

**City of Ada**  
**Minutes of Regular Meeting of the City Council**  
**April 8, 2014 - 6:00 p.m.**

**Members present:** Mayor Dennis Roux, Members Jim Austinson, Candy Robertson, Cindy Peterson, Rod Erickson, Jim Hansen, Rich Pinsonneault, Craig Edwards

**Members absent:** None

**Others Present:** Jody Bueng – Police Chief, Brian Rassmussen – Waste Water Supervisor, Larry Millender – Dekko Director, Gerrie Aasland – Liquor Store Manger, Charlie and Julie Bitker – Al’s Disposal, Josh Heggem – City Attorney, Paul Poczobut Jr. – Administrator/ Clerk/Treasurer, and others.

**III. Citizen Forum.** Joe Kroshus-2135 State Hwy 35, Ada Mn. Addressing Flood Control Project and re-routing of County Rd 163 through his property. He is concerned with ponding and no outlet for drainage of approximately 2 acres of his property. Wants to know if City will reimburse him for any crop loss he may have due to the standing water? Council will address his concerns and look for possible solutions in resolving this matter.

**IV. Public Hearing.** Arvig Franchise Agreement Ordinance 455  
Open for discussion 6:10 - No discussion – Closed 6:11

**V. Consent Agenda.** Listed on the consent agenda was: March 4 and 18, 2014 City Council minutes, city pre-paid checks, city accounts payable in the amount of \$211,880.45. Also Ada-Borup After Prom Party donation amount of \$500.00 as was amount previously donated.

**Motion by Member Hansen, second by Member Edwards to approve consent agenda.**  
**Members voting for: Austinson, Robertson, Peterson, Hansen, Erickson, Pinsonneault and Edwards. Against: None. Motion Passed.**

**VI. Approve Agenda.** Added to the agenda was: S.H.I.P. – playground equipment under Dekko, Creamery Lot – Wes Carlsrud proposal under E.D.A., Fire Contract for Township Removal under Public Safety/Fire Committee, under Mayor’s Report – “Congratulations” and brief discussion of Essentia, Liquor Store Gaming License and Coolers under Liquor Store Report, and Closed Session request for ‘Preliminary Consideration of Allegations Regarding an Individual Subject to the City Council’s Authority’.

**Motion by Member Austinson, second by Member Erickson to approve the agenda with changes. Members voting for: Austinson, Robertson, Peterson, Erickson, Hansen, Pinsonneault, Edwards. Against: None. Motion Passed.**

**VII. External Presentations with possible discussion and decision.**

Al's Disposal proposing dates for Spring Clean-Up. May 1<sup>st</sup> (Creamery Parking Lot) 10am-2pm – Light Bulbs, May 2 (Compost Site) – 12-6pm, May 3<sup>rd</sup> - 8am-4pm, May 9<sup>th</sup> – 12-6pm, May 10 – 8am-4pm, May 10<sup>th</sup> – 8am-4pm.

**Motion by Member Pinsonneault, second by Member Erickson to approve the dates and sites for City Spring Clean-Up (weather permitting). Members voting for: Austinson, Robertson, Peterson, Erickson, Hansen, Pinsonneault and Edwards. Against: None. Motion Passed.**

**VIII. A. Reports of Department Heads. Administrator/Clerk/Treasurer report.**

Paul reported on financials for the council and the following specifics:

- 1) F.E.M.A. Disaster reimbursement
- 2) General Fund Reserves Transfer
- 3) D.N.R. return payment
- 4) W.R.W.D. Army Core of Engineers 408

**B. Mayor's Report**

- 1) "Congratulations" and "Thanks" extended by Mayor for the opening of the new restaurant on East Main Street.
- 2) Mayor has had communications with Essentia's Ryan Hill and Hill has assured the council that they would be staying in Ada and pursuing the search for a physician. Mayor Roux also presented financials for Essentia Health for council.

**C. Attorney Report**

- 1) Franchise Ordinance with TEKSTAR COMMUNICATIONS for CABLE SYSTEM.  
Ordinance 455 – First Reading by Title Only – Grant of Franchise

**Motion by Member Peterson, second by Member Edwards to approve First Reading of Ordinance 455. Members voting for: Austinson, Robertson, Peterson, Erickson, Hanson and Edwards. Against: Pinsonneault. Motion Passed.**

**D. Public Works Board Report**

**1) Flood Control Project** - City Engineer not present at meeting. Rich Pinsonneault presented to the board that he had no new information to share other than that the state has approved and enough monies are available to get started as soon as weather allows.

