

CITY OF KETTLE RIVER CITY COUNCIL MINUTES

April 12, 2022

The Kettle River City Council was held in the meeting room of City Hall, Tuesday, April 12, 2022.

Members Present: David Lucas, Councilor Collier, Elizabeth Mascarenas, Councilor Kohmetscher and Councilor Doward.

Absent:

Staff Attending: Kathryn Lake, City Administrator/Clerk-Treasurer, Robert Tschida, Building Inspector, Brent Milczark, Utilities Superintendent, Gerald Peterson
Maintenance Worker

Others attending: Kevin Peura, Morgan Yates, Marcia Sarvela, Dan Reed, Laura M Simi, John Peura, Mary Sanders, Jim Sanders, Dave Isaacson, Mark Peters, Bob Kohmetscher, Patty Lund, Edwin Lund, Ken Harju, Kathi Harju, Dawn Schatz, Juli Beberg, Earl Nett, Sheridee Nett, Gary Marsyla, Judy Marsyla, Dean Marsyla, Judy Collier,

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

Morgan Yates stated concern that the city's lawyer fees have increased regularly over the last year and that this is in large part due to Councilor Doward contacting the lawyer and requesting information. She is concerned about her property taxes being spent on unnecessary lawyer's fees.

Dan Reed, chair of Automba township, spoke of the general unkindness and accusations happening and how important the Kettle River fire department is for our community and the surrounding community. He is concerned that Councilor Doward is stating hateful things about the community of Kettle River.

Laura Simi discussed her water bill and how her water usage is too high. Mayor Lucas stated that the city would try to work with her to figure out the issue.

Dave Isaacson stated that he had proposed to help the city of Kettle River with training the new Utilities Supervisor as he has the knowledge and the licenses to do so. He has decided he can no longer offer these services due to Councilor Doward and her repeated attempts to undermine and falsely accuse city staff including himself. He stated that the toxic work environment was the reason he decided to retire earlier than he anticipated. Mr. Isaacson stated that he expected a letter of retraction from Councilor Doward and this is to be forwarded on to any person or agency that she has made inquiry's with as to

CITY OF KETTLE RIVER CITY COUNCIL MINUTES

April 12, 2022

allegations against Mr. Issacson. Councilor Doward stated that she would not be apologizing.

There was a motion made by Councilor Collier, seconded by Councilor Kohmetscher which carried by a majority to approve the following consent agenda items:

- Ayes: Mayor Lucas, Councilor Kohmetscher, Councilor Mascarenas, & Councilor Collier
- Nays: Councilor Doward
- Minutes, March 8, 2022, regular council meeting.
- Claims (6463-6480 = \$3,748.35)
- Cash control statement, receipt, disbursement registers.

Administration Department report submitted by Kathryn Lake, City Clerk/Treasurer/City Administrator:

- Kathy has been completing the water and sewer job and the city administrator job. The daily, weekly, monthly, and quarterly tasks are complete.
- Kathy has been working with KLM and Fryberger law office to get the loan secured for the standpipe. The paperwork needs to be signed.
- MN rural water stated that all council members can email them but not when they are making accusations towards other people because they are not an investigative entity.
- The final audit has been completed; the council has the audit.
- Kathy canceled her training that was scheduled for the 9th-13th of May, 2022 because she can't guarantee she will be here that long. The training that Brent and Kathy had scheduled has moved to St. Cloud and Gerry will also be attending.

Councilor Collier made a motion, seconded by Councilor Kohmetscher to approve the loss control training in St. Cloud for Gerry (Kathy and Brent have already been approved to attend).

- Ayes: Councilor Collier, Councilor Kohmetscher, Councilor Doward, Councilor Mascarenas, Mayor Lucas
 - *Motion Carries*

Utilities Department report submitted by Brent Milczark, Utilities Superintendent

- March: 219,00 gallons of water

CITY OF KETTLE RIVER CITY COUNCIL MINUTES

April 12, 2022

- Mlaskoch Excavating hasn't paid their water bill from last year so their bill will have to be paid in full from last year and get prepaid this year if they want water.
- Dave Isaacson did the fluoride report for March.
- The restrooms are closed due to vandalism, they will open again once the damaged toilet paper holders are replaced.
- Both cameras are up again and working at the restrooms.
- They are regularly flushing fire hydrants to try to clear up the water
- The brush pile has been burnt.
- The awning on the side of the city office has been moved to cover the ac unit.
- Compost pile needs to be flipped.
- Brent has given the council members a list of tools the city will need. Councilor Doward stated that she was looking for grants for tools. Mayor Lucas suggested looking around to find lower prices for the tools they need purchased right away.
- Morgan Yates suggested that citizens might be able to donate some of those tools before they are purchased.

