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, February 9, 2009 from 5:00 p.m. until 7:20 p.m. in the Wells City Building, Council Chambers. Mayor Shannon Savick called the meeting to order with the following council members and employees present: Councilmember Steve Burns, Councilmember Ashley Dylla, Councilmember Ron Gaines and Councilmember Mike Weber. Employees present: City Administrator Jeremy Germann, Deputy Clerk Debra Redman and Fire Chief Mike Pyzick. Mayor Savick led the group in the "Pledge of Allegiance."

CONSENT ITEMS:

The minutes of the regularly scheduled council meeting held on January 26, 2009 were reviewed with Councilmember Burns making a motion to accept the minutes as presented. Councilmember Dylla seconded the motion. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

The minutes of the council working session held on January 21, 2009 were reviewed with Councilmember Gaines making a motion to accept the minutes as presented. Councilmember Weber seconded the motion. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

Council discussed rescheduling the next working session. Councilmember Burns made a motion to schedule the working session for Wednesday, February 25, 2009 beginning at 4 p.m. with Councilmember Dylla giving a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

Administrator Germann gave a PowerPoint presentation highlighting budget cuts the city will make in preparation of anticipated Local Government Aid (LGA) cuts.

The monthly bills were reviewed in the amount of $166,846.26 with Councilmember Gaines making a motion to pay the bills. Councilmember Burns seconded the motion. Discussion held on the Northland Securities, Inc. (Accounting) and the Rick Herman (Highways, Streets & Roads) bills. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

COMMITEE ITEMS:

Mayor Savick asked for a motion to approve the minutes from a Planning & Zoning meeting held on January 24, 2008. Councilmember Dylla made a motion with Councilmember Gaines giving a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to approve the minutes from a Planning & Zoning meeting held on December 15, 2008. Councilmember Gaines made the motion with Councilmember Burns giving a second. Discussion held on proper procedure to amend planning and zoning codes inside the City of Wells. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to approve the minutes from Wells Fire Department meetings held on January 13, 2009 and January 27, 2009. Councilmember Weber made the motion with Burns giving a second. Roll call taken with Dylla, Burns, Gaines, Savick and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to approve the minutes from a Parks Board meeting held on December 3, 2008. Councilmember Gaines made the motion with Councilmember Dylla giving a second. Roll call taken with Dylla, Burns, Gaines, Savick and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to accept the Parks Board's recommendation that the board be permitted to solicit bids for weed control for both the spring and fall seasons. Councilmember Burns made the motion with Councilmember Gaines giving a second. Discussion held. Councilmember Weber asked for an amendment to be attached to the motion, specifying that the Parks Board solicit bids for weed control with the understanding that a pre-emergence herbicide be used in the spring and a broadleaf herbicide be used in the fall. No objection was made to the amendment from the voting body, which created a "friendly amendment." Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to accept the Parks Board's recommendation that applicant Steve Kloos be hired to serve as the Baseball/Softball Program Coordinator for the 2009 season. Councilmember Weber made the motion with Councilmember Dylla giving a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to accept the January report from the Street & Sewer Department as presented. Councilmember Burns made the motion with Councilmember Weber giving a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to accept a request from the Street & Sewer Department to repair the John Deere Loader. Councilmember Weber made a motion to have the Street Department solicit an estimate from S & H Diesel, INC. of Wells, Minnesota to compare it to an estimate submitted by Rdo Equipment of Mankato, Minnesota. Councilmember Burns seconded the motion. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.** Councilmember Weber made a motion to repair the John Deer Loader at S & H Diesel if the machinery can be repaired at a comparable price and in a timely fashion. Councilmember Gaines seconded the motion. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to permit the Wells Fire Department to advertise for membership and commend firefighter Tim Orbell for his 24 years of service. Councilmember Burns made the motion with Councilmember Gaines giving a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to permit the Wells Fire Department to purchase $1,300.00 in safety goggle for the department. Councilmember Burns made the motion with Councilmember Weber giving a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber. **Motion carried.**

Mayor Savick asked for a motion on the Wells Fire Department's recommendation to provide hepatitis tests and shots for up to 25 firefighters at an estimated cost of $9,5000.00. Councilmember Weber made a motion to permit the Wells Fire Department to provide hepatitis testing for up to 25 firefighters at a cost of $2,000.00 to determine who may require a booster vaccination. Councilmember Burns seconded the motion. Discussion held. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

City Council reviewed a report submitted by Community Development Director Zoa Heckman concerning a January 27, 2009 meeting between Faribault County Commissioners' Office and the Wells Community Development Department regarding the Faribault County Transit System.

Mayor Savick asked for a motion to accept the January report from the Wells Public Library as presented. Councilmember Burns made the motion with Councilmember Dylla giving a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

GENERAL BUSINESS:

Mayor Savick asked for a motion to accept the City Administrator's recommendation to resend its motion from a January 26, 2009 regularly schedule council meeting to purchase a certificate of deposit at Wells Federal Bank when a current certificate of deposit matured on February 6, 2009 at Paragon Bank. Councilmember Gaines made the motion with Councilmember Dylla giving a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to amend ordinance No. **§ 31.45 (A)** of the **City of Wells, Minnesota: Code of Ordinances**, to bring the city into compliance with city code. Councilmember Gaines made a motion for the city to work towards amending ordinance No. **§ 31.45 (A)** to state:

