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# COUNCIL PROCEEDINGS

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CITY OF WELLS, MINNESOTA

## MINUTES

### Regular Session of City Council City of Wells

The Wells City Council convened in regular session on Monday, March 8, 2010 from 5:00 p.m. until 7:00 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 Steve Burns, Councilmember Ron Gaines, Councilmember Ashley Seedorf and Councilmember Mike Weber. Employees present: Community Development Director Austin Bless, Fire Chief Mike Pyzick, Street Supervisor Rick LaVallie, Deputy Clerk Deb Redman and City Administrator Jeremy Germann. Mayor Savick led the group in the “Pledge of Allegiance.”

#### **PUBLIC HEARING:**

Mayor Savick opened the public hearing on the issue of the 2010 street improvement project as specified by RESOLUTION 2010-02: A RESOLUTION RECEIVING REPORT AND CALLING HEARING ON IMPROVEMENT. The floor was opened up to public comment with Kim Giese, Cindy Schroeder, Tinker Mosser, Eileen Jacobson and Floyd Lackey speaking on the topic. With no additional questions or comments, Mayor Savick closed the meeting to public comment.

#### **CONSENT ITEMS:**

The agenda for the March 8, 2010 council meeting was reviewed with Councilmember Gaines making a motion to approve the agenda with the addition of the topic Snow Emergency System (Request from Citizen) listed under General Business. The motion was seconded by Councilmember Seedorf. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

The minutes of the regularly scheduled council meeting held on February 22, 2010 were reviewed with Councilmember Burns making a motion to accept the minutes with one correction. The minutes should state:

*Mayor Savick asked for a motion to accept the minutes submitted by the Library Board for a regularly scheduled meeting held on January 20, 2010 as presented.*

Councilmember Seedorf seconded the motion. Discussion held on releasing the funds for the Total Restaurant Supply Company, INC dishwasher as discussed during the February 22, 2010 meeting. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

The minutes of the special council meeting held on February 25, 2010 were reviewed with Councilmember Gaines making a motion to accept the minutes as presented. Councilmember Weber seconded the motion. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

The bill list was reviewed in the amount of \$132,089.16 with Councilmember Seedorf making a motion to approve as presented. Councilmember Burns seconded the motion. Discussion held on bills from APR, INC and Bevcomm. Roll call taken with Burns, 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 regularly scheduled meetings held on February 9, 2010 and February 23, 2010 as presented. Councilmember Gaines made the motion with a second from Councilmember Weber. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to accept the minutes of the public hearing held on February 22, 2010 as presented. The hearing was to take public comment on the city's Job Opportunity Building Zones (JOBZ) business subsidy agreement with Singleteary Food Solutions. Councilmember Seedorf made the motion with a second from Councilmember Burns. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

City council reviewed a draft of the minutes submitted by the Planning & Zoning Commission for regularly scheduled meetings held on March 1, 2010.

Mayor Savick asked for a motion regarding the recommendation by the Planning & Zoning Commission for approval of the preliminary plat application with the following conditions: (1) A street, including curb and gutter, is added to the plat that matches the existing width and standards of Tenth Street Avenue SW; (2) A six foot wide utility easement to be added along the north and south lot lines of lot one and lot two, along with the west lot line of lot one and along the east lot line of lot two as required by Ordinance 151.24 (D) (1). Councilmember Burns made a motion to approve the preliminary plat with modifications to the two conditions requested by Planning & Zoning Commission: (1) A street, including curb and gutter, is added to the plat that matches the existing width and standards of Tenth Street Avenue SW, with language added to the agreement specifying how and when a street may be built; (2) A six foot wide utility easement will not be required along the north and south lot lines of lot one and lot two or along with the west lot line of lot two. And to have the final agreement resubmitted to the Planning & Zoning Commission, as required by Ordinance §151.21. Councilmember Gaines seconded the motion. Discussion held with land trustee Jim Pietan who opposed both conditions recommended by the commission. Planning & Zoning commissioners explained why the conditions were recommended. Roll call taken with Burns, Gaines, Savick and Seedorf voting yea. Weber abstained. Motion carried.

Mayor Savick asked for a motion regarding proposed RESOLUTION 2010-08: A RESOLUTION ORDERING THE REPAIR OR REMOVAL OF HAZARDOUS CONDITIONS LOCATED AT PARCEL NUMBER R 30.426.0700. Councilmember

Weber made a motion to table the issue until further information is supplied, with a second from Councilmember Gaines. Discussion held on potential of landowner completing the work themselves, potential cost to the city and budgeting for the project in 2011. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

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

City council reviewed the electronic control device policy submitted by the Police Department. Councilmember Weber made a motion to table the topic until council received further information. Councilmember Seedorf seconded the motion. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

City council reviewed the Fire Department report for the month of February.

