MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY, FEBRUARY 19, 2014 – 6:00 P.M. - ROCKVILLE CITY HALL

The meeting was called to order by Mayor Jeff Hagen. Roll Call was taken and the following members were found to be present: Mayor Hagen, Council members Susan Palmer, Don Simon and Duane Willenbring. Absent: Member Volkmuth.

Staff members present were: Administrator/Clerk Rena Weber & Finance/Billing/ Administrative Asst. Judy Neu.

Others present were: Toni Honer, Tudie Hermanutz, Sgt. Jon Lentz, Rick & Dorothy Tallman, Mary Kay Kraemer, Chuck & Barb Hennen, Marie Skaja, Fran Platzer, Dave Zwilling, C. Chanthakhammy, Diane Willenbring, Carol Dietman, Ed Schneider, Jared & Stacey Price, Paul Betz, Jan Neyssen, Brian Smith, Sam Simon, Chris Knauss.

OPEN FORUM – Tudie Hermanutz – 211 1st St West indicated that she sees something on tonight's agenda regarding water rates. The LMC has experts and maybe they can help us straighten out our rates.

Paul Betz – 230th Street stated that he heard rumblings that our new Maintenance person is leaving and this is just too bad.

Rick Tallman – 25594 Lake Road shared the same sentiments as Mr. Betz. Lake Road has never been plowed better.

CONSENT AGENDA – ***Motion by Member Palmer, second by Member Willenbring, to approve the consent agenda as presented:***

a) **Approve minutes of 12/18/13**
b) **Approve Treasurer's Report of 1/15/14**
c) **Approve List of Bills and Additions**

Accounts Payable CK #015012 to 015080 & 132014	**$68,504.77**
Payroll CK #00004637 to 004649	**11,919.35**
EFT #000794 to 000800	**8,205.85**

d) **Rockville Area Sportsman Club raffle – 9/7/14 Stoney's Bar**

AYES: Hagen, Palmer, Simon & Willenbring.
Motion passed on a 4 to 0 vote.

BOARD/STAFF REPORT

POLICE REPORT – Sgt. Jon Lentz was present to report that there were 37 contract hours during the month of January with 10 citations.

PLANNING COMMISSION – Toni Honer reported on the following:
ELECTION OF OFFICERS FOR 2014 – Toni reported that the Planning Commission held their election of officers for 2014 and recommend Toni Honer as Chair & Dale Borgmann as Vice Chair.

Motion by Mayor Hagen, second by Member Simon, to approve the re-appointment of Toni Honer and Dale Borgmann as the Chair and Vice Chair respectively for 2014.
AYES: Hagen, Palmer, Simon & Willenbring.
Motion passed on a 4 to 0 vote.

MARY & JAMES KUTZMAN/MCDONALD VARIANCE - 25393 Pleasant Road – Chair Honer reported that this is an after the fact variance as they changed from the pavers to a cement driveway.

KUTZMAN/MCDONALD STAFF REPORT
2/11/14

Re: Variance Request(s)
76.42141.0002: Owners: Mary L. Kutzman/McDonald & James C. McDonald
Property Address: 25393 Pleasant Road – St. Cloud, MN 56301

Variance(s) Requested:

1. This is an "after the fact" variance request to exceed impervious surface by approximately 2455 square feet.

Construction Requests:

1. Construct single family dwelling, patio and concrete driveway.

Relevant Information:

1. This property is located within the 1000' Shoreland Overlay District.
2. Property contains 36,871 square feet more or less.
3. 14 notices of public hearing were sent out.
4. ***The building permit was issued on 7/26/13 with the caveat that "the driveway to be pavers reducing the impervious by 2099 SF and the owner will do mitigation i.e. rain gardens, buffer or rain barrel"***
5. ***The installation of pavers was discussed with James McDonald to which he agreed prior to the zoning administrator signing the permit.***
6. ***On 10/16/2013 Zoning Administrator sent the following message to the Building Official Gary Utsch:***

"Gary - Mary McDonald called this morning to make a change to their driveway stating they would do rain gardens instead of placing pavers on the driveway. They have forgotten to add a deck and sidewalk to the site plan that I approved originally. They are over the 15% impervious surface so I approved the original permit based on the fact Mr. McDonald said they would spend the money on the pavers. Now we have an even bigger issue. The deck and sidewalk - not sure what they are planning.

