

**MINUTES
CITY COUNCIL MEETING**

SEPTEMBER 22, 2014

Mayor Jeff Thompson called the meeting to order at 6:00 p.m. Council members present were Kay McDaniel, Donovan Mayer, Jean Soine, and Gene Beavers. Others present were Renee Eckerly, City Administrator; Ron Mergen, Public Works Director; Jennifer Welling, Administrative Assistant/Zoning Specialist; Bill Spooner, City Attorney; Chuck DeWolf, Bolton & Menk, Inc.; Bill Fuchs, Neil Herzberg, and Jason Doty.

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

Mergen commented that the Public Works Department is trimming trees that overhang the sidewalks/streets.

CONSENT AGENDA

Motion to approve the minutes from the following meeting: August 11, 2014 Public Works Committee, August 25, 2014 City Council, August 19, 2014 Planning Commission, and August 25, 2014 Stang TIF Public Hearing.

Motion to approve the following vouchers:

09/04/2014	Payroll Direct Deposit		\$19,588.23	
09/16/2014	Barclays Bank - Matured			\$96,000.00
09/17/2014	Payroll Checks	89032-89060	\$12,873.75	
09/17/2014	Payroll Taxes	89061-89066	\$6,769.50	
09/17/2014	Payroll Direct Deposit		\$20,600.78	
09/17/2014	Payroll - Fed		\$7,601.39	
09/17/2014	Payroll - State		\$980.37	
09/17/2014	Payroll - PERA		5,079.34	
09/17/2014	Payroll - ING		\$275.00	
09/17/2014	Payroll - TASC		\$451.37	
09/17/2014	Payroll - AFLAC		\$139.41	
09/17/2014	Select - Health Saving Acct		\$453.85	
09/17/2014	Vouchers	89067-89135	\$393,127.93	
		TOTAL	\$467,940.92	\$96,000.00
09/18/2014	Vouchers	89136-89138	\$2,945.25	
		TOTAL	2,945.25	

Motion to accept resignation of Gerald Mehr and Jamie Soine, Firefighters, effective September 8, 2014.

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

REQUEST TO WAIVE INTEREST ON 2014 STREET PROJECT SPECIAL ASSESSMENT – JASON DOTY

A written request from Jason Doty to waive the incurred interest on the 2014 Street Project Special Assessment for the property located at 664 Business 23 W was reviewed. Mr. Doty will be purchasing the property on September 29, 2014. Mr. Doty has contacted the City a number of times regarding the property and interest was never disclosed. Eckerly reported that the interest is \$37.62. Spooner noted that usually special assessments are taken care of in the sale of property. The Council was concerned with setting a precedence.

Motion was made by Soine to waive the interest through October 15, 2014 on the 2014 Street Project Special Assessment for the property located at 664 Business 23 W, Paynesville, Minnesota with Parcel No. 70.39491.0000. The 2014 Street Project Special Assessment totaling \$2,056.11 is due on or before October 15, 2014 or interest will be incurred from April 24, 2014 through the date of payment at 4.2%. Seconded by Mayer and unanimously carried.

MN LAWFUL GAMBLING EXEMPT PERMIT – RAFFLE – PAYNESVILLE AREA CHAMBER OF COMMERCE

A MN Lawful Gambling LG220 Application For Exempt Permit for the Paynesville Area Chamber of Commerce to conduct a raffle on November 29, 2014 at Bloom Corner Floral, 202 Washburne Ave., Paynesville, MN 56362 was presented.

Motion was made by Soine to approve MN Lawful Gambling LG220 Application For Exempt Permit for the Paynesville Area Chamber of Commerce to conduct a raffle on November 29, 2014 at Bloom Corner Floral, 202 Washburne Ave., Paynesville, MN 56362. Seconded by Beavers and unanimously carried.

The following questions were raised by the McDaniel:

1. Can the PEP group decorate the light poles on James St. as a part of Moonlight Madness?
2. Have a raised fire pit on the street and sidewalk for s'mores?
3. Put flags on some of the light poles in the flag holders?
4. Have hay rides?
5. Beer garden at Queen Bees?

The Council consented to all of the above questions.

REQUEST TO WAIVE REGULATIONS IN SEC. 9.02 OF CITY ORDINANCE – PAYNESVILLE AREA CHAMBER OF COMMERCE

A written request from the Paynesville Area Chamber of Commerce to waive the regulations in Sec. 9.02 of City Ordinance in regards to placing a pop can recycling trailer on the sidewalk near the former barbershop and Jimmy's Pizza at the intersection of Business 23 and Washburne Ave. was presented. This is part of the Chamber's "we make a difference" project and will be assisting groups in the community. McDaniel reported that Tom Koshiol does not want to move the trailer. No action was taken.

