

City of Ada
Minutes of the Regular City Council Meeting
September 4, 2012 – 6:00 p.m.

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

Members absent: Members Edwards and Hansen.

Others present: Shelley Kappes, Anne Rasmusson, Gerrie Aasland, Tim Halle, Brian Rasmusson, Jody Bueng, Steve Petry, and others.

III. Citizens forum. None.

IV. Consent agenda. Listed on the consent agenda was: August 6, 8, 9, 20, 23 & 28, 2012 council meeting minutes, city pre – paid checks, city accounts payable in the amount of \$211,113.62. The August 6, 2012 minutes were removed for discussion under the regular agenda.

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

V. Approve agenda. Added to the agenda was: Moore Engineering invoice, Midwest Government Advisors contract, liability coverage waiver form, fire contracts, closed session to discuss pending litigation, point of sale software, mayor / council – department head communication, Resolution 2012-09-05.

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

VI. A. 1. Mayor's report. Attorney updates. August 6, 2012 council meeting minutes. Anne stated that on page 3 under the Ride Tek discussion it should read "the council did not have any interest".

Motion by Member Erickson, second by Member Peterson to approve the August 6, 2012 council meeting minutes with the correction. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

B. 1. Public Works Board. Contract with REA / electrical personnel. Member Erickson stated that the board would like permission to check into the cost and detail of contracting out the electrical work instead of hiring an additional employee.

Motion by Member Pinsonneault, second by Member Robertson to authorize the Public Works Board to check with area electrical providers to see if they would offer contracted services for the City. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

2. Moore Engineering invoice. Moore Engineering submitted an invoice in the amount of \$120,138.63 which is for Flood Hazard Mitigation.

Motion by Member Erickson, second by Member Peterson to approve the invoice totaling \$120,138.63 from Moore Engineering. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

C. 1. Dekko Community Center. Door replacement. Eric received one quote to replace the door at the Dekko. The cost is \$862.12.

Motion by Member Peterson, second by Member Robertson to approve the replacement of the door at the Dekko Center in the amount of \$862.12. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

2. Cleaning the Dekko Center. Eric is getting quotes for this.

3. Ball Field Lease agreement.

Motion by Member Peterson, second by Member Robertson to approve the Ball Field Lease Agreement with the Ada – Borup School District. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

D. 1. Public Safety. Update on residence with excessive vehicles. Interim Chief Bueng stated that he has sent out a letter to the owner and has given them 30 days to address the problem. He also has been looking into sample ordinances that would better address excessive vehicles and also Jake Brakes.

2. Midwest Government Advisors contract. This is the agency that would do the background check for the Police Chief position.

Motion by Member Erickson, second by Member Pinsonneault to approve the contract with Midwest Government Advisors. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

E. 1. a. Clerk / Treasurer report. Fire contract. Shelley stated that the amount is the difference between the previous 5 year contract and the amount originally billed to them.

Motion by Member Peterson, second by Member Robertson to approve the fire contracts with the townships. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

b. Blight letters. Shelley gave an update on the letters she sent out.

c. Liability coverage waiver form.

Motion by Member Pinsonneault, second by Member Erickson to not waive the monetary limits for the liability coverage. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

2. a. Liquor Store Manager report. Cooler donation. Gerrie explained that she didn't receive any bids for the cooler. The committee recommended donating them to the Norman County Ag Society.

Motion by Member Erickson, second by Member Peterson to donate the coolers to the Norman County Ag Society. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

b. Point of Sale software. Gerrie stated that she submitted the information they requested to pre – program the equipment before they install it on site.

Motion by Member Erickson, second by Member Peterson to set a deadline of September 30th to have the POS software operational. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

F. Planning and Zoning. Shelley gave an update on the houses in town that are in need of repair or demolition.

G. 1. Economic Development Authority. Ride Tek, Inc request. The council discussed Ride Tek's request to have some rent rebated to them to cover cleaning they thought would be done before they occupied the building.

Motion by Member Austinson, second by Member Robertson to approve a four month rent rebate to Ride Tek to cover cleaning cost with the understanding this is the only time a rebate will be granted as the property was leased out ‘as is’. Members voting for: Austinson, Robertson, Peterson, Erickson. Against: Pinsonneault. Motion passed.

2. Website training. EDA recommended that the staff at City Hall receive additional training and to close the office while they are at the training.

