

**CITY OF LE CENTER
REGULAR COUNCIL MEETING
TUESDAY, JUNE 11, 2013 - 7:00 PM**

**** MINUTES ****

I. CALL TO ORDER

Present: Mayor Fredrickson, B. Emmers, C. Harmeyer, G. Meidlinger Jr., D. Woelfel
Absent: None

II. APPROVAL OF MINUTES

- A) Motion by Meidlinger, Seconded by Harmeyer, Minutes from May 14, 2013 Public Hearing be approved as Amended. Approved unanimously.
- B) Motion by Meidlinger, Seconded by Emmers, Minutes from May 14, 2013 Regular Council Meeting be approved as Amended. Approved unanimously.
- C) Council changes to agenda: ADD: ADMINISTRATIVE C) Letter from Councilman Meidlinger attorney concerning the residency of Councilman Woelfel.

III. APPROVAL OF BILLS TO BE PAID

Council reviewed the bills to be paid. Motion by Emmers, Seconded by Harmeyer, to pay the bills listed and due. Approved unanimously.

IV. REPORTS OF OFFICERS, BOARDS, COMMITTEES, & DEPARTMENTS

A) E.D.A. Report

- 1) Director Collins gave Dollar General Store update: LaMar Outdoor Advertising was notified on May 15 to remove the billboard from the property/ stated they would have it down within 30 days. If not; Attorney Moran will contact them.

Collins reported that Maud Borup Candy Company has taken ownership of the former ShetkaWorks Building and was moving in equipment. They have elected not to accept the terms of the EDA for a loan; better terms from their banker.

B) P & Z Report

Building Official Block reported: Dollar General Store had just sent plans for the façade building materials, elevation plan, & parking stalls. It appears they may have no issues to be approved before the P & Z Commission.

C) Municipal Liquor Store

Manager Mike Nelson gave the May report: Sales were \$69,518: up \$4600 from April, and down \$1800 from May '12. Nelson also reported: YTD profit up by \$19,000 over 2012/ staff painted bathrooms/ July 13 outdoor bash/ new registers coming end of June.

D) Police Department

Police Chief Pfarr reported on the police activities for month of May: 102 calls/ 2,156 miles patrolled. Pfarr reported: calls up 24%, miles down 7%. Squad computer went down and is fixed. Squad camera went down and is fixed. Pfarr distributed the current "fines & fees schedule" that county administration has on file. All the fines/fees were extremely low and outdated. Council set a committee of Attorney Moran, Chief Pfarr, Councilman Meidlinger, & Administrator Collins to study the issue and bring back a recommendation to the entire council to consider.

E) Water, Sewer, Streets, Parks

Public Works Supt. Curt Roemhildt reported:

- ❖ Pool- pool is open.
- ❖ Refuse- garbage pick-up will be on Wednesday, July 3rd.

- 1) Motion by Emmers, Seconded by Woelfel, to adopt Resolution No. 2013D, thereby approving the county rehab & overlay of South Park Avenue including sidewalks, some curb, ped ramps; cost to county of \$250,000-\$300,000 starting in mid September and construction lasting 2-3 weeks. Approved unanimously.
- 2) Motion by Fredrickson, Seconded by Meidlinger, to accept bid of \$62,428.74 from W.W. Blacktopping to mill & overlay sections of Bowler Street and North Montgomery Avenue. (Budgeted \$65,000). Approved unanimously.

F) Bolton & Menk Engineering (Joel Hawbaker, Engineer)

- 1) 2010 Minnesota Street Project- Hawbaker reported the project is now finalized/ will present to county for final payments.
- 2) Gene Lewis sewer problem- they will pull two concrete panels from the street/ dig down to the sewer main line and connect the private line to main line. Cost will be divided by Johnson Bros., Barnett Const., & Bolton & Menk. This is a punch-list item, not a warranty item because project is not yet closed out.
- 3) Todd & Jane Paulsen cracked driveway apron- Hawbaker has contacted BCM Construction and informed them this is a warranty item to be replaced at no cost.

