

MINUTES OF THE WINNEBAGO CITY COUNCIL

City of Winnebago

October 9th, 2012

A regular meeting of the Winnebago City Council was held on Tuesday October 9th, 2012 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: Johnson, Robertson, Scofield, Ziegler. Staff Present: City Administrator Bleess, City Attorney Douglas Johanson, City Engineer Wes Brown.

Motion by Johnson, seconded by Robertson to approve the proposed meeting agenda of September 11th as amended. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield. Motion carried.

Motion by Robertson, seconded by Scofield to approve council meeting minutes of September 11th, 2012 as written. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Motion by Ziegler, seconded by Johnson to approve council meeting minutes of October 1st, 2012 as written. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Consent Items

Motion by Stacy, seconded by Johnson to approve all consent items as listed on pages 9-17 of the council packet. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Informational Items

Motion by Ziegler, seconded by Robertson to approve all informational items as listed on pages 18-25 of the Council packet. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler Motion carried.

Commission & Committee Reports

Motion by Johnson, seconded by Robertson to approve all commission and committee reports as listed on pages 26-29 in the council packet. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Public Comment

Mayor Nowak opened the meeting to the public. Hearing no comments Mayor Nowak closed the meeting to the public.

Assessment Presentation City Engineer Wes Brown gave a presentation on the Assessment process in general. No action taken.

Assessment Hearing for Main Street City Engineer Wes Brown gave a presentation on the Main Street project. Mayor Nowak opened the public hearing on the Main Street Assessments to the public.

Robert Toland, there on behalf of the Winnebago Museum, asked if there is no interest if paid within 30 days. Wes Brown confirmed there is no interest if paid within 30 days.

Herb Pederson asked if a portion could be paid interest free, which Brown confirmed could.

Hearing no further comments from the public Mayor Nowak closed the public hearing.

Motion by Johnson, seconded by Ziegler, to adopt Resolution 539-2012 as presented. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Assessment Hearing for 1st Ave SE Project City Engineer Wes Brown gave a presentation on the Main Street project. Mayor Nowak opened the public hearing on the Main Street Assessments to the public.

Judy Ness, owner of Parcel R31.200.1920, presented a letter to the Mayor and Council but not the City Administrator/Clerk. She stated the property value could not have increased due to the work done on the street. She questioned the amount of her assessment and said no one would ever build on that lot. She noted her request from the improvement hearing for council to not put in the water/sewer but council did not approve that request. She asked for a deferment until someone decides to use the services or for council to take it off. It would add about \$600 per year to her taxes.

Ziegler asked on the statute dealing with deferments. Bleess and Brown explained the state statutes as they understand it.

Johnson said that with the new street and the location the property would be more valued than it is without the new street.

Ness stated she is not optimistic it would ever be built since it is not on 169. Johnson says it is in the realm of possibilities and these lots are ideal.

Robertson says it adds value having the street done and the council set a precedence with the 1st Ave SW project.

Scotfield asked the City Attorney to look into the deferment possibilities. She also asked Bless about a timeline. Bless encouraged council not to wait past November so the city receives the payments to pay off the bond payments as necessary.

Hearing no further public comment Mayor Nowak closed the public hearing. Motion by Scotfield, second by Robertson, to have the City Attorney research deferments and to close the public hearing and to pass the assessment resolution at a later date. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scotfield, Ziegler. Motion carried.

Planning Commission Resignation Motion by Johnson, second by Ziegler, to accept the resignation of Shannon Hammond from the Planning Commission. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scotfield, Ziegler. Motion carried.

Planning Commission Appointment Motion by Robertson, seconded by Ziegler, to appoint Josh Blair to the Planning Commission. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scotfield, Ziegler. Motion carried.

Variance Request – Alliant Energy Bless presented information on the Alliant Energy Variance request. Bless noted that the Planning and Zoning Commission held the necessary public hearing and discussed with Council the conversation that took place there. Motion by Ziegler, seconded by Scotfield, to approve the variance request for Alliant Energy. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scotfield, Ziegler. Motion carried.

Soil Testing at WWTP Bless informed Council about the trace signs of contaminants that were found in the soil when the old fuel tank for the generator at the Wastewater Treatment Plant was abandoned in place. The MPCA is requiring the City to do a Limited Site Investigation. Bless has received quotes from two companies and 90% of the costs are reimbursable through the state Petro Fund. Motion by Zeigler, seconded by Robertson, to go with the low quote from American Engineering Testing Inc for \$7,994.25. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scotfield, Ziegler. Motion carried.

Paying off Bonds Bless presented information on paying off the GO Improvement Bonds of 2003 this year, saving the city approximately \$20,000 in interest costs. Motion by Robertson, seconded by Johnson, to approve Resolution 538-2012. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scotfield, Ziegler. Motion carried.

