

City of Ada
Minutes of the Regular City Council Meeting
November 5, 2014 – 6:00 p.m.
City Hall

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

Members absent: None.

Others present: Kristi Henderson, Brian Rasmusson, Tyson – Moore Engineering, Todd Sawrey, Gerrie Aasland, and others.

III. Citizen Forum. None.

IV. Consent agenda. Listed on the consent agenda was: October 7 & 21, 2014 Council Meeting minutes, City accounts payable in the amount of \$191,138.80 and City prepaid checks in the amount of \$634,490.99.

Motion by Member Pinsonneault, second by Member Edwards 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: Resolution 2014-11-02 – Well financing, Clarification of Clerk title, Administrator update, Viking Gas agreement, Grants for Dekko, Clarification of deficit, comp time for Dekko Director, liquor ordinance language, negotiations and move the Mayor position prior to the Clerk / Treasurer report, Resolution 2014-11-01 was removed from the agenda.

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

IX. E. Mayor position. Member Pinsonneault asked Jim Ellefson would be interested in filling out the term of the Mayor. Jim stated that he would be honored.

Motion by Member Pinsonneault, second by Member Hansen to appoint Jim Ellefson to fulfill the Mayor term. Members voting for: Austinson, Robertson, Peterson, Edwards, Hansen, Pinsonneault. Against: Erickson. Motion passed.

Jim Ellefson was administered the Oath of Office and presided over the council meeting.

VII. A. 1. Clerk / Treasurer Report. Review September 2014 financials. Ms. Henderson reviewed the September financials with the council.

2. Budget Discussion. Ms. Henderson stated that the preliminary budget is as 8.75%. She stated that this number will likely be reduced when she has solid numbers for insurance, attorney proposals and the administrator position. She will look at scheduling a special council meeting to discuss the budget when she has nailed down those numbers.

3. Approve Resolution 2014-11-02 – well financing. This resolution provides for the competitive negotiated sale of \$750,000 general obligation water revenue bonds series 2014A.

Motion by Member Pinsonneault, second by Member Edwards to approve Resolution 2014-11-02 – sale of \$750,000 general obligation water revenue bonds series 2014A. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

4. Clarification of Clerk title. Member Robertson stated that there are council members that think Ms. Henderson is the Interim Administrator and she looked back in the minutes and stated that she was named the Interim Clerk / Treasurer. Ms. Henderson stated that she has never passed herself off as the Interim Administrator and in fact when documents come with that title on it she does her best to change the title to ‘Interim City Clerk / Treasurer’.

5. Grants for Community Center. Member Robertson wanted the grants for the Dekko put in a place where they wouldn’t get lost in the books. Ms. Henderson stated that she will look into that.

6. Clarification of deficit at the Dekko. Larry stated that he has heard two different numbers for the deficit for the Dekko for 2013. Ms. Henderson stated that she didn’t have that information with her but would let him know what the actual number is for 2013.

B. 1. Mayor’s report. Administrator update. Todd Sawrey of the Administrator committee gave an update of the search for an administrator. He stated that there were 22 applicants and Dr. Fursman will narrow it down to 10-12 to present to the council on November 12th. Interviews with the finalists will be conducted on November 21st and 22nd.

D. 1. a. Public Works. Moore Engineering. DNR reimbursement request. The City is requesting reimbursement for \$706,984.75 to the DNR for costs associated with the Flood Control Project.

Motion by Member Pinsonneault, second by Member Erickson to approve the DNR request in the amount of \$706,984.75. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

Tyson stated that the City will need to sign an Amended Grant Agreement with the DNR.

Motion by Member Pinsonneault, second by Member Robertson to authorize the Mayor and Clerk to sign the amended grant agreement with the DNR. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

b. Red River Valley Coop Power agreement – flood project. Tyson stated that this is in relation to moving lines as has been done in the past.

Motion by Member Pinsonneault, second by Member Hansen to approve the agreement with Red River Valley Coop Power in regards to the flood project. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

c. Viking Gas – Agreement permitting a limited encroachment on easement. Tyson went over the purpose of the agreement and asked for council approval contingent on attorney comments.

Motion by Member Pinsonneault, second by Member Edwards to approve the agreement with Viking Gas contingent on attorney comments. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

E. 1. Dekko Community Center. Mileage paid to Dekko Director. Member Erickson questioned Larry on the purpose of him submitting mileage to go to City Hall and other areas around town. Larry explained the purpose of his errands. Member Erickson felt it was odd that he is the only employee who has ever turned in mileage to run errands around town.

2. Comp time for Dekko Director. It was stated that the previous Administrator allowed the Dekko Director to take paid time off for hours he worked over 40 per week even though he is an exempt employee. The City Attorney explained to the council that an exempt employee doesn't have a set number of hours per week that they are required to work but instead put in as many hours as possible to get the job done. Taking days off and getting paid for them violates his contract. He stated that Larry is not eligible for paid time off until after he has completed a year

of service. Discussion from the council revolved around the fact that the previous Administrator authorized it and would consider continuing to allow it until a new Administrator is hired.

Motion by Member Pinsonneault, second by Member Robertson to allow Larry Millender to use time worked over 40 hours per week as paid time off until a new Administrator is hired. Members voting for: Austinson, Robertson, Peterson, Edwards, Hansen, Pinsonneault. Against: Erickson. Motion passed.

G. Economic Development Authority. Todd went over items the EDA has been working on. He stated that they have reviewed the proposal to update the website and have decided to wait for an Administrator to be hired to address this issue. They have also been reviewing the available commercial property on West Main Street, city property available around town, beautification ideas, broadband services and gave an update on the Dining Emporium property.

H. 1. Liquor Store. Software agreement with BNG Technologies. This is a software support agreement for the software at the Liquor Store.

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

VIII. A. Old business. Second reading – Ordinance 457 – regulating the keeping of chickens.

Motion by Member Hansen, second by Member Robertson to approve the second reading of Ordinance 457 – regulating the keeping of chickens. Members voting for: Austinson, Robertson, Peterson, Hansen, Pinsonneault. Against: Edwards, Erickson. Motion passed.

IX. A. New business. Kaleidoscope guests. Mayor Ellefson volunteered.

B. Attorney proposals. Ms. Henderson reviewed the proposals that were received from James Brue, Julin Law Office, Bruggeman Law, and Pemberton Law.

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

Motion by Member Edwards, second by Member Pinsonneault to approve hiring Pemberton Law as the City Attorney for general matters.

Motion by Member Hansen to amend the original motion restricting contact with the attorney to only the EDA, Flood Committee, and City Hall. Motion died for lack of a second.

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

D. Discuss cost of special election for Mayor position. This item was not discussed due to the Mayor position being filled at the start of the meeting.

F. Liquor ordinance. The attorney provided language for the proposed ordinance authorizing the sale of on – sale liquor on Sundays. He provided two options, one referencing the state statutes and one actually quoting the statute. Consensus of the council was to have the attorney bring forward a proposed ordinance how he felt it should be written.

G. Negotiations. Member Erickson stated that they received a request to set up a date to start negotiating. He also stated that he felt they are capable of doing it without the attorney. Others on the council agreed.

X. Adjourn.

Motion by Member Austinson, second by Member Edwards to adjourn the meeting at 7:58 p.m. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

Respectfully submitted,

Kristi Henderson
Interim City Clerk / Treasurer

Jim Ellefson
Mayor