MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON NOVEMBER 20, 2018 7:00 P.M. AT THE PUBLIC SAFETY BUILDING

Mayor Paul Whitcomb called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were, Thom Walker, Jack Edmonds, Jules Zimmer, and Jeff Reynolds. Others present: City Administrator Robert Barbian, Finance Director Steve Jackson, Community Development Specialist Stephanie Hillesheim, Public Works Director Bob Gerold, Police Chief Todd Frederick, Clerk Shawna Jenkins, Wastewater Plant Manager Chris Klinghagen, Liquor Store Manager Nancy Campbell and Fire Chief Ron Lawrence.

AGENDA ADDITIONS/DELETIONS

CONSIDERATION OF MINUTES

A. Regular Meeting Minutes of November 8, 2018

REYNOLDS MOVED TO APPROVE THE REGULAR MEETING MINUTES OF NOVEMBER 8, 2018. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

A. Permits and Licenses
B. Personnel
   1. Police Officer Lucas Wubben Step Increase effective 12/4/18
C. Donations
   1. Resolution 18-67 – Accept donations for Police K9
D. Miscellaneous

WALKER MOVED TO APPROVE THE CONSENT AGENDA. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

PRESENTATION

OPEN FORUM

PUBLIC HEARING

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

PETITIONS, REQUESTS, AND COMMUNICATIONS

A. Christ Our Light Wine and Spirits Grant Request

Jenkins stated that Christ Our Light has sent in a Wine and Spirits Grant Request. They have requested $1,000 to help cover travel expenses, speaker and exhibit. The “Peace of My Mind” exhibit invites people to explore the common humanity that connects us.

Whitcomb said it seems like a good event, but would rather see all the churches go in together on something like this. He feels if we give to one church, the many churches in the city would all request funds. Walker agreed.
WALKER MOVED TO DENY THE REQUEST. EDMONDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ORDINANCES AND RESOLUTIONS
A. Ordinance 776 – amending exhibit A of Ordinance 775 – FIRST READING

Barbian advised that CenterPoint Energy has slightly different rate classifications, so the attorney suggested an ordinance amending exhibit A so the rate definitions are correct.

ZIMMER MOVED TO INTRODUCE ORDINANCE 776. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS
A. 2018 Fire Act Grant

Lawrence provided an update to the council on the upcoming expenditure for the SCBA grant that we were awarded this year. The department has looked at a couple of different SCBA models that are available. We have decided to stay with the current manufacturer that we use which is MSA. The cost of the top two were very similar with MSA being slightly more expensive. We are justifying our expense because MSA has a better warranty program than the Scott packs and we are more experienced in using the MSA packs.

The amount of the grant awarded to us was $157,886.00. Our matching portion is $7,894.00. We are expecting to use all the awarded amount for the purchase.

B. Snow Plowing proposal

Barbian advised that staff has discussed the plowing of the county roads that are inside city limits. With the small events that have occurred since the County took that over, there have been additional comments aired by the public and City council.

Whitcomb, Edmonds and Zimmer all agree that the City should clear the County’s 5 lane miles in the city to better serve the residents.

The consensus was that the City will clear those roads, and staff will work with the County on the financial aspect.

NEW BUSINESS
A. 2018 – 2019 purchases for EOC Room

Lawrence advised that during the fiscal year for our relocation budget, the department has satisfied all the salaries for training. We now have left over monies that we can spend on items for the Emergency Operations Center (EOC). After consulting with
Emergency Management team and Steve, we have come up with some items that will benefit the EOC for our future needs. Items that we are looking at purchasing are:

- Computer for the Fire Command vehicle-$7000.00
- Smart Board for the EOC-$5000.00
- Rolling White boards for the EOC-$700.00
- Radio for the Incident Command Trailer-$3000.00

The relocation budget will accommodate all these expenditures with some monies left over for any unforeseen expenditures. These items will also have some benefit for the department as well.

Lawrence added that Dave with the Relocation program has approved these items for purchase with relocation funds. There will be approximate $8000 left in the fund after these purchases.

