

**MINUTES OF THE CITY COUNCIL MEETING
NOVEMBER 10, 2015**

CALL TO ORDER

Pursuant to due call and notice thereof, the regular meeting of the City Council was called to order at 5:00 p.m. by Mayor Deiss in the Council Chambers, located in the City Administrative Center.

MEMBERS PRESENT

Mayor George Deiss, Council Members Don Niles, Gillette Kempf, Deb Wiese and Bruce Uselman

OTHERS PRESENT

Brad Swenson, Dan Kovar, Dave Evans, Naomi Plautz, Tim Booth, Dean Uselman, Sharon Domier, Anna Erickson from Pioneer Journal, City Attorney Jeff Pederson and Phil Martin from Bolton & Menk.

CONSENT CALENDAR

Motion was made by Niles, second by Wiese to approve the following items on the consent calendar:

- A. Minutes of the City Council meetings held October 13 & November 2, 2015
- B. Claims as presented for payment:
 - 1. October 01, 2015.....\$1,009.50
 - 2. October 02, 2015.....\$799.71
 - 3. October 06, 2015.....\$114.30
 - 4. October 08, 2015.....\$74,084.60
 - 5. October 08, 2015.....\$24,580.45
 - 6. October 02, 2015.....\$4,944.51
 - 7. October 05, 2015.....\$1,288.82
 - 8. October 09, 2015.....\$242,513.40
 - 9. October 09, 2015.....\$8,197.08
 - 10. October 12, 2015.....\$1,385.82
 - 11. October 15, 2015.....\$18,779.52
 - 12. October 16, 2015.....\$339.19
 - 13. October 19, 2015.....\$1,897,171.66
 - 14. October 20, 2015.....\$2,103.04
 - 15. October 08, 2015.....\$4,224.00
 - 16. October 23, 2015.....\$273,508.22
 - 17. October 20, 2015.....\$43,427.00
 - 18. October 22, 2015.....\$44,888.26
 - 19. October 06, 2015.....\$3,454.52

20. October 20, 2015.....	\$2,829.86
21. October 23, 2015.....	\$307.73
22. October 29, 2015.....	\$245.84
23. October 30, 2015.....	\$371,359.60
24. October 23, 2015.....	\$6,218.69
25. October 26, 2015.....	\$8,805.33
26. October 16, 2015.....	\$5,317.55
C. City Administrator’s Monthly Report for October 2015	
D. WHRA Meeting Minutes for September 29 & October 14, 2015	
E. Park Advisory Board Meeting November 4, 2015	
F. Police Department Activity Report for October 2015	
G. Fire Department Meeting Minutes for October 7, 2015	
H. Senior Citizens Center Financial Report for October 2015	

Upon voting Mayor Deiss declared the motion carried, all members voting aye.

BN PARK NATIVITY SCENE DISCUSSION

Jeff Pederson gave an overview of the City’s options for displaying a nativity scene. Option one is to eliminate the issue and transfer to a non-public entity. Option two is to use a secular seasonal display. Option three is to allow private displays in park that are not content based. Option four is to continue doing what we have done in the past with a threat of litigation and possibly not having insurance.

Craig Folkestad commented that he would hate to see the Council do away with the Nativity Scene. Christmas has been confronted with many different religious beliefs and would hate to see it not displayed.

Jake Heffner commented that Christmas is a huge part of our community. Would hate to see people told they can’t display the nativity scene in the BN Park due to only a few people being against it.

Mike Taft commented that he would like to see the nativity scene stay where it has been in the past.

Don Simmon stated that he talked to the Ministerial Association and they are willing to take this on as their project.

Rhonda Schmitz commented that her kids went to Wadena School and that she works there as well. She has always taken her kids to see the nativity scene. She would hate to see it go away but would hate to see what could happen to it if it goes up. She mentioned possibly looking at options of putting it somewhere not owned by the City.

Mayor George Deiss stated that he hasn’t been able to reply to all emails due to the large amount of them that he has received

Don Niles stated that he is in favor of donating the City Nativity Scene to Ministerial Association. He would like to keep the nativity scene in the BN Park but make it more secular. He also stated that he agrees with Jake Heffner.

Bruce Uselman stated that he talked to the Ministerial Association about taking the nativity scene and that all pastors are in favor. He also stated that he is in favor of turning it over to the Ministerial Association or selling it to them for one dollar.

Deb Wiese stated that this has been challenging and heart wrenching to have to make a decision for something that is so religious.

Gillette Kempf stated that she is more in favor of finding another organization like the Ministerial Association or doing a RFP to display the nativity scene. She mentioned possibly creating a policy for displaying items in the park. She stated that it is so beautiful and meaningful.

