



CITY OF FREEPORT

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June 30, 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 st Ave N)	Gary Pierskalla (324 8 th St SE)
Jerry Meyer (330 8 th St SE)	Diane Hellermann (Melrose)
Craig Timp (213 2 nd Ave NW)	Floyd Sand (208 7 th St SW)
Mark Middendorf (711 Main St E)	Judy Beuning (Melrose)
Steve Anderson, Franklin Properties (Clearwater)	Gene Fuechtmann (207 2 nd St NE)
Jon Archer (Schlenner Wenner)	Andy Grieve (210 2 nd Ave NE)
Ryan Schmidt (Schlenner Wenner)	Chad Gross (206 3 rd St NE)
Josh Renneker (207 3 rd St NE)	Heidi & Jay Hollenkamp (211 3 rd St NE)

Public Forum

Mark Middendorf asked that weeds and trees be better maintained by the inspectors around town.

Approve Agenda

K. Goebel moved to add claim 1939 and item 'f) Demand letter from Mason Schirmer and Attorney' under 'New Business'; seconded by B. Eittle. Motion carried 5-0.

Consent Agenda

B. Eittle moved, seconded by M. Eveslage to approve the consent agenda. Motion carried 5-0.

Reports

Engineer Report

City Engineer Dave Blommel came to speak about the sewer backup's happening on the NE corner of town and on 8th St SE. Dave stated that policing sump pumps would be a good place to start and something that the City's Public Works Department could start doing. Dave's other recommendation was to jet/camera scope the 3800 ft. of remaining clay sewer pipes to see if they are damaged or blocked and allowing excess clean water into the sanitary sewer system. During that process they would also look into the manholes to see if they are allowing excess clean water in to the sanitary sewer system.

B. Eittle moved to have the Public Works Department begin going door-to-door and checking sump pumps and following up with the resident if they are not; and to have Dave Blommel get a company to jet/camera scope the 3800 ft. of remaining clay lines for no more than \$1.15 a ft.; seconded by M. Eveslage. Motion carried 5-0.

Old Business

Employee Benefits

T. Hennen asked that each council member write down the amount they would like to be given to City employees to compensate for not providing health insurance. R. Atkinson read off that there were two votes for \$8,000, one vote for \$9,000, and two votes for \$10,000. B. Eittle moved to compensate employees \$9,000; seconded by M. Eveslage. Motion carried 5-0.

Franklin Billboard CUP Application

City Attorney Scott Dymoke explained that Franklin Properties acknowledge that the sign they are proposing to replace is a non-conforming use. Under State Statute, Franklin Properties is not allowed to rebuild the sign larger, but they can rebuild it smaller without the use of a CUP, but instead with a building permit. Steve Anderson of Franklin Properties asked to withdraw Franklin's CUP application. B. Eittle moved to accept Franklin Properties CUP application withdrawal; seconded by T. Hennen. Motion carried 5-0.

Fences

Council reviewed the proposed ordinance related to fences. B. Eittle suggested that the ordinance should state that if residents want to place the fence on the property line they must obtain a property survey. R. Atkinson asked that the living fence ordinance to be eradicated. A. Hennen suggested having some language stating that living fences have to be maintained as to stay on your property. A public hearing will be held at the July meeting where public can comment on the proposed ordinance.

Digital Speed Limit Signs

Council suggested we hold off on this item for the time being but keep it in future budgeting plans.

New Business

Schlenner Wenner & Co. Audit Report

Jon Archer and Ryan Schmidt of Schlenner Wenner & Co. presented the audit to council. B. Eittle moved to accept the audit and T. Hennen seconded. Motion carried 5-0.

207 2nd St NE Small Cities Development Loan

It was discussed that in the agreement of the Small Cities Development Loan, Mrs. Alice Fuechtmann agreed to stay in her home for 10 years after the renovating her home with the grant money from the SCDP Loan. Mrs. Fuechtmann and her family are asking, that since Mrs. Fuechtmann's son Eugene is purchasing the home, that the \$3,451.20 be waived.

T. Hennen moved that due to a family member purchasing the home, the City would waive the \$3,451.20 as long as the son (Eugene) remained in the home for the remaining two years left on the agreement; seconded by B. Eittle. Motion carried 5-0.

Scott Dymoke recommended A. Hennen speak with Mrs. Alice Fuechtmann's attorney to see exactly what documentation he is looking for to resolve this.

Letter to Minnesota Clerk's Association

Scott Dymoke and council recommended that we speak with the MCFOA as to exactly what information they would like regarding the previous clerk's potential violation of MCFOA code of ethics before sending any documentation to them.

Alley behind 4th Ave SE

T. Hennen stated that the alley has been destroyed by past city maintenance employees by dumping street sweeper sand onto the alley. T. Hennen stated it should be up to the City to at least maintain the alley. B. Eittle moved to have two loads of class five dumped and grated on to the alley; seconded by M. Eveslage. Motion carried 5-0.

Scotty Dymoke attendance at meetings

B. Eittle moved to have City Attorney Scott Dymoke attend all City Council meetings until further notice; seconded by M. Eveslage. Motion carried 5-0.

Demand Letter from Mason Schirmer's Attorney

On Monday, June 29, 2015, Scott Dymoke received a demand letter from previous Clerk Mason Schirmer asking for \$75,000 paid to Mr. Schirmer by the City or the City would be presented with a lawsuit. Mr. Dymoke was asking direction from council if they would like to, essentially, enter into negotiations with Mason Schirmer again, or hold their prior decision in terminating him. Council directed Scott Dymoke to notify Mr. Schirmer's attorney that the Council would not be giving Mr. Schirmer the \$75,000 as a separation.

Adjourn

B. Eittle moved, seconded by M. Eveslage to adjourn the meeting at 9:30. Motion carried 5-0.

Mayor, Rodney Atkinson

City Clerk-Treasurer, Adrianna Hennen