

## City of Ada

### Minutes of Regular Meeting of the City Council May 6, 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:** Brain Rasmussen-Waste Water Supervisor, Gerrie Aasland-Liquor Store Manager, Larry Millender-Dekko Director, Tom Baker-Safety Committee, Jody Bueng-Chief of Police, Kristi Henderson, Pat Pfund, Josh Heggem-City Attorney via Skype, and others.

**III. Citizen Forum.** Tom Baker-Safety Committee Member brought forth to the City Council several concerns that he has. Before speaking he clarified that he was not speaking for the Safety Committee, only for himself.

1. Mutual Aid and Police leaving town – An accident on Hwy 275. Were officers dispatched? He has heard yes. He has heard no. He has great concern for the safety of our community based upon recent events and how handled by Law Enforcement.
2. Clarification of Minutes from prior Safety Committee Meeting pertaining to the recent shooting in the area. He felt there were several mistakes in the reporting of what was said. He clarified several discussions as to how he thought they went.
3. Would like to possibly re-open discussions of Sherriff's Department taking over for the Ada Police Department.

**IV. Consent Agenda.** Listed on the Consent Agenda was: April 8<sup>th</sup> and 14<sup>th</sup> City Council Minutes, city prepaid checks in the amount of \$193,619.60, city accounts payable in the amount of \$89,095.04. Also on the agenda was the approval of hiring Bill Atwood, Ismael Alshalon and Larry Christensen for Public Works summer help.

**Motion by Member Rod Erickson, second by Member Cindy Peterson to approve Consent Agenda. Members voting for: Jim Austinson, Candy Robertson, Cindy Peterson, Rod Erickson, Jim Hansen, Rich Pinsonneault, Craig Edwards. Against: None. Motion Passed.**

**V. Approve Agenda.** Added to agenda: Dekko – proposal for gambling funds, discussion on volunteer help, and Dekko Grant, New Business – Closed Session to discuss labor negotiations and the request for the Removal of Closed Session on the agenda as printed for review of applications for Interim and City Administrator positions and set future meeting date to review, Attorney Report - Pole Attachment Agreement with Arvig Franchise, Public Works - Spring Clean Up.

**Motion made by Member Candy Robertson, second by Member Cindy Peterson to approve the agenda with changes. Members voting for: Jim Austinson, Candy Robertson, Cindy**

**Peterson, Rod Erickson, Jim Hansen, Rich Pinsonneault, Craig Edwards. Against: None. Motion Passed.**

## **VI. Reports of Department Heads and Committees**

### **A. Administrator/Treasurer Report.**

#### 1) Review Financials:

-Member Candy Robertson had questions pertaining to Dekko Funds. Kristi Henderson-Interim City Clerk presented a statement to the Council of all funds for them to review. Kristi also discussed Budgets and how they affect Fund Balances. Kristi then pointed out to Council information included in the Profit and Loss for the Enterprise Funds. Kristi then concluded that she had completed financials through January and filled all requests needed for the Auditors. She noted that the Auditors will arrive on Monday, May 12<sup>th</sup>.

-Mayor Roux commented on the progress of the Financials. Things are moving along and are getting caught up.

-Member Jim Hansen requested additional information pertaining to the Investment Report.

#### 2) Well Financing:

-Resolution 2014-05-01 Covenanting and Obligating the City to be Bound by and to use the Provisions of Minnesota Statutes, Section 446A.086 to Guarantee the Payment of the Principal and Interest on its \$525,000 G.O. Water Revenue Bonds, Series 2014A

**Motion made by Member Rich Pinsonneault, second by Member Jim Hansen to approve Resolution 2014-05-01 Covenanting and Obligating the City to be Bound by and to use the Provisions of Minnesota Statutes, Section 446A.086 to Guarantee the Payment of the Principal and Interest on its \$525,000 G.O. Water Revenue Bonds, Series 2014A. Members voting for: Jim Austinson, Candy Robertson, Cindy Peterson, Rod Erickson, Jim Hansen, Rich Pinsonneault, Craig Edwards. Against: None. Motion Passed.**

#### 3) Request to classify City Hall temporary staff as Clerk Typist II/ Secretary-Step 1

-Pay increase to \$11.31 per hour for Mindy Kinkade

**Motion made by Member Rod Erickson and second by Member Jim Austinson to approve request to classify City Hall temporary staff as Clerk Typist II/ Secretary-Step 1. Members voting for: Jim Austinson, Candy Robertson, Cindy Peterson, Rod Erickson, Jim Hansen, Rich Pinsonneault, Craig Edwards. Against: None. Motion Passed.**

### **A. Mayors Report**

-Mayor Roux brought to the Council information pertaining to issues that have been sitting on the desk for a period of time.

