

**MINUTES
SPECIAL CITY COUNCIL MEETING**

FEBRUARY 12, 2013

Mayor Jeff Thompson called the meeting to order at 6:00 p.m. Council members present were Kay McDaniel, Donavan Mayer (6:02 p.m.), Jean Soine, and Gene Beavers. Others present were Renee Eckerly, City Administrator; Ron Mergen, Public Works Director (6:02 p.m.); Jennifer Welling, Administrative Assistant; Bill Spooner, City Attorney; Ashley Alsum, Cable Coordinator, Chuck DeWolf, Bolton & Menk, Inc.(6:02 p.m.); Ellarry Prentice, Press; Neil Herzberg, Mark Eckerly, Paul Wegner Chief of Police; Tom Fordyce, and Tony Whelchel.

The Pledge of Allegiance was recited. Council members gave verbal activity reports.

Police Chief Paul Wegner reported the following:

- Gave a status on the hiring of the police officer
- Policy manual updates
- Meeting with local gas stations
- Meeting with local banks
- Uniform patch design contest with high school students
- Field training for the new officer

Public Works Director Ron Mergen reported the following:

- Snow issues on Hwy. 23 - sidewalks filling up with snow
- Remind residents to clean sidewalks and hydrants
- Compost Site opening in April; residential permits are \$10.00
- Spring Clean Up /HHW Collection is scheduled for April 27, 2013
- Water Festival is scheduled for May 10, 2013 a full day of water activities for 5th grade students
- Parks – Soccer Club wants to redo Ampe Park
- Park reservations can be made at City Hall
- Airport – last year broke records with 14,000 gallons of fuel being sold
- One hangar is vacant
- Safety consultant conducted a mock OSHA inspection
- City banners will be coming down next week

CONSENT AGENDA

Motion to approve the minutes from the following meetings: January 23, 2013 Regular City Council, October 29, 2012 Policies & Procedures Committee, October 24, 2012 Airport Commission, July 16, 2012 Safety Committee, January 17, 2013 Policies & Procedures Committee, December 3, 2012 Planning Commission, January 2, 2013 Special Liquor Board, and October 4, 2012 Park & Tree Board.

Motion to approve the following vouchers:

01/20/2013	Payroll	85591-85594	\$3,357.28
01/20/2013	Payroll Direct Deposit		\$11,824.03
01/20/2013	Payroll	85595-85603	\$9,031.13

01/20/2013	Payroll - Fed		\$4,058.17
01/20/2013	Payroll - State		\$763.89
01/20/2013	Payroll - ING		\$275.00
01/20/2013	Payroll - TASC		\$446.11
01/31/2013	Voucher - Magney Construction	85604	\$149,625.00
01/31/2013	Payroll - Special PTO Buy Out(Mergen)	85605	\$6,215.61
01/31/2013	Payroll - Fed		\$3,672.66
01/31/2013	Payroll - State		\$672.92
02/07/2013	Payroll	85606-85609	\$3,396.61
02/07/2013	Payroll Direct Deposit		\$12,795.11
02/07/2013	Payroll	85610-85617	\$9,023.93
02/07/2013	Payroll - Fed		\$4,402.43
02/07/2013	Payroll - State		\$821.84
02/07/2013	Payroll - ING		\$275.00
02/07/2013	Payroll - TASC		\$446.13
02/06/2013	Vouchers	85618-85707	\$135,910.83
Total			\$357,013.68

Motion to appoint Jennifer Welling and Paul Wegner to the Safety Committee, effective immediately.

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

FIRE DEPARTMENT – ANNUAL MUNICIPAL CONTRIBUTION

Representatives from the Fire Department were in attendance to explain the request for the annual municipal contribution. Fordyce and Whelchel reviewed the request on behalf of the Relief Association. The typical contribution has been \$5,000.00 with additional consideration for the extra short fall of monies equaling \$3,110.00. In the past, this amount has been split 50:50. Therefore, the City's total contribution would be \$6,555.00.

