



## CITY OF FREEPORT

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### January 14, 2014 – City Council Meeting Minutes

A regular meeting of the Freeport City Council was convened at 7:00 P.M. by Mayor Matt Worms with Council Members Ken Goebel, Ron Ritter, Carrie Goebel and Rodney Atkinson present.

Staff in attendance: Mason Schirmer.

Public in attendance: Ben Ettle, Carol Moorman (Melrose Beacon).

The Pledge of Allegiance was said by those in attendance.

#### OPEN PUBLIC FORUM

No comments received.

#### APPROVE AGENDA

Schirmer recommended included item 'f. Area Fire Service Association Annual Meeting' under New Business.

#### APPROVE CONSENT AGENDA

Schirmer said Resolution 2014-001 and Resolution 2014-002 were updated to include the titles of Mayor and Clerk-Treasurer (instead of President and Vice President) as recommended by K. Goebel. K. Goebel said they were otherwise the same forms as previously approved each year. Atkinson recommended changing: 1) 12/17/13 Meeting Minutes PWD Report to include the word 'in' between 'was' and 'the;'" 2) include 'confined space' in the second paragraph; and 3) change the Wellhead Protection Plan Update to 'an adequate report was given.' C. Goebel said she agreed with the first two changes; however, the Wellhead Protection Plan update is accurate. C. Goebel moved and Ritter seconded a motion to approve the consent agenda consisting of: a) Approval of 12/17/13 meeting minutes (with aforementioned changes #1 & #2); b) Approval of 2013 budget amendments 12-15; c) Approve 2014 Appointments; d) Approve Resolution 2014-001; e) Approve Resolution 2014-002; f) Approve Resolution 2014-003; g) Approve Resolution 2014-004; h) Approve claims paid 1/6/14 (\$743.29); and i) Approve claims to be paid dated 1/8/14 (\$260,092.05). Motion carried 5-0.

#### REPORTS

##### Clerk-Treasurer

Schirmer said a memo was in the meeting packet, which provided an overview of tasks completed and in progress, as well as a letter prepared by the City Attorney Adam Ripple and a copy of emails sent by Atkinson. Schirmer said he has continued to receive inappropriate and harassing emails from Atkinson. Schirmer said Atkinson disregarded advice provided by Ripple. Schirmer said Atkinson's actions have cost the City more than \$3,000 in legal fees and \$4,000 in staff time; and Atkinson shows no signs of stopping his behavior. Atkinson accused Schirmer of preparing untrue minutes. Schirmer said Ripple advised

Atkinson that minutes belong to the Council and retaliation towards the Clerk is inappropriate. Schirmer said the information was presented so that Council knows what is going on with their staff and how Atkinson is intentionally distracting and harassing staff causing a slow-down in efficiency and unnecessary expenses. K. Goebel asked Atkinson to stop his actions. Atkinson said he considered himself to be in a 'hostile work environment.' Atkinson again accused Schirmer of preparing minutes that were not true. Ritter told Atkinson that he needs to change with the times, that such actions no longer work, and that he cannot get by with this behavior. C. Goebel told Atkinson he is wasting Schirmer's time as well as fellow council members. Worms said Atkinson doesn't care what other people tell him and he has no respect for other council members. Worms moved and Ritter seconded a motion to authorize staff to prepare a resolution reprimanding Atkinson for his actions over recent months. Motion approved 4-0 (Atkinson made no sign).

#### Public Works Director

Schirmer said Stueve is asking for Council to hire a new Public Works Assistant soon. Schirmer said he and Stueve will interview two applicants on the 1/15/14. Atkinson recommended recessing this meeting, then continuing the meeting the following day during which the new employee would be hired. Council agreed.

#### Engineer

No report

#### OLD BUSINESS

##### Wellhead Protection Plan Update

Worms said another meeting of the wellhead protection committee is coming-up soon. Atkinson said he is frustrated with the inability to obtain supporting documents from the state. Atkinson said the entire project must be completed by September 2014. Atkinson said the next step is making appendix information specific to Freeport. Atkinson said he received a letter from the Freeport Baseball Association stating they did not want their well included in the plan as an alternative water source. Schirmer said Dave Neiman (MRWA) will be at the next meeting and would appreciate the most current copy so that he can come to the meeting prepared. Schirmer recommended Atkinson send Neiman a copy on or before January 22<sup>nd</sup>.

