

Councilpersons:
First Ward: Gallenberger, Friedmeyer
Second Ward: Schmidt, Hiers
Third Ward: Meurer, Bricher

Mayor: Rollin Hall
City Atty: Peter Ekstrand
City Adm: David Schmidt
City Clerk: Susan Schamaun
Date: December 6, 2011

PROCEEDINGS OF THE CITY COUNCIL

The regular meeting of the City Council of the City of Wabasha was held on Tuesday, December 6, 2011, and was called to order at 7:00 pm by Mayor Hall.

All present stood and recited the Pledge of Allegiance.

Present: Councilpersons Gallenberger, Friedmeyer, Hiers, Schmidt, Bricher, Meurer and Mayor Rollin Hall.

2. Guest Presentation: Wabasha Fire Chief, Keith Hough

Mr. Keith Hough read a letter submitted by Mr. & Mrs. Marty Wagner who live on County Rd. 10 in reference to a house burn that took place on Saturday, October 29th. Mr. Wagner's letter complimented the City of Wabasha Fire Department on their practice house burn at his property and stated they were amazed at how efficient it was and also amazed at the preparation that goes into a house burn such as traffic control, placement of equipment, accountability, firefighter accountability at all times, cooperation and Coordination in attacking the fire and saving lives.

Mr. Hough reported to Council that preparation time for a house burn takes 4-6 weeks due to acquiring permits and inspections in from the MPCA and DNR. Then the property has to be inspected for asbestos and mercury etc. If there is asbestos and/or mercury, an abatement company has to come in to remove it. He stated there is a cost to acquiring the proper permits and inspections and the property owner incurs those costs. He stated these practices are done with a live fire and they do different scenarios at the different stages of the fire. He stated the training takes between 4-6 hours.

Mr. Hough gave the following report for the past season:

- 55 calls
- 10 ambulance assists
- 13 alarms
- 1 chimney fire
- 1 grass fire
- 1 gas leak
- 1 oil spill
- 3 storm watches
- 3 vehicle fires
- 6 type house fires
- 1 barn fire
- 13 motor vehicle accidents
- Searched for lost child
- River assist

He stated in relation to their gambling funds, they donated to the Star of Hope, local food shelf, area youth

groups, and MN Firefighters Memorial fund.

Mr. Hough reminded everyone to check the batteries in their smoke detectors. He stated that candles are the biggest enemy for house fires.

3. Public Comments:

Mr. Richard Fuller came forward with the following comments:

- Requested cost information on the sign changes downtown and also stated he wanted to know how many tickets were given out and how many policemen were involved in marking cars.
- Look into a 32-hour work week so the City can keep employees and employees can keep their benefits.
- As for a status report on the Big Jo Hotel Project or the empty space next to the National Eagle Center.
- Stated he would like to see a security camera system installed at the National Eagle Center.
- Felt Council should look into getting computers.
- Stated the youth are our future and they should be our #1 goal.

Council President Gallenberger thanked Mr. Fuller for his comments.

4. Changes or Additions to Agenda: None

5. Mayor's Report: Mayor Hall announced a local business couple made an offer on the Anderson House and it has been accepted and the anticipated closing date is December 27th. He wished the new owners all the good luck and good fortune in the world and stated he read their article in the paper and was impressed.

Mayor Hall also reported it is his feeling each employee he has directed the City Clerk to send out a Performance Appraisal Review Form to all Council members to complete on the performance of the City Administrator. This is a review process all City employees are undertaking and feels it is important to have an evaluation process in place. He further stated Council members should return the performance appraisals back to the City Clerk.

Committee Reports and Wabasha Good News:

Utilities Commission: Councilperson Schmidt reported the Utilities Commission is requesting a public hearing to amend the water rates. For Residential Rates, he reported a base rate is being implemented along with the following rates:

Base Rate: \$4.00

1000-6000 gal. - \$1.70/1,000 gal.

7000-12,000 gal. - \$2.13/1,000 gal.

13,000-24,000 gal. - \$2.66/1,000 gal.

25,000-40,000 gal. - \$3.32/1,000 gal.

41,000-and above - \$3.99/1,000 gal.

Commercial/Industrial:

Base Rate: \$4.00
0-30,000 gal. - \$2.13/1,000 gal.
31,000-60,000 - \$2.66/1,000 gal.
61,000 & above - \$3.33/1,000 gal.

