



## CITY OF FREEPORT

125 Main Street E – PO Box 301 – Freeport, MN 56331 – 320-836-2112 – FAX 320-836-2116  
For TTY/TDD Users 1-800-627-3529 or 711 Minnesota Relay Service [www.freeportmn.org](http://www.freeportmn.org)

**March 31, 2015** - Regular Meeting Agenda  
Freeport City Hall - 7:00 pm

### Call to Order

#### I. Approve Agenda

Maretta Van Beck, League of MN Cities “Mayor for a Day” Essay Contest Honorable Mention

2015 Property Assessment Update by Stearns County Assessor

Public Hearing for Ordinance 2015-001 Regarding City Council Salaries

Hearing Regarding Appeal of Denied Variance Request for 1009 3<sup>rd</sup> Ave SE by Owner Tom Ryan

### Public Forum

#### II. Consent Agenda

- a. Clerk-Treasurer Report (pgs.2-26)
- b. Public Works Director Report (pg.27)
- c. Claim 1802 – 1839 (pgs.28-33)
- d. February 24, 2015 Meeting Minutes (pgs.34-37)
- e. Mayor’s Proclamation of Service (pgs.38-41)

#### III. Old Business

- a. January 27, 2015 Meeting Minutes (pgs.42-48)
- b. Main Street Lights (pg.49)
- c. ALee Photography Revised Estimate (pg.50)
- d. EDA Bylaws (pg.51)
- e. Resolution 2014-007 (pgs.52-66)
- f. Appeal of Denied Variance Request for 1009 3<sup>rd</sup> Ave SE by Owner Tom Ryan (pgs.66-70)

#### IV. New Business

- a. Resolution 2015-07 re: salaries of elected officials (pgs.71-73)
- b. Resolution 2015-08 re: closing fund 409 (pg.74)
- c. Resolution 2015-09 re: early voting (pgs.75-77)
- d. Clerk-Treasurer Performance Evaluation (pgs.78-91)
- e. Maintenance Shop (pgs.92-97)
- f. Middendorf Property (pgs.98-101)
- g. Al Williams re: ice skating rink (pgs.102-104)
- h. Dan Austing (as requested by Mayor)
- i. Clara Michael Opinion Letter re: Fire Service (pgs.105-106)
- j. Pickup Truck Offer (pg.107)
- k. Winterizing Softball Park (pg.108-113)
- l. 1-Ton Truck Box

#### V. Adjourn – (Next meeting April 28<sup>th</sup>)

# Memo

From: Mason Schirmer, Clerk-Treasurer

To: Freeport City Council

Date: March 25, 2015

Re: Clerk-Treasurer Report

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1. **Atkinson Well & Pump** – Along with this report is a March 2<sup>nd</sup> email to Rodney Atkinson, regarding repaying the city \$3,103.50 (Atkinson was originally notified November 6, 2014 and again on January 6, 2015 and has provided no response).
2. **Rodney Atkinson’s Interaction with Staff** – Along with this report is: 1) an email sent to Rodney Atkinson following his recent interaction with staff; and 2) Rodney’s refusal to sign documents and asking for documents to be delivered to the neighboring bar.
3. **Website Traffic Report** – Along with this report is a website traffic report from Barry Weber.
4. **AFSA Billing** – Along with this report is a letter and spreadsheet regarding AFSA billing errors. The City makes its payment/transfer to the AFSA in July.
5. **EDA Minutes** – Along with this report are the February 17<sup>th</sup> EDA meeting minutes approved and those proposed. As you can see, a significant portion was not approved. A lack of transparency may lead to the public perceiving that happenings at public meetings are intentionally hidden from public view.
6. **Blandin Foundation Community Leadership** – Along with this report is a memo from the City of Melrose regarding potential future training opportunity (this letter was also provided to the EDA and Chamber of Commerce).
7. **Relief Association Training** – Along with this report is information on Relief Association Training I will be attending April 15<sup>th</sup>.
8. **2015 Tax Capacity** – Along with this report is the 2015 Tax Capacity Rates for Stearns County. Freeport’s rate decreased from 2014 and the following is a snapshot of how Freeport matches-up to comparable cities (without Watershed District Rates):

City	3-Year Average	2015	2014	2013
Holdingsford	95.6236	96.0309	95.9322	94.9076
Kimball	92.9508	96.1925	94.0404	88.6194
Belgrade	87.2617	76.3597	90.0332	95.3923
Avon	86.0456	86.4806	86.3523	85.3039
Brooten	83.8371	83.4254	85.4174	82.6686
Freeport	78.3559	73.6582	81.9536	79.4558

9. **League of MN Cities Annual Conference** – Registration is now open to attend the 2015 LMC Annual Conference (<http://www.lmc.org/page/1/ac2015.jsp>). For new council, I recommend attending

the Advanced Training for Newly Elected Officials (a Pre-Conference Workshop). Let me know if you plan on attending the Conference, and I will coordinate registration and lodging.