I informed Mary that I need an updated site plan with everything they want to do. Then and only then can we determine a plan of action. No more changes after that.

I feel that this change warranted a stop work order; however, she felt they would back off on the cement if that were the case.

We left this at she needs to get me a new site plan for a variance from impervious surface - after the fact.

Please make sure no cement gets poured for a driveway until this has been cleared by the PC & CC."

7. The request now is to install a concrete driveway, add a patio and sidewalk exceeding the 20% impervious surface.
8. 1175 SF has been shown on the drawing for possible rain gardens.
9. The plan does not show a walkway to the lake – is there one? NO IT WILL REMAIN GRASS

RECOMMENDATION:

1. Maintain existing drainage patterns over, under, and across their property.
2. Proper temporary and permanent erosion control measurers (BMP's) shall be implemented during and after construction to minimize sediment leaving the site; this would include proper installation of silt fence or bio-rolls on the down gradient side(s) of any excavations or earth disturbing activities, and subsequent re-vegetation of the disturbed areas soon after work is completed.
3. Review impervious surface plan to address the issues.

Submitted by:
Rena Weber Zoning Administrator

Chair Honer reported the Planning Commission recommends approval as they are making sure the 5 rain gardens are put in properly and according to size.

Member Willenbring introduced the following resolution and moved for its adoption:

RESOLUTION NO. 2014-03

A RESOLUTION GRANTING AN AFTER THE FACT VARIANCE TO CONSTRUCT A SINGLE FAMILY DWELLING IN THE SHORELAND DISTRICT.

WHEREAS, A request has been received from James & Mary Kutzman/McDonald for an after the fact variance from Impervious Surface requirements to construct a single family dwelling in the R-1 District, and;

WHEREAS, said structure exceeds impervious surface by 2455 square feet, and;

WHEREAS, Proper notification and publication had been given, and;

WHEREAS, all persons were given an opportunity to be heard on said request.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROCKVILLE, STEARNS COUNTY, MINNESOTA:

1. ***Said request is hereby approved to construct the home and change the pavers to cement in the driveway provided that 5 rain gardens are constructed according to design, approved by the city engineer, and maintained.***
2. ***Said approval will not create undue hardship, is a unique circumstance, and applies to the individual property.***
3. ***That granting of the variance will not be detrimental to the public health, safety, comfort and general welfare of the City.***

The motion for the foregoing resolution was duly seconded by Member Palmer, with the following vote being taken:

AYES: Hagen, Palmer, Simon & Willenbring.

Motion passed on a 4 to 0 vote.

Toni Honer stated that for the record we do not try to make this a habit to approve "after the fact" variances, but if people work with us and there are time constraints we will allow it.

C. CHANTHAKAMMY – VARIANCE REQUEST – The Planning Commission reviewed this request:

Re: Conditional Use Permit Amendment Requested
76.42146.0806: Owners: Robert Coborn/C. Chanthakhammy
Property Address: 1380 Prairie Drive
Legal Description: Section 17, Township 123, Range 029
Lot 6, Block 2, Prairie Business Park

Conditional Use Permit Requested:

1. Conditional use permit amendment is requested to operate a crushing system as part of the auto recycling business.
2. The request is also to expand the fence to within 10 feet of the front property line thereby losing parking spaces for the sale of vehicles.

Relevant Information:

1. This property is located in the I-1 District.
2. Property contains 1.012 acres more or less.
3. 5 notices of public hearing were sent out.
4. I-2 General Industrial CUP (4) says "The use is entirely enclosed, in a roofed structure with concrete floor, storage of junk and salvage including automobile salvage, scrap metal, paper, rags, household appliances, or recyclables"
5. Mr. Chanthakhammy would like to keep things enclosed, however, he needs more room therefore the request to move the fence out. C. has not been making it a habit of setting cars out front to be sold.
6. The request to crush vehicles was discussed back in 2010 as a possible use. The PC was asked recently if they had issues with this and no one did.
7. A letter of support from Darwin Voigt (abutting property owner) was received on 2/9/14.
8. AJ's (business to the north of C.) has been crushing for years and no complaints were ever received.
9. C. Chanthakhammy has planted trees per the council request.
10. This business has been operating without any complaints.

