

**CITY OF GILBERT
CITY COUNCIL WORKING SESSION
Tuesday, February 14, 2023
5:00 P.M.**

- 1. Call to Order**
- 2. Council Orientation**
- 3. Fire truck & PW financing discussion**
- 4. Street Camera discussion**
- 5. Stantec Professional Services discussion**
- 6. Miscellaneous items**
- 7. Adjourn**

City of Gilbert Handbook

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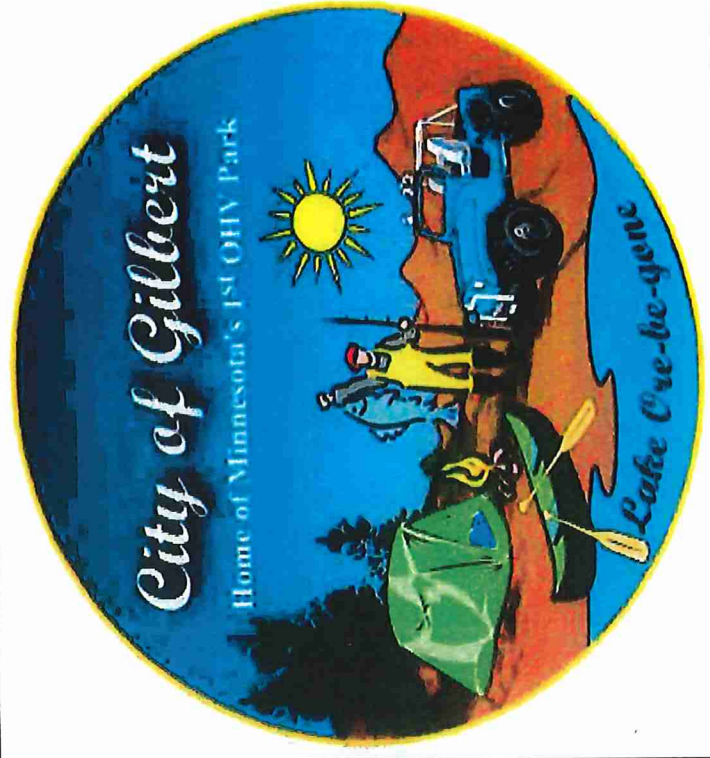
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2023

City of Gilbert

Council Orientation



A Little History

Incorporated	1908
City Plat Recorded	1907
City Post Office	1907
First Election	1908
Municipal Cemetery	1912

VITAL STATS

Minnesota law provides for two basic types of cities:

1. Statutory cities operate under the statutory city code and home rule
 2. Charter cities operate under a local charter.
- City of Gilbert is a statutory city, and it is the most common type.

The City of Gilbert operates under Chapter 412 of Minnesota Statutes

- Weak Mayor-Council system - powers of the mayor are not greater or less than any member of the council
- Elected Mayor and Council; Appointed (hired) City Clerk
- Council approves all hiring and firing

City of Gilbert is a 4th Class City

- 4th Class have a population less than 10,000
- City of Gilbert has a population as of the 2020 Census of 1,687

