

**Minutes and Proceedings of the City
Council of the City of Emily in the
County of Crow Wing, State of Minnesota
Including accounts audited by said Council**

November 12, 2008

The Emily City Council met for a regular meeting on Wednesday, November 12, 2008, in the Council Chambers and was called to order by Mayor George Pepek at 7:00 PM. Council members Joan Hite, Kent Rees, Gary Hanson, and Dan Barrett were present. Also present was Bob Swanson, Planning and Zoning Chairperson, and Patricia Kestner, City Clerk.

COUNCILMEMBER REES MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED WITH THE ADDITIONS OF LMCIT WORKER'S COMP DEDUCTIBLE OF \$250.00 AND A FOLLOWUP DISCUSSION REGARDING NORTHERN LIGHTS OVER ROOSEVELT. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.

COUNCILMEMBER HITE MOVED TO RECESS THE COUNCIL MEETING AT 7:04 P.M. FOR THE PUBLIC HEARING REGARDING THE BUSINESS SUBSIDY POLICY. COUNCILMEMBER REES SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE THE MOTION TO RECONVIENE THE REGULAR COUNCIL MEETING AT 7:08 P.M. COUNCILMEMBER HANSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE THE MOTION TO APPROVE THE EMILY BUSINESS SUBSIDY POLICY WITH THE TWO CHANGES AS DISCUSSED IN THE PUBLIC HEARING. ONE WAS TO WRITE OUT FULL TIME EQUIVALENT INSTEAD OF USING THE ACRONYM OF FTE BECAUSE IT WAS THE FIRST TIME BEING USED. THE SECOND WAS TO REMOVE THE SECOND TO THE LAST PARAGRAPH COMPLETELY FROM THE POLICY. COUNCILMEMBER HANSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER HANSON MADE A MOTION TO APPROVE THE MINUTES FROM THE OCTOBER 14, 2008 REGULAR COUNCIL MEETING. COUNCILMEMBER REES SECONDED. MOTION CARRIED.

COUNCILMEMBER BARRETT MADE A MOTION TO APPROVE THE MINUTES FROM THE OCTOBER 23, 2008 SPECIAL COUNCIL MEETING. COUNCILMEMBER HITE SECONDED. MOTION CARRIED.

COUNCILMEMBER BARRETT MADE A MOTION TO APPROVE THE OCTOBER, 2008 FINANCIAL REPORTS, GENERAL SAVINGS \$213,328.95, SPECIAL SAVINGS \$290,179.72, INVESTMENTS \$444,737.27, TOTAL OF \$948,245.94. COUNCILMEMBER HITE SECONDED. MOTION CARRIED.

Elissa Rogers of BLADC spoke to the Council regarding the Revolving Loan Fund Policy, Loan Application, and verified that the amount of the loan could not be more than 80% of what is in the City Small Cities Fund. **COUNCILMEMBER BARRETT MADE THE MOTION TO ADOPT THE REVOLVING LOAN FUND POLICY AND LOAN APPLICATION PACKET. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.**

Elissa continued that the City will receive a basic application from TekCar. She suggested that the City require a \$1,000.00 deposit from TekCar to cover City costs and Elhers costs. Pine River State Bank of Emily will put together the loan paperwork and will need to be reimbursed the UCC filing fee. **COUNCILMEMBER BARRETT MADE THE MOTION TO SET A SPECIAL MEETING FOR WEDNESDAY, NOVEMBER 19, 2008 AT 7:00 P.M. TO DISCUSS TEKCAR LOAN APPLICATION. COUNCILMEMBER HITE SECONDED. COUNCILMEMBER BARRETT AMENDED HIS MOTION TO INCLUDE A \$1,000.00 DEPOSIT GIVEN TO THE CITY BEFORE THE MEETING TO COVER LOAN COSTS. COUNCILMEMBER HITE AMENDED HER SECOND AND MOTION WAS CARRIED.**

COUNCILMEMBER REES MADE THE MOTION TO APPROVE EHLERS & ASSOCIATES TO REVIEW ALL PAPERWORK FOR THE LOAN APPLICATION AND TO GIVE THE CITY THEIR RECOMMENDATION. COUNCILMEMBER HANSON SECONDED AND MOTION CARRIED.

COUNCILMEMBER HANSON MADE THE MOTION TO HAVE THE MAYOR SIGN THE REVISION OF THE COOPERATIVE AGREEMENT FOR THE SMALL CITIES DEVELOPMENT PROGRAM WHICH WILL NOW INCLUDE THE FULL BUSINESS DISTRICT OF EMILY. COUNCILMEMBER BARRETT SECONDED AND MOTION CARRIED.

PLANNING AND ZONING: Planning and Zoning Chairperson, Bob Swanson, gave a brief summary of the Planning and Zoning meeting held on November 5, 2008. P&Z discussed temporary signs in residential areas adjacent to new developments and the fee schedule.

PUBLIC FORUM: No one present to speak.

1ST RESPONSE: Chief Guentzel reported that two Responders are interested in becoming EMT's.