Recommendations:

1. Maintain existing drainage patterns over, under, and across their property.
2. No additional driveways will be allowed.
3. Proper temporary and permanent erosion control measurers (BMP's) shall be

implemented during and after construction to minimize sediment leaving the site; this would include proper installation of silt fence or bio-rolls on the down gradient side(s) of any excavations or earth disturbing activities, and subsequent re-vegetation of the disturbed areas soon after work is completed.

4. Approve with these conditions.

Submitted by:
Rena Weber
Zoning Administrator

Toni reported the Planning Commission reviewed this request to amend a CUP and recommends approval as requested.

Member Palmer introduced the following resolution and moved for its adoption:

RESOLUTION NO. 2014-04

RESOLUTION APPROVING AN AMENDMENT TO A CONDITIONAL USE PERMIT

WHEREAS, Robert Coborn/C. Chanthakhammy have requested a conditional use permit amendment in order to add to the conditions of operating an auto salvage business in the I-1 Industrial District, and;

WHEREAS, The address of the property is: 1380 Prairie Drive with a legal description of: Lot 6, Block 2, Prairie Business Park in the City of Rockville.

WHEREAS, The request is to extend the front yard fence to within 10' of the front lot line thereby eliminating parking spots.

WHEREAS, The request is to also allow a car crushing unit as part of the operations.

WHEREAS, A public hearing was held at which time there were no objections and one letter of support received.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROCKVILLE, STEARNS COUNTY, MINNESOTA:

1. Said request is hereby approved as presented.

2. Said approval is not a burden on public facilities, is compatible with existing and planned adjacent uses, has no adverse affect on adjacent properties, the use is related to the needs of the city, is consistent with the Comprehensive Plan, is not a traffic hazard, there is adequate parking and loading.

3. The granting of the conditional use permit will not be detrimental to the public health, safety and general welfare of the City.

The motion for the foregoing resolution was duly seconded by Member Simon, with the following vote being taken:
AYES: Hagen, Palmer, Simon & Willenbring.
Motion passed on a 4 to 0 vote.

DAN HANSEN – ADMINISTRATIVE PLAT – Toni Honer reported that the Planning Commission reviewed the Qualified Minor Subdivision for Dan Hansen and Kathleen & Howard Syverson. The request is to convert three parcels totaling 195.03 acres into two parcels. The Planning Commission approved the split.

ROBERT & THERESA MERTES – ADMINISTRATIVE PLAT – Toni Honer reported this request was to have a property line cleaned up and was approved by the Planning Commission. No action required.

Toni Honer further reported that the Planning Commission would like to do a bus trip around town to view certain problem areas. This was done in the past and proved to be quite helpful. People are notified before hand and have been quite positive.

Member Palmer stated she would support the idea and could do sometime in spring.

Toni indicated they would look for standing water around the lakes, etc. and be pro-active not re-active.

Mayor Hagen asked Toni – "Does it put undue pressure on the Planning Commission when you have 2 to 3 council members attend the hearing?" I would rather see the Planning Commission make their judgment.

Toni indicated that they do like council input. She recognizes the liaison is there to represent the council and she also likes that person this changes each year. In regards to the open meeting law we all have to be cognizant of that even though this is a meeting of record.

Member Palmer stated that she is concerned that council members should be offering their input at the Council meeting where the whole council has the same opportunity. Her main concern is that council members are stating that they are on the council and in support of the request at Planning Commission meetings. Were there at the council meeting and the decision was made that may be different from the Planning Commission recommendation she is worried that we have sent the wrong message to the applicant.

FIRE DEPARTMENT – REQUEST TO HAVE MEALS PAID FOR– Rena Weber the Fire Department is requesting a change in the gift tax law in that they want the city to pay for their Relief Association annual dinner. The law did change last year and it sounds like it could be approved, but then you would have to make it for all current employees – not the retirees and/spouses. The city does pay for the monthly meeting meals currently.

Member Willenbring and Member Simon spoke in favor of the request.

The Fire Department is to come back with a written proposal.

OLD BUSINESS

KENN TAMM – UPDATE ON 2 HOUSES PLACED WITHOUT PERMITS – Rena Weber reported Mr. Tamm has been in contact with Member Willenbring, but not me. I have been in touch with the city attorney on a plan of action for you to discuss at the meeting. Member Willenbring is seeking to work something out with Mr. Tamm such as buying his property by the Walnut Circle water tower, or his in-laws property that they are selling to the City of Cold Spring, or other property for sale in the city. Mr. Tamm is requesting another extension of time.