Mayor Savick asked for a motion regarding a request from the Fire Department to spend \$1,500.00 on a five percent matching grant to purchase a Jaws of Life. Councilmember Weber made a motion to approve the request with a second from Councilmember Gaines. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion regarding a request from the Street Department to purchase a clutch assembly from S & H Diesel at an estimated cost of \$1,790.30 and for maintenance & parts from MacQueen Equipment, INC at an estimated cost of \$4,266.85. Councilmember Burns made a motion to approve the expense with a second from Councilmember Gaines. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

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

#### **GENERAL BUSINESS:**

Mayor Savick asked for a motion to appoint Councilmember Steve Burns to the Board of Adjustments & Appeals. Councilmember Gaines made the motion with a second from Councilmember Seedorf. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

Mayor Savick asked for a motion to accept the resignation of Lori Haler from the position of Assistant Library Director at the Wells Public Library. Councilmember Burns made the motion with a second from Councilmember Gaines. Roll call taken with Burns, Gaines, Savick and Seedorf voting yea. Weber voted nea. **Motion carried.**

Mayor Savick asked for a motion to approve a recommendation from the Wells Public Library to hire Lynn Ascheman as a part-time library clerk pending a background check.

Councilmember Burns made the motion with a second from Councilmember Gaines. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion to adopt RESOLUTION 2010-08: A RESOLUTION FOR THE CONVEYANCE OF REAL PROPERTY OWNE BY THE CITY OF WELLS, amended in name alone from the March 8, 2010 council packet where it was labeled RESOLUTION 2010-09. Councilmember Burns made the motion with a second from Councilmember Gaines. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

City council reviewed a document submitted by Amanda Mosser concerning the snow emergency System. Councilmember Weber made a motion to send the document to the Safety Committee for review. Councilmember Burns seconded the motion. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

City council reviewed a memorandum from City Attorney David Frundt addressed to the honorable mayor and council members of the Wells City Council on the subject of personnel data issues.

City council reviewed the annual financial review submitted by the Economic Development Authority for 2009.

City council reviewed the annual financial review submitted by the Housing & Redevelopment Authority for 2009.

City council reviewed the minutes submitted by the Wells Public Utilities Board for regularly scheduled meetings held on December 16, 2009 and January 7, 2010.

In response to the additional Local Government Aid (LGA) unallotment figures supplied by the Minnesota Department of Revenue, the Wells City Council recommended the following reductions in expenditures to offset the projected decline in revenue:

1. Councilmember Burns made a motion to reduce the capital reserve of city hall (\$20,000.00); police department (\$2,500.00); Hwy, Streets & Roads (\$5,000.00); Parks (\$5,000.00); and Library (\$1,000.00) for 2010. Councilmember Seedorf seconded the motion. Discussion held. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**
2. Councilmember Gaines made a motion to reduce expenditures at the Wells Public Pool through closing the pool one week earlier. Councilmember Seedorf seconded the motion. Discussion held. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**
3. Councilmember Gaines made a motion to reduce the expenditures at the Wells Recycling Center through closing the facility on Tuesdays. Councilmember Burns seconded the motion. Discussion held. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**
4. Councilmember Weber made a motion to reduce the expenditures in line-item E 101-43100-326 (\$40,000.00) by reducing the overall amount of street lighting. Councilmember Seedorf seconded the motion. Discussion held. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**
5. Councilmember Burns made a motion to maintain the amount appropriated for line-item E 101-43220-216 (\$6,500.00). Councilmember Weber seconded the

