

City of Cromwell, Carlton County, MN
Regular Council Meeting Minutes
July 24, 2013 - 7:00pm

A regular meeting of the City Council of the City of Cromwell was held on July 24, 2013 at 7:00 pm at the Cromwell Park Pavilion.

The meeting was called to order at 7:00 pm by Mayor Clark.

Present: Mayor: Samuel A Clark
Council Members: Warren Peters, Lisa Lund
Absent: Tom Borglund-unexcused, Ray Lally-excused

Employees: Paul Lampi (Bar Manager)

Others Present: John Mattonen, JPJ Engineering, Frank Yetka City Attorney

Public: Dick Huhta, Elaine Huhta, Bill Weimer, Jeanne Weimer, Danny Karpinen, Lori Shelton, Butch Levinski, Bud Lund, Mark Huhta, Deb Huhta, Lynn Swatek, Jeff Swatek

1. ADDITIONS OR CHANGES TO AGENDA

- A. Jeanne Weimer under Pavilion Kitchen (7A)
- B. Gravel on Smith Road (8D)
- C. Permit application from Ted Lammi and Home improvement co. (5C)
- D. Country Inn Loan disbursement approval added to Consent Agenda(G)
- E. Approve Roxann Romanoski Access to bank account info (8E)
- F. Harvest Fest discussion (7B)

Motion by Peters, seconded by Lund to approve the agenda with noted changes. Motion carried unanimously.

2. PUBLIC INQUIRIES / INFORMATIONAL

Council was questioned on these issues:

Why no city representative going to BSALWMP meetings?

Why Koivisto's didn't know about YOT Donation to Playground Project?

Why did the city council do an RFP for and outside bar management company?

How would a management company be paid for?

Why there are security cameras in the bar?

Why are there extra charges for days before and after weddings at the pavilion?

Statement was made that John Grones recorded the meeting and promised that he would do a story on it. He did not publish a story on the last meeting because he has not seen a more dysfunctional city council than this one and that if he printed the true story no one would no one would believe it.

Why was the meeting postponed?

Complaint about council's management of the bar manager.

Why is there no flag in the meeting room? Why is there no pledge said at the meetings?

City Attorney stated that Ray contacted him and let him know that there would not be a quorum. He advised him to post a sign on the door saying that the meeting was cancelled for lack of a quorum.

Council Member Lund questioned whether there was a motion to advertise an RFP.

Mayor Clark read the motion from the June Meeting minutes: Motion by Ray Lally, seconded by Warren Peters to advertise for proposals for hiring an independent management company to manage the bar.

Three yea votes (Lally, Peters, Clark) One Nay vote Lund. Motion carries.

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3. OLD BUSINESS

A. Update on potential indoor skate park

B. Quotes for door installation at bar. None received.

C. Legality of board member serving at the bar.

Frank Yetka City Attorney looked into it and determined that it was not illegal. Bar manager Paul Lampi questioned why elected officials are not subject to discipline the same as employees are? Lampi asked why elected officials are not held responsible for serving to go cups when he as the manager was? Frank explained that as an employee you are responsible to the city council and the council may discipline it's employees. He also explained that Paul wasn't disciplined for serving in to go cups but for failing to enforce city policy.

Lampi asked if the purpose of the bar was to make money for the city?

Yetka explained that making money is only one of the purposes of a municipal liquor store.

NEW BUSINESS

4. CONSENT AGENDA

A. Approval of prior regular and special meeting minutes

B. General Ledger for June (listing receipts and disbursements)

C. Claims list for approval

D. Treasurer's monthly report

E. Liquor Store monthly sales total report

F. Pavilion calendar & use spreadsheet

G. Approval of Loan Disbursement to Rick and Elizabeth Aho (Cromwell Country Inn).

Council member Lund stated that she would not vote to approve special meeting minutes since she left early. Lund also questioned the Dish Network bill?

Motion was made by Clark to approve July 3rd Special Meeting Minutes, seconded by Peters, two yea votes (Peters, Clark),Lund abstains. Motion carried.

Motion to approve June 19th Regular Meeting Minutes by Peters, seconded by Clark, two yea votes (Peters, Clark), one nay (Lund) motion carried.

Motion was made by Lund, seconded by Peters to approve the above consent agenda with noted exceptions. Motion carried unanimously.