City Attorney Adam Ripple:
"The process is essentially a lawsuit. First, we would file a summons and complaint and then serve Mr. Tamm. Second, we would ask the court for an injunction enjoining him from keeping two homes on the property. If that request is granted, the case probably resolves itself immediately. Last, we would also seek to have Mr. Tamm be responsible for the cost of bringing the action as provided in Section 31 Subd. 2. of the zoning ordinance."

Member Palmer asked if we extend the time could we still charge a fine. Had he responded right away this would have been taken care of before the snow fell.

Mayor Hagen asked if we did go this route do we lose our right to recover costs.

Member Willenbring stated that in full disclosure he was contacted by Mr. Tamm and urged him to contact Rena. He believes we should move forward and do everything in our power to make the city whole. Mr. Tamm told Rena that he has received approval from Arcon for the building permit in regards to the roof pitch, however, that is the wrong avenue, and he needs approval of the architectural review board. Member Willenbring went down to the courthouse and within a minute and one-half he had all the information on this property including the covenants. Member Willenbring suggests moving ahead with legal action.

Escrow account – give him another month – he pays and if not moved we would hire to have them moved. He created this issue.

Motion by Mayor Hagen, second by Member Palmer, to give Mr. Tamm until 2/25/14 to present the city with a certified check for $20,000, give him another 30 days to move both houses or city will take action. Further an agreement will be drafted reflecting this. Send this certified mail.
AYES: Hagen, Palmer, Simon & Willenbring.
Motion passed on a 4 to 0 vote.

NEW BUSINESS

RICK TALLMAN - 25594 LAKE ROAD – CFUR GROUP – stated that he has submitted several requests for data. Water Enterprise is a separate business.
In the water rate study done last year – cost the city $1500, several hours were spent. Is it reasonable for citizens to expect the information to be correct? The report showed that a water rate increase was needed due to a $5,850 shortfall so a motion made to accept Example 1

- The problem here is the $64,000 debt service – what did this pay for? Upon getting those bond schedules – the totals don't come up to the $64,000 and should have been $48,700. When asked why this happened Rena reported that she made a mistake. Well that mistake cost everybody a rate increase.
  Rena reported this was caught and moved from the debt service to the repair budget. The actual paid still reflects the $48,700.
  Mayor Hagen indicated that just to clarify the money is staying in the enterprise fund for the users in that fund.
  Rick Tallman stated yes – budgets are a best guess estimate of what is to occur, not truthful numbers, but an estimate of how your business is going to perform.
  Mayor Hagen reiterated that as long as the collection of the fees and the receipts and expenses are properly accounted for the fund or users are not being hurt. Rick Tallman agreed.
  Member Palmer indicated that at some time you need to look at both factors, the actual expenses Vs the revenue and yes you build the next year's budget based on that information. What was the experience? Repairs do come up that are not reflected in the budget. Rick Tallman indicated that he totally understood that.
- Then we come to where the City is to pay $21,341into the water fund. He researched to see if this was paid and only $15,141 was paid - which was 5,200 less – He has looked at bills payable each month.
  March 28th Water for city hall was $54.26, maintenance shop $54.26.
  It has already been established that the City is the biggest consumer in the water fund. He does not know of a single water bill in the city that is $54.26. $3,231 total for the year. Not all city buildings have meters. Bit of a difference. He had a list of all rate increases since 2004 and you have to wonder if the city had been paying for their usage for the last how many years how many increases would have been needed.
  LMC – utility payment collection memo "rates must be just & equitable"
  Water conservation rate must be in place by January 2015
- Water used by city is subject to state sales tax – He has checked the water used by the city which is water not used for residential. As he checked the records for 2nd quarter of 2011 it is listed as 294,000 gallons – the sales tax paid was $4.08. Does that compute to you?
  Rena Weber reported that there is a formula that you use to back out the expense for chemicals and supplies that greatly affects the cost.
  Member Palmer indicated that it would have been more beneficial if you had provided this information before the meeting so we could respond. We are in year end audit and I would think the journal entries need to be done to reflect this. Also, the city only recently made the change to pay for the water used at city hall so going back to 2004 would not occur. Those years are what they are and when it was brought to our attention the city did make adjustment so the city did indeed pay for their share of the water. We have tried to respond to the citizens requests. It was put in place in 2013. That was taken into account when the rates were set. You have to build a budget based on the information you have.
- Can't find anyway to make sense of this: charging for sewer – based on winter usage rates, but when it comes to later in the year and he uses less – he should be pay less (maximum sewer rate should be less). Sometime you use more water, but the water is not going down the sewer. Almost all other cities charge that way.
  Mayor Hagen stated that he can't believe other cities do this.
- Dumping water at Pleasant Lake – it is kind of hard to pay for water when the city is dumping it.