10. **Skywarn Training** – If you are interested in attending Skywarn Training, visit [www.w0sv.org](http://www.w0sv.org).
11. **PWD Letters In-Lieu of Evaluations** – Along with this memo, as per the Mayor’s request at the previous meeting, are the letters submitted by Council Members in-lieu of completing performance evaluations and corresponding communications.
12. **Employee Cell Phones** – I am continuing to collect comparable information from other cities and vendors.
13. **City Code Section 2010** – Last fall council decided against making changes to the city code; however, no further direction was given.
14. **Enterprise Funds** – City Council will review the need for utility rate increases midyear.
15. **Financial Report** – A separate Quarterly Financial Report packet is included along with this meeting packet.

## Mason Schirmer

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**From:** Mason Schirmer <mason@freeportmn.org>  
**Sent:** Monday, March 02, 2015 9:57 AM  
**To:** Rodney Atkinson  
**Cc:** Jon Stueve  
**Subject:** FW: Invoice 31045  
**Attachments:** Letter.pdf

Attention Rodney Atkinson,

This is follow-up to the email sent to you on November 6, 2014 (see below and attached PDF), and again on January 6, 2015. Let me know how you intend to resolve this matter.

Sincerely,

Mason Schirmer, MS, M<sup>3</sup>C  
Clerk-Treasurer  
(320) 836-2112  
[mason@freeportmn.org](mailto:mason@freeportmn.org)



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**From:** Mason Schirmer [<mailto:mason@freeportmn.org>]  
**Sent:** Tuesday, January 06, 2015 1:11 PM  
**To:** Rodney Atkinson ([rodney@albanytel.com](mailto:rodney@albanytel.com))  
**Cc:** Jon Stueve  
**Subject:** FW: Invoice 31045

Good Afternoon,

I am following-up on an email I sent to you on November 6<sup>th</sup> (see below). You have not responded regarding the matter; if you did respond previously, please resend. If not, let me know when and how you intend to resolve this issue, contact me directly to discuss. Thank you for your cooperation.

Sincerely,

Mason Schirmer, MCMC  
Clerk-Treasurer, City of Freeport  
(320) 836-2112  
[mason@freeportmn.org](mailto:mason@freeportmn.org)



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**From:** Mason Schirmer [<mailto:mason@freeportmn.org>]  
**Sent:** Thursday, November 06, 2014 1:09 PM  
**To:** Rodney Atkinson ([rodney@albanytel.com](mailto:rodney@albanytel.com))  
**Cc:** Jon Stueve  
**Subject:** Invoice 31045

Rodney,

Attached is a letter regarding the invoice being disputed. Let me know if you still want to do an agreement for services so it can get in the council packet. Thanks.

Sincerely,

Mason Schirmer, MCMC  
Clerk-Treasurer, City of Freeport  
(320) 836-2112  
[mason@freeportmn.org](mailto:mason@freeportmn.org)





## CITY OF FREEPORT

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November 6, 2014

Atkinson Well & Pump  
Attn: Rodney Atkinson  
PO Box 185  
Freeport, MN 56331

Re: Invoice 31045

Dear Rodney,

During the October 28<sup>th</sup> meeting, the City Council approved \$3,462.50 of the amount invoiced to the city; therefore, the city is asking for repayment of \$3,103.50.

Jon Stueve mentioned that, to help resolve the issue, you suggested creating an agreement to provide well and pump services for a period of time. Are you still interested in having such an agreement with the City? Jon and I agree such an agreement would have merit. If you are interested, feel free to send me a copy of your proposed agreement, and I'll put it in the November 25<sup>th</sup> city council packet for consideration. To ensure it would be in the meeting packet, please provide me a copy by **Wednesday, November 19<sup>th</sup>**.

Feel free to contact me with any questions you may have.