Median Household income is \$47,028

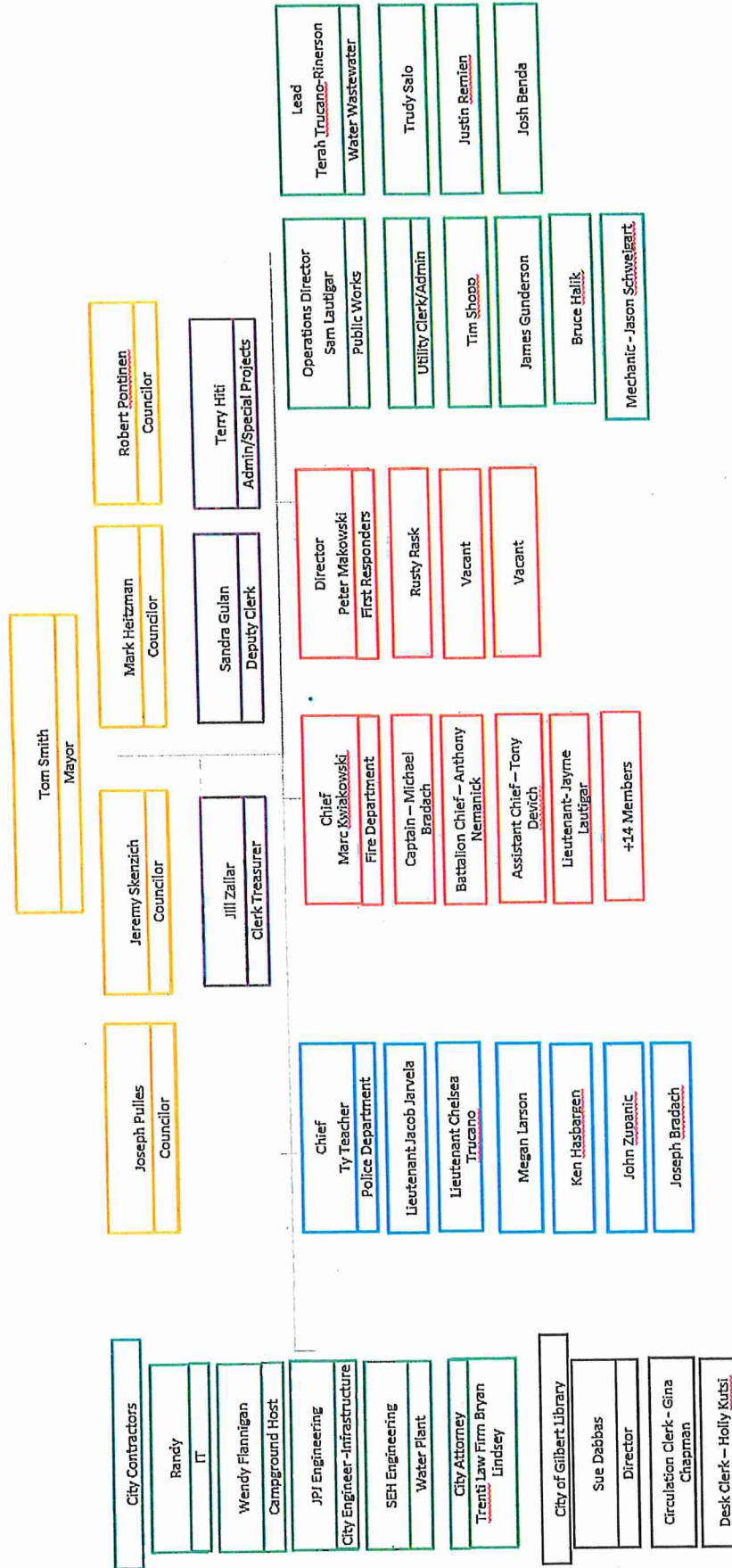
City of Gilbert - Part of the Quad Cities and is located:

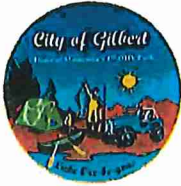
- St Louis County Commissioner District 6 - Keith Nelson

Mission

Through cost-effective administration of the City, we will provide a safe and attractive environment to enhance community pride by improving the physical, environmental, economic, cultural and social quality of the community.

CITY OF GILBERT ORGANIZATION CHART





City of Gilbert

www.gilbertmn.org

16 South Broadway • P.O. Box 548 • Gilbert, MN 55741

Phone: 218-748-2232 • Fax: 218-748-2234

Welcome to the City of Gilbert

Office Hours – Monday to Friday

Residents/Walk in: 10am-3pm

Staff: 8-4pm (outside "resident hours" by appointment)

Phone: General Information 218-748-2232

After hours or on-call for wastewater/water – 218-750-7565

Police: 218-

Clerk: 218-404-8123

Mayor: 218-

Coming:

Facebook

Complaint/Concern/Compliment form

New updated website gilbertmn.org

Work Schedules

City Hall – by determination of City Clerk

Generally, follow staffed hours above, with City Clerk discretion to off-site working, staffing, weather, and training schedules.

*Public Works determined by Director and safety/need and/or contract

*Police schedules are determined by Chief

Department Functions

City Hall – Operation of City business, HR, and administrative duties

Public Works – Operation and Maintenance of City property, infrastructure & streets.

Wastewater/Water – Operation and maintenance of the water and wastewater systems.