Member Simon reported this is being recorded each day through a flow meter. If the temp goes down to 30 degrees you are in trouble.

- Would the council be open to having a committee meeting? Get a mediator in?

Mayor Hagen does not see a need for a mediator to answer a couple of questions. You have 5 councilors here who pretty much donate their time and you feel they are intentionally trying to set water rates that are not warranted. You keep making these accusations, causing hours and hours of work for staff and at this rate we will have to hire more staff.

Member Willenbring stated that his intent is not to create enemies, but he thinks the Administrator could have avoided this by being more proactive in this process.

Motion by Member Willenbring to have the Council direct the Mayor to set up a task force with a mediator, come back with a report and solve this issue.

Mayor Hagen asked what would be the purpose of this committee.

Member Willenbring stated the LMC would provide a mediator who would take the emotions out, enough is enough

Motion died for a lack of a second.

Member Palmer stated she disagreed. Her feelings are that this was done with a committee first. There is no incentive – the city wants the rates to be the lowest they can. Some people are not happy with the response; we looked at all the numbers, allocated on a basis and spent a lot of time reviewing the fixed Vs variable fees till an issue. We have to move on. We can wait until the actual's and then review the rates after that.

Member Willenbring wished the records to show he did everything in his power to try to solve this problem.

SALE OF 1994 TRUCK BID RESULT – Rena Weber reported that two bids were received:

Taylor Price	$965.00
Robert Mueller	$405.00

Motion by Member Palmer, second by Member Simon, to award the sale of the 1994 Chev Pickup truck to Taylor Price for $965.00.
AYES: Hagen, Palmer, Simon & Willenbring.
Motion passed on a 4 to 0 vote.

COMMITTEE REPORTS

HUMAN RESOURCE – POLICY CHANGES – Member Palmer reported that the HR Committee had reviewed changes to the employee policy to reflect how PTO is used up upon termination.

5.7 Resignation

An employee wishing to terminate employment with the City must submit a written resignation to his or her department head at least 10 working days prior to their anticipated separation date. Department heads must provide 30 working days written notice to the City Council prior to their anticipated separation date. The Administrator/Clerk must provide a 60 day written notice of separation to the City Council. Compensatory or paid time off may not be used during the resignation notice period unless approved by the City Administrator or City Council. Failure to comply with this notice procedure may be considered cause for denying future employment with the City. An unauthorized absence from work for a period of three working days may be considered a resignation without notice.

Motion by Member Palmer, second by Member Willenbring, to approve the amendment as presented.
AYES: Hagen, Palmer, Simon & Willenbring.
Motion passed on a 4 to 0 vote.

7.6 Compensatory Time/Overtime – Non-Exempt (Overtime Eligible) Employees

A non-exempt employee shall be paid overtime for time worked in excess of forty hours overtime will also be paid for time worked on a Saturday, Sunday or paid Holiday Personal Time Off does not count towards time worked for purposes of calculating overtime. Overtime must be approved by the department head prior to being taken.

Compensation may be taken in the form of either one and one-half (1 1/2) times the regular rate at which the worker is employed, or compensatory time. Compensatory time is paid time off at the rate of one and one-half hours off for each hour of overtime worked. An employee may accrue no more than 80 hours of compensatory time. Any additional overtime hours must be paid out in the pay period in which they were worked. Any accrued unused compensatory time will be paid out in the last pay period of the calendar year. Employees must obtain approval from the Administrator/Clerk before accruing compensatory time instead of receiving overtime pay. The Administration Department will be responsible to monitor compensatory time balances of the employees. Employees will be reimbursed for the accumulated compensatory time at the time of termination at the current wage rate.

Compensatory time must be documented on time cards, along with all hours worked. It must be submitted to the Administration Department on the first pay day following the day the comp time was used or earned, and all compensation balances must be kept on file in the City Administrator/Clerk office.

