



**City Council Meeting Minutes  
Monday, January 11, 2016, 5:00 pm  
Wells Community Center**

The Wells City Council convened on Monday, January 11, 2016 at 5:00 pm in the Council Chamber.

Mayor Gaines called the meeting to order with the following councilmembers present: David Braun, Steven Burns (via video conference) Whitney Harig, and John Herman. Also present: City Administrator Robin Leslie, Police Chief Tim Brenegan, Street Department Foreman Mike Pyzick, City Engineer Travis Winter and City Attorney David Frundt.

**AGENDA**

The agenda for the January 11, 2016 meeting was reviewed. Motion by Braun and second by Harig to approve with the addition of Seasonal Street Laborer Position to the consent agenda and Full Time Street Laborer Position Discussion to Business. Motion carried.

**PUBLIC COMMENT**

Brenda Weber asked why the makeup of the Board of Adjustment and Appeals has changed from Councilmembers only to three Councilmembers and two P&Z members.

Leslie stated that a consultant working for the City recommended making that change in 2013 but since the City has not amended the Ordinance to date, the appointment reverted to previous makeup and P&Z and Council.

**PUBLIC HEARING- To Amend the Resolution Establishing an Economic Development Authority**

Brad Heggen asked if there was a motion at Council to amend the enabling Resolution. Leslie stated there was not because it was not required as the hearing is prodedural..

Heggen also stated that he feels the years of experience and knowledge that board members bring to the EDA will be lost with only councilmembers serving as an EDA.

Harig stated that the EDA had a lengthy discussion at their last meeting. She stated that she is in favor of keeping the EDA as is with the exception of having Megan Boeck serve as the staff liaison.

Herman stated that he is also in favor of leaving the EDA as is and that the EDA could operate with six members until someone is ready to resign.

Mayor Gaines closed the public hearing at 5:10 pm.

**CONSENT AGENDA**

Motion by Herman and second by Braun to approve the consent agenda as listed on pages 1-42a of the Council packet. Motion carried.

Minutes-December 7, 2015 & December 14, 2015

December Payments

November & December Financials/Building Permits/Overtime/Comp Time

End of Probationary Periods – Police Chief Tim Brenegan; Part-Time Police Officers Jordon Mondeel, Evan Brown, Ryan Murphey; Theatre Clerks Holly Fernandez and Cynthia Hinkley; and Library Clerks Angela McCormick and Gwen Kimpton

2016 Professional Service Agreement – City Attorney

PUC Minutes, December 2015

### **Staff Reports**

Dave Braun asked what repairs were needed for the blower. Street Foreman Pyzick stated that both the fan bearing and gear drives need to be replaced.

City Engineer Travis Winter stated that the City received \$554,000 in TED grants for the Wells Business Park and that he will continue to work on those plans in the next couple months.

City Administrator Leslie stated that she will prepare a 2015 goals review and 2016 goals discussion for the next meeting.

### **NEW BUSINESS**

**Resolution 2016-01 Approving the Final Layout Design for the 2017 Highway 109 Wells to Alden Preservation Project and Authorizing Cost-Sharing of Associated Project Costs-** Forrest Hasty from MNDOT stated that he used a program called auto-turn and has determined that semi's will still be able to travel in and out of Marketplace Foods. He also stated that even if the sidewalk doesn't go in, MNDOT will still be removing pavement in the ROW and returning it to grass.

Bruce Mandler stated that he is still investigating if MNDOT has an easement for lot 12 and that he plans to exhaust all of his legal options to oppose this project.

Alan Olson stated he will not pay for someone to remove snow or grass from property that isn't his and that if he is billed for maintenance he will consult with an attorney.

Jeff Giese stated that a 6 foot sidewalk is unnecessary and that with the closure of his accesses he will be forced to park cars on the street. In addition, Giese stated that he doubts MNDOT will go through the trouble of tearing up pavement and adding grass if the City doesn't choose to add the sidewalk.

Hasty stated that encroachments and accesses are addressed in every MNDOT project so that everyone is treated equally and that if accesses are deemed to be unnecessary or a unsafe, they are removed in the process.

Olson stated that ordinances are meant to be changed and that City ordinances should be meant to benefit the general public not the state.

Bob Schultz stated that he was worked for Marketplace Foods for 15 years and that in that time he has never seen anyone walking on the highway.

Milt Peterson questioned the Council if anyone was in favor of the sidewalk project.

Harig stated that she has spoken to many people who are in favor of the sidewalk.

Sandy Lorenz stated that the sidewalk discussion started in 2010 through the Wells Active Living Coalition and Safe Routes to School. Lorenz also stated that a survey was done which identified a need for sidewalk access to Dairy Queen, Marketplace Foods, Dollar General, Broadway and the churches and school. In addition, Lorenz stated that a sidewalk and trail plan was developed and approved by the City based on those findings. In addition, Lorenz stated that the good news is that there is finally conversation about the need for sidewalks in Wells.

