

**MINUTES
REGULAR CITY COUNCIL MEETING**

MARCH 9, 2015

Mayor Jeff Thompson called the meeting to order at 6:00 p.m. Council members present were Kay McDaniel, Donovan Mayer, Jean Soine, and Neil Herzberg. Others present were Renee Eckerly, City Administrator; Jennifer Welling, Administrative Assistant/Zoning Specialist; Ron Mergen, Public Works Director; Bill Spooner, City Attorney (6:02 p.m.); Chuck DeWolf, Bolton & Menk, Inc.; Ellarry Prentice, Press (6:01 p.m.); Bill Ludwig, Liquor Store Manager, Paul Stock, MPCA; Don Milless, MPCA; and Robert Lieser.

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

Bill Ludwig, Liquor Store Manager reported the following:

- Sales up 5.3% and profit up 4%
- Getting the store ready for summer and vendors are doing some re-sets
- Craft beer market is huge
- Buying with the City of Litchfield to receive better deals
- Wine Club is March 26, 2015 and May 14, 2015 is the Holiday Light Fundraiser

CONSENT AGENDA

Motion to approve the minutes from the following meetings: March 26, 2014 Wellhead Protection Committee, January 26, 2015 Regular City Council, and February 3, 2015 Liquor Board.

Motion to approve the following vouchers:

2/20/2015	Vouchers	89965-89969	\$6,303.13
3/5/2015	Payroll	89970-89973	\$3,629.31
3/5/2015	Payroll Taxes	89974 - 89979	\$6,116.48
3/5/2015	Payroll Direct Deposit		\$16,132.50
3/5/2015	Payroll - Fed		\$5,344.71
3/5/2015	Payroll - State		\$949.05
3/5/2015	Payroll - Pacific Life		771.38
3/5/2015	Payroll - TASC		\$392.28
3/5/2015	Payroll - PERA		\$5,467.36
3/5/2015	Payroll - AFLAC		\$139.41
3/5/2015	Payroll - SELECT		\$207.70
3/4/2015	Vouchers	89980-90031	\$71,055.58
		TOTAL	\$116,508.89

Motion to approve the attendance of Dodi Greeley to the Fire & Rescue School March 14 & 15, 2015.

Motion to approve the attendance of Rachel Hoppe, Andy Soine, Tim Miller, and Shane Schmidt to the Fire/EMS/Rescue School & Expo March 7-8, 2015.

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

MPCA – FORMER MID-TOWN SERVICE STATION

Don Milless, MPCA was in attendance to address the City Council on the latest Terracon report showing benzene contamination in the monitoring well that was just installed last summer by MPCA.

Thompson expressed his concern of protecting the City wells and public drinking water.

Milless agreed with Thompson that MPCA's concern is to also protect the environment and human health. Milless reported on the following:

- History of the site, 1989 the tanks were removed

- 1,500 cubic yards (100 truckloads) of soil was removed
- Monitoring wells were installed
- 1998 contamination was found in Wells #3 & #4
- MPCA installed Wells #7 & #8
- In 2000 – control the ground water
- Well #4 is used as a pump out system
- Pilot testing
- Vapor study, testing, no vapors found in buildings or residence's
- Install monitoring wells
- Track wells
- Test City wells

Immediate Plan – is to install a test well on Maywood Ave. and to continue to do what MPCA is doing.

Additional Action – develop a contingency plan; action steps and options for a permanent solution including:

- Blending wells
- Meet with the City
- Look at Water Treatment Plant
- Permanent options:
 - Treatment
 - Replace City wells
 - Contingency plan

Thompson questioned the vapor research. Mergen further questioned one residence (a former day care) and if any follow up had been done there. Stock stated that a follow-up had already been done and that he would forward those results.