ZIMMER MOVED TO APPROVE THE PURCHASE OF A COMPUTER FOR THE FIRE COMMAND VEHICLE AT NO MORE THAN $7000, THE SMART BOARD FOR EOC AT NO MORE THAN $5000, ROLLING WHITE BOARDS FOR THE EOC FOR NOT MORE THAN $700 AND THE RADIO FOR THE INCIDENT COMMAND TRAILER FOR NOT MORE THAN $3000. REYNOLDS SECONDED THE MOTION.

Walker asked if these funds are available now, or next year. Lawrence responded that Relocation’s fiscal year runs from July to the end of June, so they are available now. Once the training salaries have been paid, staff looks at what items would benefit the Relocation program and emergency services.

Edmonds asked what is involved in the computer, as it is higher than a standard one. Lawrence said it includes some GIS, Hazmat and a few other necessary programs. The quote actually came in at about $5800 for the computer and a docking station. He was not sure what the cost was going to come in at, so he estimated a bit high.

THE MOTION CARRIED UNANIMOUSLY

B. Attorney Contract review and renewal

Jackson advised that Dove Fretland, PLLP and its predecessor’s have served the city for 39 years, providing both criminal and civil services. In 2008, the city entered into a revised retainer agreement to provide prosecutorial services and that agreement was continued in 2015. The agreed upon retainer fee at that time was $3,300 per month for providing all services outlined. They have not sought an increase in the retainer fee for prosecutorial services since 2008. In 2008, the city of Princeton criminal case-load was approximately one hundred fifty-seven cases. In 2018, that number increased to two hundred eighty-eight cases, an increase of approximately 80%. In addition to the 288 new matters in 2018, Attorney Toven also prosecuted approximately 40 probation violations for the city of Princeton.

A review of the billing history on the criminal retainer reveals many hours of work performed well in excess of that covered by the criminal retainer, thereby resulting in an average of Write-down of legal fees of $28,397.68 per year.
The City realizes a significant financial benefit by contracting with this firm in that the city receives 2/3 of the fine monies received by Mill Lacs County District Court for cases prosecuted by this firm on behalf of the City. There is an additional significant benefit, as they have never sought to enforce the statutory provision on DWI vehicle forfeitures. Pursuant to MN Statue 169A.63, Subd 10 (2) thirty percent of the funds received by the City from the sale of forfeited vehicles is supposed to forwarded to the prosecuting authority to supplement its operating funds.

A review of the billing history on the civil retainer reveals many hours of work performed well in excess of that covered by the civil retainer, thereby resulting in an average write-down of legal fees of $9,689.89 per year.

The retainer agreement for both civil and criminal services for the same services as in the past year for the same amount for the year 2019, with modest increases each year thereafter.

The proposed retainers are as follows:
  Criminal retainer $3,650 per month effective January 2020
  Criminal retainer $4,000 per month effective January 2021
  Civil retainer $1950 effective January 2020
  Civil retainer $2,200 effective January 2021

Walker stated he has been very pleased with the work that the firm has done for the city.

Whitcomb asked if Frederick has any concerns. Frederick responded that it is extremely important to have an attorney with an office in town. Toven has been able to take calls at night from the officers when they have had a strange situation, and he stops into the office to go over files and speak with officers as well.

Zimmer added that it appears that the Police department seems to have a really good relationship with the attorney.

WALKER MOVED TO APPROVE THE CONTRACT RENEWAL WITH DOVE FRETLAND. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

C. Design Guidelines and Architect selection

Hillesheim reported that city staff has been working with the Planning Commission & Economic Development Authority to set up a couple downtown initiatives to assist property owners reinvesting into the store fronts.

This has led to the repositioning of existing resources, two small loan funds for the purpose of providing loans and grants to downtown property and business owners. To date two loans have been extended that have benefited two downtown businesses. Another tool being put in place is to aid in focusing redevelopment efforts by property owners to complete façade renovations. The model being used in Princeton is similar to that set-in place in many communities utilizing the principles of a “Main Street Community”. A Main Street Community philosophy is based upon theories which create an atmosphere in which people and customers choose to congregate. A
tool often utilized in these communities are “Design Guidelines” which are to aid in building an atmosphere. The Design Guidelines set in place a direction for renovations. Grants are often accompanied to obtain the desired direction developed in the Design Guidelines.

