



## CITY OF FREEPORT

125 Main Street E – PO Box 301 – Freeport, MN 56331 – 320-836-2112 – FAX 320-836-2116  
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### July 27, 2015 – Meeting Minutes

A regular meeting of the Freeport City Council was convened at 7:00pm by Mayor Rodney Atkinson with Councilmembers Mike Eveslage, Ken Goebel, Tim Hennen, and Ben Eittle present.

Staff in attendance: Clerk-Treasurer Adrianna Hennen, City Attorney Scott Dymoke, City Engineer Dave Blommel

Residents in attendance:

Andrea Ramacher & Vernon Fuchs (720 1<sup>st</sup> Ave N)  
Gerald Meyer (330 8<sup>th</sup> St SE)  
Craig Timp (213 2<sup>nd</sup> Ave NW)  
Heidi & Jay Hollenkamp (211 3<sup>rd</sup> St NE)  
Al Williams (308 2<sup>nd</sup> Ave NW)

Scott Marlin (Stearns Co. Surveyor)  
Natascha Hennen (107 3<sup>rd</sup> St NW)  
Dean Jungles (211 2<sup>nd</sup> Ave NE)  
Joe Hennen (118 3<sup>rd</sup> St NE)

### Public Forum

No Comments were made.

### Public Hearing for City Code Section 500.45 Fencing, screening, and landscaping

City Attorney Scott Dymoke took time to explain to council how he had reorganized the section for it to clarify between all fences, permanent fences, and living fences.

Gerald Meyer of Mid Central Heating and Air Conditioning voiced his concern about the 8 foot height max for fences in the industrial park

Council discussed what a reasonable height maximum would be in the industrial and commercially zoned areas. Eittle thought it would be fine to keep it at 8 feet since property owners had the option of getting a Conditional Use Permit to go higher. Atkinson voiced that he thought property owners should be able to build 14 feet high to cover the height of a semi-trailer.

No other residents voiced their opinions.

### Approve Agenda

T. Hennen moved to approve the agenda with the addition of the Public Hearing for City Code Section 500.45 and the additional claims; seconded by Goebel. Motion carried 5-0.

### Consent Agenda

Council had questions regarding and invoice for Kotzer Excavating. It was explained to them that this was for work done on road near 6<sup>th</sup> Ave NE. Council was concerned that the Public Works Director approved this work without the council knowing about. Council also asked that, in the future, the Public Works Director report not be put in the consent agenda so that it can be discussed more fully. Goebel moved to approve the consent agenda, seconded by Eveslage. Motion carried 5-0.

## **Reports**

### Engineer Report

City engineer Dave Blommel was able to briefly explain some of the findings of the televising done on the clay sewer lines in town the week prior. Blommel was provided with the reports that evening and was not able to fully describe to council everything that was found. Blommel did state that there was a lot of fresh water entry, which is a problem. He also saw other problems with the lines and manholes. Blommel said he would look at the reports in more detail and come back to council stating where the worst parts were and options on how to fix these problem areas. Blommel also stated that the sump pump checking will also help determine some of these problems.

### Attorney Report

City attorney Scott Dymoke explained to council what his biggest projects were during the month of July. His doings included preparing a correspondence to Mr. Schirmer's attorney regarding the demand letter Schirmer's attorney had sent to Mr. Dymoke the previous month, and working on the fence ordinance.

Eveslage asked what can be done regarding the data requests from Mr. Schirmer. Eveslage did not like A. Hennen spending time gathering information for a person who was not a resident of the town and that when it was prepared and available to be picked-up, Mr. Schirmer did not come. Eveslage asked if payment could be made before giving any information. Dymoke stated that payment could be asked for in advance or before data is given out. A. Hennen explained that she had sent an invoice along with the email to Mr. Schirmer stating when his data request would be available and that it must be paid at the time of picking up information. Eveslage stated he didn't want information given out before it was paid for, other councilmembers agreed.

## **Old Business**

### Ordinance 2015-002 Fencing, screening, and landscaping

Council discussion continued regarding the height of fences in industrial and commercial zoned areas. Atkinson stated that he still thought the height for industrial and commercial zoned areas needed to be more than 8 feet. Council members agreed it should be more than 8 feet. Council continued to discuss what an appropriate height would be. Ertle moved to approve the ordinance with the change of 8 feet to 14 feet maximum height in commercial and industrial zoned areas and removing the option for a conditional use permit to go higher; seconded by Eveslage. Motion carried 5-0.