He also reported the City's auditor has informed the City that the City has been selling water less than our cost of production so changes need to be made. He also reported the DNR has determined we all need to conserve water and the City has a decreasing water rate for increased usage and so the City is mandated to amend their rates to an increasing water rate for increased usage.

Councilperson Schmidt also reported the City has been directed to seal the old City well in the Old City Hall building downtown. The Utilities Commission has hired a company to seal the well. If the City would ever want to drill a new well, we wouldn't be able to get permits unless we have abandoned the old City well properly. He stated City staff has acquired a \$10,000 grant for this project and the Utilities Commission has capped this project at \$25,000.

Councilperson Schmidt also reported some older City streets that are not in the current Street Repair Project list need to have their sewer pipes relined. Many have the older clay pipes and there are actually pieces missing out of them. A company has been hired to do the sewer relining throughout the City.

Park Board: Councilperson Hiers reported the Park Board did not meet this month.

Planning Commission: Councilperson Friedmeyer reported the Planning Commission met on November 8th and had two public hearings. One is under General Business for tonight's Council meeting and the other one dealt with amendments to mixed use structures in the General Commercial zone. Also, under the Consent Agenda of tonight's Council meeting, there is a first reading for amendments to the Sign Ordinance.

Ambulance Commission: Councilperson Friedmeyer reported the Ambulance Commission did not meet this month.

Street Commission: Councilperson Bricher reported the Street Commission discussed having the front-end loader inspected. It has never had an inspection and currently has over 4500 hours on it and is showing rust. From a safety aspect it should be inspected. Roads were also discussed.

7. Administrator's Report: David Schmidt reported the following:

- The Southern MN Initiative Foundation will be at the Port Authority meeting on December 13th at 4:00 and not-for-profit organizations have been invited to attend. The Port Authority has initiated an effort to start a community foundation. This discussion will be in reference to the Southern MN Initiative Foundation serving as an umbrella for not-for-profit groups.
- The Army Corps. of Engineers are ending their dredging for the season. They hope to get back early next spring.
- Blaine Marcou requested a refund of the remaining balance of his business subsidy account and that at this point he has stopped proceeding on that project.

8. Consent Agenda: Councilpersons Meurer and Bricher moved to approve the following consent agenda: Adopted by the following vote:

Ayes: Friedmeyer, Bricher, Hiers, Meurer, Mayor Hall

Nays: Gallenberger, Schmidt

Approved the November 15, 2011, Special Council minutes
 Approved 2012 Annual Licenses
 Approved St. Felix Application for Temporary On-Sale Liquor License
 Approved Wine/Beer Application for BJH Enterprise – Moonshine Showcase
 Approved American Legion Auxiliary – Application to Conduct Excluded Bingo
 Approved Planning Commission Appointment of Mr. Tim Wallerich
 Approved First Reading: Request to amend Sign Ordinance
 Approved Setting Public Hearing to consider amending Section 500.31 – Water Rates for Mandatory Conservation Rates
 Approved Expert T Ambulance Billing Contract
 Approved Acceptance of Public Works Employee Terry Timm’s resignation and approved advertising hiring for that position.
 Approved the following warrants as presented:

Mayors	General Fund	\$3,558.33
Pool	“	\$393.44
Legal	“	\$3,500.00
Park	“	\$10,220.15
Building Permits-CMS	“	
Streets	“	\$3,473.62
Planning & Zoning	“	\$121.02
Police	“	\$3,328.25
Fire	“	\$784.12
Ambulance	“	\$5,845.83
Emergency Management (sand bags)	“	\$538.86
Engineering	“	\$3,665.75
Miscellaneous	“	\$18,214.82
Dog Pound	“	\$10.25
Total		\$53,654.44

9.1 Public Hearing – Truth-In-Taxation: David Schmidt stated this hearing is for the public to provide Council comments on the annual City budget for 2012.

At 7:43 pm, Mayor Hall opened the Public Hearing. He called once, twice, three times for anyone from the public to come forward and speak for or against the 2012 City Budget.

At 7:45 pm, Mayor Hall closed the Public Hearing.

Councilpersons Friedmeyer and Bricher moved to adopt Resolution #793 for the 2012 Levy:

RESOLUTION # 793

RESOLUTION SETTING THE ANNUAL CITY BUDGET, PROPERTY TAX LEVY FOR THE YEAR 2012:

BE IT RESOLVED, by the City Council of the City of Wabasha, Minnesota, that the attached City Budget be approved for the year 2012.