Sincerely,

Mason Schirmer, Clerk-Treasurer

## Mason Schirmer

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**From:** Mason Schirmer <mason@freeportmn.org>  
**Sent:** Wednesday, February 25, 2015 2:23 PM  
**To:** Rodney Atkinson  
**Cc:** Adrianna Hennen  
**Subject:** Communication with Staff

Rodney,

Your recent behavior at city hall, with staff, was inappropriate and unnecessary. I have directed the Administrative Assistant to no longer accept communication from you. From this point forward, all communication from you to city hall shall be by email only. Your actions have created an uncomfortable work environment for staff, especially for the Administrative Assistant. Your actions included 1) speaking to her about the previous evenings meeting then, when I re-entered the building, you immediately stopped talking and shushed her while she was responding to you; and 2) telling her to do things for you, "this is something you can do when Mason isn't around and can be done on the side."

Your actions are an unnecessary distraction. City staff are not here for you to abuse or play games with.

One of the conditions that must be satisfied for a hostile workplace claim is that "the employer knew of the harassment and failed to take appropriate remedial action." Therefore, in an attempt to keep your actions from potentially exposing the city to liability, this email is remedial action. Until further notice, the only time you should be in city hall is during meetings of the city council or EDA, or for a scheduled meeting (signing documents will be done by appointment with me).

Sincerely,

Mason Schirmer, MS, M<sup>3</sup>C  
Clerk-Treasurer  
(320) 836-2112  
[mason@freeportmn.org](mailto:mason@freeportmn.org)



## Mason Schirmer

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**From:** Mason Schirmer <mason@freeportmn.org>  
**Sent:** Friday, March 13, 2015 7:42 AM  
**To:** 'Atkinson Well and Pump'  
**Subject:** RE: Signature

Rodney,

I will not deliver documents to the bar for you. I recommend putting aside your personal animosities towards me, and fulfill the duties of the office to which you were elected.

Sincerely,

Mason Schirmer, MS, M<sup>3</sup>C  
Clerk-Treasurer  
(320) 836-2112  
[mason@freeportmn.org](mailto:mason@freeportmn.org)



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**From:** Atkinson Well and Pump [<mailto:rodney@albanytel.com>]  
**Sent:** Friday, March 13, 2015 12:02 AM  
**To:** 'Mason Schirmer'; rodneycell  
**Subject:** RE: Signature

I hope I have time tomorrow. The problem is I will not come to city hall if you are in the building. It will take a while to build anything that resembles trust. Or, you can drop them off at ackie's and I can stop at my convenience. Since I am not in the office much, I would prefer an email. [3202500349@vtext.com](mailto:3202500349@vtext.com)

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**From:** Mason Schirmer [<mailto:mason@freeportmn.org>]  
**Sent:** Wednesday, March 11, 2015 7:14 AM  
**To:** 'Atkinson Well and Pump'  
**Subject:** RE: Signature

Rodney,  
How about later today?  
-Mason

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**From:** Atkinson Well and Pump [<mailto:rodney@albanytel.com>]  
**Sent:** Tuesday, March 10, 2015 11:02 PM  
**To:** 'Mason Schirmer'  
**Subject:** RE: Signature



I will be going to the university of Minnesota. I am in an experimental drug study for diabetes.  
rodney

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**From:** Mason Schirmer [<mailto:mason@freeportmn.org>]  
**Sent:** Tuesday, March 10, 2015 7:18 AM  
**To:** 'Atkinson Well and Pump'  
**Subject:** RE: Signature

Our office is open at 7am. Can you stop-in the first thing in the morning tomorrow?

-Mason

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**From:** Atkinson Well and Pump [<mailto:rodney@albanytel.com>]  
**Sent:** Monday, March 09, 2015 10:44 PM  
**To:** 'Mason Schirmer'  
**Subject:** RE: Signature

Can't say exactly. I'll be in a service truck for the better part of the rest of this week  
rodney

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**From:** Mason Schirmer [<mailto:mason@freeportmn.org>]  
**Sent:** Monday, March 09, 2015 11:27 AM  
**To:** Rodney Atkinson  
**Subject:** FW: Signature

Rodney,

Mid-month checks are ready for you to sign, as well as other items. When are you available to come to city hall to sign these documents?