SNOWPLOWING CONTRACT

The Snowplowing Contract between the City of Paynesville and D & D Snowplowing to remove snow for the term of one year October 15, 2014 through October 15, 2015 was reviewed. The rates for services have not changed from last year's Contract.

Motion was made by Mayer to approve the Snowplowing Contract between the City of Paynesville and D & D Snowplowing to remove snow for the term of one year, October 15, 2014 through October 15, 2015. Seconded by Beavers and unanimously carried.

SPECIAL CITY COUNCIL BUDGET MEETING

It has been suggested to ask the Council if they wish to hold a Special City Council Budget meeting to review the proposed 2015 budget and invite the recreational programs to come and make a formal request. It was questioned if a meeting is necessary. The recreational groups will be asked to come to the October 27, 2014 City Council meeting to request funding. No formal action was taken.

SURPLUS PROPERTY

Below is a list of un-used property from City Hall, Public Works, and Police Departments:

- | | |
|--|--|
| 1. Lanier 5470 Copier | 15. Visioneer One Touch Scanner |
| 2. HP LaserJet 1000 Series | 16.2 - Panasonic Toughbook- CF-74 |
| 3. Dell Laser Printer 1710 | 17. Panasonic Microcassette Transcriber |
| 4. 1 Executive Office Chair | 18. Vector Light Bar- Not all lights operate |
| 5. Epson LQ 590 (brand new in box) | 19. MPH 580 Radar |
| 6. HP LaserJet 1012 | 20. Mobile Vision Camera |
| 7. 10 Dell Desktop Units | 21. Uniden BearCat Scanner |
| 8. 1 Dell Server | 22. Motorola Base Radio |
| 9. 4 Laptops | 23. Kenwood Mobile Radio |
| 10. Snapper Push Mower – 4 HP and 22" cut | 24. MPH Radar |
| 11. 24' Steel Flag Pole | 25. Federal Signal PA300 Siren Control |
| 12. 80 kw 3 Phase Generator | 26.2 – Light Control Boxes |
| 13. 12' x 16' Swimming Raft | 27. MPH Python Radar |
| 14. Toshiba 1360- Currently needs to be serviced | 28. Lots of various squad lights |

Motion was made by Beavers to declare the un-used property from the City Hall, Public Works and Police Departments as surplus and advertise for sealed bids for such. Seconded by Soine and unanimously carried.

TEMPORARY ON-SALE LIQUOR/BEER LICENSE – QUEEN BEE'S BAR & GRILL, INC.

A Temporary On-Sale Liquor /Beer License Application submitted by Queen Bee's Bar & Grill, Inc. to hold an outdoor event on Saturday, September 27, 2014 from 4 – 9 p.m. was presented. Eckerly noted that this would be contingent on receiving proof of Liquor Liability Insurance.

Motion was made by Beavers to approve the Temporary On-Sale Liquor /Beer License Application submitted by Queen Bee's Bar & Grill, Inc. to hold an outdoor event on Saturday, September 27, 2014 from 4 – 9 p.m. Seconded by McDaniel and unanimously carried.

ABANDONED PROPERTY

Below is a list of property that is from the Police Department evidence lockers with unknown owners and to be declared as abandoned property:

1. Playmate Cooler
2. Black Brief Case
3. Bolt Cutters
4. Tin Snips
5. 2 metal necklace chains
6. Poulan Wood Shark Chain Saw
7. 18V Dewalt Light
8. Whistler radar detector
9. A Blue Schwinn World Sport 16 speed Bike
10. A Shimano Genesis V2100 21 speed Bike
11. A Shimano 200 GS Mountain Bike
12. A Silver Mongoose Rebel Bike
13. A Pink Youth Barbie Bike
14. A Black Huffy BMX style Bike

Resolution 2014-29 Declaring Property In The Possession Of The City To Be Abandoned Property was presented. This resolution has to be passed by the City Council to allow the items listed to be sold on sealed bids.

Motion was made by Soine to approve Resolution 2014-29 Declaring Property In The Possession Of The City To Be Abandoned Property. Seconded by Mayer and unanimously carried.

2014 STREET IMPROVEMENT PROJECT

DeWolf reported that the City's portion of the street project is complete. Kuechle is working on the river crossing. The County was paving their portion today.

WATER TREATMENT PLANT EXPANSION PROJECT

DeWolf reported that the clear well has been tested and is in service. The filter will be taken off line tomorrow and will be off for approximately 80 days.