Police – health and safety

2023 Official Holidays

Jan 02, 16, Feb 20, April 7, May 29, June 19th, July 4, Sept. 04, November 10, 23 & 24, Dec 25 & 26

2023 Events

4th of July – parade on 3rd of July

2023 Council meeting schedule

January 10 & 24

February 14 & 28

March 14 & 28

April 11 & 25

May 09 & 23

June 13 & 27

July 11 & 25

August 08 & 22

September 12 & 26

October 10 & 24

November 14 & 28

December 12 & 26

COUNCIL ROLE

- Most important responsibility is to participate at Council Meetings—participate in discussion, make and second motions, and vote on matters before the Council.
- Almost exclusively, duties are performed by the Council as a whole, not by the Mayor or individual Council members
- Devote time to problems of basic policy
- Act as liaisons between the City and the public

MAYOR'S ROLE

- Official head of the city
- Executes official documents
- Has power to make certain appointments
- Presiding officer at Council meetings
- Declaring local emergencies
- Other than these specific items, the Mayor has no further authority than any other Council member

COUNCIL AUTHORITY

Mayor and Council duties are performed by the council as a whole

Judging the
qualification and
election of its own
members

Setting and
interpreting rules
governing its own
proceedings

Exercising all the
powers of cities
that law does not
delegate to others

Legislating for the
city

Directing
enforcement of city
ordinances

Appointing
administrative
personnel

Transacting city
business

Managing financial
operations

Appointing
members of
boards/commission
to advise Council

Conducting
intergovernmental
affairs

Protecting the
welfare of the City
and its inhabitants

Providing
community
leadership

Other specific
powers granted in
statute

TYPES OF MEETINGS

Regular

- Held the 2nd and 4th Tuesdays of each month at 6 pm

Special

- May be called by the Mayor or any two Council members. Notice must be posted at least three days prior to the meeting

Emergency

- May be called by the Mayor or any two Council members. No notice requirements for the public

Closed

- May only be closed under specific circumstances outlined in statute

OPEN MEETING LAW

Requires that all meetings are open to the public (except when allowed to be closed under certain circumstances)

- Prevents actions from being taken in secret
- Ensures the public's right to be informed
- Gives the public an opportunity to present its views

Common Exceptions

- Employee performance reviews or misconduct investigations
- Labor negotiations
- Attorney-Client Privilege
- Discussion of non-public data

Potential Problem Areas

- Violations occur when three or more Council Members meet and decide business in private
- Social gatherings
- Telephone, Email and Social Media
- Serial Meetings

Motions, Resolutions & Ordinances

A motion is a matter of parliamentary procedure and can be used to introduce a resolution, ordinance, or take any other action

A resolution is used for actions of a temporary, routine, or administrative nature. (i.e., submittal of grant applications, approval of the budget, lending support to projects)

An ordinance is a Council enactment that regulates people or property and provides a penalty if violated. It is the law of the City.

DATA PRACTICES

Under the Minnesota Government Data Practices Act, all government data is presumed *public* unless a state statute, federal law or temporary classification deems it otherwise.

- This presumption is reversed for personnel data (data on individuals employed by the city) and all personnel data is presumed *private* unless a state statute or federal law deems it public

Data Practices Responsible Authority for City of Gilbert:
Bryan Lindsey, Trenti Law Firm

The Responsible Authority: Classifies, maintains and secures data

The City office staff responds to data requests

Council access to data is no greater than that of the general public unless their "work assignment reasonably requires access" to information that has been classified as not-public

City Council members should be aware that all files, documents, email messages and internet logs are owned by the City and may be subject to open records requests. Users should have no expectation of privacy.

