

**MINUTES  
REGULAR CITY COUNCIL MEETING**

**JULY 11, 2016**

Mayor Jeff Thompson called the meeting to order at 6:00 p.m. Council members present were Kay McDaniel, Donavan 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; Chuck DeWolf, Bolton & Menk, Inc.; JoLyn Lindquist, Social Media Specialist; Ellarry Prentice, Press; Paul Wegner, Police Chief; Brian Menk, Ron Menk, Audrey Olmscheid, Duane Olmscheid, and Bill Lieser.

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

**CONSENT AGENDA**

Motion to approve the following vouchers:

07/07/2016	Payroll Checks	92966-92971	\$4,718.80
07/07/2016	Payroll Taxes	92972-92975	\$1,304.35
07/07/2016	Payroll Direct Deposit		\$19,759.57
07/07/2016	Payroll - Fed		\$6,630.52
07/07/2016	Payroll - State		\$1,177.16
07/07/2016	Payroll - TASC		\$513.43
07/07/2016	Payroll - PERA		\$5,749.46
07/07/2016	Payroll - SELECT		\$207.70
07/07/2016	Payroll - Blue Cross		\$4,446.15
07/07/2016	Payroll - AFLAC		\$139.41
07/07/2016	Vouchers	92976-93037	\$440,378.89
		<b>TOTAL</b>	<b>\$485,025.44</b>

Motion to approve the training request for Officer Klingfus to attend DMT Certification training on September 20, 2016 and Officer Johnson to attend DMT Certification training on October 11, 2016.

Motion to approve the list of Election Judges Janice Zumwalde (Head Judge), Carolyn Swyter, Renee Eckerly, Christine Legatt, Margaret Swanson, Shelly Bast, Linda Mayer and Joan Brogaard for the Primary Election on August 9, 2016 and General Election November 8, 2016.

Motion to give authority to Renee Eckerly, City Administrator permission to appoint judges in case of an emergency.

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

### **HEATHERWOOD PLAT THREE LOTS – BILL LIESER REQUEST**

Bill Lieser was in attendance to address the Council regarding the Special Assessments on the lots in Heatherwood Plat Three in the amount of \$1,216.48 (annual interest that was due, but not paid per the development agreement with Rutwalds).

Lieser explained his intent to construct a patio home on two lots and asked the Council to waive the interest due per lot in the amount of \$1,216.48. There was some discussion on who owns the lots. It was confirmed that the assessments are due upon the sale of the lots. Lieser expressed concern with the covenants for the development in reference to the size of an accessory building.

Spooner interjected that if the interest is waived that Council will have to be ready to waive it for others. In addition, the City has no control over the covenants and a petition must be signed by 100% of the property owners to get it changed.

Due to the uncertainty of the ownership of the lots; Eckerly will check on the ownership. It was suggested that Lieser stay in touch with Eckerly.

### **GAMBLING PERMIT – TRI-COUNTY RBB CHAPTER OF THE MN DEER HUNTERS ASSOCIATION**

A MN Lawful Gambling LG220 Application For Exempt Permit for Tri-County RBB Chapter Of The MN Deer Hunters Association to conduct a raffle on September 9, 2016 at Queen Bee's Bar & Grill, 121 James St. W., Paynesville, MN was presented.

**Motion was made by Soine to approve MN Lawful Gambling LG220 Application For Exempt Permit for Tri-County RBB Chapter Of The MN Deer Hunters Association to conduct a raffle on September 9, 2016 at Queen Bee's Bar & Grill, 121 James St. W., Paynesville, MN. Seconded by Herzberg and unanimously carried.**

### **AFFIDAVIT OF OFFICIAL INTEREST IN CLAIM – KAY MCDANIEL – FRAMING 3 PICTURES**

Eckerly explained that Marvin & Alice McColley have given the City three prints signed and numbered from when Alice McColley was on ambulance squad. The prints needed to be framed. A quote from Blessingwell Gallery, Kay McDaniel in the amount of \$1,176.51 was presented.