Thompson questioned if any of the private wells are at risk and if they are being monitored. Stock commented that the nursery well is used for both drinking and irrigation. The well was sampled, but access has now been denied by the property owner. Other wells include AMPI, Bus Garage, Master Mark, and Heatherwood. Stock stated that Wells #5, #6 & #7 have been sampled and no contamination was detected.

Thompson recessed the Regular City Council meeting at 6:30 p.m. for the Lot Split Public Hearing.

Thompson re-opened the Regular City Council meeting at 6:32 p.m.

LOT SPLIT - M & M LUMBER

Motion was made by Mayer to approve Resolution 2015-03 Granting Lot Split. Seconded by McDaniel and unanimously carried.

(Please see Attachment #1 – the above-referenced Resolution which has been made a part of these minutes.)

MPCA – FORMER MID-TOWN SERVICE STATION CONTINUED

Thompson questioned the timeline. Stock outlined the following:

- All is hinged on the well on Maywood for future sampling
- Install the well in 30 days, once access is granted
- Get sampling results

Thompson asked how many more wells would be installed before installation would be stopped and something else has to be done. Milless stated that MPCA doesn't believe that the Maywood well would be contaminated. MPCA also wants to be prepared.

Thompson expressed the City's plan. Milless stated that he wants to look at the City's plan.

Stock outlined the following:

- If the Maywood well is not contaminated, no action will take place
- Have a conceptual contingency plan
- Find the best option to have clean water – stripper, carbon treatment, or new wells are all possibilities and depends on costs
- Wells #5 & #6 would be Department of Health's decision

Stock further stated that there would be no more wells between Wells #5 & #6. MPCA wants the wells in front of the plume to receive solid evidence that the contamination is not migrating at the speed of ground water flow. The contamination has passed DW8 and DW9.

It was questioned why MPCA would wait until the contamination gets to the Maywood well; it's a direct line to the City's well field. Milless stated that this is a big plume.

Natural attenuation and source removal was questioned. Stock stated that attenuation is happening and has been for 26 years. Thompson asked if another source is contributing to the continued contamination. Milless stated that there are 20 other leak sites in the City (18 have been cleaned up and 2 are active).

Stock said there could be a non-reported source. Terracon is conducting bail down tests and free product recovery is being done.

Thompson questioned the risk levels to the aquifer. Stock stated if MPCA sees contamination in the test well that is a trigger.

Thompson asked if new wells are an option as the City has a vulnerable aquifer; new wells can't be put near Wells #5 & #8. Stock said it could be included in the contingency plan to go West. The contingency plan may include treatment, type of treatment, and new wells. An air stripper is \$2.5 million.

Thompson stated that future West wells would be expensive since the City lays East to West.

It was commented that Well #4 is a remediation well according to the 2012-2013 annual report; however, Terracon discounts Well #4 as a remediation well. Stock stated that Well #4 acts to help control the plume (gradient control).

It was asked if contamination gets to the Maywood well and the contingency plan is started how much time is needed from the start of the contingency plan to have something in place. Stock stated that it would depend on the plan. If contamination reaches Well #5 MPCA will do something immediately.

Stock asked when Wells #5 & #6 were installed. Mergen stated 1993. Stock stated that the contingency plan will be based on the best, quickest, and most cost effective option.

It was asked why not something do now, since the well field is in that direction. Why wait until the Maywood well is contaminated, it appears that MPCA just wants to drill more wells. Stock stated that MPCA has been sampling Wells #5 & #6 and they are not contaminated and we don't know that it's moving there. MPCA wants a well out in front of the plume. We also don't know that it's moving, evidence shows it's not moving. It's not MPCA's policy to just put in new wells.

It was further stated that if one lays a straight edge on the map from Casey's to the well field it intersects Well #19 and the plume is headed directly to the well field.

Milless stated that the ground water is also moving that way and the contamination degrades as it moves.

Stock stated that if contamination is detected at Maywood, yes the contamination is getting close.

There was further discussion on contamination levels.

It was stated that the City's goal is to have good water. The City wants a sure answer and will work with MPCA to know for sure to ensure the City has good water.