#### NEW BUSINESS

##### Resolution 2014-005 (Option Agreement)

Schirmer presented Resolution 2014-005, an option agreement to purchase real estate from the Freeport Cooperative Creamery Association contingent upon DEED grant award. K. Goebel moved and C. Goebel seconded a motion to approve Resolution 2014-005. Motion carried 5-0.

##### Resolution 2014-006 (Grant Submission)

K. Goebel moved and Ritter seconded a motion to approve Resolution 2014-006, approval to submit redevelopment grant application to DEED. Motion carried 5-0.

##### Call for Public Hearing Regarding Fence Ordinance

Schirmer provided Council with information on definition for 'fence, natural living.' Schirmer said invisible fencing is not addressed and suggested tabling until next meeting. Council agreed.

##### Request by Resident (Jerry Dobmeier)

Schirmer said Dobmeier is requesting \$285.79 to pay for installation of a new lawn irrigation water meter. Schirmer said Dobmeier originally purchased a meter from the City; however, the meter was unable to accommodate the high flow. Schirmer said the City has since purchased ten higher-flow meters for lawn irrigation. Schirmer said had the City sold the correct meter initially, Dobmeier would not be paying for a second installation. Worms moved and K. Goebel seconded a motion to approve the request by Jerry Dobmeier for \$285.79. Motion carried 5-0.

Atkinson said the City should pay for replacing other irrigation water meters as well. Worms moved and K. Goebel seconded a motion to authorize resident reimbursement for irrigation water meter replacement not to exceed \$286. Motion carried 5-0.

#### Equal Dwelling Units (EDUs)

Schirmer presented 2013 usage totals for commercial customers and how each customer compares to average residential usage. Schirmer said EDUs are the multipliers applied to the \$20 monthly water tower debt fee. Worms moved and C. Goebel seconded a motion to approve setting 2014 EDUs as per the Multiplier Determination provided. Motion carried 5-0.

#### Area Fire Service Association (ASFA) Annual Budget Meeting

K. Goebel moved and C. Goebel seconded a motion to approve February 25, 2013, 8PM as the date and time of the 2014 ASFA Annual Budget Meeting. Motion carried 5-0.

#### RECESS

Worms recessed meeting; to be continued 1/15/14 at 5:30pm. Meeting recessed at 9:00 P.M.

#### MEETING RECONVENIENED (1/15/14)

##### Public Works Director Report - Continued

The regular meeting of the Freeport City Council was reconvened at 5:30 P.M. on January 15, 2014 by Carrie Goebel with Council Members Ken Goebel, Ron Ritter, and Rodney Atkinson present. Mayor Matt Worms arrived shortly after meeting was reconvened.

Staff in attendance: Mason Schirmer, Jon Stueve

Public in attendance: Public Works Assistant candidates Pat Klassen and Sam Eichers.

Schirmer introduced the two candidates and said he and Stueve interviewed each candidate earlier in the afternoon and had concluded that both candidates met minimum requirements and felt confident in recommending the applicants to Council.

The applicants introduced themselves individually and answered questions from Council. Schirmer asked Council how they wanted to select a candidate. Schirmer said in the past they had drawn names from a hat. Council members decided to each wrote down a candidate's name on a piece of paper and put into a hat. Worms counted the votes; Eichers-3 and Klassen-2.

K. Goebel moved and Worms seconded a motion to close the regular meeting so as to discuss compensation. Motion carried 5-0. Meeting closed at 5:55 p.m.

Worms moved and C. Goebel seconded a motion to reopen the meeting. Motion carried 5-0. Meeting reopened at 6:15 p.m.

Eichers re-entered the room (Klassen did not return). Schirmer said Council went into closed session to discuss what they want to offer as compensation.

C.Goebel said Council would like to offer \$13.50 per hour as the starting rate of pay. Eichers accepted the rate.

Worms moved and Ritter seconded a motion to approve the hiring of Sam Eichers as Public Works Assistant at a starting wage of \$13.50 per hour contingent upon successful completion of a background check and reference check. Motion carried 5-0.

ADJOURN

K. Goebel moved and Ritter seconded a motion to adjourn. Motion carried 5-0. Meeting adjourned at 6:30 p.m.

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Mason Schirmer, City Clerk

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Matthew H. Worms, Mayor