MINUTES
CITY COUNCIL MEETING

NOVEMBER 12, 2019

Mayor Jeff Thompson called the meeting to order at 6:00 p.m. Council members present were Shawn Reinke, Alicia LaBeau, Neil Herzberg, and Len Gilmore. Others present were Renee Eckerly City Administrator; Jennifer Welling, Administrative Assistant/Zoning Specialist; Bill Spooner, City Attorney with Spooner & Glenz; Chuck DeWolf, City Engineer with Bolton & Menk, Inc.; Kristen Leither, Social Media Specialist; Paul Wegner, Police Chief; Mike Stern, Shane Schmidt, and Don Williamson, West Central Sanitation.

The Pledge of Allegiance was recited. Council members gave verbal activity reports.

Paul Wegner, Police Chief reported on the following:

- Winter parking regulations
- Shop with a cop
- 3 officers attending CIT training
- One officer is out with an injury until spring/summer of 2020
- Conducting year-end review and goals
- Fire arm qualification
- The school is pleased with the SRO program
- Chaplaincy program
- Football send off

Motion to approve the following meeting minutes: Motion to approve the following meeting minutes: July 15, 2019 Special Airport Board, October 29, 2019 Special City Council Working Session, October 29, 2019 Special City Council Community Working Session, October 1, 2019 Liquor Board, October 1, 2019 Budget & Finance Board, October 14, 2019 City Council, and September 23, 2019 City Council.

Motion to approve the following vouchers:

10/24/2019	Payroll Checks	100045-100049	$5,302.72
10/24/2019	Payroll Direct Deposit		$22,179.94
10/24/2019	Payroll Taxes	100050-100052	$1,672.08
10/24/2019	Payroll - Fed		$7,296.27
10/24/2019	Payroll - State		$1,283.55
10/24/2019	Payroll - TASC		$349.99
10/24/2019	Payroll - PERA		$6,771.91
10/24/2019	Payroll - SELECT		$1,263.48
10/24/2019	Payroll - Health Partners		$5,471.20
10/24/2019	Payroll - AFLAC		$274.05
10/24/2019	Payroll - Delta Dental		$237.64
10/24/2019	Payroll - Lincoln		$653.88
11/1/2019	Vouchers	100053-100089	$247,072.76
11/5/2019	Vouchers	100090-100136	$1,406,597.71
		Grand Total:	$1,706,427.18

Motion was made by Reinke to approve the Consent Agenda. Seconded by LaBeau and unanimously carried.

PROVIDING EARLY VOTING TO STEARNS COUNTY RESIDENTS

Eckerly reviewed the Agreement Between Stearns County and the City of Paynesville For Providing Early Voting To The Residents Of Stearns County in 2020 for the Presidential Primary, August Primary, and November General Election. The Agreement outlines the duties of the City and in return the County will pay the City $727.50 to provide the early voting services for each statewide election in 2020. The fee should cover one election judge and Eckerly's time.

Motion was made by Reinke to approve Agreement Between Stearns County and the City of Paynesville For Providing Early Voting To The Residents Of Stearns County. Seconded by Herzberg and unanimously carried.

CITY SERVICE RECOGNITION LUNCHEON

In the past the City Council has approved hosting a joint Board & Employee Service Recognition Luncheon and to close the City Hall & Liquor Store from 11:30 a.m. to 1:00 p.m. Suggested dates were:

Monday, December 2	Tuesday, December 3
Wednesday, December 4	Monday, December 9
Tuesday, December 10	Wednesday, December 11

Last year it was also suggested that we move the lunch to one of the local venues instead of hosting it at City Hall. The following quotes have been obtained to eat at the following venues:

First Option:

Boneless, skinless chicken breast, baby red potatoes, green beans, pasta Italian salad, dinner roll with butter, ice water, coffee, silverware, glasses, cups, plates and napkins:

Stockmen's Café $9.50 per person plus $25.00 for brownies/50 people = $10.00/person
Queen Bee's $10.86 per person dessert was not quoted/no beverage = $10.86/person
American Legion $12.95 per person plus $10.00 per gallon of coffee & a 20% service charge, plus we can bring in our own dessert like a sheet cake at $25.99/48 = $16.32/person

Second Option:

Beef roast, mashed potatoes with gravy, green beans, creamy broccoli salad, dinner roll with butter, ice water, coffee, silverware, glasses, cups, plates and napkins:

Stockmen's Café $10.50 per person plus $25.00 for brownies/50 people = $11.00/person
Queen Bee's $10.86 per person dessert was not quoted/no beverage = $10.86/person
American Legion $12.95 per person plus $10.00 per gallon of coffee & a 20% service charge, plus we can bring in our own dessert like a sheet cake at $25.99/48 = $16.32/person
Tax will need to be applied to all prices.

Employee Service Awards will be presented to the following:

Lee Schleper	25 years	Bill Ludwig	10 years
Ethan Brown	5 years	Jeff Thompson	30 years

Motion was made by LaBeau to host a Board and Employee Service Recognition Luncheon on December 10, 2019 at Stockmen's Café and roast beef as the food option and to close the City Hall and Liquor Store from 11:30 a.m. to 1:00 p.m. Seconded by Reinke and unanimously carried.