Sincerely,

Mason Schirmer, MS, M<sup>3</sup>C  
Clerk-Treasurer  
(320) 836-2112  
[mason@freeportmn.org](mailto:mason@freeportmn.org)



## Mason Schirmer

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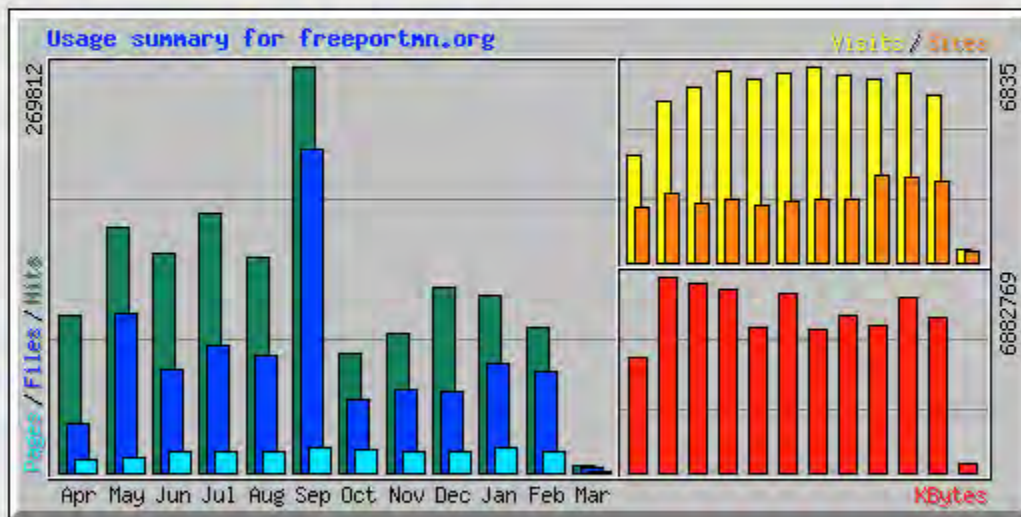
**From:** Barry Weber <Barry@WeberPrinting.com>  
**Sent:** Tuesday, March 03, 2015 1:25 PM  
**To:** Mason Schirmer  
**Subject:** Website Traffic Report

The orange section/SITES reveals how many unique computers access the site in a month.

February back to December is over 2,800 unique computers each month.

Pretty good considering that is far more than the population of Freeport.

Summary by Month  
 Generated 03-Mar-2015 07:03 EST



Summary by Month										
Month	Daily Avg				Monthly Totals					
	Hits	Files	Pages	Visits	Sites	KBytes	Visits	Pages	Files	Hits
<a href="#">Mar 2015</a>	1503	1078	250	146	380	340601	438	751	3236	4511
<a href="#">Feb 2015</a>	3460	2403	476	208	2835	5443710	5841	13352	67291	96892
<a href="#">Jan 2015</a>	3802	2320	524	211	2947	6155606	6568	16245	71923	117874
<a href="#">Dec 2014</a>	3956	1744	430	206	3019	5178596	6392	13348	54093	122640
<a href="#">Nov 2014</a>	3075	1860	460	218	2208	5535436	6542	13816	55814	92266
<a href="#">Oct 2014</a>	2560	1557	490	220	2221	5054568	6835	15220	48278	79370
<a href="#">Sep 2014</a>	8993	7168	553	218	2129	6295475	6560	16599	215055	269812
<a href="#">Aug 2014</a>	4629	2507	446	205	1991	5061814	6362	13835	77741	143505
<a href="#">Jul 2014</a>	5554	2711	434	215	2194	6438812	6666	13462	84046	172183
<a href="#">Jun 2014</a>	4852	2296	444	203	2028	6624186	6095	13348	68891	145582
<a href="#">May 2014</a>	5240	3394	339	181	2437	6882769	5623	10520	105225	162460
<a href="#">Apr 2014</a>	4534	1406	353	162	1943	4026565	3740	8127	32347	104300
<b>Totals</b>						<b>63038138</b>	<b>67662</b>	<b>148623</b>	<b>883940</b>	<b>1511395</b>

Generated by [Webalizer Version 2.23](#)

Barry Weber  
 PO Box 668  
 Albany, MN 56307  
 320-845-4755

# Memo

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From: Mason Schirmer, Clerk-Treasurer

To: Freeport City Council

Date: March 3, 2015

Re: AFSA Member Billing

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In 2013, members were incorrectly billed the 2014 amount. Some members paid the higher amount and earned a credit.

In 2014, members were billed from the wrong document. All members were overbilled. The members that earned credits in 2013 had those credits applied to the 2014 billing; however, all members ended the year with credits earned.

In 2015, members will receive bills that are less than the amount previously approved at the 2014 AFSA meeting; the credits earned by each member will be applied.

