



## **CITY OF FREEPORT**

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### **March 25, 2014 - City Council Meeting Minutes**

A regular meeting of the Freeport City Council was convened at 7:01p.m. by Mayor Matt Worms with Councilmembers Ken Goebel, Ron Ritter and Rodney Atkinson present. Carrie Goebel was absent.

Staff in attendance: Clerk-Treasurer Mason Schirmer, Engineer Dave Blommel, Fire Chief Dean Jungles and Administrative Assistant Adrianna Hennen.

Public in attendance: Carol Moorman (Melrose Beacon), Ben Eittle (312 1<sup>st</sup> Ave N), Barry Weber (Weber Printing of Albany) and Alan Williams (308 2<sup>nd</sup> Ave NW).

The Pledge of Allegiance was said by those in attendance.

#### PUBLIC HEARING REGARDING PROPOSED ORDINANCE 2014-001

Worms opened the public hearing at 7:01p.m. No comments received. Worms closed the public hearing at 7:03p.m.

#### OPEN PUBLIC FORUM

Schirmer presented a letter, received from resident Gail Osendorf, stating her disapproval of Atkinson's actions towards Schirmer and the resulting financial burden imposed upon taxpayers.

#### APPROVE AGENDA

Schirmer recommended including 'f. Approval of Kurt Ritter to Fire Department.' To New Business. Ritter moved and K. Goebel seconded a motion to approve the agenda with the addition. Motion carried 4-0.

#### APPROVE CONSENT AGENDA

Schirmer said 1) Claim 1360 (\$136.80) and Claim 1361 (\$120.00) were added to the claim approval list; and 2) Claim 1335 was increased to \$1,760.74. Ritter moved and K. Goebel seconded a motion to approve the consent agenda consisting of: a) Approval of the 2/25/14 meeting minutes; and b) Approval of Claims 1328-1361 (\$15,019.61). Motion carried 3-0 (Atkinson made no sign).

#### REPORTS

##### Clerk-Treasurer

In addition to the memo included in the meeting packet, Schirmer presented a copy of a letter, prepared by Attorney LeAnne D. Miller of Reichert Wenner, P.A, putting Atkinson on notice that any further inappropriate behavior by Atkinson towards Schirmer would result in legal action against Atkinson. Schirmer said Resolution 2014-007 (Reprimand of Atkinson) approved 2/25/14 shows the council's objection to Atkinson's actions and that the current notice shows staff's objection.

Schirmer said Mayor Jim Rothstein of St. Martin recently provided a one-page 'purpose & need' statement to support potentially considering a Resolution on Human Trafficking. Schirmer read the statement. K. Goebel said he supported the initiative. K. Goebel moved and Worms seconded a motion to approve Resolution 2014-009 A Resolution on Human Trafficking. Motion carried 4-0.

#### Public Works Director

In addition to the memo included in the meeting packet, Schirmer said PWD Stueve recommends purchasing the used plow truck from the City of Annandale for \$45,000. Schirmer said Stueve tried extensively to negotiate-down the price; however, he was unsuccessful. K. Goebel moved and Ritter seconded a motion to enter into a purchase agreement to acquire the used City of Annandale plow truck for \$45,000. Council agreed that money would not be paid until after the truck is received by PWD Stueve. Motion carried 4-0.

#### Engineer

Blommel provided a summary of the bids received from companies for replacement of well pumps and controls. Worms moved and Ritter seconded a summary motion to: 1) accept the estimates and award the well pumps contract to Atkinson Well and Pump for \$19,137.08; and 2) accept the estimate and award the controls contract to Preferred Controls Inc. for \$32,350.00. Motion carried 4-0.

#### OLD BUSINESS

##### "Old Creamery Site" DEED Redevelopment Grant Status

In addition to the memo included in the meeting packet, Schirmer said the recent application was denied; however, it scored significantly higher than the previous application. Schirmer said he would continue to work on improving the document unless there was any objection (no objections received). Schirmer said the next deadline is early August.

##### Wellhead Protection Plan Update

Worms said a wellhead protection committee meeting was held yesterday (3/24) and Dave Neiman from MN Rural Water was in attendance. Atkinson distributed copies of the plan and said he considered it complete. Worms said the committee will meet on April 14<sup>th</sup> at noon to review the plan before recommending it to Council for acceptance. K. Goebel and Worms each thanked Atkinson.