1) Data request from Dave Volkerding that had a time response of 90 days that was not done. Kristi contacted Dave and got him the information he requested and cleared up the \$100 fee for Detachment of Land-Office of Administration Hearings.

- 2) State Fire Aid with a March 31<sup>st</sup> deadline that had not been completed. Kristi has made appropriate contacts and is working to rectify that situation.
- 3) Workman's Compensation Renewal that has not been completed and deadline was missed. This too, is being worked on by Kristi.
- 4) Missed TIF payment to Bridges in the amount of \$30,000.00 that was due in December. The amount has since been paid.
- 5) Police State Aid penalty. Kristi contacted The State Auditor's Office to request the penalty to be lifted. Auditors gave no indication that could be done. Penalty is 15%.
- 6) Fire Contract with Hegne Township that had not been paid from last year, as the Township stated they had never received a bill. This, Kristi cleared up and the contract has been paid.

### **C. Attorney Report**

- 1) Letter of Understanding with AFSCME Council 65.  
-Request to issue "interim pay" to Kristi Henderson in the amount of \$24.43 per hour and Stephanie Knutson an additional \$2.00 per hour in recognition of the additional job duties required.

**Motion made by Member Craig Edwards, second by Member Rod Erickson to approve the Letter of Understanding between AFSCME Local #3064 and City of Ada. Members voting for: Jim Austinson, Candy Robertson, Cindy Peterson, Jim Hansen, Rod Erickson, Rich Pinsonneault, Craig Edwards. Against: None. Motion Passed.**

- 2) Flood Control Project Date  
-Josh Heggem – City Attorney reported that he got 3 quotes from appraisers and recommended the city use Mike Illertson out of Detroit Lakes.

**Motion made by Member Rich Pinsonneault, second by Member Jim Hansen to go ahead with land appraisals by Mike Illertson of Detroit Lakes. Members voting for: Jim Austinson, Candy Robertson, Cindy Peterson, Him Hansen, Rod Erickson, Rich Pinsonneault, Craig Edwards. Agains: None. Motion Passed.**

- 3) Pole Attachment Agreement  
-Josh Heggem – City Attorney brought forth to council the \$8.00 pole annual rental agreement paid to Arvig. Arvig has already approved the agreement.

**Motion made by Member Rodney Erickson, second by Member Candy Robertson to approve the Pole Attachment Agreement with Arvig. Members voting for: Jim Austinson, Candy Robertson, Cindy Peterson, Jim Hansen, Rod Erickson, Craig Edwards. Against: Rich Pinsonneault. Motion Passed.**

### **D. Public Works**

- 1) New Water Well update  
-Brain Rasmussen – Waste Water Supervisor reporting on progress. The truck is stuck behind the Public Works Building waiting to do test drilling. There has been very little progress due to

recent and continuing rains. He is hoping that by sometime next week, if it dries up a bit, they can lay some planking down to help the situation. All is at a standstill until rain stops.

2) Spring Clean Up Week

-Member Rod Erickson reporting on all the comments he received from citizens that were impressed with how nice Clean-Up Week was having it take place on the old Creamery Parking Lot. The general consensus is the community would like it to be held there in the future if at all possible. It just made everything go that much more smoothly.

E. Dekko Community Center & Library

1) Approve NIHCA Agreement

- Kristi Henderson presented that after talking with Holly of NIHCA a request was made by Holly that the agreement be approved and signed by those with the authority to sign the agreement being the City Council. In the past it was signed by the Dekko Director.

**Motion Made by Member Candy Robertson, second by Cindy Peterson to approve the NIHCA Agreement. Members voting for: Jim Austinson, Candy Robertson, Cindy Peterson, Jim Hansen, Rich Pinsonneault, Rod Erickson, Craig Edwards. Against: None. Motion Passed.**

2) Authorize to advertise for Dekko Desk Clerk III Position

-Larry Millender – Dekko Director brought forth to the Council the need to fill this morning position at the desk. This person would also be authorized to work on ECORP Software and NIHCA. He indicated the need for 3 people to be able to work on these programs.

**Motion made by Member Cindy Peterson, second by Candy Robertson to approve an advertisement for Desk Clerk III position for Dekko Community Center. Members voting for: Jim Austinson, Candy Roberson, Cindy Peterson, Rich Pinsonneault, Rod Erickson, Craig Edwards. Against: Jim Hansen. Motion Passed.**

3) Authorize to advertise for Assistant Pool Coordinator at Dekko Center

-Member Jim Hansen had questions regarding this position. Jim was under the understanding that in the past, this position was temporary until a manager was hired. Larry replied that was not the case as Kevin Lindell is Pool Coordinator and Eric Rob was Assistant. Due to Kevin Lindell having time off in the future and Eric Rob no longer employed, this position needs to be filled. When asked what the Assistant Pool Coordinators Job would be, Larry indicated that it would be to manage the Lifeguard Scheduling, the Swimming Lesson Scheduling and any other duties designated by the director.

