, leaving the bags. Ayes: Knafla, Lundberg, Zylka, Hircock, Storlie, Hanson, and Gosiak. Nays: none. Motion carried.

2. **Resolution 2019-29, Award General Obligation Permanent Improvement Revolving Fund Bonds, Series 2019A** – David Drown, the City's financial advisor, reviewed the quotations received and is recommending the City Council award the bonds to United Banker's Bank at 2.64568%. Motion was made by Councilmember Storlie to accept the recommendation of David Drown and introduced and moved for the adoption of Resolution 2019-29, a Resolution Providing for the Issuance and Sale of \$1,755,000 General Obligation Permanent Improvement Revolving Fund Bonds, Series, 2019A, Pledging for the Security Thereof Special Assessments and Levying a Tax for the Payment Thereof, to United Banker's Bank at 2.6457%. Councilmember Gosiak seconded the motion for adoption. On a roll call vote; Ayes: Knafla, Lundberg, Zylka, Hircock, Storlie, Hanson, and Gosiak. Nays: Liljegren [absent]. Council President Hircock then declared said Resolution 2019-29 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

3. **Resolution 2019-34, Award Bid, Wastewater Treatment Facility Improvements, Rice Lake Construction Group of Deerwood** – Collin Marcusen, the City's engineer with Short Elliot Hendrickson, reviewed the bids received for Wastewater Treatment facility improvements, and is recommending the City Council award the low bid from Rice Lake Construction Group of Deerwood, including Alternates A and B. Motion was then made by Councilmember Storlie to accept the recommendation of Short Elliot Hendrickson, and introduced and moved for the adoption of Resolution 2019-34, a Resolution Awarding the Bid for the Wastewater Improvement Project and Alternates A and B, to Rice Lake Construction Group of Deerwood, Deerwood, at \$18,870,942 to be charged to the Project. Councilmember Hanson seconded the motion for adoption. On a roll call vote; Ayes: Lundberg, Zylka, Hircock, Storlie, Hanson, Gosiak, and Knafla. Nays: Liljegren [absent]. Council President Hircock then declared said Resolution 2019-34 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

8. **OLD BUSINESS**

9. **NEW BUSINESS**

a. **Staffing at Wastewater Facility** – Motion was made by Councilmember Hanson, seconded by Councilmember Lundberg to authorize an additional wastewater operator, for a total of two vs. one, at the Wastewater facility. Ayes: Knafla, Lundberg, Zylka, Hircock, Storlie, Hanson, and Gosiak. Nays: none. Motion carried.

b. **Ordinance No. 15, Seventh Series, Sale of Property, ABS Properties, LLC** – Councilmember Gosiak introduced Ordinance No. 15, Seventh Series, an Ordinance Authorizing and Directing the Sale of Property to ABS Properties, LLC, for the sum of \$16,000.

c. **Resolution 2019-33, Authorize Submittal of Grant, Minnesota Department of Employment and Economic Development** – Councilmember Lundberg introduced and moved for the adoption of Resolution 2019-33, a Resolution Authorizing the submittal of Grant Application to the Minnesota Department of Employment and Economic Development through the Contamination Investigation and Response Plan for Certain Property Located between First and Fifth Avenues Northeast and between Fifth and Sixth Streets Northeast; and further authorized the execution of a proposal to providing grant application assistance with Landmark Environmental LLC, Bloomington, at a cost not to exceed \$2,300. Councilmember Storlie seconded the motions. On a roll call vote; Ayes: Zylka, Hircock, Storlie, Hanson, Gosiak, Knafla, and Lundberg. Nays: Liljegren [absent]. Council President Hircock then declared said Resolution 2019-33 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

10. CITY COUNCIL REPORTS ON CITY AUTHORITIES, BOARDS, BUREAUS, COMMISSIONS AND COMMITTEES

11. ANNOUNCEMENTS

12. ADJOURNMENT

Council President Hircock reported the scheduled closed meeting will be open as the employee, Greg Kimman, has signed the appropriate document to keep the meeting open, regarding preliminary consideration of charges against him. City Administrator Radermacher reviewed a conflict of interest of Greg Kimman's owners of stock in the engineering company Short Elliot Hendrickson that he did not disclose to the City and the City's use of the engineering firm. Greg Kimman and his attorney Kevin Beck reviewed that Mr. Kimman did not willfully hide stock ownership. Brandon Fitzsimons, Labor Attorney of the City, reviewed the City options.

Motion was made by Councilmember Storlie to retain Greg Kimman as an employee, with disciplinary action to be determined. Councilmember Gosiak seconded the motion. Following discussions, Councilmembers Storlie and Gosiak rescinded their motion. Council President Hircock then read a motion created by Attorney Fitzsimons. Motion was then made by Councilmember Hanson, seconded by Councilmember Lundberg to dismiss Greg Kimman from employment of the City of Little Falls effective April 15, 2019, for but not limited to the reasons stated in City Administrator Jon Radermacher's letters to Greg Kimman of April 10 and 11, 2019, and this meeting be deemed as only appropriate hearing for Greg Kimman to respond to the City Council, to City Administrator Radermacher's letters to Greg Kimman of April 10 and 11, 2019, that City Administration provide Greg Kimman with any appropriate notices related to this decision. Council President Hircock called for a roll call vote; Ayes: none. Nays: Hircock, Storlie, Hanson, Gosiak, Knafla, Lundberg, and Zylka. Motion failed.

Motion was made by Councilmember Storlie, seconded by Councilmember Gosiak to adjourn the meeting at 9:42 p.m.

Respectfully submitted,

Wendy J. Zylka