Councilor Kohmetscher made a motion, seconded by Councilor Mascarenas to have Brent and Kathy purchase tools for the city for up to \$1000.00.

- Ayes: Councilor Collier, Councilor Kohmetscher, Councilor Mascarenas, Mayor Lucas
- Nays: Councilor Doward
 - *Motion carries*

Federated will donate their use of their skid steer to stir the compost pile since the City's tractor is not functioning.

Mayor Lucas asked if a grant had been found to replace the city's tractor. Councilor Doward had previously stated that she would look into that, but she said that she didn't know the specifics of the tractor to do so. Councilor Collier showed Councilor Doward the tractor he had picked out and that the council had discussed at a previous meeting. Mayor Lucas suggested the council make a decision about this at the meeting next month.

Gerry stated that they needed a load of class 5 to fill in some potholes in town.

Councilor Collier made a motion seconded by Councilor Mascarenas to purchase a load of class 5 to fill in potholes.

- Ayes: Councilor Collier, Councilor Kohmetscher, Councilor Doward, Councilor Mascarenas, Mayor Lucas

CITY OF KETTLE RIVER
CITY COUNCIL MINUTES

April 12, 2022

○ *Motion Carries*

Mayor Lucas told Dave Isaacson that he hopes he will reconsider his contract with the city.

Fire department:

March:

Fire runs: 5

Medical runs: 3

To date in April:

Fire runs: 2

Medical Runs: 2

The tanker was damaged from freezing. The repair quote for the tanker is \$6000.00 which should be covered by insurance. A cold weather protection package for the truck was suggested to prevent this in the future which would be another \$6000.00.

The city received a letter in the mail that the air tanks need to be serviced.

Training: 5 guys at the last meeting doing truck checks and 3 attended a human trafficking awareness class put on by the county.

The 2023 budget was approved by the fire commission in February.

Motion to approve the 2023 fire department budget was made by Councilor Collier, seconded by Councilor Mascarenas

Aye: Councilor Collier, Councilor Kohmetscher, Councilor Mascarenas, Mayor Lucas

Nay: Councilor Doward

- *Motion carries*

The new fire contract will be voted on at the next meeting and the townships will be getting the new contract.

City Council:

- BBQ is May 7th.

**CITY OF KETTLE RIVER
CITY COUNCIL MINUTES**

April 12, 2022

Mayor Lucas made a motion, seconded by Councilor Collier to apply for a grant through Carlton County for up to \$1000.00 to fund community outings.

- Aye: Councilor Collier, Councilor Kohmetscher, Councilor Mascarenas, Mayor Lucas
- Nay: Councilor Doward
 - *Motion Carries*

Mayor Lucas made a data request for Councilor Doward's incoming and outgoing emails from 1-1-22 to 4-12-22 from the email address councilmember.kr.mn@mdoward.com. Mayor Lucas stated he would like a motion made to have the lawyer send a breach of contract to Silver Township for not paying their 2021 fire contract that they signed.

Councilor Collier made a motion seconded by Councilor Kohmetscher to have the lawyer send a breach of contract letter to Silver Township for not paying their 2021 fire contract.

Aye: Councilor Collier, Councilor Kohmetscher, Councilor Mascarenas, & Mayor Lucas
Nay: Councilor Doward

Mayor Lucas suggested giving Silver Township 2 months to review their contract and send payment for 2021 & 2022 before voting to cancel their fire services.

Committees:

Personnel Committee:

- Councilor Collier made a motion seconded by Councilor Kohmetscher to offer Jamie Dobosenski the Account Clerk position for \$12.00/hour.
 - Aye: Councilor Collier, Councilor Kohmetscher, Councilor Doward, Councilor Mascarenas, & Mayor Lucas
 - *Motion Carries*
- It will cost \$75 to train Jamie in UBMax.