ETHICS

- State law prohibits elected officials from receiving gifts from any interested person
 - “gift” is defined as money, property, service, loan, forbearance or forgiveness of debt or a promise of future employment
 - “interested person” is defined as a person or representatives of a person or association that has a direct financial interest in a decision that a local official is authorized to make
- Conflicts of Interest
 - No member of the city council may have a direct or *indirect* interest in any contract the council makes.
 - Several exceptions exist and the interested party can disclose his or her interest
 - Courts have followed similar principles in non-contractual situations
 - Family relationship alone has no disqualifying effect on the making of a contract.
 - Potential conflict of interest situations are each unique and it is usually necessary to obtain a legal opinion from the city attorney

AGENDAS & MEETINGS

- Agenda and Packets are prepared by the Clerk
 - Consent agenda - information in agenda packet that City Council does not need to discuss.
 - Meeting Minutes - are an overview and not word for word
- Packets are delivered (or to be picked up, emailed) prior to a meeting
- A quorum is required to hold the meeting
 - Minimum of three Council Members needed
- Robert's Rules of Order are (loosely) used
- 1st Meeting of the Year - Annual Meeting
 - Designate Official newspaper, elect acting mayor, select official depository, approve council commissioners, set fee schedule for upcoming year
- Regular Meeting - set meeting date/times for year

THE CONSENT AGENDA

- Consent agenda is used for routine, non-controversial items that typically do not need further discussion. Examples of items typically on our consent agenda are:
 - Minutes
 - Departmental reports
 - Financial/budget report
 - Timecards/payroll
 - Claims for payment
 - Items discussed in depth at a previous meeting
- Any Council member can request removal of any item from the consent agenda for further discussion

DEPARTMENTS & STAFF

- *Public Works - 1 Director, 3 staff (1 vacancy), and 1 mechanic
 - Responsible for the operation and maintenance of all City property, infrastructure, & streets
- *Water/Wastewater - 1 lead, 3 staff
 - Responsible for the operation and maintenance of the water and wastewater systems (which are governed by the MN Dept of Health and the MN Pollution Control Agency)
- City Hall
 - City Clerk/Treasurer - full time
 - Responsible for the daily operation of City business including financial tasks, recordkeeping, correspondence, permitting, and all other administrative duties
 - Deputy Clerk - part time
 - Human resources and accounts payable
 - *Utility Billing Clerk - Utility billing and Utility administrative support
 - *Administrative Assistant/Special Projects - part-time - City hall administrative support
- IT - subcontractor
- Public Safety
 - *Police Department - 1 chief, 2 lieutenants, 4 officers and 1 administrative support
 - Fire Department (volunteer)
 - First Responders (volunteer)
- Campground Host (subcontractor)

*Union contract positions

Boards, Commissions and Committees

The City has the following established:

- Commissions:
 - Planning & Zoning Commission
 - Water and Light Board
- Advisory Boards
 - Campground Board
 - Cemetery Board

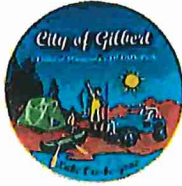
A Task force may be assembled as needed to support the City as determined by the Mayor and Council.

Advisory Boards

Advisory Boards shall act as an advisory capacity to the Council. The council may or may not approve the Advisory Board recommendations.

The committees and boards are operated under *Title III: Administration, Chapter 30: City Council and Officials; §31.20 Boards and Commissions.*

REVIEW THE COUNCIL/COMMISSION/BOARD AND STAFF DECORUM



City of Gilbert

www.gilbertmn.org

16 South Broadway • P.O. Box 548 • Gilbert, MN 55741

Phone: 218-748-2232 • Fax: 218-748-2234

COUNCIL/COMMISSION/BOARD AND STAFF DECORUM POLICY

General Information

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, which analyze issues, make recommendations, and implement and administer the Council's priorities. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Purpose

To establish a code of ethics and conduct, and associated remedies that all members (staff, commission, board and council) agree to abide by in carrying out their duties as elected officials for the City of Gilbert, ensuring a fair, ethical, and accountable city government. This policy simply outlines appropriate expectations, behavior and interactions with each other, citizens, and all other groups encountered as a result of city business, so as to efficiently and effectively develop and carry out the goals and established policies of the city.

