

CITY OF SKYLINE CITY COUNCIL MEETING MINUTES

August 13, 2018

Present: Mayor Travis Javens; Treasurer Lon Whitehead; Clerk, Cathy Dahl; Council Members, Dean Rengstorf, Wayne Bishop, Mary Dowd; Residents & Visitors, Jen LeTourneau, Mike Kluck, Jennifer Wettergren, Darlene Lee, Russ Dahl, Mark & Nicole Fischer, Robyn Bishop, Karina Rose, Kris Beaumont, Mark Wilson (City of Mankato, Public Utilities), Annette Allen, Carley Allen, Steve Romnes

Meeting called to order at 6:45 PM.

Pledge of Allegiance

Approval of agenda and minutes. Motion to approve, Wayne Bishop, Dean Rengstorf, 2nd. Passed unanimously.

15-Minute Public Open Forum –

Former Mayor Mike Kluck asked if the sprinklers in the park are okay. Wayne Bishop said he turned them on today. Mike asked if city publishes financial statements. Treasurer Lon Whitehead said he publishes them at the end of the year. Audited statement is on the website from last year. Mike wonders if audit needs to be published in newspaper or posted on door. He would like this looked into. Council is unsure if published on website qualifies as official posting so it will be looked into. Lon sends copies of audit to every place it is required to go. City has never sent an audit to the Free Press in the past. Lon will contact League of MN Cities to find out if audit needs to be published besides on website.

Mike wondered about discussion in minutes from last month's public forum.

Annette Allen praised city hall on being handicapped accessible. She said that 30-50% of people coming to crafting days have disabilities. She told a story about how much she appreciates the city allowing rental use and how valuable it is to many people.

Robyn Bishop made comments on slander situation. She has had more than 1 person in the community coming up to her making statements about her using city hall for quilting without paying rent when this is not true. Her quilting groups have donated 300 quilts to charity in one year. They were asked to leave early on one of their groups' quilting days and that quilting group allowed it. One of her quilting groups has stopped renting city hall because of this. There has never been an incident before this. Robyn said her quilters wonder if they are welcome to use city hall anymore.

Kris Beaumont said there have been many accusations going back and forth. She claimed no one has said groups were not welcome. She thinks we need legal advice because we don't have waiver, contract or liability contract. She thinks it needs to be looked into. She believes all people connected to the issue are connected to the council.

Robyn said she was approached at her group meeting and told they weren't as important as the other group.

Karina Rose read definition of slander.

Mayor Javens cut in to stop personal comments. He summarized the city hall rental situation. After the July meeting, he thought the people who wanted to be on the committee needed to wait. Wayne Bishop gathered information from other communities. This will be gone over at this meeting. A policy will be put in place and the city attorney will be consulted. No one is going to be kept from renting city hall. We just need a policy in place.

Steve Romness wonders how to correct google maps not giving directions to his address correctly. He was told to try self-correcting.

Jennifer Wettergren wondered if Skyline has any overflow parking. She looked at parking rules in coop association bylaws. Mayor Javens said this isn't a city issue; it's with the coop association. She is now parking parallel to the driveway until they resolve the issue. She has teenagers parking on the street. Mayor said as far as city is concerned, parking on grass is not a problem. Mary Dowd said parking in the street can be an issue in winter for emergency vehicles.

City Clerk's Report – Cathy Dahl reported as of this time, only one person has filed to run for mayor and one for city council. Clerk has contacted Blue Earth County to ask what happens if another person does not step up to run since it hasn't happened before while she has been clerk. \$2 filing fee. Clerk has all forms here tonight. Filing dates end at 5PM precisely on August 14th. Steve Romnes offered to run for city council member.

Clerk had to move the City of Skyline folder to the 2nd file drawer with contracts since it was in a file too big to stay in the top drawer with other city business.

Five thank you letters from people using the city hall at crafting days were received.