Pickup that is sitting on the road should be removed. A letter will get sent out.

CITY OF KETTLE RIVER CITY COUNCIL MINUTES

April 12, 2022

- Brent and Rob need to complete their nuisance findings to bring to the next council meeting.
- Damaged house on Cedar Street: If the city deems this as hazardous, it will need to be dealt with. If the owners don't deal with this the city will need to take care of it. This will be looked into further and brought to the next council meeting.

Correspondence:

Letter of Complaint from a homeowner in the community, Jacob Koecher

Councilor Monique Doward wanted to know if I had proper permits. She has no idea what we are doing for work, this is not her job and I have checked twice to see if I need one and I don't.

Brent Milczark dated 3-10-22

I have noticed that it seems everywhere I drive the city truck it seems this individual is either following me or driving by where I am at. She has driven by the city garage at least 2 times during my time inside the garage while doing a city task. I have noticed her follow me towards the water treatment plant during a daily task, it makes me feel like I am being stalked.

From a Community Member:

Mayor and City Councilors,

As a community member I am disappointed at the level of professionalism and decorum that is shown by members of this elected body. The lack of respect has shown for the fellow elected officials or appointed city officials when elected officials are held to a higher standard than the general public. As a community member, I would expect elected officials and staff to observe decency of speech and gentleness of behavior at all times and each official represents the collective body. The personal attacks on the other elected officials and the appointed officials are disrespectful to any other member, therefore all other members are encouraged to carefully avoid references of personalities while in session and in the community. When either an appointed or an elected official has the floor and is speaking the other elected officials are encouraged to refrain from private conversation on cell phones as to preserve silence. As part of the professional code of conduct elected officials are to follow the established rules of the governing body. Even the MN legislature when a member steps outside the scope of debate the member is promptly reminded of the body of governing rules. I am disappointed that

**CITY OF KETTLE RIVER
CITY COUNCIL MINUTES**

April 12, 2022

elected officials would rather act outside the professional code of conduct. If either an elected or an appointed official cannot return to professionalism the individual is encouraged to leave office. I remind each person is prompted to remain professional at all times while in office. I would encourage elected officials to bring issues and concerns to the appropriate committee when raising concerns or introducing new ideas.

Letter from a concerned citizen:

To whom it may concern: Why did Councilor Doward Doward come to Kettle River? She seems to have an agenda of doing everything she can to destroy the city. What does she have against all citizens of Kettle River? What was her reason for wanting to be a member of the council unless it was to work her hardest to cause problems as if she had a lot of power? Why does she call herself a representative of the City of Kettle River when she has not been given the position by the city council? She continues to spread lies wherever she goes. We are getting really tired of her hatred and lies. She does not seem to know the difference between a resident and a residence. I am a person and dislike being referred to as a building, maybe she needs to get a dictionary and learn the difference. Who is paying her to come here and try to destroy the city? She should be forced to pay all extra-legal fees that the city has incurred because of her actions. Her obnoxious behavior is causing more problems. She is costing the city so much expense with her trying to show her power by not following proper procedure in her concerns. She is filing claims with various agencies with no copies of these claims being given to the mayor and the council. Behavior is affecting everyone in town. She is costing the city thousands of dollars in legal fees because of her actions. She should be made to pay for all legal fees she is costing the city. The animosity that people have against her is because of her toxic behavior and has nothing to do with her color, although I think she is using her color as a reason for her toxic behavior. People who are attending the meetings and those who talk to those people are really getting tired of this. Other people in town have to get building permits for projects, Councilor Doward apparently thinks that as a council member she doesn't have to do this. Her position on the council does not give her special privileges. It is time for her to resign from the council and maybe even leave town. I am wanting to remain anonymous because of her reactions.

James and Karon Mueller

We feel it is wrong for you to charge us full price for the rusty water. We live next to the water tower at 3942 Main Street. We have to buy all of our drinking water and cooking water at the grocery store. We spent \$300 for a water filter system and we change filters

CITY OF KETTLE RIVER
CITY COUNCIL MINUTES

April 12, 2022

at least once a week. It is not taking out the rust. All of our white clothes are rust colored. We are just renting this place. We are 78 and 77 years old. The landlord will not put in a water filter system. We are too old to move again. We do wish you would help us out by not charging so much for the rust water that we cannot use. We also live next to a shed that is full of mold, the skunks were in there last year. The shed is starting to fall down and needs to be removed. We are concerned about the mold being sucked into the air conditioner and into the house. Can you contact the owner and have him do something with it?

