



The Wells City Council convened on Monday, April 13, 2015 at 5:00 pm in the Council Chamber.

Mayor Gaines called the meeting to order with the following councilmembers present: David Braun, Steve Burns, John Herman and Whitney Warmka. Also present: City Administrator Robin Leslie, Deputy City Clerk Megan Boeck, City Attorney David Frundt, City Engineer Travis Winter, Chief of Police Jim Ratelle and Street Foreman Mike Pyzick.

AGENDA

The agenda for the April 13, 2015 meeting was reviewed. Motion by Braun and second by Warmka to approve with the addition of Assistant Zoning Administrator Resignation. Motion carried.

*Honorable Mayor Gaines read a Mayoral Proclamation declaring the month of April Child Abuse Prevention Month in the city of Wells.

PUBLIC COMMENT

None.

CONSENT ITEMS

Minutes

Motion by Braun and second by Burns to approve March 23, 2015 minutes. Motion carried.

Payments

Motion by Herman and second by Braun to approve payments in the amount of \$140,374.62 as listed on pages 5-8 of the council packet. Motion carried.

Financial Statements/Building Permits/Overtime/Comp Time Reports

Motion by Herman and second by Braun to approve Financial Statements, Building Permits, Overtime and Comp Time Reports as listed on pages 9-12 of the council packet. Motion carried.

Staff Reports

Street Department Foreman Pyzick stated the street sweeper has had some general maintenance done recently and that the airport tarmac apron is in need of some repairs. Pyzick also stated that his department is about 3-4 weeks ahead on different projects and tasks.

Chief of Police Jim Ratelle stated that he has been in conversation with USC regarding filling the school Liaison Officer position which was left vacant by Rick Herman. Ratelle stated he will continue to work on this matter until a decision is made.

City Engineer Travis Winter stated he did a drive through on 2nd Street NE and noticed some cracks in the pavement which could still be covered under the warranty period. Winter also stated he has a meeting scheduled with Ulland Brothers to discuss punch list items for the 2014 Street Improvement Project and that he is hoping for SRTS approval and authorization for bidding by the next meeting.

City Administrator Robin Leslie informed the Council that the Faribault County Board of Commissioners agreed to pay half of the Frank Brothers Elevator demolition costs and that demolition is

slated for Tuesday, April 14, 2015. Leslie also stated she has forwarded the Gutierrez property (nuisance) to the City Attorney for abatement.

NEW BUSINESS

Dangerous Dog Declaration Appeal (John Dean Mosser)- Leslie informed Council that Mr. Mosser's dog "Mello" bit Mr. Shaper while he was walking in the alley toward Mr. Mosser's property and that he is within his right to appeal the Dangerous Dog Declaration.

Mr. Mosser was present and stated that he believes there is reasonable doubt as to which dog bit Mr. Shaper because there was another dog present at the time of the incident. Mr. Mosser also stated that he is a disabled vet, living on a fixed income and he would not be able to afford the insurance bond required for a dangerous dog.

Warmka stated she is not comfortable making this decision if there is reasonable doubt as to which dog actually bit Mr. Schaper.

Motion by Herman and second by Warmka to table this item until the April 27, 2015 meeting. Motion carried.

Potentially Dangerous Dog Declaration (Sandy Ackerman)- Leslie informed Council that she has declared "Midnight" potentially dangerous based on: (1) when unprovoked, inflicts bites on a human or domestic animal on public or private property and that the dog was not declared dangerous due to the fact it did not cause substantial bodily harm. She also mentioned the owner has failed to retrieve the dog from impound so the dog has been adopted by the Faribault County Humane Society. Update only, no action taken.

Optional 2am Liquor License- Wildcats 1 (37 South Broadway)- Motion by Herman and second by Burns to approve Optional 2 am License for Wildcats 1 (37 South Broadway). Motion carried.

USC Color-a-thon Fun Run (5k & 1 Mile) Half Moon Park – April 26, 2015- Motion by Warmka and second by Herman to approve requests for closing 4th Ave SW and 7th Ave SW, as well as the use of City barricades and a police presence. In addition, they are to keep the color off the ball fields. Motion carried.

FUSION Youth and Family Blast, Half Moon Park – August 7, 2015- Motion by Warmka and second by Burns to approve the FUSION request for their 4th Annual Youth Blast at Half Moon Park. Motion carried

Kernel Days Requests/Resolution 2015-12 Approving Minnesota Lawful Gambling Exempt Permit for Raffle for Wells Area Chamber of Commerce - Motion by Herman and second by Burns to approve Kernel Days requests and Resolution 2015-12 Approving Minnesota Lawful Gambling Exempt Permit. Motion carried.

Larry Majeski, Assistant Zoning Administrator Position- Leslie informed Council that Mr. Majeski does also wish to resign from the Assistant Zoning Administrator position. Motion by Burns and second Herman to approve resignation from Larry Majeski effective immediately. Motion carried.

OLD BUSINESS

Murphy Property- City Attorney David Frundt stated the time line for Mr. Murphy to fix his front

porch has expired and that he needs Council approval to start negotiations for mutual agreements to address repair and/or demolition.

Motion by Herman and second by Braun to initiate negotiations for the Murphy property. Motion carried.

He also mentioned that Mr. Gutierrez has not complied with his order and now he will be asking for a court order to take it down.

COUNCIL REPORTS

Warmka- none.

Braun- none.

Burns- Stated there is a Mankato Symphony Concert on April 18th at 5:30 at the new school and that the event has been sponsored by Community Education.

Herman- none.

Gaines- none.

ADJOURNMENT

Motion by Braun and second by Herman to adjourn the meeting at 6:18pm.

Mayor Ronald Gaines

Deputy City Clerk Megan Boeck