City clerk received a phone call from Nichole Bjornrud, from the Special Investigations Office of the State Auditor about the free use of city hall granted to council members and staff. Clerk believes it was inappropriate for someone to call and waste the state's time without giving the city council a chance to respond to issues that were only just brought up at the July council meeting. The auditor compared this situation to the City of Owatonna allowing free use of their city vehicle car wash to their city council members and staff which was not allowed and attached a letter of how that was resolved in Owatonna. I have a print out of her letter and the Owatonna letter. This will be resolved by a written city hall rental policy and taken care of later in the meeting.

Late water/sewer letters were sent out to 12 residences per the July aging summary. Hopefully this will improve soon as it takes a lot of time, paper, ink and postage.

Clerk shared research done pertaining to city hall rental issue:

Cathy Dahl did ask for permission and rental fees for use of city hall for her business. This is from the minutes of February 10, 2014:

CITY OF SKYLINE

CITY COUNCIL MEETING MINUTES

February 10, 2014

Present: Mayor & Fire Chief Travis Javens; Clerk Cathy Dahl, Treasurer Lon Whitehead; Council Members, Wayne Bishop, Samantha Erickson, Dean Rengstorf; Retired Fire Chief Roger Hermanson

Cathy Dahl asked if she could use the city hall once a month for teaching card-making and scrapbook classes. Samantha Erickson is okay with this if on a weekday. Mayor Javens said it is different from a family function so rent should be charged. Wayne Bishop said monthly rental fee for weekend is \$30 for quilters. \$20 daily rental fee was approved for Cathy Dahl to teach monthly classes at city hall.

Rebecca Carpenter was absent from February meeting, but would have received copies of minutes.

Minutes from March 10, 2014, where February minutes were approved and all council members were present:

CITY OF SKYLINE CITY COUNCIL MEETING MINUTES

March 10, 2014

Present: Mayor & Fire Chief Travis Javens; Clerk Cathy Dahl, Treasurer Lon Whitehead; Council Members, Wayne Bishop, Rebecca Carpenter, Samantha Erickson, Dean Rengstorf; Retired Fire Chief Roger Hermanson, Residents Al & Dianne Honermann, Terri and Darrell Evers, Guests, Chasse Critzer, Robert Stone

Approval of minutes and agenda. Motion to approve, Wayne Bishop, Dean Rengstorf, 2nd.
Approved unanimously.

As for the matter of transparency, this was all in the minutes, which are on the City of Skyline internet page, and one of the citizens making the charges against us had actually approved our use of city hall.

As to rental use of city hall not being legal, Cathy Dahl contacted the League of Minnesota Cities after the last council meeting and this is what they said:

From: "Davis, Aisia" <ADavis@lmc.org>
To: "clerk@cityofskyline.com" <clerk@cityofskyline.com>
Cc:
Date: Tuesday July 17 2018 3:38:45PM

Research Question Submission

Hello Cathy,

Thank you for contacting the League with a research question. You asked whether it is legal to allow citizens to rent city hall for "commercial" purposes such as selling Tupperware.

Yes, cities often lease unneeded property and buildings to others for their use. A city can allow a commercial organization to use a city building that is not needed for city purposes. However, if a city lets commercial organizations use the building for free, such free use might constitute an unlawful "gift" by the city. If the city is leasing this space to the individual selling items, you should check your lease agreement to see if it allows commercial activity.

Pages 12-14 of the League's "Purchase and Sale of Real Property" information memo further discusses this

authority: https://www.lmc.org/media/document/1/purchase_and_sale_of_real_property.pdf?inline=true.

I hope you find this responsive to your question and thank you for contacting the League of Minnesota Cities.

Aisia Davis | Staff Attorney

Tel: 651.281.1271

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League of Minnesota Cities

145 University Avenue West | St. Paul, MN 55103

As to the Skyline Facebook page:

It was started in June, 2015. It was never an official city page, which was posted at the top of the page and referred to in the minutes below.