Hiring Part Time Police Officers Bless informed Council the Personnel Committee did interviews for Part Time Police Officers, and the candidates are undergoing the necessary background checks. Chief Toland is requesting the City hire Justin Henseler and Tom Elmer for the positions. Motion by Ziegler, second by Scofield, to approve hiring Justin Henseler and Tom Elmer as Part Time Police Officers. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Proclamation for Girl Scouts Day of Service The Girl Scouts asked the City to proclaim October 13 as their Centennial Day Of Service in Winnebago. Motion by Johnson, second by Scofield, to approve the Proclamation as presented on page 53 of the packet. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Proclamation for Red Ribbon Week The Adolescent Treatment Center of Winnebago requested the City Council adopt a proclamation to support Red Ribbon Week. Motion by Johnson, seconded by Ziegler, to approve the proclamation as presented on page 55 of the packet. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Winter Parking Ordinance Bless presented information on changing the city's winter parking ordinance. The change is prompted by a judge's ruling on parking tickets the city issued during the 2011 – 2012 winter. The new ordinance would be a snow emergency which would be called by the Street Department. The city would notify the radio station, put it on the website, facebook/twitter, and the voicemail system so people could call in and find out if a snow emergency had been issued. No parking would be allowed on any city street until it had been cleared from curb to curb. Bless noted the Utility Committee and Chief Toland had gotten together and discussed this and is recommending the changes. Discussion held.

Motion by Scofield, seconded by Robertson to approve Ordinance 7, 2012 Series. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Motion by Ziegler, seconded by Johnson, to approve Ordinance 8, 2012 Series. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Discussion on Interim City Administrator Bless reviewed the information presented in Council Packet. Council consensus is to not make a decision at this time.

Robertson stated the City only keeps administrators for about two years and perhaps we should look into sharing an administrator. He'd like to see someone with some EDA experience and someone that would put down roots and stay in the area. He wants to make sure the city doesn't rush into anything.

Nowak stated he had received calls from citizens that they want the Council to slow down. He'd like to see a large group of citizens, business owners, and council members to do the interviews for the next Administrator.

Johnson disagreed with Nowak. He stated Council made a great decision last time when they interviewed the candidates themselves, and that the time before that when a big committee made the decision it was not a good one. Johnson would still like to have the personnel committee meet on Thursday to go through resumes.

Nowak questioned the application date saying it should be extended. Johnson stated that applications were being accepted until the position was filled. Nowak questioned this, and Bless confirmed the job is posted open until filled. Scofield says the dates that were discussed were good goals, and council needs to have some type of measurable goal. Everyone agrees this is an important decision and the council must make sure the right candidate is selected.

Ziegler stated Council needs to take its time. It was clear the position is open until filled and the dates were goals and if the council didn't have a person they were 100% behind then Council should not move forward.

Bless stated Council should have one special meeting for the special assessment and the interim discussion. Ziegler stated he'd be gone next week.

Motion by Johnson, second by Scofield, to hold a special meeting on Thursday, October 18, 2012 at 7pm to discuss the interim candidates and the special assessment and to cancel the special meeting scheduled for Monday, October 15. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Brittney Gehrking Review Bless stated Officer Gehrking has completed her first year with the City. Chief Toland has completed her review and is recommending she be moved to Step 3 of the Union Contract. Motion by Johnson, Seconded by Ziegler, to move Gehrking to Step 3. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield. Motion carried.

Sale of City Vehicles Bless presented information to Council to sell the old fire truck, street department F-450, and the old squad car on K-Bid. Motion by Scofield, seconded by Robertson to list the items for sale by auction on K-Bid and sell them to the highest bidders. Discussion held. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Other Business None.

Reports

City Administrator Austin Bless congratulated Gehrking on her great work for the city. He urged Council to take time and make the right decision in hiring a new administrator and look at all the options.

Nowak said congratulations to the Girl Scouts for their Day of Service and to Gehrking on her one year anniversary.

Johnson thanked Gehrking for her service and the audience for giving options and showing their support for the City during the construction projects. The projects are a pain for a short time, but are a long term improvement for the city.

Ziegler thanked the Girl Scouts and Gehrking. He also stated he's received a lot of great comments on the new street and everyone is happy about it.

Robertson congratulated Gehrking and thanked Chief Toland for continuing to bring on great people in the police department. He thanked Judy Ness for pointing out some things and being concerned. He also said there are a lot of things to be looking at while trying to fill the Administrator's position.

Scofield congratulated Gehrking on her work and Josh Blair on being appointed to the Planning Commission. She's excited to have two new part time police officers and it is a testament to Chief Toland to have hired such professional and dedicated public servants. She thanked Judy Ness and hoped the city can come to a resolution.

Adjournment Motion by Robertson, seconded by Ziegler, to adjourn the meeting. Mayor Nowak called for a vote. The following voted in favor: Johnson, Robertson, Scofield, Ziegler. Motion carried.

Presented to Council November 13, 2012.

ATTEST:

Randy Nowak
Mayor

Austin Bless
City Administrator