Motion was made by Mayer to approve \$5,000.00 split the \$3,110.00 annual contribution to the Paynesville Fire Department Relief Association. Seconded by McDaniel and unanimously carried.

HIRING OF FULL - TIME TEMPORARY CITY HALL OFFICE EMPLOYEE

On November 14, 2012, the City Council approved utilizing Employment Plus Temp Agency for a part-time temporary City Hall employee at \$9.00 per hour, which has a billable rate of \$13.33. Eckerly requested to utilize an Employment Plus temp for 40 hours per week instead of part-time due to the volume of work that needs to be completed. The billable rate would remain at \$13.33 per hour.

Motion was made by Soine to utilize Employment Plus Temp Agency for a full-time temporary City Hall employee at \$9.00 per hour, which has a billable rate of \$13.33. Seconded by Beavers and unanimously carried.

MN LAWFUL GAMBLING - BINGO – ST. LOUIS CATHOLIC CHURCH

The MN Lawful Gambling LG240B Application To Conduct Excluded Bingo for St. Louis Catholic Church to hold a Bingo event on February 17, 2013 at 505 Burr St., Paynesville, MN was presented.

Motion was made by Beavers to approve the MN Lawful Gambling LG240B Application To Conduct Excluded Bingo for St. Louis Catholic Church to hold a Bingo event on February 17, 2013 at 505 Burr St., Paynesville, MN. Seconded by McDaniel and unanimously carried.

2013 HOME & RANCH EXPO

The 2013 Home & Ranch Expo Registration Form was presented. The Expo is scheduled for Saturday, April 20, 2013 from 9:00 a.m. to 1:00 p.m. at the Paynesville Area High School. The registration fee/booth rent is \$175.00.

Motion was made by Soine to participate in the Expo and pay \$175.00 for booth rent. Seconded by Mayer and unanimously carried.

LOCAL BOARD OF APPEAL MEETING

The County has contacted the City to schedule the Local Board Of Appeal Meeting for Thursday, May 2, 2013 at 6:00 p.m. The City is required to have at least one Council member certified (has attended the necessary training) and in attendance at the meeting. Jeff Thompson is the only member certified.

Motion was made by McDaniel to set the Local Board Of Appeal Meeting for Thursday, May 2, 2013 at 6:00 p.m. Seconded by Soine and unanimously carried.

MN LAWFUL GAMBLING – RAFFLE – KORONIS DUCKS UNLIMITED

The Koronis Ducks Unlimited Minnesota Lawful Gambling LG220 Application For Exempt Permit to host a raffle on April 18 - 19, 2013 at the American Legion Post 71, 770 West Highway 23, Paynesville, MN was presented.

Motion was made by Beavers to approve Koronis Ducks Unlimited Minnesota Lawful Gambling LG220 Application For Exempt Permit to host a raffle on April 18 - 19, 2013 at the American Legion Post 71, 770 West Highway 23, Paynesville, MN. Seconded by Mayer and unanimously carried.

POLICE DEPARTMENT – GAS DRIVE OFF/NO PAY CUSTOMERS STANDARD OPERATING PROCEDURE

The Gas Drive Off/No Pay Customers Standard Operating Procedure and forms were presented. The Policies & Procedures Committee has reviewed this and recommends approval. Wegner reported that since he has been here there has been an extreme number of drive off's from local businesses. Statute outlines civil and criminal means to deal with such. This policy helps the department standardize the way the officers handle the calls and creates a certain level of

consistency to reduce the number of calls. Representatives from the businesses will be meeting with Wegner for training on the new process. Spooner interjected that this is a good effort and can see how it goes as there is a process provided for such in State Statute. Merchants will have to sort it out first and are aware of the process. It was suggested that there continue to be communication between the police department and the businesses regarding this and on how it is going for the businesses. Wegner stated the goal is to reduce the number of drive off's in general.