- motion. Discussion held. Roll call taken with Burns, Savick, Seedorf and Weber voting yea. Gaines voted nea. **Motion carried.**
6. Councilmember Burns made a motion to reduce utility services (\$500.00) and small equipment (\$500.00) from the Community Center; to request the Economic Development Authority pay a portion (\$15,000.00) of the Community Development Director's salary; to request the Housing & Redevelopment Authority pay a portion (\$15,000.00) of the Community Development Director's salary; and reduce line-item E 101-42220-324 (\$3,000.00) from the Fire Department. Councilmember Gaines seconded the motion. Discussion held. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**
  7. Councilmember Weber made a motion to reduce travel/meeting expenditures for community development (\$500.00); city office staff (\$500.00); council (\$3,000.00); administrator (\$2,000.00). Councilmember Gaines seconded the motion. Discussion held. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**
  8. Councilmember Burns made a motion to reduce small equipment expenditures from the Police Department (\$500.00) and the Wells Public Pool (\$500.00). Councilmember Weber seconded the motion. Discussion held. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**
  9. Councilmember Gaines made a motion to reduce council members' salaries (\$2,400.00) and the mayor's salary (\$3,000.00) each by \$1,000.00 for 2010. Councilmember Weber seconded the motion. Discussion held. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**
  10. Councilmember Burns made a motion to maintain the amount appropriated for the Administrator's salary of \$69,000.00 for 2010. Councilmember Weber seconded the motion. Discussion held with Administrator Germann requesting council to reconsider the motion. Roll call taken with Burns voting yea. Gaines, Savick, Seedorf and Weber voted nea. **Motion failed.**
  11. Councilmember Weber made a motion to reduce the Administrator's salary of \$69,000.00 by \$5,000.00 through furlough. Councilmember Gaines seconded the motion. Roll call taken with Gaines, Savick, Seedorf and Weber voting yea. Burns voted nea. **Motion carried.**
  12. Councilmember Burns made a motion to reduce expenditures in the following areas; Economic Development, initiative fund (\$1,000.00); Administrator, small equipment (\$500.00); City Office Staff, small equipment (\$500.00); Garbage Removal Expense (\$4,000.00); Economic Development, operating transfers (\$1,000.00); Wells Public Library, part-time employees (\$1,000); and transferring Municipal Liquor Store funds by resolution later this year. Councilmember Gaines seconded the motion. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion on the issue of requesting additional fees from the Wells Golf Board for maintenance of the fairways. Councilmember Burns made a motion to table the topic with a second from Councilmember Weber. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion on the issue of limiting employee overtime. Councilmember Weber made a motion to reduce overtime and comp-time received by city employees to the bare minimum and should be approved only by the department

supervisor or administrator. Councilmember Gaines seconded the motion. Discussion held. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

Mayor Savick asked for a motion on the issue of franchise fees. Councilmember Weber made a motion to have the Administrator and/or the Development Director look into having Bevcomm pay franchise fees to the City of Wells. Councilmember Burns seconded the motion. Discussion held with Administrator stating he believed the franchise fee is up to date. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. Motion carried.

#### **PUBLIC COMMENT:**

- *Tinker Mossier* – Discussed his displeasure with the actions of Economic Development Authority board members as reported by the *Faribault County Register*, comments made by the mayor concerning the impact of a recent conditional use permit approved by council, and stated he disagreed with a citizen who spoke against purchasing video equipment to tape council meetings.
- *Bill Groskreutz*- Asked council to be mindful not to turn off a street light near Park Place Townhouses which is billed to the Housing & Redevelopment Authority.

#### **GUESTS:**

- *Emil Stenzel* – Requested council consider vacating an alley adjacent to his property, 381 Sixth Street SW, and stated he would collect input from the surrounding property owners. Councilmember Burns made a motion to have the request taken to the Planning & Zoning Commission for preliminary approval with a second from Councilmember Weber. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. Motion carried.
- *Milt Peterson* – Discussed his displeasure with the mayor's enforcement of the Rules of Conduct and a meeting he claimed to be in violation of the Minnesota Open Meeting that involved a quorum after a council meeting had adjourned.

#### **EMPLOYEES:**

*Administrator Germann:* Informed council the Municipal Liquor Store had substantial water damage from a leaking roof which could soon pose a safety hazard. Councilmember Burns made a motion to repair the roof with a second from Councilmember Gaines. Roll call taken with Burns, Gaines, Savick, Seedorf and Weber voting yea. **Motion carried.**

#### **ANNOUNCEMENTS:**

*Mayor Savick:* Requested audience assistance in completing a survey created by a Wells volunteer group, associated with the Blandin Foundation, to create a vision for the city.

*Councilmember Burns:* Nothing

*Councilmember Gaines:* Nothing

*Councilmember Seedorf:*

Nothing

*Councilmember Weber:*

Asked the council why Wells Public Utilities is a separate entity from the City of Wells when both could be pooling resources.

The next regularly scheduled council meeting and public hearing was set for March 22, 2010 at 5:00 p.m. in the Wells Community Center. Councilmember Weber made a motion to adjourn with a second from Councilmember Burns. Meeting adjourned.

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Mayor Shannon Savick

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Administrator Jeremy R. Germann