COUNCILMEMBER REES MADE THE MOTION TO APPROVE A RECRUITMENT AD FOR THE 1ST RESPONDERS TO BE PLACED IN THE NORTHLAND PRESS AT THE COST OF \$55.44 FOR A 2X4 AD. COUNCILMEMBER BARRETT SECONDED AND MOTION CARRIED.

FIRE DEPARTMENT: No report but Councilmember Hanson wanted to report that he was very impressed with the response by the Fire Department for an accident.

ATTORNEY: No report.

SCHOOL: Councilmember Hite stated there is no report but the meetings are held on the 3rd Tuesday at 3:45 p.m.

CEMETERY: Councilmember Hite gave the report for September and October. There were nine lots sold and one burial, James Gainor. Mike's Electric has been called regarding to the Cemetery lights.

CITY HALL: George reported Crow Wing Power performed an audit of City Hall. The lighting was updated in 2002. Checking on the heating system to be part of an electric energy program. A new PA system for the hall and possibly a new TV were suggested.

POLICE DEPARTMENT: Chief Bernhjelm reported the Crown Vic is ready to sell. **COUNCILMEMBER REES MADE THE MOTION TO ADVERTISE FOR SEALED BIDS ON THE 1999 CROWN VIC WITH A MINIMUM BID TO BE OPENED ON DECEMBER 9, 2008 AT THE REGULAR COUNCIL MEETING. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.**

COUNCILMEMBER HANSON MADE THE MOTION TO APPROVE SPENDING UP TO \$2,200.00 FOR A NEW COMPUTER FOR THE UNMARKED POLICE VEHICLE. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.

PARKS: Nothing to report.

WASTEWATER: Councilmember Kent Rees reported that we are still waiting for information on site and manhole inspection. PeopleService is checking on reduced pricing for the lab testing. There will be jetting done next year, 2009, by Ritter & Ritter who should give a report with any restrictions in the line. Attorney Qualley feels that Ordinance revisions are not needed regarding grease dumping, just interpretations should be written. We are still waiting for a cost of the Weir Gate maintenance.

ROADS: Councilmember Gary Hanson reported there are concerns at the Pine Shadow Road and the Road Committee will meet to discuss the washouts and brush in the right of way.

PERSONNEL: No report but needs to meet with the probationary employee.

EDA: Business owners are having meetings.

UNFINISHED BUSINESS: Councilmember Hanson reported that we are keeping the lines open with Crow Wing County Land office but the City does not want to give up our rights. Community Growth is willing to sit down and talk about ways to reduce the costs and if not acceptable the City could put out a RFP for a Planning and Zoning Administrator.

NEW BUSINESS: COUNCILMEMBER REES MADE THE MOTION TO APPROVE RESOLUTION 08-21 A RESOLUTION REGARDING UNPAID SEWER CHARGES. COUNCILMEMBER BARRETT SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE THE MOTION TO CHANGE DON BRYCE'S HOURS TO BE ON CALL AND TO READ METERS. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE THE MOTION TO LEAVE ALL OF THE CITY INSURANCE FOR THE YEAR 2009 THE SAME AS 2008. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE THE MOTION TO APPROVE PAT KESTNER TO ATTEND A MINI CONFERENCE IN BAXTER WITH MILEAGE REIMBURSED AND THE FEE FOR THE CONFERENCE OF \$20.00. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.

COUNCILMEMBER REES MADE THE MOTION TO APPROVE SPENDING UP TO \$600.00 FOR SIX ADDITIONAL MAGNETIC SIGNS FOR THE MAINTENANCE VEHICLES. COUNCILMEMBER HANSON SECONDED. MOTION WAS AMENDED BY COUNCILMEMBER REES TO PURCHASE SIX SIGNS AND COUNCILMEMBER HANSON AMENDED HIS SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE THE MOTION TO GRANT THE TWELVE WEEK LEAVE OF ABSENCE AS PER THE FAMILY MEDICAL LEAVE ACT TO CHARLES ATWATER. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE A MOTION TO APPROVE PAYMENT OF CITY BILLS IN THE AMOUNT OF \$100,595.03. THE TRANSFER OF FUNDS FROM GENERAL SAVINGS IN THE AMOUNT OF \$45,000.00 AND FROM SPECIAL SAVINGS IN THE AMOUNT OF \$9,177.92 (\$ 3,097.92 RECYCLING, \$1,928.00 SCHOOL, \$1,152.00 FIRE, \$3,000.00 FROM SEWER) TO CHECKING. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.

COUNCILMEMBER BARRETT MADE THE MOTION TO CONTINUE WITH THE \$250.00 DEDUCTIBLE FOR THE WORKERS COMPENSATION INSURANCE PLAN. COUNCILMEMBER HITE SECONDED AND MOTION CARRIED.

There will be a meeting set up with Westwood for questions and answers. This is not a special meeting, not more than two Council members will attend.

COUNCILMEMBER HITE MADE THE MOTION TO ADJOURN THE REGULAR COUNCIL MEETING. COUNCILMEMBER BARRETT SECONDED AND MOTION CARRIED.

Meeting adjourned at 9:35 P.M.

Respectfully submitted,

Patricia Kestner
City Clerk