- The shed issue will be looked into further.
- Rusty water: A community member shared that the landlord is responsible to supply the renters with drinkable water. The council expressed concern and to have the tap water tested and to contact the landlord to see if they will produce a better filtration system. Also, the city is taking measures to fix the stand pipe.

Letter from Department of Public Safety:

Complaint against operator involved damaged, pending.

This is a notice stating that the city failed to provide the water laterals as required on November 3rd, Buewto trucking and excavating generated Gopher State One call location notification request 213072427. The city of Kettle River owns and operates water laterals in the excavated area however there was no marking, maps, drawings, or diagrams, or other recordings showing the approximate locations of these laterals were provided and no communication was provided to Beauto trucking and excavation. No response is required to this notice, this letter serves only to warn the city of Kettle River that further violation of MS 216-D may result in issuing civil penalty not to exceed \$1000.00 for each violation per day of violation.

Letter from Silver Township:

March 17, 2022.

At the Silver Township board regular meeting the board passed a motion to request a Copy of Kettle River's department bi laws to review, please send a copy to the email address listed or mail.

CITY OF KETTLE RIVER CITY COUNCIL MINUTES

April 12, 2022

- Kathy reached out to Mark to mention that Kettle River doesn't have bi-laws, they have standard operating procedures. Those were sent to him and to Sue.

Old Business:

- Carlson SV has sent their report. There will be a motion to approve at the next meeting.
- Independent auditor report findings from the year ending December 31, 2021: Nothing came to our attention that caused us to believe that the city failed to comply with the provisions of the contracting and bidding, deposits and investments, conflicts of interest, public indebtedness, claims of disbursements, and miscellaneous provisions sections of the MN legal compliance audit guide for cities.
 - This will also be voted on at the next meeting.
- Quotes were discussed for re-siding on the south side of the building. This will be tabled until next month to ensure the funds are budgeted.
- Quotes from KLM and a loan and/or grant to complete the work were discussed for the standpipe.
- Councilor Kohmetscher made a a motion, seconded by Councilor Mascarenas to accept the bid offer from Elevated Welding Service with the service fees of \$93,967 to replace the standpipe.
 - Ayes: Councilor Collier, Councilor Kohmetscher, Councilor Mascarenas, & Mayor Lucas
 - Nays: Councilor Doward
 - *Motion carries*
- Councilor Collier made a motion seconded by Councilor Kohmetscher to approve Resolution 2022-04 authorizing the issuance sale and delivery of \$104,000 general obligation water revenue note series 2022-A. This secures the loan to pay for the standpipe and \$3,500.00 for water meters included in the \$104,000.00.
 - Aye: Councilor Collier, Councilor Kohmetscher, Councilor Mascarenas, & Mayor Lucas
 - Nay: Councilor Doward
 - *Motion Carries*

New Business:

- Board of equalization is April 21, 2022 at 10:00 am at City Hall. This is for people who are not in agreement with their property tax assessments.
- Mayor Lucas suggested researching and possibly putting into city policies that the fire commission meetings get posted.

CITY OF KETTLE RIVER
CITY COUNCIL MINUTES

April 12, 2022

- Councilor Collier made a motion, seconded by Councilor Mascarenas to approve Resolution 2022-03 to accept the donation and deposit it to the general fund from American Legion which reads: "Whereas the city of Kettle River is authorized to accept donations or real and personal property pursuant to MN statute section 465.03 for the benefit of the citizens a donation of \$200.00 CTAS receipts #1784 has been received from the Kettle River American Legion as a contribution for the skating rink."
 - Ayes: Councilor Collier, Councilor Kohmetscher, Councilor Doward, Councilor Mascarenas, and Mayor Lucas
 - *Motion carries*

Motion by Councilor Collier seconded by Councilor Kohmetscher and carried unanimously to adjourn at 9:05 p.m.

The next City Council meeting will be held Tuesday, May 10, 2022, at 7 p.m. at the City Hall.

Submitted by,

Kathryn Lake
City Administrator/Clerk/Treasurer