

**MINUTES
REGULAR CITY COUNCIL MEETING**

JULY 11, 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 (6:05 p.m.). Others present were Renee Eckerly, City Administrator; Ron Mergen, Public Works Director; Jennifer Welling, Administrative Assistant; Chuck DeWolf, Bolton & Menk, Inc.; Bill Spooner, City Attorney; Ellarry Prentice, Press; Neil Herzberg, Bob McDaniel, Bill Ludwig, Liquor Store Manager; Don Mayer, Deacon Jim Schultzenberg, Father Glenn Krystosek, Lieutenant Robert Dickhaus; Kay McDaniel, Joe Schmitz, Charles Buggs, Edward Mirenda, and Stanley Ross.

The Pledge of Allegiance was recited.

Father Glenn led the Council in prayer. Council members gave verbal activity reports.

Bill Ludwig reported on the following:

- Sales numbers from June
- Fantastic June sales due to the hot weather
- Third Street Brewery Tour
- Wild Country - Wefest ticket give away to be held on July 13, 2012
- Saturday, July 21, 2012 will host a Brew Tour from Willmar
- Wine Club will be held on July 26, 2012 and feature frozen drinks, hosted by the Liquor Board
- August 10, 2012 is Bourbon Night to be held at the American Legion

CONSENT AGENDA

Motion to approve the minutes from the following meetings: October 17, 2011 Safety Committee, and June 11, 2012 Special City Council.

Motion to approve the following vouchers:

6/28/12	#84438-84439	\$ 2,746.81
	#84440-84446	\$ 4,170.58
	#84447	\$ 118.72
	#84448	\$ 1,495.20
	#84449-84454	\$ 1,346.36
	+ACH	\$ 8,452.76
6/27/12	#84455	\$ 10,444.22
7/3/12	#84456-84495	\$ 97,222.18
7/9/12	#84496-84528	\$ 80,628.07
Total		\$ 206,624.90
Payroll:		
6/28/12	#84407-84437	\$ 11,759.00
	Direct Deposit	\$ 16,004.86
	Direct Deposit	\$ 4,224.01
ACH:	None	

Motion to approve the Tee Hangar Lease Agreement between the City of Paynesville and Jesse Black.

Motion to approve Minnesota Lawful Gambling LG220 Application For Exempt Permit for the Tri Co. RBB Chapter of MN Deer Hunters Assoc. to conduct a raffle at Queen Bee's Bar & Grill, 121 James St., Paynesville, MN on September 12, 2012.

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

POLICE DEPARTMENT - REPLACE 2006 CROWN VICTORIA VHF RADIO SYSTEM

The quote from Motorola in the amount of \$2,981.50 was presented. This purchase would replace the VHF Radio System in the 2006 Crown Victoria; as the County will not support the existing radio as of July 1, 2012. This will be an 800 mghz radio and can be transferred to the new vehicle. This radio was purchased on 6-29-12 to a save \$450.00. Funds for this radio will come from the Police Department Capital Improvement Fund.

Motion was made by Bertram to approve the quote from Motorola in the amount of \$2,981.50 for an 800 mghz radio. Seconded by Zimmerman and unanimously carried.

GOALS & OBJECTIVES SET MEETING DATE

Proposed is to set another Goals & Objectives Meeting; the following are suggested dates:

Thursday, July 19, 2012	6:00 p.m.
Monday, July 23, 2012	6:00 p.m.
Monday, July 30, 2012	6:00 p.m.

The purpose and intent of the meeting was questioned. Thompson stated that there are a number of new items to add that staff is working on.

The Council consented to having a Goals & Objectives Special City Council meeting at 6:00 p.m. on July 30, 2012.

WELLS 6 & 7 REHAB & REPAIR

Rehab and repair quotes for Wells 6 & 7 were presented. Mergen reported that the wells were installed in 1993 and there were no leaks detected in the town except for in Well No. 7.

Motion was made by Bertram to approve the quote from Traut Wells to rehab Well No. 6 in the amount of \$8,430.00. Seconded by Beavers and unanimously carried.

Motion was made by Beavers to approve the quote from Jennings Well Drilling to repair Well No. 7 in the amount of \$1,100.00; plus parts, pipe at \$28.00 per foot, and a check valve in the amount of \$595.00. Seconded by Zimmerman and unanimously carried.

HWY. 23

DeWolf reported that the tentative opening date is July 20, 2012 and a press release will be published.

UNION - WORK WEEK CHANGE

The following is an excerpt of the August 24, 2011 City Council meeting minutes: The Budget & Finance Committee recommends changing the employee work week from Monday – Sunday to Saturday at 12:00 a.m. to Friday at 11:59 p.m. Eckerly explained that this change would not eliminate the call outs as on the overtime report and may not save the City money. If the change is made it will not affect payroll for police officers. Would have to be talked about at contract negotiations for police officers. It was further stated that the goal is to give flexibility to the managers if time was incurred there would be extra time to adjust for such. There was some discussion on call out, snowplowing, and irrigation. It was stated that the contract states; callouts other than normal work hours, equals overtime.

Motion was made by Beavers to change from Monday – Sunday to Saturday at 12:00 a.m. to Friday at 11:59 p.m. Seconded by Zimmerman and unanimously carried.

The Union Negotiation team recommends putting the work week back to Monday – Sunday for all employee classes. This change would be effective July 7, 2012. The proposed actions below will resolve the grievance that was filed by the AFSCME City Hall unit.