**2) New Water Well** – Waste Water Supervisor Brian Rasmussen presented test findings as well is high on ‘Total Dissolve Solids’. Three options were presented to the board. 1) 4 inch Test well & sample. 2) 2 inch Test well & sample. 3) Commence Construction and incorporate Test Well into overall construction contract. When asked what he would recommend, Brian recommended Option #1. This is also the option recommended by Tyson of Moore Engineering. Council had brief discussion of options.

**Motion by Member Pinsonneault, second by Member Edwards to go ahead with Option 1 – 4 Inch Test Well for the cost of \$12,000-\$14,000. Members Voting For: Austinson, Robertson, Peterson, Erickson, Hansen, Edwards and Pinsonneult. Against: None. Motion Passed.**

**3) Electric Rate** – The City Administrator brought forth to the council that he had been approached by a concerned citizen that was not in favor of the annual rate increase based on the Consumer Price Index. Paul explained to the citizen that if that had been in place for the last 4 years the city would be on track and right where it should be. Also, he reminded the citizen that this was a decision that would be voted on annually by the council. Councilman Rod Erickson agreed and stated the importance of making sure that the public was aware that this would be a year to year decision and vote by the council. Mayor Roux also expressed the importance of making sure the public is aware of this. Paul also brought forward to the council and the public that the rate changes would not be in effect until May 8<sup>th</sup>. The public will not see the increase in billing until July based on the meter readings from June 10<sup>th</sup>.

**Motion on the reading 454 of the Electrical Adjustment was made by Member Edwards, second by Member Robertson. Members voting for: Austitnson, Robertson, Peterson, Erickson, Hansen, Edwards and Pinsonneult. Against: None. Motion Passed.**

**Motion on the second reading of Ordinance 454 an Ordinance Amending the Ordinances Establishing the Charges to the Electric Rates within the City of Ada, Minnesota was made by Member Erickson, second by Member Edwards. Members voting by roll call for the Ordinance Ammendment: Austinson, Robertson, Peterson, Erickson, Hansen, Edwards and Pinsonneult. Against: None. Motion Passed.**

**4)Frozen Lines** – Reported by Brian Rasmussen Waste Water Supervisor that there were ten total frozen lines with three still frozen at this time and two spots still receiving temporary water hook up.

**5)Summer Help** – Reported by Brian Rasmussen - Waste Water Supervisor that the city would advertise for two mowing positions and one compost attendant/mosquito control/street sweeper position. These positions are the same as advertised for the 2013 season.

**Motion to Advertise for 3 Seasonal Help Positions made by Member Erickson, second by Member Edwards. Members voting for: Austinson, Robertson, Peterson, Erickson, Hansen, Edwards and Pinsonneult. Against: None. Motion Passed.**

#### **E. Dekko Community Center & Library**

**1) S.H.I.P. on Scoop** – Cindy Peterson presented information on a “Natural Play Space” for the city of Ada. There is funding of \$3,000 available for the project. Ada’s West Side Park could be looked at as a possible place for this. Also, there is the possibility of involving the Girl Scout Troop that is looking to upgrade the West Side Park.

**2) Larry Millender, Dekko Director presented the Dekko Center minutes to the council.** He would like a Budget Amendment put on the agenda for next Council meeting and also brought forward three requests for the board to approve.

a) Request to approve the hiring of Travis Anderson

b) Request to accept the donation of a new Spa Circulation Pump

c) Request to approve the Fire Alarm Inspection Contract with Simplex Grinnel

-Member Jim Hansen then had several questions for Larry pertaining to his responsibilities as Director and the change of class time for morning water aerobics. Larry responded that he believed he was fulfilling the duties of Director and explained the reasoning for the switch in the Water Aerobic Schedule. Due to fitting Fertile Beltrami Swimming Lessons into the schedule, morning aerobics were changed. This has made for some unhappy water aerobic attendees. Larry will look into the scheduling some more to see if he can’t come up with a solution that makes all involved satisfied. He will report back to the council on this matter.