**Motion was made by Soine to approve the matting and framing of three pictures by Blessingwell Gallery, Kay McDaniel in the amount of \$1,176.51. Seconded by Mayer and unanimously carried. (McDaniel abstained).**

Herzberg questioned if there was a seconded quote. Eckerly said no, as this was the only local business that did this kind of work. For the record, Herzberg requested a second bid.

### **HIRING OF FULL-TIME PUBLIC WORKS MAINTENANCE WORKER**

The City received sixteen applications and interviewed four candidates for the full time Public Works Maintenance Worker position. The Policies & Procedures Committee passed a motion unanimously to recommend Jason Ruhoff for the Public Works Maintenance Worker position at

Grade 4 Step 1 (\$14.15 per hour) and place Jacob Schmitz on the eligibility list. Jason Ruhoff is available to start work on July 18, 2016.

**Motion was made by Mayer to hire Jason Ruhoff at \$14.15 per hour, full time scale Grade 4/Step 1, with a start date of July 18, 2016 for the position of full time Public Works Maintenance Worker. Seconded by McDaniel and unanimously carried.**

**Motion was made by Herzberg to place Jacob Schmitz on the eligibility list for the full time Public Works Maintenance Worker position. Seconded by Soine and unanimously carried.**

### **HIRING OF FULL-TIME FINANCE TECHNICIAN**

The City received six applications and interviewed two candidates for the full time Finance Technician Worker position. The Policies & Procedures Committee passed a motion unanimously to recommend Christine Legatt for the Finance Technician position at Grade 4 Step 1 (\$14.15 per hour). Christine Legatt is available to start work on July 12, 2016.

**Motion was made by Soine to hire Christine Legatt at \$14.15 per hour, full time scale Grade 4/Step 1, with a start date of July 12, 2016 for the position of full time Finance Technician. Seconded by Herzberg and unanimously carried.**

### **SMALL CITIES GRANT – TRI-CAP – ADMINISTRATIVE SERVICES AGREEMENT**

The Administrative Services Agreement between the City of Paynesville and Tri-County Action Program, Inc. to conduct the administrative services for the Small Cities Grant was presented. This Agreement will extend until 2019.

**Motion was made by Soine to approve the Administrative Services Agreement between the City of Paynesville and Tri-County Action Program, Inc. Seconded by McDaniel and unanimously carried.**

### **2016 STREET PROJECT**

DeWolf reported that the pond is substantially complete, utilities are being installed on Lake Ave. and on Minnie St. Lake Ave. paving and the section to be milled and overlaid will start next week. The latest project newsletter was presented.

Payment Estimate No. 1 in the amount of \$163,794.72; payable to Voss Plumbing & Heating of Paynesville, Inc. for work completed through June 28, 2016 was presented.

**Motion was made by Mayer to approve Payment Estimate No. 1 in the amount of \$163,794.72; payable to Voss Plumbing & Heating of Paynesville, Inc. Seconded by McDaniel and unanimously carried.**

### **SPECIAL CITY COUNCIL MEETING WORKING SESSION**

It has been suggested to set a Special City Council Meeting - Working Session. Tuesday, August 16 or 18, 2016 at 6:00 p.m. were suggested.

The agenda at this time will include the 2017 Street Project – Lake Ave. and strategic planning update. It was consented to set the Special City Council meeting Working Session for Monday, August 22, 2016 from 4-6 p.m.

### **VOC – WATER TREATMENT PLANT**

DeWolf reported that the plans are complete and the meeting with the State went well. Bids will be opened on August 3, 2016.

### **AMERICAN FLAG RESOLUTION**

This was tabled from the June 13, 2016 City Council meeting. Resolution regarding the American Flag and when it is to be flown at half-staff was presented. Eckerly explained that it would cost an additional \$605.00 for a Public Works employee to lower and raise the flag as necessary due to employee call out time and the Police will not be responsible for flag duties. It was suggested to leave as is, but for employees to make every effort to follow flag etiquette and the City will do the best it can. No formal action was taken.