FURTHER BE IT RESOLVED, by the City Council of the City of Wabasha, Minnesota that the City estimates that the following sums of money will be levied for the current year, collectable in 2012 upon the taxable property in the City of Wabasha, for the following purposes:

General Fund: \$ 962,500.00
Library Fund: \$ 125,231.00
Firemen's Relief: \$ 18,000.00
Port Authority: \$ 39,847.00

TOTAL LEVY: \$ 1,145,578.00

FURTHER BE IT RESOLVED, by the City Council of the City of Wabasha, Minnesota, that the City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Wabasha County, Minnesota.

Adopted by the City Council of the City of Wabasha, Minnesota on this 6th day of December 2011.

Dated: _____

Rollin Hall, Mayor

ATTEST:

Susan Schamaun, City Clerk/Treasurer

Councilperson Schmidt asked about what was in the budget in regards to LGA in which City administrator, David Schmidt, stated \$584,000 was budgeted compared to only \$68,000 in 2011. He also stated the City received \$292,000 for the first half of 2011 and are anticipating the other payment by the end of December.

Councilperson Gallenberger stated she had pointed out earlier that there were no amounts in the 2012 Budget for printing and binding and legal notices under the Mayor and Council Budgets. David Schmidt stated staff would look into it and make the corrections. She also stated she did not like seeing DIV% in the amount column and David Schmidt stated staff would take care of this also.

Resolution #793 Resolution for setting the Annual City Budget, Property Tax Levy for the Year 2012 was adopted by the following vote:

Ayes: Meurer, Schmidt, Hiers, Bricher, Gallenberger, Friedmeyer, Mayor Hall

Nays: None

10.1 Amendment to Zoning Ordinance – Second Reading:

City Planner, Molly Patterson-Lundgren, came forward and stated this amendment to the zoning ordinance for 1617 Hiawatha from R-2 Residential to GC General Commercial is from a potential property owner, Mr. Mike Sholing, who has an agreement to purchase this property. The Planning Commission held a public hearing and did have some public comments but it was more about what Mr. Sholing was proposing long-term for the property. Mr. Sholing is proposing putting storage units in the rear of this property and that is why he is asking to rezone this property. In rezoning this property to GC General Commercial, wording would have to be amended to allow mixed uses in this zone. He will have to come back and apply for a Conditional Use Permit.

Commissioners Meurer and Hiers moved to adopt Section 305 of the City Code as the Zoning & Shoreland Ordinance with the changes as indicated (see attached): Adopted unanimously.

10.2 New Cardiac Monitors:

Mr. Ryan Marking, Ambulance Director, came forward and gave a presentation on the need for two refurbished cardiac monitors for the new ambulances on order. He provided the following information:

- Monitors are essential for patients in long-term care.
- Knowing the patient's cardiac rhythm is important.
- Having ability of that first snapshot of their rhythm is also important.
- Currently can not do 12 leads but the new monitors would have that ability.

Mr. Marking stated the Ambulance Department has \$58,000 in their Equipment Replacement fund to pay for the cardiac monitors. Also, stated by purchasing the refurbished monitors, it saves the City around \$10,000.

Mr. Marking distributed descriptions of cardiac monitors from Zoll Cardiac Monitors, Phillips MRX Cardiac Monitors and LifePak 15 Cardiac Monitors. Mr. Marking stated he is recommending purchasing the Zoll Cardiac Monitors as they give warranties on their refurbished models and their life expectancy is 7-10 years. The Zoll Monitor has better safety features. To bring the current cardiac monitors up to the current standards, it would cost up to \$18,000. They would likely last only 5 years.

Mr. Marking stated also in the attached quotes are three AED's, one for the police department due to their current AED not being functional and two for the Kellogg 1st Responders. Due to the Ambulance Department's purchase agreement, these three AED's are being bought at a discounted price saving both organizations \$500-\$600 per AED. He stated he did apply for a grant for the AED's but it has been indicated that priority is given to American Indian tribes in Minnesota, North Dakota, South Dakota, Iowa, Nebraska and Wisconsin and then the priority moves to 1st Responders and government agencies. The wait could take over a year so that is why the AED's are being added to the cardiac monitor purchase order.

