



COUNCIL PROCEEDINGS

CITY OF WELLS, MINNESOTA

MINUTES

Regular Session of City Council City of Wells

The Wells City Council convened in regular session on Monday, July 11, 2011 from 5:00 p.m. until 6:30 p.m. in the Wells Community Center, Council Chambers. Mayor Ron Gaines called the meeting to order with the following council members and employees present: Councilmember Steve Burns, Councilmember Jim Durfee, Councilmember Ann Marie Schuster and Councilmember Ashley Seedorf. Employees present: Police Chief Jim Ratelle, Street Supervisor Janie Whim, Deputy City Clerk Deb Redman and City Administrator Jeremy Germann. Mayor Gaines led the group in the "Pledge of Allegiance."

AGENDA:

The agenda for the July 11, 2011 council meeting was reviewed with Councilmember Schuster making a motion to approve the agenda as presented. Councilmember Durfee seconded the motion. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

PUBLIC HEARINGS:

Mayor Gaines opened the public hearing concerning a request by Milton Peterson, of 355 Third Street SE, for a conditional use permit in a General Industrial District Zone for a facility that would accept appliances and electronics to be recycled off site. I & S Group representative Brad Potter gave a staff report on the findings of the application. Discussion held on conditions recommended by the Planning & Zoning Committee during a July 7, 2011 meeting. Mayor Gaines closed the hearing after there were no comments from the public.

CONSENT ITEMS:

The minutes of the regularly scheduled council meeting held on June 13, 2011 were reviewed with Councilmember Seedorf making a motion to accept the minutes as presented. Councilmember Burns seconded the motion. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

The list of bills was reviewed with Councilmember Burns making a motion to pay the bills totaling \$137,732.42 dated June 27, 2011 and \$125,426.86 dated July 11, 2011. Councilmember Schuster seconded the motion. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

The monthly financial reports were reviewed including revenue & expenditures 2011 statement, balances & receipts, pool update, overtime hours accrued, comp-time

accumulated, building permits and liquor store comparison with Councilmember Seedorf making a motion to accept the reports as presented. Councilmember Durfee seconded the motion. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

Mayor Gaines asked for a motion to accept the Fire Department minutes from meetings held on May 10, 2011 and May 24, 2011; and the Library Board minutes from a meeting on May 18, 2011. Councilmember Schuster made the motion with a second from Councilmember Burns. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

PUBLIC COMMENT:

Rory Lenton, a representative from Minnesota Energy Resources, discussed renewing the franchise agreement it has with the City of Wells for an additional 20 years and introducing a franchise fee with the new agreement. Discussion held.

GENERAL BUSINESS:

Mayor Gaines asked for a motion to adopt RESOLUTION 2011-19: A RESOLUTION APPROVING A CONDITIONAL USE PERMIT. Councilmember Seedorf made the motion with a second from Councilmember Schuster. Discussion held on the conditions listed in the staff report and suggested by the Planning & Zoning Committee. Roll call taken with Burns, Schuster and Seedorf voting yea. Durfee voted nay. Motion carried.

Mayor Gaines gave the second-of-three readings to ORDINANCE NO. 152: AN ORDINANCE TO AUTHORIZE INTERIM USE PERMITS TO BE ISSUED BY THE CITY OF WELLS.

Mayor Gaines asked for a motion to adopt the City of Wells Program Income/Generated Income Policy and City of Section 3 Plan as presented. Councilmember Burns made the motion with a second from Councilmember Durfee. Discussion held. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

Mayor Gaines asked for a motion to enter into the Faribault County Emergency Services Mutual Aid Agreement. Councilmember Durfee made the motion with a second from Councilmember Seedorf. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

Mayor Gaines asked for a motion concerning the Flame Theatre Board. Councilmember Burns made a motion to accept the resignation of Sandy Hartman, to accept a request by Ron Hartman to step down as chairman while remaining a board member, and to appoint current board member Rick Herman as chairman. Councilmember Schuster seconded the motion. Discussion held on issues facing the Theatre Board. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

Mayor Gaines asked for a motion to appoint Sue Nasinec to a vacant seat on the Economic Development Authority. Councilmember Durfee made the motion with a second from Councilmember Schuster. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

Mayor Gaines asked for a motion concerning a street improvement request from Bill Herman. Councilmember Seedorf made a motion to table the discussion until the August 8, 2011 regularly scheduled council meeting. Councilmember Durfee seconded the motion. Discussion held. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

Mayor Gaines asked for a motion concerning SPECIAL ORDINANCE No. 250: AN ORDINANCE TO ENTER INTO A FRANCHISE AGREEMENT WITH MINNESOTA ENERGY RESOURCES. Councilmember Durfee made a motion to table the discussion until the draft ordinance is amended. The motion died for lack of a second.

Mayor Gaines asked for a motion concerning SPECIAL ORDINANCE No. 250: AN ORDINANCE TO ENTER INTO A FRANCHISE AGREEMENT WITH MINNESOTA ENERGY RESOURCES. Councilmember Durfee made an amended motion to change the agreement to state the length of the contract is 20 years and for the fee to be as follows: residential \$2.00; commercial firm \$2.00, commercial interruptible \$30.00; industrial firm \$2.00; industrial interruptible \$30.00; transportation \$0.00. Councilmember Burns seconded the motion. Discussion held. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

Mayor Gaines brought the topic of Street Department (Bid Opening) to the table. It was the general consensus of city council to set the minimum sale price for the 1996 F-250 truck at \$500.00. Mayor Gaines opened one sealed bid which offered \$1,452.00. Councilmember Schuster made a motion to sell the truck to Robert Waack for \$1,452.00 with a second from Councilmember Durfee. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

Mayor Gaines brought the topic of Rural Tax District Amendment to the table. City Administrator requested additional time to research the topic. Councilmember Seedorf made a motion to table the subject until the August 8, 2011 regularly scheduled council meeting with a second from Councilmember Durfee. Roll call taken with Burns, Durfee, Schuster and Seedorf voting yea. Motion carried.

City council reviewed a letter dated June 20, 2011 from the Office of Minnesota Management & Budget informing the City of Wells it has been certified compliant with the Local Government Pay Equity Act for its 2011 review. The next report will be due in 2013.

The Street & Sewer Committee set its next meeting at 4:00 p.m. on July 27, 2011.

City council discussed a United Board meeting scheduled for 5:00 p.m. on July 20, 2011.

City council reviewed a letter dated June 28, 2011 from City Attorney Randel Bichler addressed to Frank Brothers Feed & Grain, Inc. concerning repairs required to a grain bin located on Broadway.

CITY REPORTS:

Administrator Germann:

Discussed the new city website and recent difficulties with fogging for mosquitoes.

Mayor Gaines: Nothing
Councilmember Burns: Discussed information he learned at the annual League of Minnesota Cities conference.
Councilmember Durfee: Discussed the new city website and issues facing the Flame Theatre Board.
Councilmember Schuster: Discussed preventing cars from using a pathway north of the Scout House located on Highway 22.
Councilmember Seedorf: Discussed development issues associated with the intersection of Seventh Street SW and Ninth Avenue SW.

ANNOUNCENMENTS:

The next regularly scheduled council meeting was set for Monday, August 8, 2011 at 5:00 p.m. in the Wells Community Center, Council Chambers. Councilmember Seedorf made the motion to adjourn the meeting with a second from Councilmember Durfee. Meeting adjourned.

Mayor Ron Gaines

Administrator Jeremy R. Germann