Motion by Niles, second by Kempf to sell the nativity scene to the Ministerial Association for \$25.

Bruce Uselman assured everyone that the nativity scene is in good hands.

Don Niles agrees with Wiese about being heart wrenching but his is a good solution.

Upon voting, Mayor Deiss declared the motion carried. All members voting aye.

ATV ORDINANCE CHANGES – JIM FORMANEK

Jim Formanek with Alcoholigans was present and highlighted the ATV Ordinance Proposed changes and suggests both class 1 and class 2 ATV so that golf carts and snowmobiles are included. ATV's are not allowed between midnight and 6:00 a.m. and they must stay off of major highways unless they are just crossing them. Jim commented that ATV's are getting more and more popular and he isn't aware of any businesses that complain about the revenue they receive from people traveling on ATV's. Jim would like to see the City consider changing their ordinance to allow ATV usage in Wadena

Don Niles thanked Jim.

Deb Wiese commented that it seems problematic with all of the businesses such as hotels, gas stations, shopping and eating being on major roads.

Jim commented that the ATV's would be one block away from most of the major highways.

Deb Wiese asked where a proposed trail would go.

Jim replied that that it could be next to the bike/walking path and that it can be on any road except State Funded Highways.

Bruce Uselman thanked Jim from a law enforcement perspective.

Jim stated that he needs city support first and then they will get permission from land owners for a trail system.

Motion by Niles, second by Kempf to appoint Jim Formanek on ATV/UTV Ordinance Committee.

Upon voting, Mayor Deiss declared the motion carried. All members voting aye.

LIQUOR STORE – VIDEO SURVEILLANCE QUOTES

Tim Booth reviewed with the City Council that he and Deb Wiese toured 3 local business' video surveillance systems.

Deb Wiese commented that touring those was interesting and rewarding. She feels that Tim's original recommendation was solid and feels it would be a good choice.

Motion by Kempf, second by Wiese to purchase the video surveillance system from Contact Radio for \$9,768.28 with 7.375% tax.

Upon voting, Mayor Deiss declared the motion carried. All members voting aye.

CITY BUILDING MAINTENANCE POSITION HIRING

Brad Swenson reviewed with the City Council that the committee of Lloyd Lanz, Naomi Plautz and himself interviewed 4 applicants for the Building Maintenance Position. Their recommendation is to hire Michael Spilman at the starting step of \$14.50 per hour and he would probably start work on November 30, 2015.

Motion by Uselman, second by Wiese to follow Brad's recommendation.

Upon voting, Mayor Deiss declared the motion carried. All members voting aye.

EMPLOYEE STEP INCREASE – DEAN KALLEVIG – WELLNESS CENTER

Eric Robb completed Dean Kallevig's yearly review and is recommending a step increase from Step 3 to Step 4 at \$20.29.

Motion by Niles, second by Wiese to approve Eric's recommendation.

Upon voting, Mayor Deiss declared the motion carried. All members voting aye.

SE PROJECT – CHANGE ORDER REVIEW & APPROVAL

Brad Swenson reviewed with the City Council the process for change orders. Up to \$30,000 is preapproved for Brad to make necessary decisions that can't wait for Council approval. The Storm Sewer pipe has a reduction from 60" to 54" which results in a \$27,401 reduction. A 42" pipe abandonment resulted in a \$56,088 reduction. Bullinger Pond Revision resulted in an increase of \$12,500.10. 8" PVC SDR 26 (Sanitary) increase of \$707.00. A 2" PE Services increased by \$1,426.00 and Wet Tap on Emerson reduction of \$119.80. Total changes results in a reduction of \$68,975.70

Motion by Kempf, second by Niles to approve the change orders for the SE Project and to adjust R.L. Larson Contract to reflect changes.

Upon voting, Mayor Deiss declared the motion carried. All members voting aye.

SE PROEJCT – PRIVATE PROPERTIES SEWER CONNECTION

Brad Swenson reviewed the City Code on private properties sewer connection with the City Council. He stated that if you are within 100 feet of any water or sewer main you have 30 days to hook up or the City will take action. There are 2 properties that have not hooked up yet in the SE Project area. One is located at 514 2nd St SE and the other is 625 3rd St SE. The property owner at 625 3rd St SE is not wanting to own that property and is waiting for the bank to foreclose on it. The property owner at 517 2nd St SE hasn't received approval on funding yet but the work needed to be done can be started next week.

Motion by Uselman, second by Niles to hire Doug Wright for \$6,000 to put in service line at 625 3rd St SE and to apply this amount to this property special assessments.

Upon voting, Mayor Deiss declared the motion carried. All members voting aye.

Motion by Niles, second by Kempf to authorize Brad to get the sewer hooked up at 517 2nd St SE if the property owner doesn't get it completed by November 23, 2015.

