

**MINUTES
CERTIFY PAST DUE GARBAGE, WATER & SEWER, AND MOWING BILLS
PUBLIC HEARING**

OCTOBER 23, 2013

Mayor Jeff Thompson opened the Public Hearing at 6:30 p.m. Council members present were Jean Soine, Kay McDaniel, Donovan Mayer, and Gene Beavers. Others present were Renee Eckerly, City Administrator; Ron Mergen, Public Works Director; Jennifer Welling, Administrative Assistant; Bill Spooner, City Attorney; Chuck DeWolf, Bolton & Menk, Inc.; Amber Young, Social Media Specialist; Ellarry Prentice, Press; Neil Herzberg, Doris Wendlandt, Kevin Wall, Leo Louis, Lance Louis, Tom Kotten, Roberta Kotten, Louis Baas, and Don Williamson, West Central Sanitation.

Doris Wendlandt was in attendance representing Jamie and Miranda Wendlandt who were out of the state. They are the owners of the rental property at 757 Maple St. Wendlandt stated that the renters arranged a dumpster with West Central Sanitation without any consent from the property owners. Wendlandt gave a brief time line. As Wendlandt understands the ordinance it outlines normal garbage pickup, bins and recycling; however, it states nothing about dumpsters. The renter went above the owner and now West Central Sanitation wants the landowner to pay for the incurred fees. The current outstanding fee is \$386.85. Wendlandt further explained that the dumpster was ordered before the renters moved in.

Spooner clarified the ordinance that the owners of the rental property are responsible for normal refuse pickup and normal pickup is in refuse containers; not dumpsters. In the Refuse Agreement between the City of Paynesville and West Central Sanitation it outlines that larger items may be disposed of for additional compensation. It does not address the issue about the renter making agreements with West Central Sanitation without owner consent. Spooner further stated that the Agreement could be clearer.

Thompson asked why the dumpster was ordered. Wendlandt stated that the renters had to move quickly so were going to dispose of stuff at the time of unpacking.

There was some discussion on who decides what type of service is needed. Williamson said typically regular service is determined by the landowner. In this case the renters ordered the dumpster.

Wendlandt questioned if dumpsters can be ordered without cash up front. Williamson was not able to answer if a deposit was paid or not. Williamson stated he had no intentions on surprising the Wendlandt's with a bill, but rather wanting to talk to them before tonight's meeting. The dumpster was a small roll off and was dumped four times. The dumpster was not filled with construction material, but rather trash; household debris. This bill being presented today is not all for the dumpster, but some for residential service as well. Williamson expressed that he wanted to work something out with the Wendlandt's.

Eckerly stated that the 10% could be waived if the Council desires, but all payments have to be paid by November 4, 2013.

Thompson recessed the Public Hearing at 6:50 p.m.

Thompson re-opened the Certification of Past Due Garbage, Water & Sewer, and Mowing Bills Public Hearing at 7:12 p.m.

Beavers questioned the accurate breakdown of dumpster fess and residential collection fees. Williamson clarified that \$198.00 would be the residential trash collection fees.

There was further discussion regarding who ordered the dumpster and that this is a unique situation. It was questioned how payments were applied. Williamson stated that first charges incurred are first charges paid.

Spooner questioned if there is any agreement on the amount that has to be paid. Wendlandt stated that she has texted the owner's, but has not heard back yet.

There bring no further comments or questions, Thompson closed the Public Hearing at 7:22 p.m.