From 2/8/2016 minutes:

A resident mentioned on the Skyline Facebook page that she thought it would be helpful for newsletters, ordinances, council meetings, etc. to be posted there. She also mentioned making Facebook events for council meetings, public hearings or any other city activities. Not sure how to find out who is on Facebook to invite them to events. Clerk already puts a reminder for council meetings there. Mayor Javens said no because the Facebook page is not an official city site. Residents need to go to www.cityofskyline.com.

To avoid any issues, Facebook page was taken down a while ago. I do not have an exact date because after cancelling the page, Facebook leaves it up for an additional three weeks to let you change your mind which I did not.

In conclusion, council member Wayne Bishop was accused of giving his wife and Cathy Dahl preferential treatment in rental dates. This could not be more wrong. Yes, we do plan ahead as much as possible in order to inform participants of our dates. When asking for dates for using city hall, many times what is asked for is not available and a different date is chosen. It bothers me beyond words that a man who volunteers his time in multiple ways for the City of Skyline (and always with a smile on his face) could be accused of being unprincipled. He should be thanked for his service, not disparaged.

Clerk will be spending more time at city hall in the coming months to organize and get things ready for the next city clerk. Please be aware of this and do not think she is using the city hall for personal reasons without paying rent.

City Treasurer's Report – Lon Whitehead reported for July, 2018. Check for 1st property tax payment was received. Additions to payables - Newville Cleaning \$80, Steve Gustafson for baseball park work \$107.61.

He went over aging summary for people overdue on payments. Mayor Javens asked if print outs could print addresses instead of names. Lon doesn't think that is possible. Lon will print on 2 separate sheets of paper in future.

Mary Dowd asked how weeds were sprayed. They used a rototill and Wayne Bishop sprayed afterward.

Approval of clerk and treasurer's report and to pay bills as presented, motion, Dean Rengstorf, Wayne Bishop, 2nd. Passed unanimously.

Mankato MOU – Mark Winson presented. (See attached letter.) Samantha Erickson wondered why it's okay to sit on our money while waiting for bills to come due. Interest accrued will go toward paying those bills. There will be bumps along the way. Mayor Javens pointed out this isn't tax dollars, it is user fees. The spreadsheet Mark Winson sent out is a projection only. Mary Dowd pointed out that it's a more manageable plan.

Mankato has two dumpsters available for Mankato residents to recycle their food waste. Mark encourages residents of Skyline to go ahead and use the dumpsters. Mayor Javens suggested this goes into the upcoming Skyline newsletter.

DEPARTMENTAL REPORTS

Water Department – Samantha Erickson reported Mark Weber will continue to do water treatment but we need to consider contracting with the City of Mankato. There's a new lock for the pump house. The old one was not self-locking. It may not be on yet.

Jim Archer downloaded flow rate data from Skyline and it was plugged. Mayor Javens cleared plug and he re-read flow rate. City clerk sent batteries to Jim Archer which are changed every three months. Department of Health reports were sent. Chris Heimer is taking over for Wayne Bishop on meter readings. There are enough people checking on pump house every day.

Street Department - Dean Rengstorf reported on progress with manhole covers. He's waiting for cost from WW Blacktopping. Dustin Samuelson got back to him on French drains. Dean will contact Mayor when ready to do that in case drain size needs to be increased. A boulder was placed by the city hall mailbox. Another rock was placed on a wrong corner. Mayor wondered if WW should add more blacktop around corner more where people go off road. Dean mentioned crushed rock.

Mary Dowd asked about the cable company doing work without getting a waiver. Dean asked them and they haven't followed through. He contacted Charter and will not forget it.

Parks & Playgrounds Department - Wayne Bishop reported there was \$200 of hall rental fees turned in to Lon.

Public Safety Department – Mary Dowd reported she's going to a workshop from League of MN Cities about emergency preparedness and coordinated response with other cities this coming Thursday at Premier Drive, Extension Office.