Councilperson Friedmeyer stated the Zoll cardiac monitors are the same monitors that all the intercepting hospitals and services use. These monitors can just be plugged into whatever vehicle is being intercepted in an emergency and it just provides that continuity of care that they are looking for. This Zoll cardiac monitor is user friendly which also helps in emergencies.

Councilperson Gallenberger asked how often this type of monitor is being used in 100 runs in which Mr. Marking stated he would personally use the cardiac monitor on every patient to make sure they are not having something that is life threatening going on. He stated 70% of the calls are medical calls versus 30% which are trauma calls.

Commissioners Friedmeyer and Meurer moved to approve the purchase of two Zoll Cardiac Monitors as per the bid for \$41,633.60 which includes three AED's as described. Approved by the following vote:

Ayes: Friedmeyer, Gallenberger, Bricher, Hiers, Schmidt, Meurer, Mayor Hall

Nays: None

Mr. Marking gave the following report on the ambulance service:

- Calls are up by 20 over last year
- Up 30 patient contacts over last year
- Up 1 transfer out of St. Elizabeth's Hospital over last year
- Up 3 transfers out of Lake City over last year
- Billing is at \$308,000
- Collected \$213,435.77 in cash value
- Written off \$96,000
- Total % collected is 69.2% in cash value

- Average monthly collection is \$19,403.25
- Average bills is \$920.99

Mr. Marking reported new ambulances are anticipated to be delivered in February 2012. He also reported working with Expert T Billing is going well. Expert T Billing are knowledgeable and the City has a good return with them.

10.3 Contracting Police Services:

Mayor Hall stated everyone has worked hard on this issue and have listened to citizens and both groups and have thought carefully about what is the right thing to do. There have been a couple of committee meetings as well as discussion at the last Council meeting.

Commissioners Bricher and Gallenberger moved to contract police services with Wabasha County Sheriff's Department.

Councilperson Bricher stated the City is missing two things. The County gave us a cost savings amount of approximately \$69,000 in the first year but he hasn't seen a draft contract and doesn't have a feeling the Wabasha Commissioners are even interested in doing it. He also questioned how the County is coming up with \$69,000 in savings except by putting the City's officers at Step 1 in wages whereby the City officers would take a pay cut.

Councilperson Gallenberger stated initially she was in favor of contracting with Wabasha County, but the situation with the County Commissioners is outrageous and even thinking about going into a contract with a group that doesn't seem to be doing too well with their own business much less helping us do our business seems unreasonable at this point. At this time, she stated she would not be interested in contracting with Wabasha County. She stated she still feels consolidation is the way to go, but not with that group.

Mayor Hall stated he would like to personally endorse that statement. All Councilpersons concurred as well as the City Administrator.

The motion failed by the following vote:

Ayes: None

Nays: Meurer, Schmidt, Hiers, Bricher, Gallenberger, Friedmeyer, and Mayor Hall

David Schmidt stated he would like Council to move to give him direction to advertise for a police chief and direct the Mayor to appoint an interim police chief.

Discussion was held on whether to advertise or to hire from within. Also, David Schmidt reported due to pay equity points, the salary for this position is being put as equal with the Utilities Superintendent which drops this position two grades which will put the starting wage somewhere around \$51,000 under the new 11 step pay process.

Councilpersons Meurer and Friedmeyer moved to authorize the City Administrator to advertise for a Police Chief from within and also externally. Adopted by the following vote:

Ayes: Friedmeyer, Gallenberger, Bricher, Hiers, Meurer, Mayor Hall

Nays: Schmidt

Discussion was held on appointing an interim police chief. Police Chief Kruger stated he feels Council should appoint an officer from within right now as they can start working with him for the rest of the month. He stated there are a lot of things going on right now. Mayor Hall asked if the decision was made by Friday of this week,

if that would be sufficient time. Police Chief Kruger stated it would.

Councilpersons Meurer and Bricher moved to authorize Mayor Hall to appoint an interim police chief subject to approval on January 3, 2012. Adopted unanimously.

10.4 2012 Road Project:

Mayor Hall reported at the last Council meeting, Councilpersons Schmidt suggested Council go for a public referendum for the Street Project. Questions came up and City Administrator was directed to get information for Council before proceeding.

David Schmidt reported 53 days are necessary to pull off a referendum. Estimated for the 8 segments are \$4M approximately, which may be a little high. Referendum costs will be approximately \$5,800 but may be more if all polling places are utilized per City Attorney Ekstrand's statement. He also stated Councilperson Hiers requested information on a 20/20 assessed project.