**Motion to approve the 3 requests was made by Member Pinsonneult, second by Member Robertson. Members voting for: Austinson, Robertson, Peterson, Erickson, Hansen, Edwards and Pinsonneult. Against: None. Motion Passed.**

#### **F. Public Safety Committee**

##### **1) Fire Contract/Township Meeting**

– Date is set for Tuesday, April 15, 2:00 p.m.

##### **2) Noise Ordinance**

– Jody Bueng, Chief of Police presented to the board the information pertaining to Ordinance 214 and Zoning Ordinance Section 10. He also presented an Ordinance from Blaine, MN that he feels would rectify the situation. In consulting City Attorney, a decision was made to go forward with the creation of the new ordinance similar to the one in Blaine, MN. Jody also suggested a ‘graduated fine’ penalty for the new ordinance.

-Jody then presented information to the council pertaining to reports of drinking establishments having customers outside of their buildings with drinks in hand. This, of course, is against City Ordinance. It was advised by Mayor Roux that in the future, the law enforcement should contact business owners to remind them of the Ordinance and to remind the public of the legalities of such behavior.

**G. Economic Development Authority**

- Member Rich Pinsonneult presented to the board for Wes Carlsrud the proposal of putting a semi-truck parking lot in the lot next to the old Creamery building. Wes is looking for feed back as to whether or not he should pursue this endeavor. He would purchase the lot with the plan to have a place for semi-truck drivers to park their trucks especially during the winter months. Council has advised that if he pursues this, he should come to council after having contacted those who live in the vicinity of the lot.

**H. Liquor Store Report**

**Motion to approve the Licenses and the Gaming by Member Edwards, second by Member Robertson. Members voting for: Edwards, Robertson, Austinson, Pinsonneult, Peterson, Erickson, Hansen. Against: None. Motion Passed.**

**Motion to approve Purchase of 3 Coolers at a cost of 9670.06 for the Ada Liquor Store made by Member Erickson, second by Member Austinson. Members voting for: Edwards, Robertson, Austinson, Pinsonneult, Peterson, Erickson, Hansen. Against: None. Motion Passed.**

**IX. A. New Business. Kaleidoscope guests.** Mayor Roux and Member Austinson will present on Thursday, 9am.

**B. Motion by Member Erickson, second by Member Edwards at 7:50p.m. to go into closed session pertaining to ‘Preliminary Consideration of Allegations Regarding an Individual Subject to the City Council’s Authority’. Members voting for: Erickson, Austinson, Robertson, Edwards, Pinsonneult, Peterson, Hansen. Against: None. Motion passed.**

**Motion by Member Peterson, second by Member Pinsonneult to re-open the meeting at 8:37p.m. Members Voting for: Erickson, Austinson, Edwards, Pinsonneult, Peterson, Hansen, Robertson. Against: None. Motion Passed.**

**C. Motion by Member Edwards, second by Member Peterson at 8:40p.m. to go into closed session pertaining to ‘Preliminary Consideration of Allegations Regarding and Individual Subject To the City Council’s Authority’. Members voting for: Erickson, Austinson, Robertson, Edwards Pinsonneult, Peterson, Hansen. Against: None. Motion Passed.**

**Motion by Member Austinson, second by Member Peterson to re-open the meeting at 8:55p.m. Members voting for: Erickson, Austinson, Edwards, Pinsonneult, Peterson, Hansen, Robertson. Against: None. Motion Passed.**

**D. Motion by Member Erickson, second by Member Robertson at 8:56p.m. to go into closed session pertaining to ‘Attorney-Client Privilege – Potential Litigation – Insurance Claim’. Members voting for: Erickson, Austinson, Edwards, Pinsonneult, Peterson, Hansen, Robertson. Against: None. Motion Passed.**

**Motion by Member Hansen, second by Member Austinson to re-open the meeting at 9:32p.m. Members voting for: Erickson, Austinson, Edwards, Pinsonneult, Peterson, Hansen, Robertson. Against: None. Motion Passed.**

**X. Motion by Member Robertson, second by Member Edwards to adjourn the meeting at 9:33p.m. Members voting for: Erickson, Austinson, Edwards, Pinsonneult, Peterson, Hansen, Robertson. Against: None. Motion Passed.**

Respectively submitted,

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Kristi Henderson  
Interim City Clerk/Treasurer

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Dennis K. Roux  
Mayor