She passed out police and fire calls from Mankato. At the end of August, our liaison officer will be back from maternity leave. She said there are some issues with differences in ordinances between Mankato and Skyline, such as barking dogs. Mayor Javens discussed this with officers at Night to Unite. They have to follow our ordinances if we have them, if we don't have a specific ordinance, it reverts to county ordinances because we are not part of Mankato. We can get our ordinances to the City of Mankato. Mary will take care of this. Lon told her they are on the city website.

She wondered about what should be included in city newsletter. There is a lot of confusion between coop and city. She thinks it would be helpful to get information out about this. Mayor suggested talking about coop rules available at the front of the Skyline directory in a newsletter.

OLD BUSINESS

Water tower repair – nothing new

NEW BUSINESS

MOU discussion. Motion to approve the Mankato MOU as written, Samantha Erickson, Mary Dowd, 2nd. Passed unanimously.

City hall rentals – Mary Dowd asked about policy procedure. Mayor Javens informed her Skyline has not done this before.

After last meeting, Wayne Bishop talked to Pemberton, Mapleton, Eagle Lake and N. Mankato and spoke with city clerks about what they do for city hall rentals. He asked questions and highlighted questions brought up at last meeting. Pemberton has a facility that can handle 500 people. We don't match up with them. Eagle Lake is just starting to rent out their city hall chambers. It has little room. N. Mankato has 2 facilities. Mapleton is more like us but a little more lax. Information is on handout. (see attached)

Dean Rengstorf wondered if we even want to rent to non-residents. N. Mankato doesn't, but other 3 do.

Most of them rent a day at a time, midnight to midnight, a physical day.

All but Skyline have full-time city clerks who handle rentals.

Mary Dowd asked about getting a key holder that could be opened with code for city hall key.

Wayne Bishop explained a system like that is very expensive.

Mapleton is the closest to how Skyline operates.

Wayne drafted a policy based on Eagle Lake's policy. He adapted it to how things are done in Skyline. Mayor Javens said decisions may not be made this evening. Samantha Erickson said compared to other cities, she doesn't see much difference between what we do and they do. Mayor explained that last meeting people were concerned with groups taking too much rental time. Samantha questioned why it can't be handled by council with no need to involve a committee. Mary believes people should have an opportunity to discuss policy. Mayor said it is up to the council to create a proposed policy and then get public hearing on it. Dean Rengstorf asked if we should form a committee. Mayor thinks committee isn't needed; council will create policy and have public hearing. Waivers are part of the sample contract.

Dean wondered how labor intensive this will become for council member or city clerk to manage. No other cities limit recurring use or how far out you can schedule. Wayne said people rarely cancel reservations. People get refunds if having to cancel because of weather conditions.

Mary asked about supplies provided by city. Cost washes out between rent and expenses.

Dean said since Skyline started renting city hall, it was always done simply. There's never been a policy. No other cities publish names of who rents city hall.

Very few non-residents rent city hall.

Mary wondered if we want to market city hall rental and use it to make money.

Wayne shared biggest expense is cleaning. Currently cleaned twice a month; city hall would be cleaned once a month regardless. YTD \$1690 rental income.

Samantha wondered if we need to be worried about making profits on rental. Mayor wants to be careful about charging too much money. We have to remember that the residents paid for refurbishing the city hall. Breaking even is the goal.

Mary asked about businesses booking many times and it seems like Skyline is subsidizing the business. Wayne explained about the need to plan in advance and not wait for the last minute. Discussion ensued. Samantha doesn't want this to make more work for the volunteers of the city and she doesn't want people to feel unwelcome.

Security deposits may be more trouble than it's worth. Wayne hasn't seen any need for a contract or security deposit. As it is done now, he doesn't have to come to city hall at 10PM to pick up key.

Dean doesn't want it to get to the point of needing a hired person to handle it.

Mayor Javens asked everyone to please go over forms and prepare to discuss at next meeting.

Motion to adjourn, Dean Rengstorf, Samantha Erickson, 2nd. Passed unanimously.

Meeting adjourned at 8:40 PM.

Cathy Dahl
Skyline City Clerk

Mayor

date

City Clerk

date