

**CITY OF EVART
VIRTUAL CITY COUNCIL MEETING
October 5, 2020**

The meeting was called to order by Mayor John Joyce at 7:38pm.

Present (by roll call): Ralph Carlson, Dan Elliott, Matt Hildebrand, Mayor Joyce, Sandy Szeliga

Present: City Manager Sarah Dvoracek, Assistant City Manager Mark Wilson, Finance Director Pepper Lockhart, Communications Director/Meeting Host Melissa Rohen, City Clerk Kathy Fiebig

Guests: John Tanner, Cathie Crew, Victoria Martin, John and Angela Hunter, Janet, Chris Emerick, Karen Higgins, Laurie Chase, Kimberly and Dan Kleeves, Eric Kehoe, Roger Elkins

Citizens' Comments:

Kim Kleeves: "We have got an issue with an extremely high water bill. We have taken it to the city and they're refusing to credit us at all."

Dan Kleeves: "We didn't use the water; it's 26,000 gallons you people said I used. I'm sorry but that's incorrect and I explained that to Mark Wilson. Yet he took \$200 from my wife after I told him explicitly that we would not pay this bill until this is resolved. It is a misread on your part and I am not paying this bill." The Kleeves are also concerned about special assessments for street projects, rising water and sewer rates, and their increased property taxes due to their efforts to improve their property. (Comments have been edited for brevity.)

Approval of Agenda

Ms. Dvoracek requested to add the following items to the agenda:

New Business/Items for Action: recommendation for Halloween trick or treat times, cost breakdown for the election grant, and inviting vendors to present more information regarding water meter bids.

New Business/Items for Discussion: a competitive marijuana license process and an amendment to the marijuana ordinance.

As an FYI: City Manager's Report

Motion by Mayor Joyce to approve the agenda with the additions. Support by Mr. Hildebrand.

Motion passed with a roll call vote; all were in favor.

Approval of Consent Agenda

B. Regular Council Minutes - September 21, 2020

C. City Council Strategic Planning Workshop – September 18, 2020

D. Special Council Minutes – September 29, 2020

E. Vendor's List \$46,263.43

F. Budget Amendments

Motion by Mayor Joyce to approve the Consent Agenda as presented. Support by Mr. Elliott.

Motion passed with a roll call vote; all were in favor.

Unfinished Business

G. Development Agreement – Evart Industrial Properties, LLC

H. Updates to Purchasing Policy

I. Draft Ordinance – Special Events

J. Draft Ordinance – Housing Code

Ms. Dvoracek has nothing to add on these items as all are works in progress. All were postponed.

New Business

Items for Action

K. Request for legal review of City's Personnel Handbook

Ms. Dvoracek requested council's permission to have a labor relations lawyer review the Handbook. She anticipates that the cost can be kept under \$3,000. The recodification project has revealed a number of conflicts between the policy and city ordinances as well as language gaps. It was pieced together originally from other cities policies and has not been updated since 2016.

Motion by Mr. Carlson to approve Ms. Dvoracek's request. Support by Mr. Elliott. Motion passed with a roll call vote; all were in favor.

L. Request to make lump sum payment to MERS Plan

Ms. Lockhart reminded council that when the LDFA was dissolved on January 8, 2020, the City assumed all their assets and liabilities. On April 20, 2020 council merged the Evert Local Development Finance Authority MERS (Municipal Employees' Retirement System) Plan 6706 with the City of Evert MERS Plan 6705 allowing more time to pay off the debt. Ms. Lockhart requested permission to close the two existing LDFA bank accounts and to use the balance of \$41,476.67 to make a one-time payment to the Evert LDFA-General Division MERS plan.

Motion by Mr. Hildebrand to make a lump sum payment to the MERS account with funds from the closed LDFA bank accounts. Support by Ms. Szeliga. Motion passed with a roll call vote; Ms. Szeliga, Mr. Carlson, Mr. Hildebrand, and Mayor Joyce voted yes. Mr. Elliott abstained from the vote.

M. Center for Tech and Civic Life – Grant Acceptance of \$5,000 for election administration

Ms. Fiebig applied for and received a grant for election expenses in the amount of \$5,000 and explained to council how she intends to use the funds. Of primary importance is personal protection equipment for voters and election inspectors. Motion by Mayor Joyce to allow Ms. Fiebig to accept the grant. Support by Mr. Hildebrand. Motion passed with a roll call vote; all were in favor.

At 8:10pm Ms. Dvoracek and Mr. Elliott left the meeting briefly due to technical difficulties at the Depot. The meeting resumed upon their return.

Items for Discussion

Water Meter Vendors: Ms. Dvoracek would like to invite SLC and Ferguson to present their bids to council. Mr. Joyce questioned working with SLC again since they left the city high and dry on the current meters. Mr. Wilson clarified that the Badger software was actually the problem, not the meters or SLC themselves. Ms. Dvoracek prefers a system with a customer portal which will allow users to monitor their own use. Council asked Ms. Dvoracek to proceed with these invitations.

Halloween Trick or Treat Hours: Ms. Dvoracek asked council to make a recommendation to the community that trick or treat hours will be from 5-8pm. Mr. Hildebrand asked for assurance that this is not a city sponsored event. Ms. Dvoracek told him it is not.

Competitive process for marijuana licenses/amend the marijuana ordinance:

Ms. Dvoracek provided council with several examples of a competitive process for obtaining a marijuana license, including requiring pre-qualification background check from the state. She would also like council to consider increasing the number of licenses. She would like to schedule a public hearing on these matters with Jessica Wood, City Attorney, in attendance to address any council concerns after hearing public comments. Mr. Hildebrand asked Ms. Dvoracek to highlight the suggested changes that may be made to the ordinance as the public

is not as familiar with the document as council members. Ms. Dvoracek will do so. Mr. Hildebrand suggested holding the public hearing at 7:15pm before the next regular council meeting on October 19 as attendance is normally higher at those meetings as opposed to a public hearing. Council agreed to do so.

Election Commission:

Ms. Dvoracek requested that council appoint Ms. Szeliga and Mrs. Marsha Warren to the Election Commission. Ms. Szeliga volunteered for this in 2018 but was never formally appointed. Motion by Mr. Elliott to approve these appointments. Support by Mr. Carlson. Motion passed with a roll call vote; all were in favor.

Department/Informational Reports (No Action Needed)

N. Accounts Payable Report (9/22/2020 – 10/5/2020)

O. Payroll Report (9/22/2020 – 10/5/2020)

P. Summary of all Funds – August 2020

Q. Revenue and Expense Report – September 2020

R. Fire Department Minutes – September 8, 2020

S. Department of Environment, Great Lakes and Energy - PFAS

T. Department of Environment, Great Lakes and Energy – Water System Sanitary Survey

U. Halloween House Decorating Contest

V. Spooky Coloring Contest for Elementary Students K-4

Ms. Dvoracek remarked that the airport has received a \$1,000 grant and she is exploring the possibility of a surveillance system there.

Citizens' Comments: *Chris Emerick: "Is there an online form on the city website for the House Decorating Contest?"*

Ms. Dvoracek mentioned that the Meet the Candidates event has been moved to the library.

Motion by Mayor to Joyce to adjourn. Support by Mr. Hildebrand. Motion passed with a roll call vote; all were in favor.

The meeting was adjourned at 8:36pm.


Kathy Fiebig, City Clerk