2015 CLEAN WATER FUND COMPETITIVE GRANTS & EXTENSION OF PURCHASE OPTION AGREEMENT

A letter from Bolton & Menk, Inc. regarding applying for a Clean Water Fund Grant for 75% of the total cost of the project was presented. The estimated total cost of the project is \$275,000.00 with a local match of \$68,750.00. In addition to submitting an application for the regional pond the City could also add to the application the corrections that are necessary to the storm water outfall on Richmond Street. The estimated total cost of this improvement is \$94,875.00 with a local match of \$23,720.00. Bolton & Menk, Inc. would work with the Stearns County Soil & Water to get the grant.

Motion was made by Beavers to proceed with submitting a 2015 Clean Water Fund Competitive Grant application. Seconded by Soine and unanimously carried.

An Extension Of Purchase Option Agreement between the City of Paynesville and Savage Land Partnership, LLC for the purchase of 1.5 acres for the purpose of constructing and maintaining a water retention pond was presented.

Motion was made by Mayer to approve the Extension Of Purchase Option Agreement between the City of Paynesville and Savage Land Partnership, LLC. Seconded by Soine and unanimously carried.

AIRPORT

A Notice of Award for the 2014 Airport Beacon project was presented. Also attached for consideration are the Grant Agreement for the airport beacon project and Resolution 2014-27 Authorization To Execute Minnesota Department of Transportation Grant Agreement For Airport Improvement Excluding Land Acquisition.

Motion was made by Soine to approve the Notice of Award for the 2014 Airport Beacon Project. Seconded by Beavers and unanimously carried.

Motion was made by Beavers to approve the Agreement for the airport beacon project and Resolution 2014-27 Authorization To Execute Minnesota Department of Transportation Grant Agreement For Airport Improvement Excluding Land Acquisition. Seconded by Mayer and unanimously carried.

PRELIMINARY PLAT – OPPORTUNITY PARK PLAT 2

The Preliminary Plat for Opportunity Park Plat 2 being submitted by the City was presented. This is being re-submitted for approval as 1 year has lapsed since the passage of the previous Opportunity Park Plat 2 Preliminary Plat. The Planning Commission has reviewed this and recommends approval. Attached for your consideration is Resolution 2014-28 Approving The Preliminary Plat Of Opportunity Park Second Addition.

Eckerly noted that the Planning Commission approved the Preliminary plat with 5 lots, but it could be changed to 4 lots on the final plan. Also presented for discussion purposes was the original Opportunity Park Plat 2 with 5 lots. It was asked does the Council want to continue with the final plat with 4 or 5 lots.

Motion was made by Soine to approve Resolution 2014-28 Approving The Preliminary Plat Of Opportunity Park Second Addition. Seconded by Beavers and unanimously carried.

It was consented to have the Final Plat show 5 lots.

MPCA – FORMER MID-TOWN SERVICE STATION

The MPCA is requesting another Access Agreement at 700 South St. on the Maywood Ave. side of the lot. The Public Works Committee has reviewed this and stated the following:

MPCA is requesting another access agreement at 700 South St. on the Maywood Ave. side of the lot. Members discussed how ridiculous this is because if the contamination gets that far it will certainly be found in the wells. It was noted that MPCA is no longer pursuing the Greenhouse property for a well. MPCA has identified the back portion of 317 South Street for another well. Also reviewed were the sampling results.

The Public Works Committee recommends allowing the access with a vote of 3:1.

There was some discussion on what would happen if the Council did not give access and that if the contamination reaches 700 South Street it would be too late. No action was taken.

LIQUOR STORE PROPOSAL

Eckerly explained that the Council held a Working Session and at that point did not feel comfortable moving forward. Eckerly spoke with Derichs today and he expects a no answer. There was some discussion on moving to and remodeling the former Credit Union building. Employee safety was a big concern at this location.

Motion was made by Soine to not pursue a liquor store with Derichs. Seconded by McDaniel.

There was some discussion on the City building its own liquor store and the cost of such. There is a 90 day notice requirement to Teals.

The motion passed 4:1 (Soine, yes; Mayer, yes; Beavers, yes; McDaniel, yes; and Thompson, no).

INFORMATIONAL

Thompson reviewed the following informational items: October & November Meeting Schedules, AIS Tracking Grant & Project Expenses 2014, Mediacom – All Digital Letter, Meeker County – Conditional Use Permit Public Hearing Notice, Morgan Stanley Investment Report, August Investment, Liquor Revenue & Expenses, Incode Financial Reports, City Attorney Report, and Capital Improvement Breakdown Report – all reports can be found on the City's website. West Central Sanitation September Garbage Report. Eckerly mentioned the AIS meeting on October 14, 2014 at 6:00 p.m.

There being no further business, the meeting was adjourned at 7:03 p.m.

Renee Eckerly, City Administrator