



The Wells City Council convened on Wednesday, October 27, 2014 at 4:05pm in the Council Chamber.

Mayor Ron Gaines called the meeting to order with the following councilmembers present: John Herman and Ashley Seedorf. Councilmembers absent: Gary Robbins and Ann Schuster. Also present: City Administrator Robin Leslie, City Engineer Travis Winter, City Attorney David Frundt and Deputy City Clerk Megan Boeck.

AGENDA

The agenda for the October 27, 2014 meeting was reviewed. Motion by Herman and second by Seedorf to approve the agenda with the addition of MMUA Contract and ITC CUP requested by Faribault County. Motion carried.

Motion by Herman and second by Seedorf to go into closed session. Motion carried.

CLOSED WORKSESSION (MN Stat 179 A.01-.25 Labor Negotiations)

Motion by Seedorf and second by Herman to go back into open session. The Council discussed union contracts. No action taken.

Motion by Seedorf and second by Herman to go into closed session to discuss employee misconduct allegations. Motion carried.

CLOSED SESSION (MN Stat 13D.05 Subd. 1(d) 2(b) Employee Misconduct Allegations)

Motion by Seedorf and second by Herman to go back into open session. Motion carried. City Attorney David Frundt stated he gave an update to the Council on the progress of the ongoing investigation and that no action was taken.

PUBLIC HEARING

Proposed 2014 Street Assessments

Michael and Elaine Hernandez, 640 9th Street SW, questioned how the city came to their assessment number. Leslie stated the assessment amount is based on 25 percent of the cost of the project, which equals \$53.00 per linear foot of frontage.

William (Bill) Herman, 483 10th Ave SW, asked for a total project cost for the 10th Ave SW section. City Engineer Travis Winter answered the as-bid cost was \$88,000 for construction and \$13,500 for engineering and administration.

MINUTES

Motion by Seedorf and second by Herman to approve October 27, 2014 minutes as presented. Motion carried.

PUBLIC COMMENT

Elaine Hernandez stated that buses are still going down 6th Ave SW even though 11th Street SW is finished. She stated they were understanding at the start but now that 11th is completed, she stated they

were promised buses would not be using 6th Ave. She also stated concerns about the bus garage. Leslie encouraged her to attend the School Board meeting and that she would address the traffic issue.

CONSENT ITEMS

Payments

Motion by Herman and second by Seedorf to approve payments in the amount of \$98,378.51. Motion carried.

Board Reports/Minutes

Motion by Seedorf and second by Herman to approve Board Reports as listed on pages 7-8 of the council packet. Motion carried.

ITC CUP Request by Faribault County

Ms. Leslie informed the Council that Faribault County has determined a Conditional Use Permit is required for the site that ITC is currently using as a staging area. Leslie stated she is addressing the issue.

NEW BUSINESS

Resolution 2014-16 Adopting 2014 Street Assessment- Motion by Seedorf and second by Herman to approve Resolution 2014-16 Adopting 2014 Street Assessment. Motion carried.

Dangerous Dog Declaration Appeal (Matthew Boyes)- Mr. Boyes questioned how a dog can be declared dangerous without having attacked or bit another animal/person. Ms. Leslie stated since the dog was previously declared potentially dangerous and conditions were set, it doesn't have to actually attack or bite for it to be declared dangerous. Seedorf stated she feels comfortable with the original decision declaring the dog dangerous and would hope this would prevent any future escalation in dangerous behavior.

Motion by Seedorf and second by Herman to deny Mr. Boyes Dangerous Dog Declaration Appeal and to maintain the dangerous dog determination. Motion carried.

Dangerous Dog Declaration (Jena Cervantes & Isaac Blankenship)- Ms. Leslie noted "Lady" bit someone, was quarantined for rabies and then bit Dr. Tim Klein. Motion and Herman and second by Seedorf to declare dog "Lady" dangerous. Motion carried.

Library Foundation Resignation (Cheryl Torkolla)- Motion by Seedorf and second by Herman to approve resignation from Cheryl Torkolla. Motion carried.

Primary Election Judge Wage- Motion by Herman second by Seedorf to increase election judge pay to \$9.00 per hour effective August 4, 2014. Motion carried.

Fire Contract Rates- Ms. Leslie informed the Council that the township fire contracts are coming due and staff has been researching different area rates. Leslie recommends the increase be based on an actual percentage of the fire department budget instead of using an arbitrary number that has been used in past years. Mayor Gaines requested the townships be invited to a future City Council meeting to discuss this increase.

MMUA Contract- Motion by Herman and second by Seedorf to approve a one year MMUA contract for safety training for all City staff. Motion carried.

OLD BUSINESS

Tax Forfeitures- Ms. Leslie stated the HRA has requested the Council proceed with the purchase of 500 1st Ave SW and 218 3rd Ave SE for their use. Motion by Seedorf and second by Herman to approve said purchases.

Nuisance Property Orders- City Attorney Fundt informed Council that nuisance property orders have been served and progress is being made on the Murphy and Gutierrez properties.

CD Maturation #100270220- Ms. Leslie informed Council at the last meeting they voted to reinvest this CD. She mentioned this was one of the liquor store CDs that had been previously voted to cash and credit towards the liquor store.

COUNCIL REPORTS

Gaines- none.

Herman- none.

Seedorf- none.

Mayor Gaines reminded Council that the next regularly scheduled meeting will be held on Monday, November 10, 2014 at 5:00 pm.

ADJOURNMENT

Motion by Seedorf and second by Herman to adjourn the meeting at 6:40. Motion carried.

Mayor Ronald Gaines

Deputy City Clerk Megan Boeck