



COUNCIL PROCEEDINGS

CITY OF WELLS, MINNESOTA

MINUTES

Regular Session of City Council City of Wells

The Wells City Council convened in regular session on Tuesday, October 13, 2009 from 5:00 p.m. until 6:00 p.m. in the Wells Community Center, Council Chambers. Mayor Shannon Savick called the meeting to order with the following council members and employees present: Councilmember Ron Gaines, Councilmember Ashley Seedorf and Councilmember Mike Weber. Councilmember Steve Burns was absent. Employees present: City Administrator Jeremy Germann, Deputy Clerk Deb Redman, City Attorney David Frundt, Police Chief Jim Ratelle, Community Development Director Austin Bless and Street Supervisor Rick LaVallie. Mayor Savick led the group in the "Pledge of Allegiance."

CONSENT ITEMS:

The agenda for the October 13, 2009 council meeting was reviewed with Councilmember Gaines making a motion to approve the agenda with the addition of the topic League of Minnesota Cities Regional Meeting under General Business. The motion was seconded by Councilmember Seedorf. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

The minutes of the regularly scheduled council meeting held on September 28, 2009 were reviewed with Councilmember Seedorf making a motion to accept the minutes as presented. The motion was seconded by Councilmember Gaines. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

The monthly bills were reviewed in the amount of \$146,604.15 with Councilmember Gaines making a motion to approve as presented. Councilmember Seedorf seconded the motion. Discussion held on bills from Lamberts, Orchard Trust Company, Alltel and ICRS data entry. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

COMMITTEE ITEMS:

Mayor Savick asked for a motion to accept the minutes submitted by the Fire Department for meetings held on September 8, 2009 and September 22, 2009; and the Flame Theatre for a meeting held on September 16, 2009 as presented. Councilmember Seedorf made the motion with a second from Councilmember Gaines. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

City council reviewed a draft of the minutes submitted by the Planning & Zoning Commission for a meeting held on October 5, 2009.

Mayor Savick asked for a motion to accept the minutes submitted by the Parks Board for a meeting held on October 8, 2009 as presented. Councilmember Gaines made the motion with a second from Councilmember Seedorf. Discussion held on the swing set located at Half-Moon Park. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to accept the monthly report from the Street Department for September as presented. Councilmember Gaines made the motion with a second from Councilmember Seedorf. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

Mayor Savick asked for a motion concerning the purchase of a John Deere Gator XUV 620i. Councilmember Gaines made a motion to lease the Gator presented in council packet minus the cab components. Motion failed for lack of second.

Mayor Savick asked for a motion to approve the Police Department's request to purchase a new computer at the estimated cost of \$1,081.25. Councilmember Seedorf made the motion with a second from Councilmember Gaines. Discussion held on data retention. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to accept the monthly reports from the Police Department and the Fire Department for the month of September as presented. Councilmember Seedorf made the motion with a second from Councilmember Gaines. Discussion on the topic of Persons of Concern listed on the agenda for the Police Department meeting held on September 24, 2009. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

GENERAL BUSINESS:

Wells City Council gave the third of three readings of proposed Ordinance §70.57 for the adoption into the CITY OF WELLS, MINNESOTA, CODE OF ORDINANCES: **ORDINANCE §70.57 – AN ORDINANCE REGULATING THE USE OF GOLF CARTS ON CITY STREETS.** Mayor Savick asked for a motion. Councilmember Gaines made a motion to adopt Ordinance §70.57 with a second from Councilmember Seedorf. Discussion on limitations of the ordinance, liability involved with the city, publication of the ordinance. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to approve a request from the Wells Chamber of Commerce for a gambling permit for November 2, 2009. Councilmember Weber made the motion with a second from Councilmember Seedorf. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to approve two official job descriptions for the positions of AP/AR Payroll and Deputy City Clerk. Councilmember Weber made a motion to adopt the job descriptions with additional language to include the employee understand confidentiality rules. Discussion held. Councilmember Weber withdrew his motion from the table. Councilmember Seedorf made a motion to approve the two job descriptions as submitted in the October 13, 2009 council packet. The motion was

seconded by Councilmember Gaines. Discussion held. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to proclaim October 21, 2009 as It's Time for America's Military Heroes Day in honor of National President Jan Tittle and all members of the Ladies Auxiliary Veterans of Foreign Wars. Councilmember Weber made the motion with a second from Councilmember Gaines. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

Mayor Savick asked for a motion regarding estimates for an internal investigation. Councilmember Gaines made a motion to table the issue until the city had received a signed complaint. Councilmember Seedorf seconded the motion. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

Mayor Savick asked for a motion regarding a letter from the Faribault County Auditor requesting a response on whether the City of Wells wanted to purchase forfeited property on Parcel No. 30.200.4871 and/or Parcel No. 30.586.0521. Councilmember Weber made a motion to table the topic until the Housing & Redevelopment Authority had an opportunity to review the request. Councilmember Gaines seconded the motion. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to approve council attendance to a League of Minnesota Cities regional meeting on October 28, 2009 at a cost of \$40.00 per council member. Councilmember Gaines made the motion with a second from Councilmember Seedorf. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

City council reviewed a letter from the Tri-City Joint Sewer Board discussing the purchase of a Vac-Truck.

City council heard an update from Chief Ratelle on the Food 'N Fuel storage tanks.

PUBLIC COMMENT:

- *Shawn Hassing* – Expressed his concern over a letter he received from council requesting reimbursement for a project Customized Landscape was hired to complete on Sixth Avenue SW and Ninth Street SW. He also expressed concerns about comments concerning the reconstruction of Half-Moon Park baseball field.
- *Gene Kauffmann* – Requested council consider working with Casey's General Store, located at 280 Second Avenue NW, to place a stop sign where customers exit the parking lot and turn onto Casey Drive. Councilmember Weber made a motion to have Chief Ratelle approach the Owner of Casey's General Store about cooperating with the city to put up a stop sign. Councilmember Gaines seconded the motion. Discussion held. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

GUEST:

- *Milt Peterson* – Expressed his concern over the New Rule of Conduct passed by council during the September 28, 2009 meeting because it limits individual council members' ability to discuss matters with city employees.

EMPLOYEES:

Administrator Germann: Expressed his discontent with Milt Peterson's comments about an employee of the city.

ANNOUNCEMENTS:

Mayor Savick: Nothing

Councilmember Gaines: Nothing

Councilmember Seedorf: Asked if the Planning & Zoning Board currently has a vacancy. Administrator Germann stated he believes the board was intended to be made up of five members.

Councilmember Weber: Discussed the New Rule of Conduct and his concerns of its legality. Councilmember Weber made a motion to have the legality of the rule researched by the City Attorney. Motion failed for lack of second.

The next regularly scheduled council meeting was set for October 26, 2009 at 5:00 p.m. at the Wells Community Center. Meeting adjourned.

Mayor Shannon Savick

Administrator Jeremy R. Germann