Thompson asked if this well is the line in the sand. Stock said this is it.

Motion was made by Mayer to authorize the Mayor and City Administrator to sign the Access Agreement to install a well on Maywood Ave. Seconded by McDaniel.

Mergen questioned the time line model from Maywood to the wells. Stock stated they used the Department of Health model; 5.3 months at ground water flow, 8.8 years with retard action factor.

Mergen questioned the carbon filter system utilized in inclement weather or winter months. Stock stated it must be installed inside.

Mergen further stated that the worst case scenario is the contamination hits Wells #5 & #6 and Department of Health must be notified before anything can be done. If it gets that far MPCA has failed. Then the City will have to blend in the interim. Any contamination is unacceptable.

DeWolf commented that when the contamination hits Maywood a contingency is put in place, but MPCA will do nothing until it's contaminated.

Milless stated that MPCA will do some action steps. Stock stated MPCA would talk to the Department of Health about levels and concentrations.

The motion unanimously passed.

PARADE PERMIT – FFA TRACTOR PARADE

A Parade Permit Application has been submitted by the Paynesville FFA to conduct a Tractor Parade on April 10, 2015 from 2:45 p.m. to 3:15 p.m. (inclement weather dates are April 17 and April 24). The Parade route would be from the Paynesville High School parking lot to Koronis Manor. The Police Chief has reviewed this and recommends approval with the understanding that the FFA will need to coordinate with Police Department and the officer on duty for an escort and traffic control at Hwy. 55 and Main St.

Motion was made by Soine to approve the Paynesville FFA Parade Permit. Seconded by Herzberg and unanimously carried.

FIRE DEPARTMENT – PHYSICALS

Eckerly presented a Contract between the City of Paynesville and CentraCare Health Paynesville. This contract is necessary due to CentraCare and the Affordable Care Act. This will be an annual contract that states the City will pay for the necessary items at the listed amounts. This would be for new and existing firefighters as they must pass a physical every other year. DOT physicals are not necessary.

Motion was made by Soine to approve the contract for firefighter physicals between the City of Paynesville and CentraCare Health – Paynesville. Seconded by Mayer and unanimously carried.

NOTICE OF PENDENCY OF PROCEEDING - ROONEY

Spooner explained that in order to proceed with this foreclosure a Notice of Pendency of Proceeding needs to be approved and signed by the Mayor. This was a Small Cities Rehab Loan for 371 Mill St. W. in the amount of \$18,000.00.

Motion was made by Soine to approve Notice Of Pendency Of Proceeding And Power Of Attorney To Foreclose Mortgage and authorize the Mayor and City Administrator to sign the document. Seconded by Herzberg and unanimously carried.

2015 WATER FESTIVAL

Mergen reviewed the Water Festival information and budget; no extra funds are needed as the donations/revenues will cover the expenses.

Motion was made by Mayer to approve the 2015 Water Festival. Seconded by McDaniel and unanimously carried.

WATER TREATMENT EXPANSION PROJECT

DeWolf reported that the contractor is working on conducting some training, the controls and the doors.

COUNCIL CHAMBERS REMODEL PROJECT

Eckerly presented the Certificate of Substantial Completion and remaining punch list items as of February 20, 2015 to be completed by March 6, 2015.

Motion was made by Mayer to approve the Certificate of Substantial Completion. Seconded by Soine and unanimously carried.

INFORMATIONAL

Thompson reviewed the following informational items: MnDOT Notice – MN Hwy. 23 Speed Limit Increase to 60 mph Sign Installation, Windstream – Channel Changes Notification, February Police Reports, Benoit Auction Service - Regional Government Surplus Auction, Stearns County – Public Hearing Continuation Notice, West Central Sanitation February Garbage Rates, and February Liquor Store Reports.

There being no further business, the meeting was adjourned at 7:35 p.m.

Renee Eckerly, City Administrator