Policy – Conduct of Members, Commissions, Boards, and City Staff

Council Conduct with City Staff

- **Staff Direction** – The Mayor and City Council member may direct city staff, contract employees, and consultants only through the City Clerk/Treasurer, as determined by majority vote. At work sessions, the Mayor will state the concerns of the Council or specific directions provided by the Council to the staff. The City Clerk/Treasurer will request further clarification if he/she feels it is required so that there is a clear understanding of that the Council's expectations are in terms of the actions to be taken by staff.
- **Conduct of Public Meetings** – Council members shall listen courteously and attentively to all public discussions before the body, and focus on the business at hand. Members shall refrain from private discussions (either verbally, written, or electronically) with other councilors or staff during public meetings. Any questions or comments during meetings shall be made publically. Members shall also refrain from interrupting other speakers; making personal comments not germane to the business of the body, are inappropriate, or otherwise interfering with the orderly conduct of meetings.
- **Treat all staff as professionals** – Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Practice civility and respect in all interactions with City staff, council, board/commission members, and residents.

- **Channel communications through the appropriate senior City staff** – questions of City staff should be directed only to the City Administrator, Clerk, or Department Heads. The City Administrator or Clerk should be copied on any request to senior staff. When in doubt about what staff contact is appropriate, Council members should ask the City Administrator or Clerk for guidance.
- **Never publicly criticize, this includes verbally, in print, or by social media an individual employee, council, or commission/board member** – All critical comments about staff performance should only be made to the City Administrator or Clerk through private correspondence or conversation.
- **Do not get involved in administrative or personnel functions** – Avoid any interactions with staff that may be construed as trying to shape staff recommendations. Council members shall refrain from coercing staff in making recommendations to the Council as a whole.
- **Be cautious in representing City positions on issues** – before sending correspondence related to the legislative position, check with the City Administrator, Clerk, and Mayor to see if a position has already been communicated. When corresponding with representatives of other governments or constituents, remember to indicate if appropriate that the views you state are your own and may not represent those of the full Council.
- **Respect the competing demands for staff work** – requests for information should be made through the City Administrator or Clerk, according to the protocol for channeling communications. Any request which would require an inordinate amount of staff to research a problem or prepare a response may be referred to the full Council for direction to ensure that staff resources are allocated in accordance with overall Council priorities. City staff is not under obligation to create documents that are not already in use for the flow of information. If a Council, Commission, or Board member is utilizing an inordinate amount of staff time, the City Clerk/Treasurer is required to bring this to the attention of the City Council for resolution.
- **Support a respectful, positive and constructive workplace** – Council, Commission, and Board members should support the maintenance of a respectful, positive and constructive workplace environment for City staff and for citizens and businesses dealing with the City. Council members are residents, not City employees and are not to interrupt employee duties or processes. City property will not be violated and appointments will be made before entering any City property.
- **Depend upon the staff to respond to citizen concerns and complaints** – it is the role of Council members to pass on concerns and complaints on behalf of their constituents if the Council member is not familiar with the current practice/policy/background. It is not, however, appropriate to pressure staff to solve a problem in a particular way. Refer citizen complaints to the Department Head, City Administrator, or Clerk who will coordinate follow-up by the appropriate staff member(s). The City Administrator or Clerk should be copied on any request to senior staff.

Staff Conduct with Council

- **Respond to Council questions as fully and as expeditiously as is practical** – senior staff will strive to respond to all Council member inquiries as completely and quickly as practical. If a Council member forwards a complaint or service request to the City Administrator or Clerk, there will be follow through with the Council member on the outcome.
- **Respect the role of Council members as policy makers for the City** – staff is expected to provide its best professional recommendations on issues. Staff should provide information about

alternatives to staff recommendations as appropriate, as well as pros and cons for staff recommendations and alternatives.

- Demonstrate professionalism and non-partisanship in all interactions with the community and in public meetings.
 - It is important for the staff to demonstrate respect for the Council at all times. All Council members should be treated equally.
- **All Council members should have the same information with which to make decisions** – the City Administrator Clerk and Department Heads will endeavor to ensure Council members are provided with clear and consistent information upon which to base decisions.

Roles/Responsibility Expectations

Meetings – Per the City Charter, the Mayor presides over meetings of the City Council. Speakers who wish to address the Council do not speak until recognized by the Mayor.

Act in the Public Interest – Recognizing that service to our citizens must be our primary concern; Council, Commission, Board members, and Employees shall work for the common good of the people of Gilbert and not for any private or personal interest. Each will treat all persons, claims and transaction in a fair and equitable manner.

Comply with the Law – Council, Commission or Board members shall comply with the laws of the United States, the State of Minnesota and the City of Gilbert charter, ordinances and policies in the performance of their public duties.