Motion was made by Beavers to approve the Paynesville Police Department Gas Drive Off/No Pay Customers Standard Operating Procedure. Seconded by Soine and unanimously carried.

HIRING OF EMERGENCY MANAGEMENT DIRECTOR

The Emergency Management Director job description with noted revisions was presented. The Council discussed starting the hiring process for a new Emergency Management Director at the wage of \$2,400.00 per year. The Public Safety Committee has reviewed this and recommends approval. Thompson stated that the Committee revised the job description to be less restrictive and need less experience. The person is also not 100% responsible for the Emergency Operations Plan, but will work with the Committee on it.

Motion was made by Beavers to start the hiring process for an Emergency Management Director and approve the job description as revised. Seconded by McDaniel and unanimously carried.

ANNUAL SAFETY TRAINING DAY

In the past, the City has held the Annual Safety Training Day on Columbus Day (Monday, October 14, 2013). Every year employees are trained on Employee Right To Know, AWAIR, Bloodborne Pathogens, Ergonomics/Lifting, and Emergency Action Plan and every other year employees are trained on First Aid and CPR. The Safety Committee has met and recommends closing City Hall for annual Safety Training Day and to train employees.

Motion was made by Beavers to close City Hall on Monday, October 14, 2013 for annual Safety Training Day. Seconded by Soine and unanimously carried.

POLICE DEPARTMENT – RECORDS MANAGEMENT

Chief of Police, Paul Wegner reported on the Records Management that is being conducted by Stearns County for the Paynesville Police Department. Wegner wanted advice and direction from the Council on this as the City is paying \$1,000.00 per month for records management. Wegner contacted the County to find out how much the City is actually using them and the average is 4 - 8 hours per week. Stearns County is not keeping track of the City's hours. Wegner stated that there are significant issues with the County providing this service including researching difficulties, time delays, County working on their reports first, and prioritization. The \$1,000.00 a month is not acceptable. The City could hire a part-time secretary for the same amount for 20 hours per week.

It was questioned what the procedure would be for hiring a person in the Police Department. Wegner said background check and training on procedures including data entry, clerical, and transcription. There would be a hourly wage with no benefits.

Eckerly interjected and suggested the Council ask Jennifer Welling her thoughts as she has done the job. Welling explained what her position was and that she only did the transcription. Wegner stated that the officers could do their own reports. In Madelia, they had a secretary that worked 15 – 20 hours per week.

It was questioned wasn't the reason the City went with the County that there was a back log and things were not getting done in a timely manner. It was suggested that the City research a better way and come back with a solid recommendation. It was asked if the reports from the beginning of year are still not done. Wegner said yes, they are just being pushed off by the County.

Spooner interjected that this has happened on two occasions that officers have submitted a report and the County had not done the report. There was some discussion on records management.

Welling asked how the City would keep up with the transcription and increased work load if the City gets the Township Contract back. She believed that increased workload equals increased transcription and a part-time person can't do it all. The County has the staff and can act immediately if necessary. Wegner disagreed.

Spooner suggested a conversation with the County on how much time is spent on the City's records. The City needs some feedback on the time used and continued tracking of it. This will be put on the next agenda, no formal action was taken.

PUBLIC WORKS DEPARTMENT – PURCHASE OF SAFETY JACKETS

The Safety Committee recommends the purchase of safety jackets for the full-time Public Works employees (4) at the costs of up to \$80.00 per jacket every two years. Mergen stated that the Safety Committee looked at safety jackets to replace the vests that employees have been using.

Motion was made by Soine to approve the purchase of safety jackets for the full-time Public Works employees and one spare at the cost of up to \$80.00 per jacket every two years or as needed. Seconded by Beavers and unanimously carried.

PUBLIC WORKS DEPARTMENT – PURCHASE OF 2013 F150 SUPERCAB 4X4

The Public Works Committee recommends the purchase of a 2013 F150 Supercab 4x4 in the amount of \$22,389.68, plus tax, title and license fees from Yarmon Ford. A second bid was also received from Koronis Motors in the amount of \$24,000.00. The department would keep the 2003 pickup and surplus the 1991 Ford Ranger as neither dealership would trade it in.