5. WATER / SEWER / MAINTENANCE

A. Project Status Report- JPJ Engineering

B. Manager's Report

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6. LIQUOR STORE

- A. Managers Report : Saturday July 27th Golf Tourney, free Jukebox night, Harvest Fest dance will be at the bar checking on bands, Karen Johnson has been training. Discussion on PERA and scheduling. Discussion on pay check disbursement. Employees should refer to Employee Handbook regarding disbursements of pay checks. Manager asked why he did not receive back pay to his anniversary date? Mayor Clark explained that his raise was held back because of performance issues as outlined in the Step Plan and that the raise was effective as of the date of approval. Lampi questioned the email he received from the City Clerk on July 6th stating the council's decision to have him complete bartender interviews with the city clerk at the city office the week of July 8th. He stated that he disagreed with the decision since the city clerk didn't have a vested interest since she would be leaving soon. Mayor Clark stated that this is what the council wanted done and he should have done it. Discussion on complaint to Lampi about council member comments and yelling across street. Employee meeting July 14th 1 Upcoming events 2. Inventory should not be off 3. Pouring, Proper Glassware on busy weekends making sure that if you run out of glassware and use plastic cups use proper ones 4. Keep products stocked, Liquor room beer to cooler 5. Make sure drinks are rung in properly, till shouldn't be over/short 6. Make sure to clean 7. No excuse for poor service. Mayor Clark commented on running short of glasses and pointed out that he had asked Lampi to put more glasses out so they wouldn't run short and have to use plastic glasses and recommended that Lampi come up with a solution to get more glasses out. Lampi was asked why he has not turned in schedule as requested at June 14th meeting? Lampi gave reasons. Lampi was asked why he has not turned in paperwork that should be in personnel files in the clerks office? Lampi gave reasons. Discussion on why Lampi chose to hire Karen Johnson and not Kima Taylor when Kima had scored higher in the interview. Mayor Clark asked Yetka what the council should do when an employee refuses to follow a direct council motion? The council can discipline him for lack of performance, the council would need to agree that discipline was warranted and then decide on discipline. Lampi asked why the Mayor is trying to get rid of him? Clark stated that he is not trying to get rid of him but trying to get him to do his job. Discussion on interviewing bartenders. Lampi stated that a bar cleaner was interested in bartending. Interviewing will be left until new clerk can sit in on the interviews.
- B. Bartender position discussed in above.
- C. Compensation review for Megan Arnold: **Motion to approve step increase by Lund, seconded by Peters, 3 yea votes motion carried.**
- D. Compensation Review for Carol Anderson: **Motion to approve step increase by Peters, seconded by Lund, 3 yea votes motion carried.**

7. PARKS AND RECREATION / PAVILION

- A. Discussion on Pavilion Kitchen and MN Dept. of Health requirements: Jeanne Weimer claims that she was told when she gave notice that she would be selling food at the Horse Shows she would need a Food Manager's Certificate which costs \$175. She said that she was not given due process she was called by the city and a message was left on May 9th at 4:40 pm that she needs to contact the Mn Dept of Health because she may need a food license. It was explained that there is no due process since there was no enforcement action. Jeanne claims that James Backstrom said that no Foodsafe Certification is required since the pavilion is not a licensed kitchen. **Motion by Lund that if Jeanne Weimer was told that she needed a Food Managers license that the city should pay her back, no second, more information needed. Peters will get more info.**
- B. Discussion on Harvest Fest: Deb Switzer asked about any leftover money from Harvest Fest. All Harvest Fest proceeds were donated to the city for the Playground Project. Discussion on bank

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account for Harvest Fest. Clark suggested using the CEDC non-profit as fiscal agent for Harvest Fest. Clark will look into this. Kaleb Anderson family will be selling hamburgers, etc., Debele will pay for supplies and organize this and will be reimbursed for their cost. Switzer made a request for a donation from the city. Clark stated that it is not legal for the city to donate to this but there may be a way to donate pulltab proceeds. Clark will check with City Auditor. Discussion on what city insurance would cover. Discussion on a DJ at the bar Friday Sept. 6th. **Motion by Peters to approve use of pavilion for Harvest Fest activities and meetings/preparation, seconded by Lund, three yea votes (Lund, Peters, Clark).**

8. GENERAL CITY / HOUSING / HIGHWAY

- A. Probationary/starting wage for Full Time positions: **Motion by Peters to remove probationary wage and start full time employees at starting wage, seconded by Lund, three yea votes, motion carried.**
- B. Citizen Complaint re: Lawn Mowing of Riverview Meadows properties. Discussion on whether or not ordinance applies. Owner should be contacted and asked to mow it when new clerk is in position.
- C. Resolution #13.7.17 and Affidavit Approval discussion postponed til next meeting
- D. Smith Road gravel: **Motion by Lund to spend up to \$1500 for gravel on Smith Rd., second by Peters, three yea votes (Lund, Peters, Clark) motion carried**
- E. Give Roxann Romanoski access to City Checking account: **Motion by Peters to add Roxann Romanoski to the city checking account at Northview Bank limited to accessing account information in person, over the phone or online, seconded by Lund, three yea votes (Lund, Peters, Clark) motion carried.**

9. FIRE DEPARTMENT / AMBULANCE

- A. Peters asked about Fire District. Yetka has heard nothing.

10. CLERK / TREASURER

- A. Update on interim duties and interviews/training for new hire. Frank and Bernadine will be doing interview Aug. 6th, Position is open until July 29th. Bernadine will review applications to decide who qualifies for an interview.
Angela Anderson will be doing necessary accounting work(payroll, bill paying) Clark has talked to several people with clerk experience about coming in to help but hasn't found anybody. The workload is small at this period so unless there is more work to do we can get by. Lampi asked about when pay checks would be available? They will be mailed on payday.
Teri Osterman from MWRA will be available to do some training of the new clerk.
- B. City received notice of 2010 payroll forms 941, W-2 and W-3's not matching up. Teri Osterman will be coming in to assist the Mayor in correcting these forms.

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11. TRUSTEE'S NOTES

Lisa Lund: -Status on RFP for bar management? No response to ad. Council member Lund expressed her displeasure that she was not notified of meeting being cancelled on July 17th. Lund does not feel that special meetings should occur during lunch breaks. Clark explained that council members by law have to be given time off by their employers to attend meetings.

Ray Lally: -

Warren Peters: -

Tom Borglund:
-

12. MAYOR'S NOTES

A.

ADJOURN

**Motion was made by Peters, seconded by Lund to adjourn the meeting at 10:15 pm. Three yea votes
Motion carried unanimously.**

Mayor Samuel A. Clark