### Industrial Park Street Lights

Ertle moved, seconded by Goebel to approve the addition of street lights to the industrial park as proposed by Xcel Energy. Motion carried 5-0.

### MN Clerk's Association

Eveslage explained that he had spoken with the president of the MCFOA and since Mr. Schirmer's dues have not been paid he is not currently a member of the MCFOA. The City could still send in documentation of his actions, so if Mr. Schirmer were to get job with a city in the future Mr. Schirmer would have to answer to Freepor's findings. It was recommended by Eveslage that we set this aside until it becomes a necessary matter.

## **New Business**

### Certificate of Correction

Stearns Co. Surveyor Scott Marlin asked the council to accept a Certificate of Correction to Plat titled Auditor's Subdivision No. 5. Mr. Marlin explained the errors now are: Line 1 – the East line of Lot 25 is

platted at 148.5 feet; Line 2 – the East line of Lot 26 is platted at 148.5 feet; Line 3 – the East lines of lots 24-26 are depicted as being perpendicular to North line of the SE ¼ of Section 3, Township 125 North Range 32 West. Mr. Marlin is requesting to change plat to: Line 1 – the East line of Lot 25 is revised to read 74.25 feet; Line 2 – the East line of lot 26 is revised to read 74.25 feet; Line 3 – the East lines of lots 24-26 are revised to be parallel with and 297 feet easterly of the East right-of-way of County Road 11 (a.k.a. 1<sup>st</sup> Avenue North). Eveslage moved, seconded by Goebel to make these changes. Motion carried 4-0 with Eittle abstaining.

#### Softball Park Lights Proposal

Joe Hennen, president of the Recreational Club, requested that the City rent the softball park lights, for a determined amount, from the Rec. Club until 2019 when the lights have depreciated out and then the Rec. Club would donate the lights to the City. Joe is suggesting this arrangement for liability and insurance reasons. Currently there is no insurance on the lights, but if the City rented and then took ownership of the lights, the city would be able to insure them on its policy. Joe said that the Rec. Club will still maintain the lights and keep the same City/Rec. Club relationship that has been established. Eveslage moved, seconded by Eittle to this agreement. Motion carried 5-0.

#### Public Works Assistant Position

Council wants to take a closer look at the Public Works Director position duties before deciding how to rehire for the assistant position. They would like the Public Works Director to make a schedule of when items need to be getting done monthly, to look into the future and to be more proactive. Then, in addition, a weekly schedule of what he has specifically accomplished. Council directed A. Hennen to post a position opening for a seasonal lawn care assistant. Council called for a special meeting on August 11 to review the Maintenance Department positions, get a more detailed report from Dave Blommel regarding the sewer line televising, and to obtain pay range information from Kathleen Murphy.

#### Pay Plan Continuation

Council asked to find out from Kathleen Murphy how she calculated the pay range numbers and how an employee moves through ranges. Council was told that she will be at the August 25 meeting to help answer some of these questions, but that A. Hennen would try to find out more ahead of time for the Special meeting on August 11. Eveslage moved, seconded by Eittle to continue developing the pay range process with Kathleen Murphy.

#### Clerk-Treasurer Wages

It was explained to council that something needed to be done with the Clerk-Treasurer wages before we submitted its pay equity reports to the state, being that the state could perceive A. Hennen as being underpaid taking into consideration her allocated points and what the other City employees are being compensated. It was asked if they would wait until they understood the point system and Kathleen Muphy's calculations more. They were advised that they could wait, but either way something was going to have to be done. Atkinson moved that to make things correct now, at least get her to the minimum of her range, in case the City were to be audited, then we can work it out in more detail when we have Kathleen's information, that would mean increasing A. Hennen's pay to \$20 per hour. Motion seconded by Eittle. Motion carried 4-0 with T. Hennen abstaining.

Council also requested that a resolution be drafted to remove the annual 4 percent increase that is currently in the personnel policy.

#### Office Spaces

Council asked that A. Hennen speak to Jon about sharing offices with Joan. If Jon was comfortable with the idea then we could proceed in moving her into that office space.

**Adjourn**

Ettle moved to adjourn the meeting at 9:08, seconded by T. Hennen. Motion carried 5-0.

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Mayor, Rodney Atkinson

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City Clerk-Treasurer, Adrianna Hennen