##### City Website Update

Schirmer said after the 2/25/14 meeting, more was learned about website development and hidden expenses that have led staff to recommend reconsidering the previous decision to purchase a website design from GovOffice. Schirmer said Atkinson recommend Weber shortly after the February meeting. Schirmer said Weber has a great design and the lowest price. Worms moved and K. Goebel seconded a motion to reconsider the decision to purchase website services from GovOffice. Motion carried 4-0. Weber presented a new website design. Worms said he was in awe. Worms moved and K. Goebel seconded a motion to purchase website services from Barry Weber (\$1,350 start-up + \$400 annual hosting). Motion carried 4-0.

#### NEW BUSINESS

##### Ordinance 2014-001 (Amending Fence Ordinance)

K. Goebel moved and Ron Ritter seconded a motion to approve Resolution 2014-010 A Resolution Approving Ordinance 2014-001 Entitled "An Ordinance Repealing and Replacing Section 500.45 of Chapter V of the City Code Relating to Fencing, Screening, and Landscaping" and Providing For Summary Publication Thereof. Motion carried 3-0 (Atkinson made no sign).

##### March 26, 2013 Meeting Minutes Addition

Worms moved and K. Goebel seconded a motion to approve the addition of minutes to the March 26, 2013 city council meeting minutes. Motion carried 3-1 (Atkinson opposed).

### “No-Fault” Sewer Backup Coverage

Schirmer said he looked into “No-Fault” sewer backup coverage after Atkinson’s 2013 push to look back into the payment of a claim to a private property owner in 2011 for a sewer backup. Schirmer said the City qualifies for the coverage at a cost of \$1.79 per connection for the minimum \$10,000 coverage. Schirmer said the fee would be passed-on to homeowners. Ertle asked when the public would be able to discuss the fee. Schirmer said the fee would be set by ordinance, which would have a public hearing required. Ertle said it’s the property owner’s responsibility to purchase adequate insurance and that imposing a new fee is unnecessary. Ertle asked which insurance would be used first, homeowner’s or the “no-fault.” Worms moved and K. Goebel seconded a motion to table discussion until April 22<sup>nd</sup> and asked that the city’s insurance agent be present to answer questions regarding the coverage. Motion carried 4-0.

### Water Softner

Ertle asked if the current lease includes maintenance. Worms moved and K. Goebel seconded a motion to table discussion until April 22<sup>nd</sup> and asked Schirmer to review the lease agreement. Motion carried 4-0.

### Mason Schirmer 1-year Performance Evaluation

Schirmer said he had received completed evaluations from Ritter, C. Goebel and Worms. Atkinson said he did not receive a blank evaluation. Schirmer explained it was separate from the meeting packet and was bound to the meeting packet by a binder clip. Atkinson said he never saw it. Worms said Schirmer has been doing a fine job. Schirmer asked if his evaluation would be considered satisfactory. Worms said very satisfactory. Schirmer said it would be appropriate to have a motion to conclude the evaluation. Worms moved and Ritter seconded a motion stating Schirmer has been here a year and the City is very pleased with the work Schirmer has done, his ability to take care of the Clerk duties, and his willingness and ambitiousness while conducting his duties. K. Goebel said Schirmer has always answered his questions and that he has not received any complaints regarding Schirmer. Motion carried 3-0 (Atkinson made no sign).

### Approval of Kurt Ritter to Fire Department

Jungles said a committee comprised of Fire Department Assistant Chiefs and membership interviewed applicant Kurt Ritter. Jungles said Ritter came to the Department wanting to obtain more experience. Jungles said Ritter works on the western edge of Albany and is within the ten-minute response time and would be most helpful on daytime calls. Schirmer said C. Goebel (absent Councilmember) wanted to know if the additional fire fighter is necessary. Jungles said the department is always shorthanded during the day and can use all the help it can get. K. Goebel moved and Ritter seconded a motion to approve the hiring of Kurt Ritter to the Fire Department contingent upon successful completion of a background check. Motion carried 4-0.

### OTHER

#### Mayor’s Recognition of Service

K. Goebel moved and Ritter seconded Mayor Matt Worm’s proclamation naming April 1, 2014 as National Service Recognition Day and recognizing volunteers Laura Hoeschen and Agnes Job for their 825 hours served at the Sacred Heart School from September 2013 to February 2014. Motion carried 4-0.

### ADJOURN

Worms moved and K. Goebel seconded a motion to adjourn. Motion carried 4-0. Meeting adjourned at 8:45p.m.

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Mason Schirmer, City Clerk

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Matthew H. Worms, Mayor