> **§ 31.45 ESTABLISHMENT; TERM; REMOVAL.**
>
> **(A)** Airport Commission established. There is hereby established an Airport Commission to be known as the Wells Municipal Airport Commission, which shall be composed of 3 members appointed by the Mayor with the approval of the Council.
>
> *(Ord. 165, passed 4-4-1967. Amend. 2009)*

Councilmember Dylla seconded the motion. Discussion held. Administrator Germann stated he would be in contact with the League of Minnesota Cities to determine the proper steps to amend a city ordinance. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion for Wells City Council to convene in a special session to discuss the next step in a sewer project located at 410 Ninth Avenue SW approved by council on October 8, 2008 to ensure a timely and proper completion. Councilmember Burns made a motion to conduct the meeting on February 17, 2009 starting at 4 p.m. in Council Chambers of City Hall. Councilmember Dylla seconded the motion. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to grant an off-sale liquor license to both Casey's General Store, Nuway Coop, and an on-sale liquor license to Jake's Pizza starting March 1, 2009 and ending February 28, 2010. Councilmember Burns made the motion with Councilmember Dylla giving a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

City Council reviewed the 2009 Minnesota Local Government Pay Equity Compliance Report produced by the Minnesota Management & Budget Department for the Minnesota Legislature.

Mayor Savick asked for a motion to hire an applicant for the position of Chief of Police to head the Wells Police Department following the retirement of Rick Herman. Councilmember Weber made a motion to offer James Ratelle the position Chief of Police contingent on a six-month probationary period as outlined in the personnel policy. Councilmember Gaines seconded the motion. Discussion held on candidates. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

City Council reviewed the city's contract Honeywell. Councilmember Weber stated Minnesota Energy of Wells, Minnesota would be willing to review the city's recent energy audit at no cost.

City Council reviewed the 2009 schedule for the Faribault County Elected Officials meetings. The meetings will be conducted on Wednesday, March 18, 2009; Wednesday, June 17, 2009; and Wednesday, September 16, 2009 with the locations and times to be determined at a later date.

Mayor Savick asked for a motion concerning the purchasing an advertisement from the Faribault County Register for the 2009 Wells Visitors Guide. Councilmember Weber made a motion for the city to purchase a $275.00 quarter-page advertisement from the Faribault County Register for the 2009 Wells Visitors Guide. Councilmember Burns seconded the motion. Discussion held on which budgeted line-item the expense would come from. Roll call with Weber and Burns voting yea. Gaines and Dylla voted nea. Savick abstained. **Motion died.**

PUBLIC COMMENT:

- *Milt Peterson* – Informed council he appreciated the council members discussing each issue before voting. He also informed council on his views concerning RDO and S & H Diesel, INC.
- *Darin Magnuson* – Requested information on the costs associated with Mike Weber's sewer project.

EMPLOYEES:

Administrator:

- Recommended council approve the cost associated with Street Department employees Mike Pyzick and Kurt Niebuhr attending an annual wastewater conference being held at Northland Inn in Brooklyn Park, Minnesota on March 25, 26 & 27, 2009 as part of their state-required contact hours to maintain a wastewater operating license. Councilmember Burns made a motion to approve the expenditure with a second from Councilmember Gaines. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**
- Informed council Fire Chief Mike Pyzick and the administrator discussed the possibility of financing the purchase of a new fire truck through a loan from Wells Public Utilities.
- Informed council he would negotiate a contract with the law firm Frundt & Johnson in an effort to save legal expenses for the city and bring a formalized contract to the next working session on February 25, 2009 for council to review.

ANNOUCEMENTS:

Councilmember Burns:	Nothing
Councilmember Dylla:	Nothing
Councilmember Gaines:	Nothing
Councilmember Weber:	Informed council he attended the Newly Elected Officials conference in Mankato, Minnesota on January 30-31, 2008 and stressed the importance of strict nuisance ordinances and maintaining up-to-date job descriptions. A packet of information was distributed to council and administrator containing documents regarding an on-going sewer project located on his property.
Mayor Savick:	Nothing

NEW BUSINESS:

Mayor Savick asked for a motion to go into closed session for the purposes of entering into salary negotiations with newly hired Chief of Police Jim Ratelle and preliminary salary negotiations in regards to state mandated pay equity as deemed permissible by Minnesota Statute §13D.05 MEETINGS HAVING DATA CLASSIFIED AS NOT PUBLIC. Council voted unanimously to go into closed session.

(CLOSED SESSION)

Mayor Savick asked for a motion to go into open session. Council voted unanimously to go into open session as required under Minnesota Statute §13D.

Mayor Savick asked for a motion to set Jim Ratelle's annual salary (for the position of Chief of Police) at a pro rated $45,968.00, to be renegotiated after a six-month probationary period. Councilmember Gaines made the motion with a second from Councilmember Weber. Roll call taken with Burns, Dylla, Gains, Savick and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to set Jim Ratelle's hire date to Wednesday, February 11, 2009 and to have Ratelle work alongside Chief Rick Herman until he assumes the duties and responsibilities of the Wells Chief of Police on March 1, 2009. Councilmember Weber made the motion with Councilmember Burns giving a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

The next regularly scheduled council meeting was set for February 23, 2009 at 5:00 p.m. in the Wells City Building, Council Chambers. The next council working session was set for February 25, 2009 at 4:00 p.m. in the Wells City Building. Meeting adjourned.

Mayor Shannon Savick

Administrator Jeremy R. Germann