Jerry Warmka stated that sidewalks do make it easier for wheelchairs and walking and that she feels that a sidewalk from Marketplace to Dairy Queen is a good idea especially since MNDOT is taking area anyway

Harig stated that this is not an easy decision but that she weighs her decision based on the greater good for all. She stated she felt the overwhelming majority is in favor of the project.

Herman stated he is not against sidewalks but he is against this particular project.

Motion by Braun and second by Harig to approve Resolution 2016-01. Motion carried 3-1 (Herman voted against).

**FCDC Proposal/Contract Draft-** No action taken. Tim Clawson, Executive Director of FCDC, presented the Council with a draft contract for services. Clawson stated that he has worked on many projects similar to those facing Wells and that he has a strong background economic development.

Harig stated that the work FCDC has done for the EDA so far is appreciated and that she knows FCDC is committed to the community.

**Old Football Field Reuse Discussion-** No action taken. Milt Peterson stated that he has plans to purchase the old football field for an auction site and would like to know what the problem is with getting that property re-zoned.

Burns stated that because that property is zoned residential and surrounded by residential it could not be re-zoned.

Leslie stated that Mr. Peterson could request an interim use permit, in which case the Planning and Zoning Commission would require a public hearing and make a recommendation to the City Council.

Mayor Gaines stated he wouldn't be opposed to 30 day interim use permit but that Mr. Peterson would have to follow the proper procedure.

Burns left the meeting at 6:25.

**Resolution 2016-02 Amending the Resolution Establishing an Economic Development Authority-**

Leslie stated that even though the EDA discussed appointing Megan Boeck to the liaison position there are other things that have to be considered such as union contracts and pay grade. Leslie also stated that as the Executive Director of the EDA, she would also have to agree to that change because that function is currently her job and that before any changes are made to contracts, a discussion has to be had at the Council level about the logistics of such a change.

Harig stated that her vision is for staff to come to the meetings and be an asset that is added to the EDA but not remove the City Administrator from her capacity.

No action taken on Resolution 2016-02. The Council discussed the correct makeup of the EDA and the consensus was to change it from a five member Board to a seven member Board.

Motion by Herman and second by Harig to advertise a public hearing to amend the enabling resolution from a five member Board to a seven member Board. Motion carried.

**2016 Council Committees and Appointments-** Leslie stated that the HRA is requesting the City Council wait on appointing the fourth sitting position until after their meeting and that she filled the Planning and

Zoning vacancy with Brenda Weber. In addition, Leslie stated that she designated Bolton and Menk as the City Engineer.

Motion by Herman and second by Braun to approve the Council Committee and Appointments as stated. Motion carried.

**Resolution 2016-03 Certifying Banking Powers Granted to City Staff & Mayor-** Motion by Herman and second by Braun to approve Resolution 2016-03. Motion carried.

**Revisit Snowmobile Moratorium in City Parks-** Harig stated that she requested this item be place on the agenda for further discussion and that she has received feedback from citizens who are upset that they can't snowmobile in City parks. Harig also stated that she thinks the City needs to work on an ordinance with restrictions similar to golf carts.

Braun stated that if there is a warm spell before the next meeting there is a potential for more damage.

Leslie stated that the moratorium stemmed from complaints by the Golf Board and the greenskeeper because of the cost to replace damaged turf but that she would be amendable to lifting the moratorium in Half Moon Park only.

Brad Heggen stated that \$500-\$1000 in maintenance repairs is money well spent for young families to be able to enjoy a public space that would otherwise sit idle in the winter months.

Motion by Harig and second by Braun to lift the snowmobiling moratorium ban in Half Moon Park only until the weather changes. Motion carried.

**Street Laborer Position-** Leslie stated that because of an unexpected increase to the work comp insurance cost, she is recommending postponing hiring the full time Street Laborer position. Leslie also stated that she spoke to the Public Works committee and they are in agreement as well.

Motion by Braun and second by Herman to postpone hiring the full time Street Laborer position until spring. Motion carried.

### **COUNCIL REPORTS**

Braun- stated that he attended his first PUC meeting and that going forward, they have asked to receive a copy of the Council packets.

Harig- stated she will be attending the Advanced Leadership Conference with the League of MN Cities and the Lunch and Learn Chamber event next week. Harig also stated that there needs to be a discussion about the EDA and that next year the Boards need to have a chance to review applications before appointments are made.

Herman- none.

Gaines- none.

### **ADJOURNMENT**

Motion by Braun and second by Harig to adjourn the meeting at 7:12 pm.

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Mayor Ronald Gaines

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Deputy City Clerk Megan Boeck