

**CITY OF KETTLE RIVER
CITY COUNCIL MINUTES
March 13, 2018 - revised**

The regular meeting of the Kettle River City Council was held in the meeting room of City Hall, Tuesday, March 13, 2018.

Members present: Jason Montgomery, Tina Tollgaard, Kris Miller, George Klaskin and David Lucas.

Absent: None

Staff Attending: Kyle Riel, Assistant Fire Chief, Guy Collier, Maintenance Assistant, Robert Tschida, Building Inspector and Bernadine Reed, City Administrator/Clerk-Treasurer.

Others attending: Marcia Sarvela, Tim Malone and the owners of Genesis, Lois Johnson Todd Lawrence, Trish Riel and John Wojtysiak.

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

Klaskin informed the public and Councilors that he would be conducting an orderly meeting and following Roberts Rules of Order, revised. As chair he would recognize the public when they can speak or provide input. He referenced February meeting and stated that he contacted Kelly Lake, Carlton County Sheriff and if you disrupt a meeting you are guilty of disorderly conduct. Montgomery stated that he appreciates the effort to maintain order and has a Robert's Rules cheat sheet for the other Councilors and he is knowledgeable of Robert's Rules.

Klaskin stated that Chris Clasen, Justin, Clasen and Company was not at the meeting.

Tim Malone, Genesis wireless, presented a new contract and reviewed it with the Council.

Trish Riel, Mercy Hospital Board, gave an annual financial update report from Mercy Hospital.

Klaskin stated his displeasure of the minutes and requested that the minutes include that he made a request for financial data. Klaskin moved that his financial data request be included in the minutes. Montgomery informed Klaskin that he would like to do a point of order that a motion is not needed to add something to the minutes, if the action is agreed upon it can just be added. Klaskin "so without objection I ask it be added, is there any objection to that being added, so Bernadine you got that clear", Reed responded yes Klaskin "what's that" Reed responded yes.

Klaskin asked for clarification of invoices, Reed provided clarification:

- 1) Avenet invoice;
- 2) Minnesota Department of Health service connection fee;

Klaskin asked for a motion to approve the consent agenda, Klaskin stopped the motion request and asked to revisit the claims for approval. He requested that the invoice for the City audit in the amount of \$5,100.00 be pulled from approval. Klaskin further explained his reason why Chris Clasen, City auditor, was not at the meeting. Klaskin stated he had been in contact with Mr. Clasen and was hesitant about signing the representation letter and wanted additional time to review the audit draft.

Motion by Montgomery seconded by Tollgaard and carried unanimously to approve the consent agenda:

- Minutes, February 13, 2018, regular council meeting;
- Claims (5339-5353)- \$4,262.06
- Accounts payable - \$14,969.50
- Cash control statement, receipt and disbursement registers.

Klaskin stated that the auditors did not tell him they needed the representation letter as soon as possible, he had requested, and they granted a forty-five-day extension of filing. Klaskin stated that he has no idea if the items listed on the representation letter were submitted and that he did not request Mr. Clasen not to attend the meeting. Tollgaard asked for clarification of withholding payment. Klaskin replied that the representation letter needed to be signed prior to the draft audit becoming the official audit and that he doesn't know if the items listed were submitted. Montgomery asked for clarification about an e-mail from Jenny Clasen requesting the representation letter and the agenda representation letter. Klaskin replied that with the extension the Council has essentially at least two months to review the audit prior to issuing payment. Montgomery asked what is the draft that is on the table. Klaskin replied that is the draft audit, Klaskin explained that the sequence of events is the draft audit, the representation letter and the final audit. Tollgaard stated that the reason the auditor was coming to the meeting was to explain the audit to the council. Montgomery stated that the information was not on the agenda and feels that no business action is necessary. Tollgaard asked for clarification of the intent behind the denial of signing the representation letter. Klaskin stated that Chris Clasen was to be a presenter tonight, he is not here so a request for a signature on the representation letter is not on the agenda. Tollgaard stated that it is on the agenda. Montgomery stated that it is under presentations not under new business to follow Roberts Rules of Order if action wanted to be taken it should be under new business. Further discussion was held about why the auditor was not at the meeting to present the audit and payment of the invoice. Klaskin stated that he would contact Chris Clasen to arrange his attendance at the April meeting.

Administration Department report submitted by Bernadine Reed, City Clerk/Treasurer:

- Worked with auditors;
- Completed Klaskin's financial data request and informed the Council that the request has a data policy value of \$98.75 consists of 145 pages and that of the 145 pages requested 101 of the pages have been previously given to Klaskin. Klaskin obtained the information.
- Regular daily, weekly and monthly work;

Klaskin stated that he reviewed older financial documents and felt that some savings from postage could be realized. Klaskin developed a postal tracking ledger which includes dates, the number of pieces mailed, whether it is first class or post card. Klaskin moved that the postal tracking ledger be completed daily. Montgomery point of order; move to new business.

