

CITY COUNCIL

7:00 P.M.

June 18, 2007

Present: Scott M. Johnson
David Gustafson
James P. Kelly
Pat Kelley
Steve Marolt

Tom Smith, City Administrator
Wayne G. Johnson, City Attorney

Also attending: Forrest Johnson, Wayne Billings

Mayor Johnson called the meeting to order at 7:00 p.m.

J. Kelly CONSENT AGENDA – Motion, second Marolt to approve the consent agenda item 3 (minutes of June 4 Council meeting). THE MOTION CARRIED

PETITIONS, REQUESTS, & COMMUNICATIONS - RAMS LETTER re: legislative wrap-up.

MUTUAL AID AGREEMENT – Motion Gustafson, second J. Kelly to adopt **Resolution 2007-#15, A Resolution Authorizing Law Enforcement Mutual Aid Agreement.**

Roll call vote: Member Gustafson – aye Member J. Kelly – aye
 Member P. Kelley – aye Member Marolt – aye
 Mayor Johnson – aye

THE RESOLUTION WAS ADOPTED

LETTER FROM LMCIT RE: PROPERTY/LIABILITY INSURANCE – After reviewing the history of the city's claims, Seth Thun, the city's insurance agent for the League of MN Cities Insurance Trust recommends increasing the city's deductible from \$500 to \$1000 which could save the city approximately 6% or \$6,000.

Motion J. Kelly, second P. Kelley to increase the deductible on the city's property/liability insurance to \$1000 as soon as possible. THE MOTION CARRIED

BAY AREA VINEYARD LETTER RE: RENT – The Vineyard offers to pay \$100 more in rent each month in order to use the gym and kitchen without restriction. Since there are other tenants who use those facilities, Council asked the city administrator, city attorney, and member Gustafson to discuss this further with the Vineyard and work out the specifics of an agreement.

Mayor Johnson acknowledged receipt of a certificate of recognition from the American Lung Association and Tobacco-Free Youth Recreation for the city's adoption of a tobacco-free policy at youth activities for its park property. The Association will provide metal tobacco-free signs for the city's park facilities. Attorney Johnson suggested the Code

AIRPORT COMMISSION RECOMMENDATION TO AUTHORIZE FUEL SYSTEM WORK 95% FEDERAL SHARE, 5% LOCAL SHARE – The change order to the existing project is for installation of a tank monitor system.

Motion Gustafson, second J. Kelly to approve Change Order #1 to Mn/DOT S.P. #3809-27 in the amount of \$6200 to upgrade the airport fueling system which project will be 95% federally funded and the city's share will be 5% or approximately \$310. THE MOTION CARRIED

Information has been received from architect W. Dahlberg for the cost of needed fire suppression measures such as doors and a sprinkler system for the dead space at Mary MacDonald.

NEW BUSINESS

PLANNING & ZONING RECOMMENDATIONS – HOME USE OCCUPATION PERMIT T. DONLEY, 21 CHARLES – Motion Gustafson, second Marolt to approve issuing a home use occupation permit to Tara Donley to operate a massage therapy business at 21 Charles Circle.

Member J. Kelly asked if issuing this permit would be in violation of the City Code because there were other businesses in the city that provided massage services. A vote on the motion was tabled until later in the meeting in order to research language in the Code.

COMPREHENSIVE PLAN – Council members should contact the city attorney if they have any comments or questions regarding the final draft of the comprehensive plan recommended by the Planning and Zoning Commission.

PERSONNEL COMMITTEE RECOMMENDATIONS – POLICE OFFICER – The personnel committee interviewed two applicants who currently are part-time officers for the city and have recommended hiring J.T. Starkovich as fulltime officer.

Motion J. Kelly, second Gustafson to accept the personnel committee's recommendation to hire J.T. Starkovich as a fulltime police officer.

Members P. Kelley and Marolt had questions regarding whether or not the city was obligated to hire a fulltime officer from within the city. Member J. Kelly said the city did have that obligation. Mayor Johnson said the personnel committee agreed with that. THE MOTION CARRIED

Discussion followed on a comp time/overtime report for the police department over the past 5 years. Member Marolt said he had requested this report in order to make comparisons of comp time and overtime of a 4-member department compared to a 5-member department. He felt some costs could be reduced and wondered if the city was saving or trying to save money and whether any changes could be made. Member P. Kelley felt the 5-person staff worked well. Mayor Johnson said a 5-member department was needed for 24/7 coverage; a great deal of comp time and overtime would be needed if there were only 4 fulltime people. He felt it was the job of the police chief and the city

administrator to best determine scheduling to meet the needs of the community and the department.

HOME USE OCCUPATION PERMIT – Atty. Johnson said Section 1240.07 Subd. 2 of the Code indicated the intent of a home use permit was to provide services that were not otherwise readily available in the community. He suggested Planning and Zoning needed to make specific findings that this applicant was not providing such services. Members Gustafson and Marolt withdrew their motion and second. The matter will be referred back to Planning and Zoning.

Motion J. Kelly, second P. Kelley to approve payment of \$98,596.68 paid claims and \$40,031.29 unpaid claims as presented. THE MOTION CARRIED

Motion Marolt, second J. Kelly to adjourn at 8:20 p.m. THE MOTION CARRIED

Scott M. Johnson, Mayor

Tom Smith, City Administrator