The 1991 Ford Ranger:

- 4 cylinder
- Manual transmission
- 2 wheel drive
- 104,600 miles
- Estimated value of \$500.00

Mergen explained that the equipment is on a rotating schedule. Lee Schleper drives the 2003 truck. The quote does meet the state bid with a deduction of \$7,500.00.

Motion was made by Soine to purchase a 2013 F150 Supercab 4x4 in the amount of \$22,389.68, plus tax, title and license fees from Yarmon Ford with the money coming from Capital Improvement. Seconded by Mayer and unanimously carried.

Motion was made by Beavers to surplus the 1991 Ford Ranger and advertise for sealed bids in the newspaper and electronically. Seconded by McDaniel and unanimously carried.

HIRING OF PART-TIME MAINTENANCE WORKER

On October 24, 2012, the City Council approved the Part-Time Maintenance Worker job description, wage scales for both the 32 hour and 67 day employees, and to hire a Part-Time Maintenance Worker at 32 hours a week during April – November. This position is included in the 2013 budget. The minutes, job description, and wage scale were presented. Mergen explained that he is in need of an extra person over the summer (April - November) to clean all municipal buildings, mowing, etc. Mergen wanted to re-confirm the hiring of this position with the new Council.

Motion was made by Mayer to start the hiring process for a Part-Time Maintenance Worker at 32 hours a week during April – November. Seconded by McDaniel and unanimously carried.

It was suggested to look at staffing as a whole and not so piece meal.

HIRING OF LIFEGUARDS

Staff has contacted all the lifeguards from last year and four of the five will not be returning from last season. One lifeguard has not returned our telephone calls.

Motion was made by Beavers to start the hiring process for lifeguards at the beach to fill the vacancies. Seconded by Mayer and unanimously carried.

AIRPORT – RELEASE AND SETTLEMENT OF ALL CLAIMS

The Release And Settlement Of All Claims document related to an insurance claim was presented. Spooner stated that an accident happened at the airport where a plane did some damage to one of the buildings. The damage has now been repaired and costs for such have been paid. This form releases the insurance company and insurer of any further liability.

Motion was made by Mayer to approve the Release And Settlement Of All Claims and authorize the Mayor to sign the document. Seconded by Soine and unanimously carried.

WHEN THE CITY ADMINISTRATOR IS NOT IN THE OFFICE POLICY

On July 22, 2009, the City Council approved the When City Administrator Is Not In The Office Policy. The Policies & Procedures Committee has reviewed the revisions and recommends approval. Eckerly explained that the revisions took out the names and put in positions and eliminated contact numbers.

Motion was made by Soine to adopt the revised When The City Administrator Is Not In The Office Policy. Seconded by Beavers and unanimously carried.

CITY ADMINISTRATOR PERFORMANCE EVALUATION FORM & PROCEDURE

The Performance Evaluation Form For the City Administrator was presented. This was reviewed by the Policies & Procedures Committee and they recommend approval. There was some discussion on the ability to evaluate an employee, a form for such, and setting goals that are achievable. Goals & Objectives meetings were originally supposed to be that, but now those meetings are not just City Administrator goals and objectives, but the entire City's goals and objectives. There was some discussion on getting feedback from non-Council members to help make informed decisions. Eckerly is researching this with the LMC.

Thompson expressed his concerns with soliciting input.

Eckerly noted that the review should have been done in December or January; however, the deadline was extended. There was some further discussion on using the new form now and then could make necessary changes if needed once it's been used.

Thompson expressed his concern with using the new form on a 2012 review. Eckerly did not have a problem with the Council using the new form, but stated that most of this year she's been doing other peoples jobs; more than her own, due to staffing shortages.

