

**MINUTES  
REGULAR CITY COUNCIL MEETING**

**NOVEMBER 28, 2012**

Mayor Jeff Thompson called the meeting to order at 6:00 p.m. Council members present were Jeff Bertram, Jean Soine, Dennis Zimmerman, and Gene Beavers. Others present were Renee Eckerly, City Administrator; Ron Mergen, Public Works Director; Jennifer Welling, Administrative Assistant; Ashley Alsum, Cable Coordinator, Chuck DeWolf, Bolton & Menk, Inc.; Bill Spooner, City Attorney; Ellarry Prentice, Press; Kay McDaniel, Donavon Mayer, Neil Herzberg, Mark Eckerly, Bruce Elfering, Police Officer; Paul Wegner, Chief of Police, and Bill Ludwig, Liquor Store Manager.

The Pledge of Allegiance was recited.

Thompson led the Council in prayer. Council members gave verbal activity reports.

Bill Ludwig reported:

- Year to date figures
- Have reached over a million dollars in sales
- Holiday sales
- MMBA conference in Marshall, MN focused on social media for advertising
- New staff members doing well
- Wine Club – December 13, 2012

Bruce Elfering reported:

- October crime statistics
- Overtime
- Recommended to reduce the Stearns County Sherriff's Department contract from 80 hours to 20 hours for December and then terminate coverage as of January 1, 2013

**CONSENT AGENDA**

Motion to approve the minutes from the following meetings: October 16, 2012 Special Liquor Board, October 15, 2012 Joint Planning Board, October 15, 2012 Paynesville Area Joint Trails Board, October 10, 2012 Public Works Committee, August 3, 2012 Special Public Works Committee Regarding Former Midtown Service Station 10-3-12, and October 23, 2012 Special Joint City Council, Public Works Committee, and Wellhead Protection Committee.

Motion to approve the following vouchers:

11/15/12	#85176-85177	\$ 3,501.36
	#85178-85184	\$ 4,312.10
	+ACH	\$ 5,677.57
11/20/12	#85185-85242	\$ 765,833.29
11/26/12	#85243	\$ 94,222.50
Total		\$ 873,546.82
Payroll:		
11/15/12	#85172-85175	\$ 3,563.81
	Direct Deposit	\$ 11,933.41

Motion to appoint Paul Wegner, Chief of Police to the Public Safety Committee, effective immediately.

**Motion was made by Beavers to approve the Consent Agenda. Seconded by Soine and unanimously carried.**

### **REQUEST TO WAIVE WATER BILL LATE FEE – PEGGY TAPLAH**

A written request from Peggy Taplah to waive a water bill late fee in the amount of \$10.93 was presented. Taplah has paid their bill in full including the late fee, but would like to have the late fee waived and applied to their account for the next billing cycle. It was mentioned that Taplah has had other late charges in the past. It was suggested to waive the late fee in honor of their new baby.

**Motion was made by Zimmerman to waive the late fee. Seconded by Soine and passed 3:2 (Thompson, yes; Bertram, yes; Zimmerman, yes; Soine, no; Beavers, no).**

### **PAYNESVILLE AREA SENIOR CENTER INC. – QUIT CLAIM DEED & ADDENDUM TO LONG TERM LEASE**

A Quit Claim Deed between the City of Paynesville and the Paynesville Area Senior Center, Inc. was presented. By approving the Deed it will deed one section of property to the Area Center and deed the other section of property to the City as it should be. This cleans up the legal description for such. Furthermore the Long Term Lease has to be amended to depict the correct legal description. The Paynesville Area Center has approved their Quit Claim Deed.

**Motion was made by Zimmerman to approve the Quit Claim Deed and authorize the Mayor and City Administrator to sign the document. Seconded by Beavers and unanimously carried.**

**Motion was made by Beavers to approve the Addendum To Long Term Lease between the City of Paynesville and the Paynesville Area Senior Center, Inc. Seconded by Soine and unanimously carried.**

### **POLICE DEPARTMENT**

Bruce Elfering reported on the future need for the Stearns County Sheriff's Department patrol support. It is suggested to reduce the contract coverage from the Stearns County Sheriff's Department from 80 hours to 20 hours for the month of December and to terminate the coverage contract with the Stearns County Sheriff's Department, effective January 1, 2013.

**Motion was made by Bertram to reduce the contract coverage from the Stearns County Sheriff's Department from 80 hours to 20 hours for the month of December and to terminate the coverage contract with the Stearns County Sheriff's Department, effective January 1, 2013. Seconded by Zimmerman and unanimously carried.**

Paul Wegner discussed proceeding with hiring a police officer.

**Motion was made by Soine to proceed with the hiring process for the Police Officer position. Seconded by Beavers and unanimously carried.**

It was suggested to reach out to Stearns County Sherriff's Department and have them help the City on this also. Wegner will work with Lieutenant Bob Dickhaus.

### **MPCA – FORMER MIDTOWN SERVICE STATION**

A draft letter to MPCA and a letter from MPCA regarding requesting access to City right of way for additional monitoring wells were presented. Mergen mentioned MPCA's request and the City's letter to MPCA and our requests before granting access. The Public Works Committee has reviewed this and recommends sending the letter to MPCA.

**Motion was made by Bertram to approve and send the letter to MPCA regarding the Former Midtown Service Station. Seconded by Zimmerman and unanimously carried.**

### **GERONIMO WIND ENERGY**

The Crop Tenant Subordination and Non-Disturbance Agreement document was presented. Geronimo is wrapping up the title clearing phase of the development process, during this process they obtain consents from all tenants and third-party interests on land leased for the wind farm and transmission. Spooner stated that at the last meeting, paragraph number four needed to be addressed and now his concern has been addressed in this document.

**Motion was made by Soine to approve the Crop Tenant Subordination and Non-Disturbance Agreement between the City of Paynesville, Geronimo Wind, and Jack Hennen. Seconded by Bertram.**

It was asked if there are any implications by approving this. Spooner said that the City has already signed an agreement with Geronimo like this. The City is consenting that the tenant is signing. Spooner had no reservations and has also talked to Mr. Hennen and he has no problem with it.

**The motion unanimously carried.**

### **INFORMATIONAL**

Thompson reviewed the following informational items: Liquor Store Reports, West Central Sanitation November Garbage Report, December & January Meeting Schedules, October Liquor Revenue & Expenses, Incode Financial Reports, City Attorney Report, and Capital Improvement Breakdown Report (emailed to Council) a copy can also be obtained from the accounting department at City Hall. LMC – Experienced Officials 2013 Leadership Conference (Kay and Donavon are attending the Newly Elected Conference January 11 & 12 in Nisswa), and October Police Reports.

There being no further business, the meeting was adjourned at 6:20 p.m.

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Renee Eckerly, City Administrator