Motion by Member Pinsonneault, second by Member Peterson to authorize Kristi and Stephanie from City Hall and Karen from the Police Department to attend the website training and to have Shelley check with Kathy at the school to see if they have any interest in doing updates for the website. Members voting for: Austinson, Robertson, Peterson, Pinsonneault. Against: Erickson. Motion passed.

VII. A. Old business. Ada – Borup School donation request. This request is to help with the funding of the new playground equipment at the school. Member Erickson stated that he felt this would be a good way to support the youth. Member Peterson stated that the para’s would like to see more balls and jump ropes for the kids to play with. It was clarified that the request was for the playground equipment.

Motion by Member Erickson, second by Member Austinson to approve a donation of \$2,000 from the gambling funds to help pay for the new playground equipment at the school. Members voting for: Austinson, Robertson, Erickson. Against: Peterson, Pinsonneault. Motion passed.

VIII. A. New business. Choose Kaleidoscope reps. Member Austinson volunteered.

B. Corrections made on Wall of Names on the Gazebo at the Cemetery. Mayor Ellefson stated that the corrections have been made.

C. First Reading – Ordinance 451 – prohibiting excessive vehicle noise – engine retarding brakes. Member Pinsonneault stated that he is against this specific ordinance as it doesn’t allow for the trucks that have updated equipment and don’t have excessive noise from Jake brakes. He also stated that some of the problems might be eliminated if the speed is enforced. This ordinance might also put limitations on the races.

Motion by Member Robertson, second by Member Erickson to approve the first reading of Ordinance #451. Member Pinsonneault would like to see this sent to the Public Safety

committee to make sure it doesn't prohibit the races in any way. Member Erickson withdrew his second to the motion. Motion failed for lack of a second.

Motion by Member Robertson, second by Member Pinsonneault to table this item. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

D. & E. Approve Resolution 2012-09-01 – proposed 2012 tax levy collectible in 2013 and Resolution 2012-09-02 – proposed 2013 budget.

Motion by Member Pinsonneault, second by Member Peterson to table these items and send them to the Finance / Labor committee for a recommendation. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

L. Approve Resolution 2012-09-05 – condemnation of property for public purpose.

Motion by Member Pinsonneault, second by Member Erickson to approve Resolution 2012-09-05. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

F. Approve Resolution 2012-09-03 – approving purchase of property from John & Molly Volkerding.

Motion by Member Pinsonneault, second by Member Erickson to approve Resolution 2012-09-03. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

G. Approve Resolution 2012-09-04 – approving purchase of property from Norman County.

Motion by Member Pinsonneault, second by Member Erickson to approve Resolution 2012-09-04. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

H. City Attorney position. Anne submitted a letter to the council stating she will not be able to provide attorney services after the end of the year. Anne went over different options for a city attorney. She stated that she has spoken with different firms who would like to submit a proposal. Anne will go over the RFP to see if there could be any changes.

I. City Manager. Member Pinsonneault introduced the idea of looking at the staffing structure of the City. He stated that he would like one person for the council to go to when they have questions or issues and for that person to also handle personnel issues as they come up along with other duties as the council wishes. He would like this position to have a 3 or 5 year contract at which time the council could decide to renew the contract. The council discussed having a committee set up to start discussion and look into the details further.

Motion by Member Peterson, second by Member Robertson to have the Mayor set up a committee to discuss and research the idea of having a City Manager. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

Mayor / Council – Department Head communications. Member Erickson stated that it would be a good idea to get a weekly email from department heads highlighting the happenings in the department. Anne cautioned the council not to respond to these emails as it could violate the open meeting law.

Motion by Member Erickson, second by Member Peterson to have the department heads send out a weekly email to the council highlighting what is happening in their department. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

K. Closed session to discuss pending litigation and labor negotiations.

Motion by Member Pinsonneault, second by Member Erickson to close the meeting at 7:45 p.m. to discuss pending litigation and labor negotiations. Members voting for: Austinson, Robertson, Peterson, Erickson, Pinsonneault. Against: None. Motion passed.

Motion by Member Peterson, second by Member Erickson to re – open the meeting at 8:17 p.m. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

IX. Motion by Member Robertson, second by Member Peterson to adjourn the meeting at 8:18 p.m. Members voting for: Austinson, Robertson, Peterson, Erickson, Edwards, Hansen, Pinsonneault. Against: None. Motion passed.

Respectfully submitted,

Shelley Kappes
City Clerk / Treasurer

Jim Ellefson
Mayor