



**City Council Meeting Minutes
Monday, June 8, 2015, 5:00 pm
Wells Community Center**

The Wells City Council convened on Monday, June 8, 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 Harig. Also present: City Administrator Robin Leslie, Deputy City Clerk Megan Boeck, City Engineer Travis Winter, City Attorney David Frundt, Interim Chief of Police Tim Brenegan and Street Department Foreman Mike Pyzick.

AGENDA

The agenda for the June 8, 2015 meeting was reviewed. Motion by Harig and second by Herman to approve with the addition of Part-Time Police Officer Resignation and Wells Food Processing Waste Water Agreement. Motion carried.

Motion by Braun and second by Harig to go into closed session. Motion carried.

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

Motion by Braun and second by Harig to go back into open session. Motion carried.

Motion by Herman and second by Braun to suspend Kurt Niebuhr for four days without pay. Motion carried.

Motion by Herman and second by Braun to approve request from Kurt Niebuhr for up to 12 weeks of medical leave, starting June 12, 2015. Motion carried.

PUBLIC COMMENT

Dave Spencer, 446 1st Ave SW, questioned the status of the two nuisance properties on both sides of his property. Mr. Spencer stated that he has seen rodents on the Gutierrez property and is concerned that children are tampering with it while the owner is away.

City Administrator Leslie said the City can hire someone to bate the rodents and assess the costs back to the property owner if Council wishes to do so. Leslie also stated she is working on a nuisance abatement order for Patricia Johnson.

Motion by Harig and second by Burns to issue order to abate vermin nuisance at the Gutierrez property. Motion carried.

Mr. Spencer also inquired about lighting in the alley. The Council directed his to speak to Wells Public Utilities about this issue.

CONSENT ITEMS

Minutes

Motion by Braun and second by Harig to approve May 18, 2015 minutes. Motion carried.

Payments

Motion by Herman and second by Herman to approve payments in the amount of \$85,801.85 as listed on pages 5-9 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 presented on pages 10-13 of the council packet. Motion carried.

Board Reports

Motion by Burns and second by Herman to accept Board Reports as listed on page 14 of the council packet. Motion carried.

Staff Reports

Street Department Forman Pyzick stated staff has been busy helping Wells Public Utilities with water valve replacements and replacing the concrete in front of the Community Center as well as working on other miscellaneous projects. Pyzick also stated the paint sprayer broke down again and the cost of repairs is high in comparison to a new one. Pyzick stated with the Safe Routes to School Project and all the regular painting that has yet to be completed, a commercial grade sprayer would be beneficial.

Motion by Burns and second by Harig to approve purchase of a new paint sprayer not to exceed \$5,000. Motion carried.

Interim Police Chief Tim Brenegan stated there will be golf cart training on June 13th and the new squad car should arrive in the next couple weeks. Brenegan also stated the department will continue to focus on ordinance violations throughout the rest of summer and that the hiring process for five part-time officers is complete.. In addition, he stated WPD will be using forfeiture dollars to purchase a laptop and camera for the new squad.

City Engineer Travis Winter stated the 2014 street project should be closed out in July given all documentation is submitted by the Contractor.

City Administrator Robin Leslie stated she and the City Attorney continue to work on the annexation issue and are awaiting a response from adjacent landowners. Leslie also stated she has been busy finalizing the budget on the liquor store remodel and filling open City positions. In addition, she stated that she will start working on the 2016 budget and schedule a short work session for the July meeting and that the new street department truck has been ordered and the old truck will be traded in.

NEW BUSINESS

Part-time Police Officer Appointments (Michael Johnson, Jordan Mondeel, Evan Brown, Ryan Murphey)- Motion by Herman and second by Harig to approve Part-time Police Officer Appointments subject to a six month probationary period, as listed on 21 of the council packet. Motion carried.

Seasonal Lifeguard (Wyatt Johnson), Street Department (Paul Herman)- Motion by Burns and second by Herman to approve seasonal appointments as listed on page 21 of the council packet. Motion carried.

Police Department Resignations (Chris Albers & Arik Matson)- Motion by Braun and second by Herman to approve resignations from Chris Albers and Arik Matson. Motion carried.

2014 Audit – Layne Kockelman, Abdo, Eick & Meyers- Mr. Kockelman stated the 2014 audit is now complete and that there were no new findings compared to 2013, which the City is already aware of.

Motion by Braun and second by Harig to approve the 2014 audit as presented. Motion carried.

Resolution 2015-20 Approving Plans and Specifications and Ordering Advertisement for Bids- City Engineer Winter stated that the Safe Routes to School project is awaiting final approval from MnDOT and he would like to move forward with approving plans and specifications for when that happens.

Randy Weber, 1180 2nd Ave SW, was present at stated that he has contacted MnDOT to have his property surveyed and the road right-of-way located. Weber also stated he wants that finalized before any work is started.

Lisa Evans, 111 7th Street SW, was present and asked if the Safe Routes to School project consisted of new sidewalks only, or if existing sidewalks would be replaced as well. She also asked about her sidewalk and driveway and if she could have the contractor do extra work at her cost.

Winter stated that some existing sidewalks and driveways will be reconstructed as part of the project to correct grade and elevation and that the contractor could work with homeowners if they sign a waiver of assessment.

Donald Gerber, 600 8th Street SW, asked if his landscaping would be effected by the project. Winter stated the plans indicated as much and that notification can be given before the project starts so that the materials can be salvaged.

David Buesing, 393 2nd Ave SW, asked if the plans were the same as previously shown to him. Leslie stated they were and the two trees are still planned to be removed.

Michael Vernig, 485 6th Ave SW, stated he doesn't understand the rationale of replacing perfectly good sidewalks. Winter stated individual panel replacement can be looked at more closely as construction arises but usually it is not a cost effective way of replacement.

Motion by Braun and second by Burns to approve Resolution 2015-20 Approving Plans and Specifications and Ordering Advertisement for Bids

Wells Fire Department Tanker-Pumper Truck Sealed Bid and Opening- Leslie stated there was only one bid for the pumper truck received from Midwest Fire in the amount of \$218,995. Motion by Braun and second by Burns to award bid to Midwest Fire in the amount of \$218,995. Motion carried.

Wells Food Processing Encroachment Agreement/Waste Water Treatment Agreement – Leslie stated there is a building on the Wells Food Processing site that encroaches into the right-of-way and that Bolton and Menk was hired to draft the Waste Water Agreement, which explains the amount of waste that can be expelled into the system before fee's are incurred. Motion by Herman and second by Braun to approve both the Encroachment Agreement and the Waste Water Treatment Agreement contingent upon City Attorney approval. Motion carried.

123 South Broadway Purchase- Leslie stated she has requested and been assured that MPCA will provide the liability insurance letters and is requesting Council approval of purchase of the tax forfeiture property for purpose of developing the Lions Park. Motion by Herman and second by Harig to approve purchase of 123 South Broadway. Motion carried.

OLD BUSINESS

None.

COUNCIL REPORTS

Gaines- None.

Braun- asked if the theatre fire door has been repaired. Pyzick stated staff has worked on them but they have annual weather related problems.

Burns- updated the Council that the Planning and Zoning Commission has scheduled a work session to discuss a property maintenance code.

Herman- None.
Warmka- None.

ADJOURNMENT

Motion by Braun and second by Herman to adjourn the meeting at 6:58 pm.

Mayor Ronald Gaines

Deputy City Clerk Megan Boeck