

# LINCOLN CITY COUNCIL

## Meeting Minutes

February 4, 2016

The regular meeting of the Lincoln city council was called to order by Mayor Gerarld Wise at 6:56 pm, at the Lincoln Community Center, 74 Santee Road, Lincoln, ND. Members Present: Volk, Fisher, Zainhofsky, and Daly. Others present: Hunt, Justin Hagel, Lance Hagen, Don Schuler, SEH reps Ashley, Toni, and Ken, Melanie Kitzan-Morel, Jeff Greisch, Mike Heinsohn, and Landon Niemiller

### Approval of Agenda

Motion by Volk to approve

Seconded by Zainhofsky

Motion carried

### Approval of Special Meeting minutes on December 17. 2015

Motion of approve minutes by Fischer

Seconded by Volk

Motion carried

### Approval of minutes on January 7, 2016

Motion of approve minutes by Volk

Seconded by Fischer

Motion carried

### Second Reading to Amend Compensation for Mayor and Council Members

Motion to waive reading by Volk

Seconded by Zainhofsky

Motion carried

### Final plat consideration for South Lincoln First Addition

Landon Niemiller of Swenson and Hagen asked for the approval of the preliminary plat and zoning request for South Lincoln 1<sup>st</sup> Addition. The zoning request would change the lots from AG to R1 and a small portion to Zone P, which is currently zoned agriculture.

Motion by Volk to approve final plat

Seconded by Fischer

Motion carried

### Final plat consideration for Rusch Gabbert and Rusch

Landon Niemiller of Swenson and Hagen, asked for the zoning change on a 38-acre parcel, which will be a combination of R1, R2, and R7. City funds will not be used to maintain the property, as it will be maintained by a homeowner's assn. Park land is set aside.

Motion by Fischer to approve

Seconded by Volk

Motion carried

### SEH report

Ashley Kaisershot requested to change name of Plover Lane. Combined Communications is requesting the name change due to issues with the name of Plover Lane and Clover Lane being too similar. The name change can be approved by resolution after all residents are notified. The city council will decide on the new name. Ashley also discussed the benefits and value of parks to communities. Toni Haider stated there was one re-plat and they are in the process of organizing all open projects to get closed out.

### First reading of Park Standards and Dedication Ordinance

A need to put a committee together to consist of two council members, two P&Z members, two park board members, and engineers was discussed. Zainhofsky and Fischer were appointed to be on the committee.

Motion by Volk to refer ordinance to a committee for negotiation

Seconded by Fischer

Motion carried

Motion by Volk to add developers to the committee

Seconded by Fischer

Motion carried

### Approve resolution to remove or declare the position of Deputy Auditor vacant

Motion by Zainhofsky to approve resolution

Seconded by Daly

Motion carried

### Employee raises/cost of living increases

Daly stated that raises would come from general fund revenue. Volk asked Daly if the state aid cut of 26% affects the decision to give raises. Daly stated that she would not want to give raises and then in 6 months have to cut wages. Volk suggested bringing in Brady Martz to the next meeting to talk about their final findings in regards to the city's finances.

Motion by Volk to table until the council meeting in March

Seconded by Zainhofsky

Motion carried

### Municode – Code Webhosting

Justin Hagel, city attorney, is looking into the cost of having the state update the city's ordinances which would save money.

Motion by Daly to table until a later date

Seconded by Volk

Motion carried

### Home Rule Charter

Hagel defined Home Rule as the right of self-government. ND follow Dillon's Rule in which the state has authority to decide in the powers of municipal government. With Home Rule, Lincoln would be able to avoid state interference in city affairs and would have the authority to create its own ordinances. The procedure to incorporate Home Rule would begin with a passage of a resolution to appoint a commission and provide budget of charter commission. Hagel stated it is doable with time constraints. Commission must have a minimum of five members but can have more.

Motion by Fischer to approve resolution of proposed Home Rule

Seconded by Zainhofsky

Motion carried

Request for SEH to take over MPO meetings

Mayor Wise asked a representative from SEH to take his place at the MPO meetings. Ken Nysether, SEH, stated there are several mayors who have their engineers sit in for them. Mayor Wise gave the go ahead for SEH to take his place at the meetings but will still attend as the audience.

Special Permits

Motion by Volk to approve St. Baldrick's Foundation charity permit

Seconded by Fischer

Motion carried

Portfolios

Daly – Discussed P&Z pay. They will get paid \$70 for each meeting attended. The Board of Adjustments will get \$50 if they convene with an agenda and the secretary will get paid \$20 a month.

Motion by Fischer to amend resolution for P& Z pay

Seconded by Daly

Motion carried

Motion by Fischer to approve pay for P&Z retroactive to January 2016

Seconded by Daly

Motion carried

Volk – Police dept. is continuing to grow and they are doing a tremendous job.

Zainhofsky – Mayor Wise talked about un-kept yards in the city and the need to clean up front yards. Letters will be sent to those who are not conforming to the ordinance.

New business

There was no new business discussed

Finances

Motion by Volk to approve finances

Seconded by Daly

Motion carried

Entered Executive Session at 9:08 for the consideration of legal action related to overpayment of employee wages

Regular council meeting reconvened at 9:29 pm, closed executive session and opened to the public

Motion by Volk to send letters to past and current employees to pursue collection efforts in overpayments

Seconded by Zainhofsky

Motion carried

In an effort to move the city forward in a positive direction, Mayor Wise reassigned portfolios. Fischer will take over the finances from Daly. Volk will take over Public Works from Fischer. Along with public works, Volk will help in the areas of personnel and finances. Daly will take over Beautification from Zainhofsky. Zainhofsky will take over the police dept. from Volk. Mayor Wise will revisit in 3 months to see how it is going.

Meeting adjourned at 9:37 pm.

Motion by Volk to adjourn

Seconded by Fischer

Motion carried

Paula Hunt, City Auditor