



COUNCIL PROCEEDINGS

CITY OF WINNEBAGO, MINNESOTA

MINUTES OF THE WINNEBAGO CITY COUNCIL

City of Winnebago, Minnesota

November 17, 2009

A special meeting of the Winnebago City Council was held on Tuesday, November 17, 2009 at 7:00 p.m. in the Municipal Center Council Chambers.

Mayor Nowak called the meeting to order and conducted roll call. Council members present: Gates, Johnson, Ziegler and Stauffer. Staff present: City Administrator Feely and Deputy City Clerk Sturtz.

With the additions of Deputy City Clerk Resignation, Memo Regarding Vacancy and Question about Pending Complaint Investigation, motion by Gates, seconded by Johnson to approve the proposed meeting agenda of November 17, 2009 with the additions. Motion carried.

Open Meeting to Public

Mayor Nowak opened the meeting to the public for the first time. Hearing no comments, Mayor Nowak closed the meeting to the public.

General Business

Continuation of Sixth Street Southwest Assessment Hearing

Jim Wilson, attorney for the city, and Wes Brown, Bolton and Menk were present to answer any questions that Mediacom had. Bill Jensen, Regional Vice President from Mediacom was present and stated that Mediacom's objection is based on the use of the road. It is a very low use site for them and no residents live there. Mediacom is asking for this to be taken into consideration when assessing the tax levy. Jensen stated that Mediacom would not appeal any decision that the Council made. Motion by Ziegler, seconded by Gates to adopt RESOLUTION 452-2009 RESOLUTION ADOPTING ASSESSMENT. Motion carried.

2010 Budget Workshop

Administrator Feely went over the changes from the November 10, 2009 meeting which included: increase legal services from \$12,500 to \$20,000, reduce seasonal position from the street department budget from \$6,000 to \$2,000 and reinstate \$1,300 into the library budget magazine and periodical line item which brought the levy to 12.44%. With the changes in the health insurance it brought the levy to 12.31%. The Council discussed cuts from the capital

outlay and determined to cut \$5,000 off of the police department line item making it \$10,000 instead of \$15,000. With this reduction the levy came to 11.07%. The Council was in agreement that this number looked good.

Participation in Faribault County Statewide Health Improvement Program

Ziegler stated that because of the next line item on the agenda he feels that the demand for Administrator Feely's time is going to be extremely high and he doesn't feel that it is a priority at this time. Gates asked if this program could be joined at any time. Motion by Gates, seconded by Ziegler to table this matter for the time being. Motion carried.

Deputy City Clerk Resignation

Motion by Ziegler, seconded by Stauffer to accept the resignation of Deputy City Clerk, Jessi Sturtz effective November 16, 2009. Voting as follows: in favor: Gates, Ziegler and Stauffer. Opposed: Johnson. Motion carried.

Vacant Deputy City Clerk Position

Motion by Gates, seconded by Johnson to table this until the December 2, 2009 meeting. Motion carried.

Question about Pending Complaint Investigation

Ziegler passed out a document from the Minnesota Defense Lawyers Association Website regarding its governmental liability committee. This list included Paul Reuvers, as the board of director's liaison for the committee and members included Jon Iverson and City Administrator Feely's attorney, Joseph Bromeland, but not Jeff Zalasky. Ziegler stated that this is a big concern for him and he would like an opinion on it. Mayor Nowak stated to Ziegler that if he would have let him know about it, he could have contacted the City Attorney. Nowak stated that he will take this matter up with the City Attorney.

Open Meeting to Public

Mayor Nowak opened the meeting to the public for the second time. City Administrator Feely's Attorney Joseph Bromeland stated that he would like to respond to the previous item. He stated that the committee holds a couple of functions per year and attendance is not mandatory. He said that it has been months since he had been involved with it. He stated that he doesn't know Iverson or Reuvers and they don't know him. Mike Kloub, Winnebago Voice, stated that if the letter sent by the city employee to the city council members and it was brought up at the meeting that he feels that it is public knowledge. Mayor Nowak took a ten minute recess to contact the City Attorney regarding the letter and the potential conflict of interest.

After the ten minute recess, Mayor Nowak stated that he did contact the City Attorney regarding these issues and stated that Doug will look into the conflict of interest and on the letter he doesn't want to comment because he hasn't seen the letter. Once he has seen the letter, he will let the press know. Hearing no more comments Mayor Nowak closed the meeting to the public.

Mayor Nowak asked if there were any comments from the Council. Ziegler thanked Jessi Sturtz for everything and he respects her decision. Stauffer thanked Jessi Sturtz and wished her luck. Johnson wished Sturtz luck and Gates stated that she is well appreciated. Mayor Nowak thanked Sturtz and stated that he appreciated her work. Mayor Nowak added that the policy is that if any of the council members receive anything that it is supposed to go through him first. Johnson stated that he had the letter for approximately 15 minutes prior to the meeting.

Motion by Ziegler, seconded by Gates to adjourn the meeting. Motion carried.

Minutes submitted by: Jessi Sturtz, Deputy City Clerk

Presented to Council December 8, 2009

ATTEST:



Randy Nowak
Mayor



Jennifer Feely
City Administrator