

## **MINUTES**

### **Regular Session of City Council**

#### **City of Wells**

The Wells City Council convened in regular session on Monday, December 8, 2008 from 5:00 p.m. until 6:10 p.m. in the Wells City Building, Council Chambers. Mayor Dave Jacobson called the meeting to order with the following council members and employees present: Councilmember Steve Burns, Councilmember Ron Gaines, Councilmember Scott Linde and Councilmember Shannon Savick. Employees present: City Administrator Jeremy Germann, Deputy Clerk Debra Redman. Mayor Jacobson led the group in the "Pledge of Allegiance."

#### **CONSENT ITEMS:**

The minutes of the Regular Council Meeting held on November 24, 2008 were reviewed with Councilmember Gaines making a motion to accept the minutes without correction. Councilmember Burns second the motion. Roll call taken with Burns Gaines and Savick voting yea. (Councilmember Linde was not present.) Motion carried.

The monthly bills were reviewed in the amount of \$125,365.17 with Councilmember Savick making a motion to pay the bills. Councilmember Gaines seconded the motion. Questions were raised concerning a bill from Wells Public Utilities, \$612.09, for fire hydrants; and a bill from Frundt & Johnson, LTD, \$365.00, for nuisance abatement. Roll call taken with Burns, Gaines and Savick voting yea. (Councilmember Linde was not present.) Motion carried.

The monthly balances & receipts were reviewed with Councilmember Gaines making a motion to accept the documents as presented. Councilmember Savick seconded the motion. Roll call taken with Burns, Gaines and Savick voting yea. (Councilmember Linde was not present.) Motion carried.

The monthly request for building permits was reviewed with Councilmember Burns making a motion to grant a permit to each applicant. Councilmember Savick seconded the motion. Roll call taken with Burns, Gaines, Linde and Savick voting yea. Motion carried.

The monthly reports, including building report, liquor report, library report, community center report, overtime report, and comp time report, were reviewed with Councilmember Burns making a motion to accept the documents as presented. Councilmember Savick seconded the motion. Roll call taken with Burns, Gaines, Linde and Savick voting yea. Motion carried.

#### **COMMITTEE ITEMS:**

Mayor Jacobson asked for a motion to accept the recommendation from the Flame Theatre Board to enter into a service contract with Midwest Cinema Services, INC. Theatre Manager Michael Milks explained to council the former technician no longer provides services to the Flame Theatre and the financial advantages of the new service contract. Councilmember Savick made the motion Councilmember Linde giving a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. **Motion carried.**

Mayor Jacobson asked for a motion to accept the minutes of the Flame Theatre Board from a meeting on November 19, 2008 as presented. Councilmember Burns made the motion with Councilmember Gaines giving a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. Motion carried.

Mayor Jacobson asked for a motion to accept the minutes of the Wells Public Library Board from November 19, 2008 as presented. Councilmember Burns made the motion with Councilmember Savick giving a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. Motion carried.

Mayor Jacobson asked for a recommendation from the Street & Sewer Committee to purchase a multidirectional snow plow from Rdo Equipment Company, of North Mankato, for \$14,250.00. Discussion was held concerning trade-in value of current snow plow, possible financial savings from an updated snow plow, the possibility of waiting until state reduction in LGA is clear, and the price of the snow plow increasing in 2009. Councilmember Linde made the motion with Councilmember Gaines giving a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. **Motion carried.**

Mayor Jacobson asked for a motion to accept the minutes of the Street & Sewer Committee from a meeting on December 4, 2008 as presented. Councilmember Gaines made the motion with Councilmember Savick giving the second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. Motion carried.

Mayor Jacobson asked for a motion to accept the department reports from the Wells Fire Department (November 11, 2008 & November 25, 2008) and the Wells Street Department (December 2, 2008). Discussion was held about the Street Department working in Minnesota Lake. It was explained the work was part of an agreement between the Tri-Cities. Councilmember Burns made the motion with Councilmember Linde giving a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. Motion carried.

#### **GENERAL BUSINESS:**

Wells City Council gave the second of three readings of proposed Ordinance No. 8 by the Planning & Zoning Commission: **ORDINANCE NO. 8, SECOND SERIES – AN ORDINANCE REGULATING THE BURNING OF SOLID FUELS IN EXTERNAL SOLID FUEL-FIRED HEATING DEVICES AND SOLID FUEL STORAGE.**

Wells City Council gave the second of three readings of a proposed procedure change for zoning code violations as followed by the Planning & Zoning Commission: **ZONING CODE VIOLATION PROCEDURE.**

Mayor Jacobson asked for a motion to accept the recommendation from the Housing & Redevelopment Authority to waive the standard subdivision application fee for the West Meadow Subdivision. Discussion was held on the location of the subdivision, located on Sate Route 109. Councilmember Burns made the motion with Councilmember Savick giving the second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. **Motion carried.**