Confidential Information – All members of the Council, Commission, Board, or city staff shall respect and preserve the confidentiality of non-public, protected non-public, private, and confidential information provided to them concerning matters of the City. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial or private interests.

Preparation – Council members are expected to be prepared for City Council meetings and work sessions.

Decisions Based on Merit – Council members shall base their decisions on the merit and substance of the matter at hand. Members shall never use political, personal, or un-related considerations in decision making. No members shall coerce other members to support their stance.

Agenda Preparation – The City Clerk directs preparation of the meeting agendas. The final agenda is approved by the Mayor prior to the meeting. Additions or deleted items to the agenda are determined by the Council members per procedures established in the City Charter.

Conflict of Interest – In order to assure their independence and impartiality on behalf of the common good, council members shall not use their official positions to influence government decisions in which they have a material financial interest or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest.

In accordance with the law, no member shall participate in the disposition of any matter in which he or she has a personal, financial, or social interest. For purposes of this section “interested” includes a direct or indirect financial or personal interest held by a member or member of his/her family. Before

any matter is heard, a member having an interest shall state it and withdraw from participation, or he/she may disclose the facts involved and request determination by the Council of whether a conflict of interest exists. Any question of the existence or non-existence of a conflict of interest sufficient to disqualify a member from participating in the disposition of any matter shall be decided by a majority vote of the other members of the Council. In case of a tie, the member shall be disqualified.

Use of Public Resources – Public resources unavailable to the general public (e.g. city staff time, equipment, supplies, or facilities) shall not be used by Council members for private, personal, or political purposes. In addition, members shall refrain from accepting any gifts, favors, or promises of future benefits, with might compromise their independence of judgment or action or give the appearance of being compromised.

Steward of City Funds – When the end of a member’s service on any City Council, Commission, or Board comes to an end, that member shall not subject the city to unnecessary travel and/or tuition costs.

IMPLEMENTATION

Orientation – This policy shall be included in the regular orientation for new Council, Commission, and Board members. Following each election, the new members shall, by resolution of its elected members, adopt this Policy with signature acknowledgement.

Compliance and Enforcement – Council, Commission, and Board members themselves have the primary responsibility to assure that this policy is understood and followed and that the public can continue to have full confidence in the integrity of the Gilbert City Government.

Remedies – It is the responsibility of the City Council to police its members. When inappropriate behaviors are observed, any member of the Council can intervene. If inappropriate behavior is observed, the City Council will discuss the behavior at a Council work session. The City Council may impose sanctions on members whose conduct does not comply with the City’s Policy, such as reprimand, formal censure, loss of committee assignment (Mayoral decision), or budget restriction.

Date

Member Signature

Member Printed Name

Tom Smith, Mayor

ATTEST:

Jill Zallar, Clerk/Treasurer

City Budget Calendar

- July/August: city clerk develops a draft budget
- September: City Council approves preliminary budget, sets preliminary levy and Clerk certifies the preliminary levy to the County Auditor. Once preliminary levy is set, the final levy can be equal to or less than the preliminary levy but not more.
- October & November: Further budget review if necessary.
- December: City Council grants final approval of tax levy and approval of final budget. Clerk again certifies to the County.
- January: New budget year starts.
- Tax payments are received in June and November.
- Local Government Aid payments are received in July and December.
- Fiscal year is January to December.

City Finance

- Enterprise Funds (self-supporting)
 - Water - Sewer - Electric
 - Revenues are derived from user fees which are set annually based on projected expenses
- Other Revenue Fund(s)
 - Campground
- Total City Indebtedness
 - View excel spreadsheet