Mark Eckerly asked the Council if they were going to call on staff to answer each item on the evaluation or, like last year, where one person leads the whole Council to one conclusion. Due to the lack of staff, the City Administrator has not able to focus on goals and objectives.

It was suggested to use the old form and wait until the 2013 evaluation for the new form. It was confirmed that the 2012 evaluation should be done in March. Thompson said yes, and the 2013 evaluation needs to be done by the end of January 2014.

It was asked if a review is necessary. Thompson said it would look weird if there was a year skipped in the personnel file and the employee is owed an evaluation.

Spooner interjected that for good or bad and to keep consistency; feedback is good for all to know where one stands.

The process for the evaluation was questioned. Thompson said that in the past each Council member has filled out an individual evaluation. The Council has meet in closed session and has come to a consensus on a final evaluation and then the evaluation is given to the City Administrator. There was further discussion on the use of the new form versus the old form.

Spooner interjected that if Eckerly is willing to be the guinea pig the form could be used. Eckerly agreed to have the new form used as well as the existing form for her evaluation.

Motion was made by Soine to approve the new evaluation form for 2013 and beginning using the form for the 2012 evaluation. Seconded by Beavers and unanimously carried.

A closed session for the City Administrators evaluation will be put on the March 13, 2013 City Council agenda.

HWY. 55 & CO. RD. 181 & CSAH 66 INTERSECTION

The Cooperative Construction Agreement between MnDOT and the City of Paynesville was presented. This is to perform detached right lane construction and other associated construction upon, along, and adjacent to Trunk Highway 55 at CSAH 66 according to prepared plans, specifications, and special provisions designated by the City and State.

DeWolf reported that MnDOT would pay 100% of construction costs and 80% of the engineering costs. New schedule I's will be throughout the agreement.

Motion was made by Beavers to approve the Cooperative Construction Agreement between MnDOT and the City of Paynesville. Seconded by Soine and unanimously carried.

Motion was made by Beavers to approve Resolution 2013-07. Seconded by Soine and unanimously carried.

POLICE DEPARTMENT – HIRING OF FULL-TIME POLICE OFFICER

Interviews were recently held to hire a Police Officer to fill the vacant position. The Policies & Procedures Committee and Chief Wegner interviewed six finalists on January 29, 2013. All applicants were interviewed. The Committee approved the following motions:

Motion was made by Beavers to proceed with the Police Officer hiring process for the candidates as follows: Kelsey Thompson, Matthew Holmgren, and Christopher Lindbloom. Seconded by Mayer and unanimously carried.

Motion was made by Beavers to recommend starting the new Police Officer at Step 1 (\$15.35) and recommend such to the City Council. Seconded by Mayer and unanimously carried.

The background check has been completed with no issues. Physical and psychological exams are scheduled for February 7 and 8, 2013. Wegner recommended hiring Kelsey Thompson as the new Police Officer; noting the biggest delay will be having all the equipment in place by the time she starts.

Motion was made by Beavers to hire Kelsey Thompson at \$15.35 per hour with a start date of 2/13/13 and add Matthew Holmgren and Christopher Lindbloom to the eligibility list. Seconded by Mayer and unanimously carried.

OPPORTUNITY PARK

Documents showing the City receiving two \$2,500.00 as Payment Options; one for the first Option and one for the second Option were presented. This clarifies Attorney Spooner's inquiry from the January 23, 2013 City Council Meeting. Eckerly clarified that the \$2,500.00 was not included in original documents. As that was under the first option agreement. Then council was in a second agreement. Eckerly asked if the Council wants the first \$2,500 to go against the EDAP Loan.

Motion was made by Beavers move the \$2,500.00 to EDAP and the General Fund to cover expenses incurred. Seconded by Soine and unanimously carried.

Opportunity Park Second Addition proposed layout was presented. Bolton & Menk's proposed budget to plat this is \$2,500.00. Eckerly asked if the Council would like to plat the rest of Opportunity Park. The proposal has five lots, all similar in acreage.