CITY ADMINISTRATOR EMPLOYMENT AGREEMENT

The Employment Agreement between the City Administrator, Renee Eckerly and the City of Paynesville and the City Administrator Job Description for such position was presented This Agreement is for January 1, 2019 – December 31, 2021. The Union Negotiations Team has reviewed this. Thompson stated this is a 3 year contact with a 3% increase each year.

Motion was made by LaBeau to reject the Employee Agreement between the City Administrator, Renee Eckerly and the City of Paynesville. Seconded by Reinke.

Reinke expressed concerns with the City Administrator's performance which led to him making the second to the motion. For the past 11 months Reinke has noticed performance issues and has asked for a closed session and has been denied. Spooner reminded the Council that they can't discuss job performance in an open public meeting and the Council must give notice as to why a closed session. Thompson agreed that the evaluation is to be done in closed session. LaBeau stated that according to a labor attorney the Council does not have to give cause to reject a contract renewal. Thompson stated that it was not brought to Council because the Council is doing the evaluation and that is being completed in a Closed Session.

Motion passed 3:2 (Reinke, yes; LaBeau, yes; Herzberg, yes; Thompson, no; Gilmore, no).

Motion was made by LaBeau to submit in writing to the City Administrator, Renee Eckerly to terminate the employment contract as of December 31, 2019. Seconded by Reinke and passed 3:2 (Reinke, yes; LaBeau, yes; Herzberg, yes; Thompson, no; Gilmore, no).

Motion was made by LaBeau to put the City Administrator, Renee Eckerly on paid leave of absence, effective immediately through the duration of the contract. Seconded by Reinke.

LaBeau stated based on the difficult work environment in City Hall. Some Council members questioned the actions. Reinke commented that he wanted a closed session. LaBeau noted a police escort tonight. Eckerly will gather her personal belongings tomorrow with a police escort.

The motion passed 3:2 (Reinke, yes; LaBeau, yes; Herzberg, yes; Thompson, no; Gilmore, no).

(Eckerly left the meeting.)

Motion was made by Reinke to appoint Ron Mergen as Interim City Administrator and Belinda Ludwig as Co-City Administrator, effective immediately. Seconded by LaBeau and unanimously carried.

Motion was made by LaBeau to hire and begin the process for a new City Administrator. Seconded by Reinke and unanimously carried.

It was asked if the City Administrator's Job Description needed to be reviewed. It was suggested to have Policies & Procedures put it on their agenda to do such.

Thompson asked Spooner if he or his office has been used for City Administrator inquires in the last 6 months. Spooner said yes. Thompson requested a listing of such requests, Spooner concurred.

POLICE & FIRE WELLNESS PLANS

The presented documents were for informational only to allow time for review before the Special Council meeting to be held on November 26, 2019 at 6:00 p.m. to address this matter.

PURCHASE OF SPEED DETECTING SIGNS

This was tabled from the September 23, 2019 and October 14, 2019 City Council meetings. Chief Wegner will give a verbal report. Awhile back the City Council had expressed interest in getting two speed detecting signs for areas around Paynesville. As of this time, no grants have been located to pay for the signs. Quotes from Stalker Radar and Traffic Logix for two signs were presented. Both of the signs would be solar powered, but Stalkers would require a separate marine battery to be purchased. This is a non-budgeted item and funds are not available within the police budget to purchase the signs. Chief Wegner spoke with both MN DOT and the County Highway Department. The City would need to complete an application with each agency requesting permission to place the sign on their roads. MN DOT has advised that they prefer signs that are amber lights on a black background with no strobe lights. The county did not indicate any type of preference on the lights. There is no cost for the application with either agency. The Sheriff's Office Temporary pole mounted sign is out of service and not available at this time. It is recommended that if the city wishes to purchase the signs that the funds come from public works/streets as they are responsible for purchasing road signs. Staff and Council member Gilmore met with TapCo and they are not able to compete for pricing. The Paynesville Lions are generously donating $7,500.00 toward the purchase of speed detecting signage with one sign near the school. The Lions Club also donated $7,500.00 toward a splash pad feature.

Motion was made by Gilmore to accept the donation of $7,500.00 for the speed detecting signs and place the order for signs up to $7,500.00 and $7,500.00 for a splash pad feature(s). Seconded by LaBeau and unanimously carried.

Thompson recessed the Regular City Council meeting at 6:30 p.m. and opened the Certification of Past-due Garbage, Water & Sewer, Snow Removal, and Mowing Bills Public Hearing.

Thompson reviewed the spreadsheet of delinquent bills. It was noted that the Klein amount was for a deferred special assessment from a street project.

There being no further comments or questions, Thompson closed the public hearing at 6:33 p.m. and re-opened the Regular City Council meeting.