Motion by Mayor Hagen, second by Member Palmer, to approve the amendment as presented.
AYES: Hagen, Palmer, Simon & Willenbring.
Motion passed on a 4 to 0 vote.

FINANCE COMMITTEE – Member Palmer reported the committee reviewed an approved January bank reconciliation.

Financial Consultant David Drown and the committee are looking at early refunding of certain bonds.

- The City Hall/Fire Hall bond would be an advanced refunding bond as they are not callable for 18 months; however we can still save the city $200,000.
- 2008 A Improvement has a $100,000 balloon payment due on 2/1/2017 for the proposed Molitor project (along with SJ Louis construction) which did not occur.
- 2009A -$554,000 debt payment in 2016 for the Pleasant Lake water tower could be restructured.

The Finance Committee is recommending doing all three refunding and with the AA+ bond rating we will save the city money.

Motion by Mayor Hagen, second by Member Simon, to authorize the process for the refunding of the three bonds as presented.
AYES: Hagen, Palmer, Simon & Willenbring.
Motion passed on a 4 to 0 vote.

ADMINISTRATOR'S REPORT

IIMC CONFERENCE – Rena Weber requested approval to attend IIMC Conference in Milwaukee May 18 thru May 22. This is the national conference and I would be splitting the cost for the room with another clerk and the bus ride could go down depending on the number of people signing up from Minnesota.

Classes	$575		
Hotel	458		
Travel	125 or less		
Funding:			
E	101-41800-331	Travel/Hotel	$583
	101-41800-332	Training	575

Motion by Member Willenbring, second by Member Simon, to approve the request as presented:
AYES: Hagen, Palmer, Simon & Willenbring.
Motion passed on a 4 to 0 vote.

Member Simon voiced concern that Mr. Brown is leaving and people are happy with what he is doing. People should be paid what they are worth. He just spent 15 some hours on a waterline freeze up. The council should consider a pay increase to make Mr. Brown to stay here.

Member Willenbring to Member Simon – is this some request that Kevin is making?

Member Simon replied yes and there are days when we need 3 people here.

Member Palmer indicated that we hired a second person full-time and the intent was not to have 3 people in the maintenance department – let's be clear on that.

ADJOURNMENT – ***Motion by Member Willenbring, second by Member Palmer, to adjourn the meeting at 7:38 p.m. Motion carried.***

VERENA M. WEBER-CMC	***JEFF HAGEN***
ADMINISTRATOR/CLERK	***MAYOR***

MINUTES OF A SPECIAL CITY COUNCIL MEETING HELD TUESDAY, FEBRUARY 25, 2014 – 7:00 P.M.

The meeting was called to order by Mayor Jeff Hagen. Roll Call was taken and the following members were found to be present: Mayor Hagen, Council members Susan Palmer, Don Simon, Randy Volkmuth and Duane Willenbring. Absent: None

Staff members present were: Administrator/Clerk Rena Weber & Attorney Adam Ripple

Others present were: Clarence Bloch, Judy Neu, Mandy Lais & Sam Simon

KEVN BROWN RESIGNATION – Mayor Hagen announced that the purpose of the meeting had been called to evaluate Kevin Brown as Public Works Director. In an earlier meeting this evening Mr. Brown tendered his resignation effective immediately.

Motion by Member Volkmuth, second by Member Willenbring, to accept Kevin Brown's resignation effective immediately.
AYES: Hagen, Palmer, Simon, Volkmuth & Willenbring
Motion passed by a 5 – 0 vote.

Member Simon asked what was the reason given for his resignation?

Member Palmer stated that we accepted his resignation so we need to accept his wishes and not disclose information.

ADDITION TO THE AGENDA

Rena Weber reported that this meeting would not be a closed meeting therefore an addition to the agenda could occur.

Motion by Mayor Hagen, second by Member Volkmuth, to approve addition an amended pay scale to the agenda for discussion purposes.
AYES: Hagen, Palmer, Simon, Volkmuth & Willenbring
Motion passed by a 5 – 0 vote.