**Motion made by Member Cindy Peterson, second by Candy Robertson to approve an advertisement for Assistant Pool Coordinator for Dekko Community Center. Members voting for: Jim Austinson, Candy Robertson, Cindy Peterson, Rich Pinsonneault, Craig Edwards. Against: Rod Erickson, Jim Hansen. Motion Passed.**

4) Authorize Karen Wagner on ECORP Software and NIHCA

-A very lengthy discussion ensued about wages for Karen Wagner if she were to be authorized to work on ECORP Software and NIHCA. Currently, Karen is classified as a Desk Clerk I position with the Dekko. Karen reminded the council that she has worked for the Dekko for 15 years and still only gets paid \$10.46 per hour. Candy Robertson suggested a pay increase of \$.50 per hour for each one. Based on her years of service and dedication to the job, Karen felt that increase was a slap in the face and she would not be taking on the extra duties if that was the pay increase.

-Member Jim Hansen stated that he understood the duties of ECORP and NIHCA should be the Dekko Directors responsibilities. He also understood that even if Karen were given those added duties, it would be only temporary and also only done if the Director was gone or not able to do them.

-Larry Millendar – Dekko Director indicated that he needs at least 3 people and possibly more to be authorized on the programs. He also added he would like to see more cross-training within the employees. Kristi Henderson noted that working with these programs entails having access to peoples bank account numbers and suggested that the people authorized to handle such things should be very limited. Kristi then asked if the three people authorized were to include Larry or was it 3 people plus Larry? Larry included himself in the 3 people. He also indicated that the authorized persons would only do the work when he was gone or if he has other things to do. He added that working within these programs is actually not in his job description.

-The discussion then went back to wages and job descriptions at the Dekko. Kristi suggested re-classifying Karen Wagner’s position in order for her to receive a pay increase. Karen is currently working under the Desk Clerk I position at \$10.46 per hour. If she were reclassified to the Desk Clerk II position she would receive approximately a 1.30 per hour raise.

-Desk Clerk duties, responsibilities and classifications were discussed. Larry Millendar – Dekko Director was asked to clarify what the desk clerks job descriptions were and if the duties fit within the classifications. He indicated that the desk clerks mainly just answer the phones and do a little cleaning. This was met with interjection from Karen Wagner, Kristi, Cindy Peterson and Candy Robertson that this was not so. All desk clerks have more responsibilities than Larry indicated.

-Larry was questioned as to the responsibilities and job descriptions of the Desk Clerks. He indicated that he was not clear on all the Desk Clerk Levels and what each level entailed. Council also indicated they were not completely aware of all that is involved with the classification pay scales.

Josh Heggem– City Attorney recommended not deviating from pay scales and also suggested that job descriptions be looked at and to track what people are actually doing on their job. The department heads should be able to look at such information and determine pay scales for employees.

-Mayor Roux then reminded the council that this subject of low wages has come up several times in the past with no resolution to the problem. He encouraged the council and committee members to break it all down and really look at the Dekko Center Desk Clerk job descriptions, duties and classifications. He stressed the importance of having this matter resolved for the future hires at the Dekko.

**Motion made by Member Candy Robertson, second by Member Cindy Peterson to Authorize Karen Wagner on ECORP Software and NIHCA. Members voting for: Jim**

**Austinson, Candy Robertson, Cindy Peterson, Rod Erickson, Craig Edwards, Rich Pinsonneault, Jim Hansen. Against: None. Motion passed.**

**Motion made by Member Rod Erickson, second by Jim Hansen to reclassify Karen Wagner's position from Desk Clerk I Step 10 to Desk Clerk II Step 10 with a wage of \$11.77 per hour. Members voting for: Jim Austinson, Craig Edwards, Rod Erickson, Jim Hansen, Rich Pinsonneault. Against: Candy Robertson, Cindy Peterson. Motion passed.**

4) Gambling Funds

- Member Candy Robertson presented a proposal from the Dekko Committee of items they would like to put outside for the children of the community. Costs projection is \$5,250. She is asking for \$1000.00 from the gambling funds to help cover the costs.  
-Reported by Kristi that there is currently just under \$12,000.00 in the fund.