Utilities Department Report by Guy Collier, Assistant Maintenance/Custodian:

- Daily work, readings at water plant, lift station and wastewater ponds;
- Fluoride sample collection;
- Completion of monthly fluoride report;
- Fluoride and Bacti samples collected and submitted;
- Monthly wastewater report;
- CIP painted the Legion building interior; other improvements are being made;
- Automatic Systems is working on the automation computer program for the water treatment facility;
- A water leak in behind the fire hall but will not be repaired until the frost leaves.
- Collier stressed that the Council move forward with the water tower repairs.

Fire Department report submitted by Kyle Riel, Assistant Fire Chief.

- Motion by Klaskin to offer membership to three interviewees, Montgomery informed Klaskin that motions are handled under new business.
- Riel asked the Council to assist in recruitment, membership is low;
- Tollgaard gave an update about the Fire Commission meeting.

Committees:

- Planning and Zoning: Lawrence gave an update concerning the mud bog event and the location. A new site is being reviewed. The committee is working on adding the water tower to the comprehensive plan.
- Personnel Committee would like to complete the investigation and requested an interview with Klaskin. Lucas stated that it would not be held at a Council meeting. Klaskin stated his version of events with staff. During his statement he stated this is “stupid”. Lucas requested clarification of the statement, was the statement saying that harassment allegations are stupid, that an employee’s feelings are stupid? Klaskin clarified that he meant the process is stupid. Lucas stated that we must finish the process.

Unfinished Business:

- Lucas presented recommendations of changes to the nuisance ordinance. Discussion followed for clarifications. Motion by Lucas to modify the

ordinance as requested. Tollgaard asked for clarification of Robert's Rules can motions be made under unfinished business. Montgomery stated yes. Tollgaard seconded the motion made by Lucas. Discussion continued about the changes and the process. Motion carried unanimously to accept the discussed changes. Motion by Lucas, seconded by Klaskin and carried unanimously to establish the administrative fee at \$100.00. Lucas will present a final draft of the changes when completed by the City Attorney, final review and acceptance will be made at that time.

- E-mail from MSA stating the estimates for preparing either bid or quote documents. Discussion followed. Motion by Montgomery, to table the subject until next month, seconded by Klaskin. Klaskin stated that he would contact the City of Barnum Mayor about what the City of Barnum did for water tower maintenance. Montgomery called the question, motion carried.

Correspondence:

- National Night Out Event: Motion by Lucas, seconded by Tollgaard and carried to register to host the national night out event.

New Business:

- Motion by Klaskin, seconded by Montgomery and carried unanimously to refund Tom Simi's payment of \$175.00 for installation of equipment on the water tower as he is no longer interested in the installation.
- Motion by Klaskin, seconded by Montgomery and carried unanimously to offer "conditional membership" to the fire department to Logan McNulty, Cameron Swanson and Devon Torgeson.
- Tollgaard stated that she has concerns of the video taping of the meetings and posting on you-tube without permission of the Council. Discussion took place. Tollgaard stated that sometimes names are inappropriately mentioned, and she would consider it a liability to the City. Motion by Tollgaard that the meetings not be recorded and posted on you-tube, Miller seconded. Klaskin requested the reason for not allowing the posting on you-tube. Tollgaard stated that permission was not given by the Council. Tollgaard asked if every meeting is posted and Klaskin stated yes everyone except the first two. Klaskin stated that he started recording and posting because it was apparent that there were misrepresentations that are going on. Tollgaard "no" Klaskin "yes there are I brought it out even tonight you know with the minutes they are not accurate they are you know that needs to be my and everybody's ability to discover where the truth lies so are you scared of the truth are you scared of what's the problem so I'm asking you now". Montgomery inquired about the social media policy. Montgomery inquired if we have a waiver form authorizing use of pictures on the web site. Montgomery stated that he is in favor of the posting on you tube but would like the subject researched that it is authorized. Roll call vote: Tollgaard -aye; Lucas – aye; Miller – aye; Klaskin – nay; Montgomery-nay. Motion carried.

- Motion by Klaskin to authorize the use of a postage ledger recording all mailings, seconded by Montgomery, discussion followed, Klaskin amended his motion for six months of use, Klaskin amended his motion for three months. Montgomery corrected Klaskin on Roberts Rules of order procedure. Klaskin called a vote on the amended motion, Montgomery seconded the amended motion of use of three months of tracking postage using the postage ledger, motion carried unanimously.
- Miller inquired if Klaskin paid for the copies of the information he received Klaskin replied no.
- Lawrence asked for direction on moving forward on water tower improvement projects.

Motion by Montgomery seconded by Klaskin and carried unanimously to adjourn at 8:30 p.m.

Submitted by,

Bernadine L. Reed
City Administrator/Clerk/Treasurer