

City of Ada
Minutes of the Regular City Council Meeting
December 04, 2012 – 6:00 p.m.

Members present: Mayor Ellefson, Members Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault.

Others present: Kristi Henderson, Anne Rasmusson, Woody Roux, Brian Rasmusson, Cindy Ellefson, Tim Halle, Jody Bueng, Steve Petry, Gerrie Aasland, John Kappes, KRJB representative, and others.

III. A. Truth in Taxation Hearing. Mayor Ellefson went over the preliminary levy amount and without any members of the public present the hearing was closed.

B. Citizens forum. None.

IV. Consent agenda. Listed on the consent agenda was: November 7, 13, 20 & 26, 2012 Council Meeting minutes, City pre – paid checks, City Accounts payable in the amount of \$120,634.22, approve list of tobacco sale licenses.

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

V. Approve agenda. Added to the agenda was: Closed session to discuss flood litigation, car parking, blight letter, set special meeting with Administrator Committee, township fire committee, and electrical contracting.

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

VI. A. Mayor's report. Mayor Ellefson gave a year in review report. Also the council would need to make a motion to accept the resignation of Shelley Kappes, City Clerk / Treasurer. Her last day of employment is December 14, 2012.

Motion by Member Pinsonneault, second by Member Peterson to accept the resignation of Shelley Kappes, City Clerk / Treasurer. Members voting for: Austinson, Robertson, Peterson, Edwards, Hansen, Pinsonneault. Against: Erickson. Motion passed.

1. Attorney updates. Anne stated that the blight letters have been sent out.

B. 1. Public Works. Department Head request. John Kappes and Brian Rasmusson requested the opportunity to negotiate a salary adjustment in replace of the adjustment that was taken on their call time as this amount was negotiated by the union of which they didn't have a voice. A couple council members referenced their own pay being adjusted due to the economic times. Member Edwards stated that they were given a goal from the council of 'no net gain' for negotiations. It was determined that a motion was not necessary on this item.

2. Electrical update. Member Edwards stated that they have been in contact with Ottertail Power and Red River Power to set up a joint meeting with the council for a presentation of what they could offer.

C. 1. Dekko Center. Dekko Director position. The committee is recommending that the council appoint Deb Alexander as the interim Dekko Director. Joyce Anderson's duties would stay the same. The committee also discussed having Karen getting CPO training.

Motion by Member Peterson, second by Member Edwards to name Deb Alexander as the Interim Dekko Director. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

Motion by Member Robertson, second by Member Erickson to accept the resignation of Eric Robb, Dekko Director with thanks and best wishes. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

D. 1. Public Safety. Vehicle repairs. Jody explained that the repairs to the Durango are going to be about \$5,000.00 more than originally anticipated.

Motion by Member Pinsonneault, second by Member Robertson to have the decision to repair the vehicle subject to the committee approval. Members voting for: Pinsonneault, Hansen. Against: Austinson, Robertson, Peterson, Erickson, Edwards. Motion failed.

Motion by Member Edwards, second by Member Erickson to approve the repair of the Durango. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

2. Parking ordinance. Jody stated that he would like the committee to review this before the council takes action on it.

3. House blight letter. Anne stated that a letter has been sent to Anita Fontaine. The attorney for Anita has been in contract with the City to resolve the issues.

E. 1. Finance / Labor committee. Clerk / Treasurer report. Nothing for action.

2. Liquor Store Manager report. Gerrie went over her financials. Gerrie was questioned on how the cancellation of Happy Hour has affected the sales. Gerrie stated that unofficially, sales have dropped significantly.

Motion by Member Pinsonneault to reinstate the happy hour and she can use it any three nights of the week that she wants, two of the nights cannot exceed one hour and one night she can choose it as she wishes and she can go to two hours. The motion died for lack of a second.

Motion by Member Erickson, second by Member Robertson to reinstate Happy Hour, not to exceed one hour per day. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

F. Planning & Zoning. Nothing for action.

G. EDA report. Nothing for action.

VII. A. Old business. City Attorney position. The council reviewed the proposals received for the city attorney position.

Motion by Member Pinsonneault, second by Member Hansen to hire James Brue as the Criminal Attorney for the City. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

Motion by Member Erickson, second by Member Edwards to hire Odland, Fitzgerald, Reynolds & Harbott Law Firm as the Civil Attorney for the City. Member Edwards withdrew his second to the motion, Member Erickson withdrew his motion.

Motion by Member Edwards, second by Member Erickson to interview Odland, Fitzgerald, Reynolds & Harbott Law Firm for the position of City Attorney.

Motion by Member Pinsonneault, second by Member Edwards to amend the motion to include Pemberton in the interview process for City Attorney. Members voting for the amendment to the motion: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

Members voting for the original motion as amended: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

VIII. A. New business. Choose Kaleidoscope reps. Members Edwards and Robertson volunteered.

B. Approve Resolution 2012-12-01 – adopting the final budget for 2013.

Motion by Member Hansen, second by Member Erickson to approve Resolution 2012-12-01. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

C. Approve Resolution 2012-12-02 – setting the final tax levy collectible in 2013.

Motion by Member Hansen, second by Member Robertson to approve Resolution 2012-12-02. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

D. Personnel Policy. Mayor Ellefson stated that the Personnel Policy needs to be updated and suggested hiring Kristi Hastings from Pemberton Law to assist with this.

Motion by Member Edwards, second by Member Pinsonneault to hire Kristi Hastings from Pemberton Law to assist with updating the Personnel Policy. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

E. Approve COLA for Department Head and part – time staff.

Motion by Member Erickson, second by Member Edwards to approve the COLA of 2% each year for three years for Department Heads and part – time staff not to include seasonal help. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

F. Insurance committee. This is to review the health insurance rates. Member Pinsonneault volunteered to look over the rates but cautioned that he doesn't sell group insurance so he would like to enlist the input of one of the local agents that have experience with that.

G. Township committee.

Motion by Member Pinsonneault, second by Member Robertson to form a committee consisting of three council members and three township representatives to serve as a long term advisory committee over the Fire Department with an objective would be to secure township input into that department however the first task is to iron out an agreement preferably long term between the two sides in regards to the fire contract. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

H. Set date for special council meeting. This would be to hear a presentation from the Administrator committee along with other items. This meeting is tentatively set for December 11th at 5:00 p.m.

I. Motion by Member Peterson, second by Member Austinson to close the meeting at 8:34 p.m. to discuss litigation surrounding offers or counter offers for the purchase of real property owned by David Volkerding. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

Motion by Member Edwards, second by Member Austinson to open the meeting at 9:07 p.m. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

IX. Motion by Member Edwards, second by Member Erickson to adjourn the meeting at 9:08 p.m. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.