St. Louis County Report of Outstanding Indebtedness												
ISSUE	Original	Balance 12/31/2021	2022 Payments	Principal Balance 12/31/2022	Maturity	Percent						
GO Refunding Note, Series 2018A	315,000.00	\$165,000.00	\$60,082.60	\$109,000.00	2/1/2024	2.98						
GO Bond, Water and Sewer Revenue Bond, Series 2022A	2,070,000.00	\$0.00	\$0.00	\$2,070,000.00	2/1/2042	\$3.00	** bond 2020A & B redeemed when 2022A taken out					
MPFA Water Fund Loan - 2018	4,911,117.00	\$3,903,315.73	\$274,022.53	\$3,668,315.73	8/20/2038	1	MPFA-CWRF-L016-FY19	EQ Basin, MBR				
MPFA Water Fund Loan - 2021	379,983.00	\$263,791.92	\$11,652.04	\$343,313.41	8/20/2041	1	MPFA-CWRF-L054-FY21	EQ Basin, MBR				
Lawnmower - (7 year annual at 5.31%) - bank loan	61,949.26	\$50,243.33	\$11,705.93	\$41,207.45	2/15/2026	5.31						
Governmental activities long-term debt		\$4,382,350.98	\$357,463.10	\$4,739,814.08								
GO Improvement Bonds												
GO Utility Revenue Bonds, Series 2012A -	1,025,000.00	\$160,000.00	\$28,687.50	\$135,000.00	5/1/2027	2.5						
Taxable GO Utility Revenue Energy Conservations Bonds 2012B	350,000.00	\$70,000.00	\$36,575.00	\$35,000.00	7/25/2023	3						
GO Revenue Note of 2003 (MPFA Water Fund Notes, Series 2003)	157,764.00	\$20,000.00	\$10,576.00	\$10,000.00	8/20/2023	\$2.88	MPFA-02-0008-R-FY03	Well Project				
GO Revenue Note of 2010 (MPFA Water Fund Note Series 2010)	1,337,076.00	\$635,000.00	\$74,350.00	\$567,000.00	8/20/2030	\$1.00	MPFA-07-0017-R-FY10	Old Wastewater Project				
Business type activities long term debt		\$885,000.00	\$150,188.50	\$1,035,188.50								
TOTAL LONG TERM DEBT		\$5,267,350.98	\$507,651.60	\$5,775,002.58								
			Adjusted long-term debt	\$5,775,002.58								
Line 6 General Obligation				\$6,190,629.14								
Line 8 GO Special Assessment				\$0.00								
Line 10 Revenue Bonds				\$747,000.00								
			bonds outstanding 12/31/2022	\$6,937,629.14								
Line 13 Refunding												
Line 15 Other Long-term indebtedness -				\$109,000.00								
				\$41,207.45								

Current Council --Goals

- Update Housing Study (2011)
- Create Comprehensive Plan (Ehlers 2018)
- Create Financial Plan (5 year)
- Update Ordinances and Policies (Charter)
- Interact with the Public
 - Public Opinion
 - Public Wants, needs, concerns

DECISION-MAKING MADE EASY

The Six Questions You Need to Ask

1. What does the law say?
 - Some quick research may reveal that this isn't much of a decision at all, but that there are legal requirements that must be complied with
2. Is it consistent with the City's vision/purpose?
 - Consult the City's Comprehensive Plan
3. What does the budget say?
 - Can the City afford it?
4. What does staff say?
 - Do we have the knowledge, ability, and time to follow through with this decision?
5. Whom does this decision benefit?
 - Be wary of conflicts of interest, both real and perceived
6. Does it make sense?
 - Stretch that common sense muscle and spend some time considering the big picture

POLITICAL STRAIGHT TALK

It is better to promise to *investigate* than to promise to *act*.

It is better to say 'If other council members will go along with me' than to say 'I will get your zoning changed.'

It is better to say 'Let me see what I can do' than to say 'I can do.'

It is better to speak about the larger picture than about specific citizen demands until you have the facts.

It is better to say 'I don't know what can be done' than to promise action when you are not sure.

It is better to blame official constraints (state law, federal law, court decisions) than to say you can do what is beyond your ability.

It is better to say "No" than to say "Yes" and then have to make excuses why not.

It is better to be realistic about "getting half a loaf" than to be idealistic about "getting the whole loaf."

It is better to say "I haven't made up my mind" than to tacitly support any and every demand by constituents.

RESOURCES

- League of Minnesota Cities
 - Research and information services
 - research@lmc.org
 - Lobbying services
 - Provider of general liability, property & casualty, automobile, worker's comp, and other insurance coverages (volunteer, sewer back-up, etc.)
 - Main contact information: 800-925-1122 or <http://www.lmc.org>
- Minnesota Rural Water Association
 - Training & technical assistance in water and wastewater operations
- Others...