A couple of the EDA and Planning Commission members have been working on the selection of an Architect and recommendation for this project. Those members involved are Victoria Hallin, Genny Reynolds and Eldon Johnson. Mary Lou DeWitt, Stephanie Hillesheim and Robert Barbian have also participated with the interviews. The following firms were interviewed. Attached are the corresponding proposals.

1. Bob Shaffer, Foundation Architects President and Mike Lamb, with LHB.
2. Erin N. Perdu, AICP, GISP with WSB Architects

ANALYSIS:
A façade grant program is being established to set a direction for the downtown and assist business owners implement store front improvements in that direction. The area of the study proposed is the B-1 Central Business District. In order to obtain the best product or goals for the downtown outside guidance and expertise on design was sought from architectural firms. All qualified firms and professional in the proposal approach.

For program implementation the EDA will provide loan and grant approvals/recommendations to the City Council. The Planning Commission provides approval, guidance and recommendations to the City Council on what façade renovations meet the design guidelines an eligibility item to receive a façade grant.

RECOMMENDATION:
The recommendation from the Planning Commission and the Economic Development Authority is to award the work to MacDonald & Mack. The committee concluded that the presentation demonstrated a responsive approach to the work that would take into account the comments from the community and produce an end product which will provide the downtown architectural appropriate designs which the community can work to achieve.

The low bid was $11,800 to MacDonald and Mack.

Walker added that the EDA Board felt really good about this company.

WALKER MOVED TO AWARD THE PROJECT TO THE MACDONALD AND MACK. REYNOLDS SECNDIED THE MOTION.

Edmonds asked for clarification on where the funds will come from. Barbian replied that there have been funds set aside in the CIP for a while, but not used as of yet.

THE MOTION CARRIED UNANIMOUSLY

Hillesheim advised that the planned meeting to kick this off with input from the downtown property owners is January 17th at 6pm.
BILL LIST
ZIMMER MOVED TO APPROVE THE BILL LIST WHICH INCLUDES THE MANUAL CHECKS AS LISTED ON THE MANUAL BILL LIST FOR A TOTAL OF $137,725.57 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 78404 TO 78450 FOR A TOTAL OF $170,719.91. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

MISCELLANEOUS
Brotzler reported that the Great Northern Trail project is moving forward, and the County representative is working on necessary easements.

CLOSED SESSION at 7:26pm
Whitcomb stated this agenda item for this meeting is to discuss and negotiate a lease agreement. This portion of the properly noticed meeting of the Princeton City Council will be closed pursuant to Minnesota Statutes under the attorney/client communication exception to the Minnesota Open Meeting Law.

The need for confidentiality outweighs the purposes served by the open-meeting law in this case based on the following:
Confidentiality is necessary to protect the City’s interests with respect to the litigation proposed lease agreement.
• The purpose of the closed meeting is not to make a decision behind closed-doors, but instead is to determine what actions are appropriate with respect to the proposed lease agreement sale of the property.
• The only business to be discussed in this portion of the meeting is the negotiation of a lease agreement and what action, if any, should be taken.

EDMONDS MOVED TO CLOSE THE SESSION. WALKER SECONDED THE MOTION
The Council will now go into a closed session. The time is 7:26PM.

WALKER MOVED TO ADJOUR THE CLOSED SESSION AT 8:04PM. EDMONDS SECONDED THE MOTION.
Staff will continue working with AT&T and the City Attorney’s to finalize the lease agreement.

ADJOURNMENT
There being no further business:

ZIMMER MOVED TO ADJOURN THE MEETING AT 8:04: PM. REYNOLDS SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,                              ATTEST:

Shawna Jenkins                                   Paul Whitcomb, Mayor
City Clerk