Motion was made by Beavers to proceed with the platting of Opportunity Park Second Addition pending EDAP approval. Seconded by Soine and unanimously carried.

WASTEWATER TREATMENT FACILITY RE-SCOPING PROJECT

The letter from MPCA approving the facility plans and specifications for the Wastewater Treatment Facility Re-Scoping Project was presented. The letter states that MPCA has reviewed all MN State Statute requirements and has determined that all requirements have been met.

Application For Payment No. 2 in the amount of \$397,385.95; payable to Magney Construction, Inc. for work completed through November 30, 2012 and Application For Payment No. 3 in the amount of \$451,676.55; payable to Magney Construction, Inc. for work completed through January 4, 2013 were presented for consideration. These applications for payment were tabled from the January 30, 2013 Special City Council Meeting.

The Amortization Schedule, as requested at the January 30, 2013 Special City Council meeting was presented.

The Grant Reimbursement Request No. 1 in the amount of \$203,469.38; payable to the City of Paynesville from MPCA was reviewed as well as the 20 Year Cash Projection Schedule.

The Minnesota Public Facilities Authority Bond Purchase And Project Loan Agreement for the Clean Water Revolving Fund Loan was presented for consideration.

DeWolf explained that the certification, grant request, amortization schedule (1% rate), 20 year cash projection schedule (new step), draft bond purchase of PFA loan documents, and Briggs & Morgan resolution allowing the City to pull the money for reimbursement.

Eckerly interjected that all documents are ready to go and will be activated immediately for immediate reimbursement.

There was some discussion and clarification on the payments made, insufficient funds, and available funds now to make the payments. Eckerly confirmed that due to investments there is \$700,000.00 in the account now to cover the payments. There was further discussion on investments and cash on hand.

Motion was made by Beavers to approve Application For Payment No. 2 in the amount of \$397,385.95; payable to Magney Construction, Inc. for work completed through November 30, 2012. Seconded by Soine and unanimously carried.

Motion was made by Soine to approve Application For Payment No. 3 in the amount of \$451,676.55; payable to Magney Construction, Inc. for work completed through January 4, 2013. Seconded by McDaniel and unanimously carried.

Motion was made by Beavers to approve the 20 Year Cash Projection Schedule. Seconded by Soine and unanimously carried.

Motion was made by Mayer to approve Minnesota Public Facilities Authority Bond Purchase And Project Loan Agreement and authorize the Mayor and City Administrator to sign this document and all future loan and bond documents. Seconded by Soine and unanimously carried.

Motion was made by Beavers to approve Resolution 2013 – 08 Resolution Accepting The Offer Of The Minnesota Public Facilities Authority To Purchase A \$3,069,736.00 Sewer Revenue Note Of 2013, Providing For Its Issuance And Authorizing Execution Of A Bond Purchase And Project Loan Agreement and all other bond/loan documents and authorize the City Administrator and Mayor to sign the documents. Seconded by Mayer and unanimously carried.

It was asked if there is a need for additional training due to the upgrades. Mergen stated that the City currently has a Class C plant and the new plant will be a Class B. Mergen does hold a Class B license.

INFORMATIONAL

Thompson reviewed the following informational items: December & January Liquor Revenue & Expenses, Incode Financial Reports, City Attorney Report (only December), and Capital Improvement Breakdown Report (emailed to Council) a copy can also be obtained from the City's website. January Police Reports, December & January West Central Garbage Rates, January Liquor Store Report, 2012 Year End Library Report, Thank You For Emergency Services, Incident Command System Overview For Executive /Senior Officials, and Morgan Stanley Investment Report. Eckerly mentioned that she was recently interviewed by Moody's regarding the City's bonds and announced the City's bond rating will remain A1. She noted that some cities' ratings have decreased. Eckerly noted that the transfer to the sidewalk fund would be done in March.

There being no further business, the meeting was adjourned at 8:08 p.m.

Renee Eckerly, City Administrator