



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, March 9, 2009 from 5:00 p.m. until 7:10 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 Deb Redman, Street Supervisor Rick LaVallie, Fire Chief Mike Pyzick, Police Chief Jim Ratelle. Mayor Savick led the group in the "Pledge of Allegiance."

CONSENT ITEMS:

The minutes of the regularly scheduled council meeting held on February 16, 2009 were reviewed with Councilmember Gaines making a motion to accept the minutes with corrections. The minutes should reflect:

*Mayor Savick asked for a motion regarding the grass-mowing contract. Councilmember Burns made a motion to study the lawn-mowing issue financially on a capital improvement cost basis and a monthly cost basis. Councilmember Dylla seconded the motion. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.***

Mayor Savick stated the League of Minnesota Cities has advised the City of Wells not to allow a councilmember to landscape his own yard or be directly compensated during a current sewer project on Ninth Avenue.

The motion was seconded by Councilmember Weber. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

The monthly bills were reviewed in the amount of \$174,864.03 with Councilmember Burns making a motion to pay the bills. Councilmember Dylla seconded the motion. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

Attorney George Hoff, who was retained by the League of Minnesota Cities, presented his conclusions after reviewing the **Property Development and Construction Easement Agreement** for an on-going sewer project located 410 Ninth Avenue SW. Hoff stated he would submit his findings in a formal document in the near future. Discussion held.

COMMITTEE ITEMS:

Mayor Savick informed council Jackie Neubauer has elected not to accept her nomination to the Economic Development Authority. Councilmember Burns made a motion to nominate Tracy Frank to the Economic Development Authority. Councilmember Gaines gave second. Discussion held. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to accept the minutes from the Economic Development Authority from meetings on January 15, 2008 and January 20, 2009 as presented. Councilmember Burns made the motion with a second from Councilmember Gaines. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to accept the minutes from the Planning & Zoning Board from meetings on January 24, 2008 and January 28, 2009 as presented. Councilmember Gaines made the motion with a second from Councilmember Weber. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to accept Street Department's February Report, and the minutes from the Wells Fire Department from meetings on February 10, 2009 and February 24, 2009 as presented Councilmember Burns made the motion with a second from Councilmember Dylla. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to accept the Street Department's recommendation to purchase pool cleaning supplies at a cost of \$4,090.00. Councilmember Weber made the motion with a second from Councilmember Dylla. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to accept the Street Department's recommendation to purchase street materials (sidewalk salt, crosswalk paint, blacktop patch) at a cost of \$4,612.00. Councilmember Gaines made the motion with a second from Councilmember Weber. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to accept the Fire Department's February Report, and Police Department's recommendation to advertise to hire a part-time police officer. Councilmember Gaines made the motion with a second from Councilmember Burns. Roll call taken with Burns, Gaines, Savick and Weber voting yea. Dylla voted nea. **Motion carried.**

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

Mayor Savick made a motion to continue the Grass-Mowing Contract for 2009 and look into grant opportunities with the state of Minnesota for the future purchase of grass mowing equipment. Councilmember Weber made a motion that the chair reconsiders the motion on the table. Motion to reconsider dies for lack of a second. Councilmember Gaines seconded the motion made by Mayor Savick. Discussion held. Roll call taken with Burns, Dylla, Gaines and Savick voting yea. Weber voted nea. **Motion carried.**

Mayor Savick asked for a motion to accept St. Casimir's request for an exempt lawful gambling permit. 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 approving the Professional Service Agreement proposed by Frundt & Johnson, LTD for law services. Councilmember Weber made a motion to accept the proposal from Frundt & Johnson for a pro-rated retainer of \$12,000.00. Councilmember Burns gave a second. Discussion held on Section Two, Letter B of the Professional Service Agreement. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

City Council reviewed a proposal for the scheduling of future working sessions. A consensus was reached to conduct a working session each month starting at 4 p.m. in Council Chambers immediately preceding the second regularly scheduled council meeting of each month. A motion to that effect was made by Councilmember Gaines and Councilmember Burns gave a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

GENERAL BUSINESS:

City Council reviewed a letter from the Faribault County Assessor's Office stating that the Board of Appeal of the City of Wells will meet at the Office of the Clerk from 2 p.m. until 4 p.m. on Wednesday, April 22, 2009 for the purpose of reviewing and correcting assessments.

City Council reviewed a letter from Wells Ambulance Board of Directors stating the entity voted to forego the City of Wells' 2009 ambulance assessment.

City Council reviewed an abridged version of Robert's Rules of Order submitted to council by Mayor Savick. Councilmember Burns made a motion to table the discussion until the March 23, 2009 council working session. Councilmember Dylla gave a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

City Council reviewed an addition to the administrative code to limit truck parking inside the City of Wells. Councilmember Weber made a motion to table the discussion until the March 23, 2009 council working session. Councilmember Gaines gave a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

City Council reviewed a letter from Bryan and Amy Schultz in regards to lawn repairs that have not been satisfactorily completed after part of the city's sewer system was installed through their property. Councilmember Dylla made a motion to table the discussion until the March 23, 2009 council working session. Councilmember Weber gave a second. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.

City Council reviewed a letter from the Faribault County Republican Party requesting the rental fee be waived for the Community Center for their meeting at 9 a.m. on Saturday, March 28, 2009. Mayor Savick asked for a motion. Councilmember Burns made a motion

to waive the fee as requested with a second from Councilmember Dylla. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

GUESTS:

- *Bill Sayers* – Bolton & Menk representative Bill Sayers approached council in regards to Pay Estimate No. 5 owed to Ulland Brothers INC, out of Albert Lea, Minnesota. Councilmember Burns made a motion to release the funding as requested by Pay Estimate No. 5 with a second from Councilmember Gaines. Discussion held. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. **Motion carried.**

Councilmember Gaines excused himself from council chambers to attend a Tri-City Sewer Board meeting on behalf of city council.

- *Doug Wach* - Discussed lawn repairs that have not been satisfactorily completed after part of the city's sewer system was installed through his property. Councilmember Weber made a motion to have Street Supervisor LaVallie visit the property owners in question with a second from Councilmember Burns. Roll call taken with Burns, Dylla, Gaines, Savick and Weber voting yea. Motion carried.
- *Gene Kauffman* – Not present.
- *Breast Cancer Awareness* – Asked council to grant a one-day permit for liquor sales for a proposed street dance on June 20, 2009 to be located behind the VFW.
- *VFW*- Asked council to grant a liquor license for one Sunday a month from October through May.

PUBLIC COMMENT:

- *Milt Peterson*- Discussed open meeting laws.
- *Cindy Rebelein* – Stated her dissatisfaction with Mayor Savick's actions from a regularly scheduled council meeting on March 9, 2009.

EMPLOYEES:

Administrator: Nothing

ANNOUNCEMENTS:

Councilmember Burns: Nothing
Councilmember Dylla: Asked residents to respect her employer by not discussing city business during work hours. She urged concerned citizens to discuss city business with the city administrator.
Councilmember Gaines: Nothing
Councilmember Weber: Asked the city administrator why old business was not an agenda item. He presented council with a one-page letter discussing his dissatisfaction with the actions of Mayor Savick during a regularly scheduled council meeting on March 9, 2009.
Mayor Savick: Responded to Councilmember Weber's letter.

Councilmember Weber made a motion to adjourn the meeting with a second from Councilmember Dylla.

The next regularly scheduled council meeting was set for April 13, 2009 at 5:00 p.m. in the Wells City Building, Council Chambers.

Mayor Shannon Savick

Administrator Jeremy R. Germann