Upon voting, Mayor Deiss declared the motion carried. All members voting aye.

Brad Swenson commented that with all the properties involved on the SE Project that only 2 had issues.

Dan Kovar commented that 2 other properties are not hooked up but the homes are not being lived in and can be dealt with next spring.

WWTP ENGINEER PROPOSALS – PHOSPHORUS REDUCTION

Dan Kovar sent out an RFP for engineering proposals for WWTP Phosphorus reduction planning to two engineering firms that the City has worked with in the past and he received a quote back from MSA Professional Services for \$22,000 and one from Bolton & Menk for \$25,300. Both of

these proposals contain similar specifications and similar costs associated to their tasks, with the exception of the Bid Award and Construction section. After talking to both engineering firms the difference in cost has to do with travel to the site for bid opening, pre-construction meeting and inspections. MSA will provide more onsite services for an additional cost. Another difference is that Bolton & Menk proposal has a not to exceed cost for the overall proposal, MSA will be charging for any additional expenses.

Dan is recommending to use Bolton & Menk as the engineering firm to continue with the City of Wadena's Phosphorus Reduction Plan.

Motion by Niles, second by Uselman to accept Dan's recommendation.

Upon voting, Mayor Deiss declared the motion carried. All members voting aye.

BANKING SERVICES PROPOSAL

Brad Swenson reviewed with the City Council that presently we are banking with Wadena State Bank and he recommends staying with them and keeping the same contract for 3 more years as switching banks isn't as easy as it used to be with all the online bill pay and auto deposits

Motion by Kempf, second by Wiese to extend the contract with Wadena State Bank for 1 year and do an RFP in May or June of 2016 to give the other banks in town a chance at this.

Upon voting, Mayor Deiss declared the motion carried. All members voting aye.

HWY 10 PROJECT – SET PUBLIC HEARING DATE

Brad Swenson informed the City Council that the Hwy 10 Project needs a Public Hearing Date set to review the plans and to consider granting municipal consent for the project.

Motion by Wiese, second by Niles to set the Public Hearing Date for the Hwy 10 Project for January 12, 2015 at 5:00 p.m.

MEETING OPEN TO PUBLIC 6:30 P.M.

No one present.

DEPARTMENT REPORTS

STREET, SEWER & PARKS DEPARTMENTS

Dan Kovar had nothing to report.

Don Niles asked if all the asphalt is down on the SE Project. Dan answered that it is all in place.

ELECTRIC & WATER DEPARTMENTS

Dave Evans had nothing to report.

LIQUOR STORE

Tim Booth thanked the City Council for the new security system which will be installed mid-November and commented that they may donate the old equipment to the golf course.

Tim Booth asked the City Council if we could get out of the tax situation. Brad Swenson commented that we have to pay tax.

WDA/PLANNING & ZONING/FIRE DEPARTMENT

Dean Uselman reported that the Aquaponics Project is likely not going to happen here anymore.

Bruce Uselman thanked Dean for all his hard work on the Aquaponics Project.

Dean Uselman reported that they have had a couple of other tax abatement lot inquires

Dean Uselman reported that the fire department has had a lot of car accident calls lately.

Don Niles commented about possibly banning cell phone use in cars in Wadena.

POLICE DEPARTMENT

Police Chief Naomi Plautz reported that they have solved the Homecrest burglary that recently happened but that they still have others that they haven't been able to solve.

WELLNESS CENTER

Eric Robb reported that the Stanley Cup will be coming to the Wellness Center this Sunday and they are expecting about 500 people to show up.

CITY ADMINISTRATOR

Brad Swenson reminded the City Council that the Public Hearing for the SE Project is December 1, 2015 and the Electric, Water & Sewer Rate study is also December 1, 2015.

COUNCIL REPORTS

Gillette Kempf reported that the SE Project looks beautiful.

Gillette Kempf also commended Dean Uselman on his hard work for Aquaponics.

Deb Wiese thanked Dean for his efforts and shares his frustration that it didn't work out.

Bruce Uselman reported that there have been a lot of car accidents and debriefing for these accidents needs to happen if it is not being done.

Don Niles reported that Naomi Plautz has asked Christine Krell to be on the Dog Ordinance Committee and that they will possibly have their first meeting early in 2016.

MAYOR'S REPORT

Mayor George Deiss thanked everyone for their support on the Nativity Scene issue and stated that it has been a very emotional experience and he has had a couple interviews with a couple of TV Stations.

Bruce Uselman thanked George for all he has done.

ADJOURNMENT

Motion was made by Wiese, second by Niles to adjourn at 7:00 p.m.

Bradley A. Swenson
City Administrator

George Deiss
Mayor