Eckerly reported that \$244.21 is the back pay amount and Arbitration would cost \$3,000.00, plus attorney fees. It was stated that it seems to be wiser to go back. It was also stated that not all union members supported this.

Motion was made by Soine to change the work week from Saturday at 12:00 a.m. to Friday at 11:59 p.m. to Monday – Sunday effective July 7, 2012. Seconded by Bertram and passed 4:1 (Thompson, yes; Zimmerman, yes; Bertram, yes; Soine, yes; and Beavers, no).

Motion was made by Zimmerman to pay additional overtime wages to Robert Wander \$75.60, Lee Schleper \$94.16 and Brad Mehlhop \$74.45 for the time period of September 2, 2011 through June 22, 2012. Seconded by Soine and passed 4:1 (Thompson, yes; Zimmerman, yes; Bertram, yes; Soine, yes; and Beavers, no).

UNION - POLICE CONTRACT & MEMORANDUM OF UNDERSTANDING ON PAID TIME OFF (PTO)

The AFSCME Police Bargaining unit has agreed to a two year contract (2012-2013). The changes are a Shift Differential pay increase from \$.25 to \$1.00 per hour for hours worked between 8:00 p.m. and 6:00 a.m., converting to Paid Time Off system, and a \$10.00 per month increase in the City's contribution toward Health Insurance premium. The AFSCME General Unit has agreed to a Memorandum of Understanding to convert to a Paid Time Off (PTO) system. The Memorandum of Understanding will be included in the next contract.

The MAPE Supervisory/Confidential Unit has agreed to a Memorandum of Understanding to convert to a Paid Time Off (PTO) system. The Memorandum of Understanding will be included in the next contract. Attached are three PTO Conversion worksheet which pays out 35% of the employees remaining vacation/sick over 325 hours for each labor unit. The employees can have checks cut in July 2012 and January 2013 for the cash payouts. The Union Negotiation team is recommending approval of the Police contract, Memorandum of Understanding for both AFSCME General Unit and MAPE and the PTO conversion payouts totaling \$39,743.83 to decrease the cities liability. Eckerly reported that the Union Negotiations Team negotiated with all three units and converting to PTO would eliminate vacation, sick and funeral leave. This is also a one-time payout option. All three units have agreed to the PTO conversion. It was stated that this does limit the exposure and liability the City had. It was noted that most employees were in favor of this; however, the Union representatives were very unprofessional. It was further stated that there was a misunderstanding along the way that high vacation and sick leave banks were to be used as a retirement benefit. Thompson stated that the PTO will be much easier to manage.

Motion was made by Bertram to approve Memorandum of Agreement between the City of Paynesville and AFSCME Council 65 Local 748, Chapter K – Police Officers Bargaining Unit for the term of January 1, 2012 through December 31, 2013 and Paid Time Off conversion cash pay outs in the amount of \$14,376.43 from reserves. Seconded by Zimmerman and unanimously carried.

Motion was made by Zimmerman to approve Memorandum of Understanding between the City of Paynesville and AFSCME Council 65 Local 748, – General Bargaining Unit agreeing to Paid Time Off (PTO) system and Paid Time Off conversion cash pay outs in the amount of \$5,366.11 from reserves. Seconded by Bertram and unanimously carried.

Motion was made by Bertram to approve Memorandum of Understanding between the City of Paynesville and MAPE Supervisory and Confidential Employee Unit agreeing to Paid Time Off (PTO) system and Paid Time Off conversion cash pay outs in the amount of \$20,001.29 from reserves. Seconded by Soine and unanimously carried.

INFORMATIONAL

Thompson reviewed the following informational items: Overtime Reports, June Police Report, West Central Sanitation June Garbage Rates, and the City Administrator will not be at the August 22, 2012 City Council Meeting.

It was stated that the Police Department call-out protocol for mutual assistance will be on the next agenda.

Thompson recessed the Regular City Council meeting at 6:28 p.m. Thompson re-opened the Regular City Council meeting at 6:29 p.m.

POLICE CHIEF FINALIST INTERVIEWS

Dickhaus introduced Edward Mirenda. The Council asked the candidate 5 questions.

The Interview Committee was thanked. Eckerly will send thank you cards once a Chief is appointed. Eckerly reviewed the process:

- Advertised the position
- 15 applications were received
- Applications were scored
- 6 candidates determined to interview
- One candidate declined to continue
- Interviewed 5 candidates
- Interview Committee recommended three finalist to be interviewed by the Council
- Council interviewed three candidates
- Council make determination and to proceed with background check
- Appoint Police Chief August 8, 2012

It was questioned if the Council is ready to make a decision on a finalist tonight. Thompson hoped the Council would. It was further noted that Stearns County would conduct the background investigation.

Dickhaus introduced Charles Buggs. The Council asked the candidate 5 questions.

It was mentioned that according to the union rules an internal candidate must go through the interview process and according to the pointing scale Mr. Buggs made the cut off.

Dickhaus introduced Stanley Ross. The Council asked the candidate 5 questions.

POLICE CHIEF POSITION

Thompson suggested ranking the three candidates independently. Thompson announced that unanimously Stanley Ross was the chosen candidate to go through the formal background process.

Motion was made by Bertram to proceed with the formal background check on Stanley Ross. Seconded by Beavers and unanimously carried.

The overall ranking was:

1. Stanley Ross
2. Charles Buggs
3. Edward Miranda

There being no further business, the meeting was adjourned at 7:18 p.m.

Renee Eckerly, City Administrator