AMENDED PAY SCALE – Member Palmer stated we are bumping into issues to have qualified people to work for the city so this amended pay scale is the recommendation of the Human Resource Committee. (Attached and marked Exhibit A)

Motion by Member Volkmuth, second by Mayor Hagen, to approved the amended Pay Scale as presented.
AYES: Hagen, Palmer, Simon, Volkmuth & Willenbring
Motion passed by a 5 – 0 vote.

Member Volkmuth indicated that adding to the steps is the correct way of doing this. He has not been in favor of granting COLA plus the step increases – just the step increase.

Member Palmer stated that we were not doing this and other cities were so that is why we are behind and maybe every 3 years we need to look at this.

Member Simon suggested we have to look at the scaled every other year or you are not getting a good quality of worker.

Member Simon asked why Roger Schotl's resume was at his spot.

Mayor Hagen stated that when Kevin Brown announced that he was quitting Human Resources felt it prudent to check around for a replacement. In light of the bad winter we have been having – it was necessary.

Member Willenbring asked that the newest version of the job description be made available before the next person is hired.

SPECIAL COUNCIL MEETING – ***Motion by Mayor Hagen, second by Member Volkmuth, to schedule a special council meeting for 2/28/14 – 8 a.m. to discuss approval of the updated job description for Public Works Director and also a possible hiring of a new director.***
AYES: Hagen, Palmer, Simon, Volkmuth & Willenbring
Motion passed by a 5 – 0 vote.

ADJOURNMENT – ***Motion by Member Volkmuth, second by Member Palmer, to adjourn the meeting at 7:32 p.m. Motion carried.***

VERENA M. WEBER-CMC	***JEFF HAGEN***
ADMINISTRATOR/CLERK	***MAYOR***

MINUTES OF A SPECIAL CITY COUNCIL MEETING HELD TUESDAY, FEBRUARY 28, 2014 – 8:00 A.M.

The meeting was called to order by Mayor Jeff Hagen. Roll Call was taken and the following members were found to be present: Mayor Hagen, Council members Don Simon, Randy Volkmuth and Duane Willenbring. Absent: Member Palmer

Staff members present were: Administrator/Clerk Rena Weber

Others present: Carol Dietman, Paul Betz, Pat Sell, Dale Borgmann and Rick Tallman.

Mayor Hagen gave a brief explanation as to why Kevin Brown resigned. A position of this kind must be a capable manager of the budget. Basically Kevin had no concern for the budget and no respect for authority.

PUBLIC WORKS DIRECTOR JOB DESCRIPTION

Motion by Member Willenbring, second by Member Volkmuth, to approve the amended job description as presented.
AYES: Hagen, Simon, Volkmuth & Willenbring.
Motion passed on a 4 to 0 vote.

Member Simon stated whoever gets the job has to be able to run this department as the most efficient that he/she can.

DISCUSS HIRING OF PUBLIC WORKS DIRECTOR – Mayor Hagen announced that discussion would now be held regarding the hiring a new public works director. Mayor Hagen and Member Palmer had done extensive background reference checks on Roger Schotl. In addition Administrator/Clerk Weber contacted both administrators from Sauk Rapids and Foley where Mr. Schotl was previously employed.

The City of Foley provided a written statement of Mr. Schotl's performance.

Ross Olson offered:

- He was a long time employee
- Very good mechanic
- Hard worker
- Appointed – but did not have a lot of experience supervising
- 110% effort is given
- Good with budget, but needs help with establishing
- Ross gave Roger a positive reference

Member Willenbring voiced concerns about the process.

Member Simon was surprised with the fact that we just heard about this individual on Tuesday night. He hopes we don't jump the gun and we end up in the same place 6 months from now.

Member Willenbring stated that we need to fill the gap. He feels that he and the council should take the blame for not paying people for their work. A good fix would be to hire Mr. Schotl on a temporary basis – then full-time.

Mayor Hagen indicated that in his discussions with Mr. Schotl – that would not be acceptable.

Motion by Member Volkmuth, second by Member Willenbring, to approve hiring Roger Schotl as the Public Works Director effective 3/3/14 Step 15 ($22.08 per hour).
AYES: Hagen, Simon, Volkmuth & Willenbring.
Motion passed on a 4 to 0 vote.

ADJOURNMENT – ***Motion by Member Volkmuth, second by Member Willenbring, to adjourn the meeting at 8:27 a.m. Motion carried.***

_____ _____

VERENA M. WEBER-ADMINISTRATOR/CLERK **JEFF HAGEN-MAYOR**