Councilperson Gallenberger stated from what she can see, 37% increase in taxes is needed across the board to cover the 80% to be paid by the City. She stated the referendum question would be asking the citizens of the City if they are willing to have their roads repaired at a 37% increase in their taxes. Attorney Ekstrand stated no that was not correct. He stated for a 20/20 assessment, the referendum is not needed. He stated the mandatory referendum is if you are going 100% taxation. If you are 80/20, Council can pass that with a 4/5 vote. If the City wants to bond the project and assess at least 20%, you don't need a referendum.

Councilpersons Meurer and Friedmeyer moved to pass the Resolution calling for the holding of a Special Election in all three wards on a Ballot Question Relating to the City's issuance of General Obligation Bonds to finance construction Road Improvements with the City at an esimated \$4M.

Councilperson Gallenberger stated this would create a 44% increase in taxes. She further stated Council is going to spend \$10,000 to find out that people are never going to vote for 44% increase in their taxes.

Councilperson Hiers stated she felt this would be irresponsible. She stated Council has spent 2 years studying this and if you toss it out there where people won't fully realize the impact on the total City budget forever because we'll get done with these 8 projects in 10 years and then there will be 8 more and then you have set a precedence on how you go at it. She stated she thinks people would be voting for something they don't truly understand even though the information has been there. She concluded by stating this would be irresponsible and poor governance.

Councilperson Schmidt stated this bill is going to have to be paid by the taxpayers of this City and stated he doesn't understand how that is irresponsible. Further he stated the responsible thing to do is find out what people want to do. That is Council's responsibility and pointed out that residents came to the last public hearing stating they don't have the money.

Mayor Hall stated as mayor he feels it is his responsibility to do the best he can to maintain and build the streets of Wabasha because looking down the road 10, 15 or 20, 30 years and even if the citizens say they don't want this and the right thing to do is to do it, that is what he will support.

Councilperson Friedmeyer stated that in practice of real estate he has learned that the 3 big questions on every real estate purchase is assessments, whether they are levied, planned, or pending. This is all part of property ownership, having assessments for improvements. Attorney Ekstrand stated street projects 30 years ago were assessed at 20%. Councilperson Friedmeyer stated his parents were just assessed for curb, gutter, sewer and water in the city they live in.

Councilperson Bricher stated if Council decides to assess then the Public Improvement Policy should be amended to read 20% for street assessments and 20% for utility assessments. Attorney Peter Ekstrand concurred.

The motion failed by the following vote:

Ayes: Schmidt, Meurer

Nays: Friedmeyer, Gallenberger, Bricher, Hiers, Mayor Hall

Councilperson Gallenberger stated she wanted to give Councilperson Schmidt credit for coming up with an alternative plan.

Councilperson Bricher and Meurer moved to amend the Public Improvement Policy assessment rate from 30% street and 40% utility to 20% street and 20% utility. Adopted by the following vote:

Ayes: Meurer, Schmidt, Hiers, Bricher, Gallenberger, Friedmeyer, Mayor Hall

Nays: None

Attorney Ekstrand stated the next step is a project hearing. After the hearing Council can decide what streets they want to do.

Councilperson Schmidt stated he is not comfortable hitting tax payers with another big tax increase after hitting them last year with a big increase. Maybe the City can't do all 8 streets. He stated Main Street is a priority and will be a costly one. He stated Twelfth Street needs to be looked at though he doesn't think it needs to be done all the way to Broadway Avenue. He further stated maybe a project hearing would be wise so Council could get some input.

Councilpersons Bricher and Hiers moved to direct the City Administrator and Mayor Hall to work with the City Engineer to set the project hearing date for all 8 segments. Adopted by the following vote:

Ayes: Friedmeyer, Gallenberger, Bricher, Hiers, Schmidt, Meurer, Mayor Hall

Nays: None

Councilperson Gallenberger read the following donations:

- Burkhardt-Roemer VFW Post #4086 - \$100.00 for Wabasha Combined Drive
- Burkhardt-Roemer VFW Post #4086 - \$300.00 for W-K Chamber Old Fashioned Christmas
- Burkhardt-Roemer VFW Post #4086 - \$1,000.00 for the Hockey Program

Having no other business at 9:17 pm, Councilpersons Schmidt and Meurer moved to adjourn. Adopted unanimously.

Susan Schamaun, City Clerk