G) Pool - Manager Dorothy Dinwiddie reported the pool opened a week later due to the cold rainy weather; saving \$2300 by not opening. Sold only 35 season passes so far (sold 126 in 2012), took in only \$8,000 so far (took in \$20,000 in 2012). Some outside painting and some concrete collar work was done. One rescue in 3rd pool on first day.H) Le Sueur County Fair Assn. – Nancy Stauff reported the sheriff's posse ride and horse show would be held that weekend/ Assn. submitted a reworked 2nd application to host the Minnesota Trappers Association Conference in 2014 & 2015.

V. PUBLIC FORUM

Brian Holmes, 280 North Cordova Avenue, stated that his sidewalk is badly shaded on top; not fit to safely walk on. He also stated that the sidewalks end on his property along that street, and would the city consider allowing him to just remove the sidewalk and plant grass? Staff has been there and taken pictures. Council asked staff that sidewalks be put on the next workshop meeting agenda and staff will contact him after a decision has been reached on all sidewalks in the city.

VI. OLD BUSINESS

- A) Verizon cell-phone antenna- Attorney Moran still negotiating a price with Verizon to lease city property. Verizon has proposed a \$750 per month payment. Moran and Administrator Collins walked the property with Verizon officials.
- B) Motion by Emmers, Seconded by Woelfel, to adopt Resolution No. 2013C, thereby approving the Amended Emergency Operations Plan; put together by city emergency operations staff. Approved unanimously.
- C) Water bill late fee- discussed several options: 1) straight \$10.00 flat fee, 2) 10% fee on all past due, and 3) minimum \$5.00 late fee or 18% annual late fee (1.5% per month) which-ever is higher. After much discussion: Motion by Emmers, Seconded by Harmeyer, to charge by ordinance minimum \$5.00 late fee or 18% annual interest rate (1.5% per month) which-ever is higher, on all past due water & sewer bill accounts. Motion approved by 3-2 vote; Woelfel and Meidlinger voting No. Ordinance will take affect after publication in Leader.

VII. NEW BUSINESS

- A) Tricia Chimal, 285 South Maple Avenue, had asked for a hearing before the council to question her water meter accuracy. Ms. Chimal did not show. Staff reminded council that there were two options available by ordinance: for Ms. Chimal to pay her bill or council agree to remove the meter to be sent in for testing. The cost of testing and the water bill payment would be decided by the accuracy test of the meter.
- B) Le Center Lanes request for Wine & Strong Beer License and Consumption Permit: Co-owner Ron Long spoke of the need for the licenses to help get the bowling alley up and running, and keep it stable. Staff feels the bowling alley being open and stable will actually help the Municipal Liquor Store. Motion by Emmers, Seconded by Woelfel, to approve the Wine & Strong Beer License AND the Consumption Permit for LC Lanes. Approved unanimously. Licenses must still be approved by State Liquor Control. Mr. Long asked council for permission to park on Minnesota Street until 3:00 AM some nights for midnight bowling league for 2nd shift workers. Council approved this; but all vehicles must be moved when snowing so staff can plow the street.

VIII. ADMINISTRATION & MISC.

- A) Collins requested that city hall offices be closed on Friday, July 5 due to staff wanting to take vacation time off that day. Council generally agreed to allow- but all staff must use a vacation day, not comp time, to be off that day and get paid for it.

- B) Council set workshop meeting for: Wednesday, July 17th @ 6:00 PM. Budget 1st half numbers will be looked at/ Dept. Heads have preliminary 2014 budget numbers.
- C) Letter from attorney concerning Councilman Woelfel residency: Councilman Meidlinger had contacted an attorney to pursue this issue. This attorney had sent a letter to Mayor Fredrickson and Administrator Collins asking that City of Le Center hire an “outside professional to investigate its independent findings as to whether Mr. Woelfel resides within the City of Le Center.” Mayor Fredrickson spoke on the matter concerning his feelings that the City had already done its due diligence and the matter was closed. Councilman Meidlinger spoke explaining his position that this matter has not been resolved. Councilman Woelfel again stated that he will not resign. Attorney Moran presented the case for the City that we had in fact done our due diligence; and the matter was closed when the previous council had canvassed the results of the last November election. After much discussion, with no agreement between the parties, the discussion was closed.

IX. ADJOURNMENT

There being no further business, Motion by Emmers, Seconded by Harmeyer, for Mayor Fredrickson to adjourn the meeting. Approved unanimously. 9:22 pm.