**Motion made by Member Jim Austinson, second by Craig Edwards to grant the Dekko Committee \$1000.00 from the gambling funds to move forward on the project. Members voting for: Jim Austinson, Candy Robertson, Cindy Peterson, Craig Edwards, Rod Erickson, Jim Hansen, Rich Pinsonneault. Against: None. Motion passed.**

5) Authorization for Bids

-Member Candy Robertson looking for Authorization for Larry Millender – Dekko Director to be able to move forward on bids for the Pool Pack. If committee can show funding through the Dekko Maintenance Fund, they have a better chance of receiving matching funding when they put out the bids.

**Motion made by Member Candy Robertson, second by Cindy Peterson to Authorize Larry Millender to pursue bids pertaining to the Pool Pack. Members voting for: Candy Robertson, Cindy Peterson, Jim Austinson, Craig Edwards, Rod Erickson, Jim Hansen, Rich Pinsonneault. Against: None. Motion passed.**

6) Procedure for Volunteer Insurance Waiver/Coverage

**Motion by member Rich Pinsonneault, second by Cindy Peterson to move forward on obtaining Procedure for Volunteer Insurance Waiver and or Volunteer Insurance Coverage for the Dekko Community Center. Members voting for: Jim Austinson, Candy Robertson, Cindy Peterson, Craig Edwards, Rod Erickson, Jim Hansen, Rich Pinsonneault. Against: None. Motion Passed.**

-Member Jim Hansen then brought to the council's attention that he had been contacted by Holly Johnson the Minnesota Administrator for the NIHCA. He stated that Holly indicated the Dekko might be losing funding for insurance reimbursements and insurance customers if the Dekko Center continues to allow off-site programs. Jim also stated that Holly expressed concern in reigning in the Director as to having him follow the rules in place. Jim reported that Holly would be contacting Larry.

-Larry reported that he had contacted Holly about off-sight programming and giving credit to Dekko Members. He stated that the Dekko can't afford to offer that and it would not be happening. He also questioned why Member Hansen would be contacting Holly anyways. Member Hansen clarified that she contacted him.

-Mayor Roux clarified that the issue is that the Dekko does not submit an illegal claim. The insurance coverage for the Dekko Center is strictly on-site.

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

1) First Reading – Ordinance 456 – amending Zoning Ordinance-prohibited noises and acts.

**Motion on the first reading of Ordinance 454 – Amending Zoning Ordinance – Prohibited Noises and Acts was made by Member Craig Edwards and seconded by Member Rod Erickson. Members voting by roll call for the Ordinance Amendment: Pinsonneault, Hansen, Edwards, Erickson, Robertson, Peterson, Austinson. Against: None. Motion passed.**

2) Crosswalk at intersection of East Main Street and East 4<sup>th</sup> Avenue

-Concern expressed by Todd Sawrey and Jody Bueng – Chief of Police for the safety of people crossing at that intersection to get to the new West Main Pizza.

**Motion made by Member Jim Austinson, second by Cindy Peterson to go forward with a Crosswalk at the Intersection of East Main Street and East 4<sup>th</sup> Avenue. Members voting for: Jim Austinson, Craig Edwards, Rod Erickson, Jim Hansen, Cindy Peterson, Rich Pinsonneault, Candy Robertson. Against: None. Motion passed.**

#### **VIII. Second reading – Ordinance 455 – Franchise with TEKSTAR Communications.**

**Motion on the second reading of Ordinance 455 an Ordinance Granting a Franchise to TEKSTAR Communications Inc. was made by Member Rod Erickson and seconded by Craig Edwards. Members voting by roll call for the Ordinance: Pinsonneault, Hansen, Edwards, Erickson, Robertson, Peterson, Austinson. Against: None. Motion passed.**

#### **IX. New Business**

##### **A. Kaliedoscope guests**

-Member Jim Hansen will present on Thursday, 9am

##### **B. Closed Session**

**Motion by Member Craig Edwards, second by Member Rod Erickson at 7:51 to go into closed session to 'Discuss Labor Negotiations Strategy'. Members voting for: Craig Edwards, Rod Erickson, Rich Pinsonneault, Jim Hansen, Candy Robertson, Cindy Peterson, Jim Austinson. Against: None. Motion passed.**

Regular City Council Meeting  
May 6<sup>th</sup>, 2014

**Motion made by Member Jim Asutinson, second by Rod Erickson to re-open meeting at 8:11p.m. Members voting for: Austinson, Edwards, Erickson, Hansen, Peterson, Pinsonneult, Robertson. Against. None. Motion Passed.**

**X. Adjourn**

**Motion made by Member Craig Edwards, second by Rod Erickson to adjourn meeting at 8:12p.m. Members voting for: Austinson, Edwards, Erickson, Hansen, Peterson, Pinsonneult, Robertson. Against: None. Motion Passed.**

Respectfully Submitted,

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Kristi Henderson  
Interim City Clerk/Treasurer

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Dennis K. Roux  
Mayor