## AFSA Member Billing History

<b>2013</b>				
<b>Member</b>	<b>Approved</b>	<b>Invoiced</b>	<b>Paid</b>	<b>Credit</b>
Albany Township	\$1,520	\$1,696	\$1,520	\$0
Krain Township	\$6,080	\$6,784	\$6,784	\$704
Millwood Township	\$37,050	\$41,340	\$37,050	\$0
Oak Township	\$16,150	\$18,020	\$16,150	\$0
City of St. Anthony	\$1,330	\$1,330	\$1,484	\$154
City of St. Rosa	\$2,375	\$2,650	\$2,650	\$275
City of Freeport	\$30,495	\$34,026	\$30,495	\$0

<b>2014</b>					
<b>Member</b>	<b>Approved</b>	<b>Prev Credit</b>	<b>Owed</b>	<b>Paid</b>	<b>Credit</b>
Albany Township	\$1,696	\$0	\$1,696	\$1,952	\$256
Krain Township	\$6,784	\$704	\$6,080	\$7,104	\$1,024
Millwood Township	\$41,340	\$0	\$41,340	\$47,580	\$6,240
Oak Township	\$18,020	\$0	\$18,020	\$20,740	\$2,720
City of St. Anthony	\$1,484	\$154	\$1,330	\$1,554	\$224
City of St. Rosa	\$2,650	\$275	\$2,375	\$2,775	\$400
City of Freeport	\$34,026	\$0	\$34,026	\$34,206	\$180

<b>2015</b>			
<b>Member</b>	<b>Approved</b>	<b>Prev Credit</b>	<b>Owes</b>
Albany Township	\$2,114	\$256	\$1,858
Krain Township	\$8,455	\$1,024	\$7,431
Millwood Township	\$51,520	\$6,240	\$45,280
Oak Township	\$22,458	\$2,720	\$19,738
City of St. Anthony	\$1,850	\$224	\$1,626
City of St. Rosa	\$3,303	\$400	\$2,903
City of Freeport	\$42,405	\$180	\$42,225



## **ECONOMIC DEVELOPMENT AUTHORITY**

125 Main Street E – PO Box 301 – Freeport, MN 56331 – 320-836-2112 – FAX 320-836-2116  
For TTY/TDD Users 1-800-627-3529 or 711 Minnesota Relay Service [www.freeportmn.org](http://www.freeportmn.org)

### **February 17, 2015 – Meeting Minutes**

A regular meeting of the Freeport Economic Development Authority was called to order at 12:07 P.M. by Member Andy Welle with members Scott Hoeschen and Jim Hemker present.

Staff in attendance: Secretary/Treasurer Mason Schirmer, Administrative Assistant Adrianna Hennen.

Others in attendance: Mayor Rodney Atkinson.

#### **Approval of the Agenda**

Hoeschen moved and Hemker seconded a motion to approve the agenda. Motion carried 3-0.

#### **Approval of November 17, 2014 Meeting Minutes**

Welle moved and Hoeschen seconded a motion to approve the November 17, 2014 meeting minutes. Motion carried 3-0.

#### **Secretary/Treasurer Report**

Schirmer said a business is interested in purchasing an industrial park lot and they will be in touch.

#### **Bylaws**

Hemker asked how changes to the bylaws were proposed. Schirmer said Atkinson called city hall in early November and said the bylaws should be changed so the Clerk-Treasurer is no longer a member of the board. Schirmer said the recommendation was presented to the EDA, and outgoing Mayor and EDA President Matt Worms suggested that the Mayor not be a default member of the EDA, since the Mayor casts the tie-breaking vote on city council. Schirmer said members reviewed the bylaws and proposed changes that they thought would help entice volunteers to want to serve on the board. Schirmer said the changes were then presented to the city council. Schirmer said the city council accepted the proposed changes, held a public hearing, and then approved the changes.

Hemker asked Hoeschen for his opinion. Hoeschen said it never crossed my mind that changing bylaws would be against state statute. Schirmer said members were not trying to change the power of the EDA; they were trying to make serving on the Board more inviting. Hemker moved and Welle seconded a motion authorizing Schirmer to obtain a legal opinion on the recent changes to the bylaws. Motion carried 3-0.

#### **Selection of Officers**

Members agreed to table the selection of officers until a later meeting.

#### **Adjourn**

Hoeschen moved and Hemker seconded a motion to adjourn the meeting. Motion carried 3-0. Meeting adjourned at 12:59pm.