### **ORDINANCE NO. 158, 2<sup>ND</sup> SERIES & RESOLUTION SETTING FEES – GOLF CARTS**

Ordinance No. 158, 2<sup>nd</sup> Series regarding the licensing of golf carts and operators of such and Resolution 2016-19 Establishing Licensing/Permit Fees for golf cart and operators at \$20.00 were presented. A draft application and proposed golf cart vehicle/mini truck permit sticker were also distributed. Wegner stated that the proposed documents were amended from the Special Joint Council and Public Safety Committee meeting. There was some discussion on the cost of the permits and how the \$20.00 was established. Eckerly stated that everything is a proposal. Documents were drafted so that it could be brought back to Council in a timely manner for a determination. There was further discussion on the fees and permitting the carts and drivers.

Wegner reviewed the process for obtaining permits:

- Come in and obtain an application
- Fill out application
- Police Department will verify the information provided
- Process and issue permits
- Come in and pay for and pick up permits

Thompson questioned how long this process would take. Wegner said a week or two depending on the work/case load. It was commented that this seems silly when you can get a Driver's License in 15 minutes.

Spoooner confirmed that it is a 3 year cart permit and a 1 year operator permit.

Thompson questioned why the cart would need to be inspected. Spoooner stated that the cart must meet the criteria before issuing a permit. Wegner stated that the biggest issue is verifying insurance coverage on the cart.

Thompson recessed the Regular City Council meeting at 7:00 p.m. due to the tornado siren being sounded.

Thompson re-opened the Regular City Council meeting at 7:35 p.m.

Thompson confirmed that the Council will need to approve or deny the ordinance and set fees for such. There was further discussion on the need for a note from a doctor stating the ability to drive a golf cart.

It was asked why the City doesn't use the County's ordinance. Wegner stated that the County doesn't allow golf carts. The discussion continued on fees and the number of years the permits would be for. The Council consented on a 3 year cart permit for \$30.00 and a 1 year operator permit for \$5.00 per person. It was suggested to add an expiration date to the cart permit and color code them by year.

**Motion was made by Herzberg to approve Ordinance No. 158, 2<sup>nd</sup> Series, with the change of permits running January 1 – December 31. Seconded by Mayer and unanimously carried.**

**Motion was made by Herzberg to approve Resolution 2016-19 Establishing Licensing/Permit Fees of \$30.00 3 year cart permit and \$5.00 annual operator permit. Seconded by Mayer and unanimously carried.**

There was some discussion on the fines for such.

Duane Olmscheid expressed his concern with the fines and suggested a first time offense being a warning as this is supposed to be a friendly community. Other communities don't seem to have issues. Duane Olmscheid asked what determines why the police would pull over a cart. Wegner stated that this ordinance gives the residents of this community what they want. Duane Olmscheid expressed concern on driving the carts on public property (school) as carts are used to transport persons from the parking lots to the grandstand. Spooner suggested the school grant them permission to do such and notify Wegner of such.

**Motion was made by Soine to approve Resolution 2016-16 Setting Administrative Fines \$50.00 first offense, \$100.00 second and subsequent offense in a calendar year. Seconded by Herzberg and unanimously carried.**

## **INFORMATIONAL**

Thompson reviewed the following informational items: June Police Department Report, Xcel Energy Rate Increase Notice, June Liquor Store Report, Speed Limit Request Along CSAH 85/Business 23 – Update, April Investments, Liquor Revenue & Expenses, Incode Financial Reports, City Attorney Report, and Capital Improvement Breakdown Report – all reports can be found on the City's website. LMC – Legislators Of Distinction For 2016, and Paynesville Community Solar Garden Update.

There being no further business, the meeting was adjourned at 8:11 p.m.

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Renee Eckerly, City Administrator