CERTIFICATION OF PAST-DUE GARBAGE, WATER & SEWER, SNOW REMOVAL, AND MOWING BILLS

Motion was made by LaBeau to certify the deferred assessment, delinquent refuse, water & sewer, snow removal, and mowing accounts to the County Auditor to be put on the real estate taxes. Seconded by Reinke and unanimously carried.

PURCHASE OF SPEED DETECTING SIGNS CONTINUED

Motion was made by Reinke to purchase 2 or 3 signs from Traffic Logix with one to be placed near the school. Seconded by LaBeau and unanimously carried.

POLICE DEPARTMENT - DISPOSITION OF FORFEITED PROPERTY – VEHICLES

Wegner reported that the police department has completed the forfeiture proceedings for the 2005 Toyota Corolla and the 2003 Pontiac Grand Prix. The vehicles were listed on eBay twice as both of the first buyers failed to make payment. Both auctions closed September 30, 2019. The vehicles were advertised on the City's Facebook Page and Website. Both vehicles were disposed of according to state statute and in a commercially reasonable manner. The auctions closed as follows:

- 2005 Toyota Corolla- Sold for $811.00 to a buyer from Baltimore, MD
- 2003 Pontiac Grand Prix- Sold for $415.00 to a buyer from Bemidji, MN

No action is necessary as this sale was previously approved.

SOBER LIVING

The Council discussed on whether to hold a public hearing on this matter and if so, when. There was general discussion on:

- Hearing from the public
- Discriminative comments that could be made
- Private data
- Get information from Zoning Administrator and Building Official
- A letter to be drafted and sent to the applicant
- Spooner to research the questions that were raised to date from the public
- Number of occupants is the issue
- Possible litigation
- Should the applicant apply for a variance or conditional use

It was consented to set a public hearing for December 9, 2019 at 6:45 p.m. and to send notices to all property owners within 350 feet and to publish the notice in the newspaper.

(Thompson left at 6:55 p.m. and LaBeau took over as Mayor Pro Tem.)

K9 SQUAD KENNEL

The Paynesville Police Department has taken possession of the K9 squad from the City of Waite Park. Upon receiving the kennel portion, which was not previously observed, it was noted that there was a significant amount of rust and wear to the kennel. Portions of the kennel will need to be replaced. The police department has spoken with Spanier Welding about fixing the kennel or creating a new one. Spanier Welding will replace the rusted-out panels and add an additional storage box in the back. Cost for repairs is $800.00 and will come out of funds raised for the K9 program.

Motion was made by Reinke to approve the quote of $800.00 from Spanier Welding for repairs necessary on the kennel with funds to come from funds raised. Seconded by Herzberg and unanimously carried.

DOWNTOWN REDEVELOPMENT PHASE 2 STEPS 1-5

DeWolf presented the Downtown Redevelopment Phase 2 Plan steps 1-5 from Janna King. The total for this phase is $22,388.00. It was suggested to scale back phase 2. It was also noted that this is not in the budget. It was further suggested to have smaller steps, but get to the same point.

2020 BUDGET - PROPOSED FEE INCREASES

The proposed fee increases to the City's fee schedule were presented. This was presented to the Budget & Finance Board and they recommend approval. After further review of the fees staff found a few more fees that could be adjusted and were presented for review. Staff determined that maintenance building permit fees are not tied to the 1994 Building Permit Fee Schedule that the City is currently using and they can be adjusted independently. Staff has attached what other cities are charging. The last time the building permit fees were increased was in 2003. This was presented as information only at this time. If the Council consents to move forward with the fee increases a resolution will be prepared and presented at the next meeting for approval. This was tabled to be taken back to the Budget & Finance Board.

AMPI EXPANSION PROJECT

DeWolf gave a verbal report and presented Payment No. 4 in the amount of $512,008.77; payable to Eagle Construction Company, Inc. for work completed through November 1, 2019.

Motion was made by Herzberg to approve Payment No. 4 in the amount of $512,008.77; payable to Eagle Construction Company, Inc. Seconded by Reinke and unanimously carried.

2019 STREET & DRAINAGE PROJECT

DeWolf gave a verbal report and presented Payment Estimate No. 5 in the amount of $611,581.50; payable to Voss Plumbing & Heating of Paynesville, Inc. for work completed through November 1, 2019.

Motion was made by Reinke to approve Payment Estimate No. 5 in the amount of $611,581.50; payable to Voss Plumbing & Heating of Paynesville, Inc. Seconded by Gilmore and unanimously carried.

INFORMATIONAL

LaBeau reviewed the following informational items: October Liquor Store Report, September Police Department Report, August and September 2019 Investments, Liquor Revenue & Expenses, Incode Financial Reports, City Attorney Report, and Capital Improvement Breakdown Report – all reports can be found on the City's website, Community-Wide Presentation – The Dangers of Vaping – Tuesday, November 19, 2019 at 6-7:30 p.m. High School Auditorium, and State Football Send Off.

Motion was made by Reinke to approve to fire department and police department to escort the state football send off. Seconded by Herzberg and unanimously carried.

There being no further business, LaBeau adjourned the meeting.

Jeff Thompson, Mayor