Mayor Jacobson asked for a motion to adopt **RESOLUTION NO. 2008-16: A RESOLUTION SETTING FEES AND RATES FOR 2009.** Councilmember Linde made the motion with Councilmember Savick giving a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. **Motion carried.**

Mayor Jacobson asked for a motion to adopt **RESOLUTION NO. 2008-17: A RESOLUTION ADOPTING THE PROPOSED 2008 TAX LEVY COLLECTIBLE IN 2009.** Councilmember Gaines made the motion with Councilmember Linde giving a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. **Motion carried.**

Mayor Jacobson asked for a motion to grant cigarette license renewals for 2009 at \$100 to: Casey's General Store, NuMart Convenience Store, Wells Liquor Store and Wells Marketplace Foods. Councilmember Savick made the motion with Councilmember Linde giving a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. **Motion carried.**

Administrator Germann asked council to consider investing a portion of the city's money market account in certificates of deposit to improve the rate of return while keeping a certain amount of flexibility. Administrator Germann recommended purchasing three certificates of deposit, investing in each of the city's three banking intuitions located in Wells, with each CD being worth \$200,000. Discussion was held. Administrator Germann recommended investing \$200,000 with Peoples State Bank on a five-year ladder CD with \$50,000 maturing after one year (3.25%), \$50,000 maturing after two years (3.50%), \$100,000 maturing after five years (3.95%); investing \$200,000 with Paragon Bank maturing after two years (3.40%); investing \$200,000 with Wells Federal Bank maturing after one year (3.10%). Councilmember Savick made a motion with Councilmember Linde giving a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. **Motion carried.**

A letter from Wells Building Official Bryan Stensland, which notified the property owner of parcel No. R30.200.4610 that a single family dwelling located on the property was deemed uninhabitable, was reviewed by council. Discussion was held concerning a complaint letter signed by neighboring residents, the cracked foundation of the structure, possibility of vermin infestation & fire hazards, and proper public officials to

notify. A motion was made by councilmember Savick to proceed on the proper steps to tear down the structure. A second on the motion was made by Councilmember Burns. Roll call taken with Burns, Gaines, Linde and Savick voting yea. **Motion carried.**

#### **PUBLIC COMMENT:**

- *Brenda Weber* – Discussed the inappropriateness of comments made by people associated with city business, which recently made allegations against her at her place of employment which she perceived as retaliation against recent comments at council meetings.

#### **VISTORS:**

*Dennis Lutteke* – No present. Administrator Germann state Community Development Director Zoa Heckman, Lutteke and himself had a meeting to discuss recent citizen complaints concerning health issues associated with the spreading of manure inside city limits. Administrator Germann talked with representatives from the Minnesota Pollution Control Agency, Faribault County, and the League of Minnesota Cities, and all three stated it was up to the city adopt and enforce their own ordinance. Administrator Germann recommended having the Planning & Zoning Board discuss the matter and attempt to find a compromise before legal issues arise. Discussion held. Councilmember Savick made a motion to have the Planning & Zoning Board look into the matter. Councilmember Linde gave a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. Motion carried.

*Lori Bonsack* – As owner of the publication Wells Mirror, Bonsack stated her newspaper would no longer be covering council meetings. She explained the reason behind this decision was recent remarks made during public comment. She stated she refused to have her newspaper publish unfounded allegations. She asked the council to consider printing the official minutes for which she would allow the city to publish a weekly column to update the general public.

*Bob Schultz* – As chairman of the Tri-City Sewer Board, Schultz introduced himself to council and updated council on the board. Schultz reminded council the board was meeting December 8, 2008 and the city would be required to update its agreement.

#### **EMPLOYEES:**

*Administrator:*

- Asked council to consider allowing the city to set up direct deposit for payroll. There is a one-time \$800 fee associated with the state's auditing software. Discussion held. Councilmember Linde made a motion with

Councilmember Gaines giving a second. Roll call taken with Burns, Gaines, Linde and Savick voting yea. Motion carried.

- o Asked council to consider scheduling a City Hall Committee meeting in the near future.

**ANNOUNCEMENTS:**

*Councilmember Burns* – Nothing.

*Councilmember Linde* – Nothing.

*Councilmember Savick* –  
Nothing.

*Mayor Jacobson* – Talked about setting up a hiring committee for replacing retiring Police Chief Rick Herman. Discussion was held about keeping all council members involved with the process and what employee should be invited. A consensus was formed to have all 22 applicants for the position blindly rated, with names being redacted. The top five candidates will be interviewed on the evening of December 16, 2008. All council members are invited to attend with questions being submitted and pooled before the interviewing.

The next meeting was set for December 22, 2008 at 5:00 p.m. in the Wells City Building, Council Chambers. Meeting adjourned.

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Mayor Dave Jacobson Administrator Jeremy R. Germann