

CITY OF HOKAH

MINUTES REGULAR MEETING

July 7, 2009
6:00 P.M.

- **CALL TO ORDER** At 1800 hours.
- **PLEDGE OF ALLEGIANCE** Completed.
- **ROLL CALL** Christianson, Ross, Mullen, Walther, Scholze.
- **ACTION TO CHANGE AGENDA** None noted.

1. **Consent Agenda** Motion by Walter second by Mullen rollcall all in favor.

All items listed under the consent agenda are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately

1.1	MINUTES	JUNE 2, 2009
1.2	BILLS PAYABLE THROUGH	JULY 6, 2009
1.3	CONSOLIDATED BALANCE SHEET	JULY 6, 2009

Items 2-5 below are to be included in Council Packets if Department has items to report to Council

2. **Water/Waste Water/Flood/WWTP App. :** Written Report ____

Francis Heimer Account

Administrator Blank reports that Francis Heimer had stopped at the office to complain about a \$194.36 water bill that he had received in June 2009. Blank also brings to this meeting a history of usage for the Heimer residence. Blank reports that Mr. Heimer had spoken to Robert Becker in regards to his soft water conditioner running. We really don't know anymore at this time and circumstances surrounding this call. Andrew Klingsporn states that he had also responded to the residence to check for leaks and found none further reports that Mr. Heimer also discussed the water softener with him.

After consideration and discussion by the Council they agreed to let the bill stand as is. James Kochie from Davy Engineering addresses the Council. He presents to the Council the final paperwork for the storm damage restoration projects. Kochie presents a change order for Zenke Inc.. Kochie reports four items on the change order. Change order amount is \$40,672.73. Motion by Walther second by Ross to approve this change order. Rollcall all approved. Motion was received by Walther and second by Mullen for application for payment. Rollcall all approved.

3. **Library :** Written Report ____

Librarian Bissen reports that an employee from workforce development has began working at the library.

3. **Police Dept.:** Written Report ____

Chief Schuldt reports changes to the current administrative citation procedure. Also discusses Houston County going to 800 MHz radio system and applications have been made for grants for purchases of the necessary hardware.

4. **Streets / Maintenance :** Written Report ____

Andrew Klingsporn presents quotes from two different agencies for seal coating on city streets and alleys. After discussion and consideration a motion by Christianson and second by Ross to accept the bid from Scott Construction as submitted for seal coating.

5. **Recreation Board:**

Mullen discusses the signing located at the entrance to Como Falls Park.

6. Planning Commission / Zoning :

Ross reports the Planning Commission looked at two properties. One being application by Edward Snodgrass to construct an apartment in the old Hokah Lumber building at 104 Main St. Ross states the Planning Commission has questions for Snodgrass and invited him to their next meeting. A second property that was reviewed was his personal property, for the construction of a garage. Further they discussed the sign ordinance. Administrator Blank goes on to explain the application and requests by Edward Snodgrass at the location of the former Hokah lumber company.

7. Items for Consideration:

8.1 Craig & Carmen Fredrick

Craig and Carmen Fredrick appear before the Council after requesting to be on tonight's agenda. They are here to discuss a sign they have erected at their business which is Hummers Pub. Mayor Scholze states there has been some questions regarding the height of the sign, was it approved, was there an application submitted, are their liability issues, etc. Mayor Scholze asked the Fredericks for an explanation and some history regarding their sign. Carmen Fredrick reports putting the sign up on June 9, 2009. Further reports on June 11 they were told to take the sign down. She further reports 46 hours after it was installed. Carmen states however they noted a lot of other violations that had been existing for months upon months that are illegal and never had a permit to her knowledge. Carmen states that she believes that the City is not justified to let the sign violations go. She states you have an ordinance you need to enforce it. Administrator Blank asked Carmen Fredrick where the other violations are that she is discussing. Carmen states Sara's Treasures and Donald Bissen property across the street from Hummers Pub at Seven Rivers fitness. Administrator Blank asked if these are the signs that she is referring to as being in violation and she says yes they are. Administrator Blank than questions Police Chief Schuldt as to his involvement in this situation. Chief Schuldt states he has spoken to Donald Bissen who has been provided a zoning application for his sign. Schuldt further states he has spoken to the proprietor of Sara's Treasures who immediately move their sign on to private property. Craig Fredrick states they have filled out a zoning application for the sign and they asked the Council to review at this time. Administrator Blank points out that the proper procedure would be for that application to be reviewed by the Planning Commission and for them to make a recommendation to the Council.

Councilmember Ross reiterates the procedure. Carmen discusses an object that was on the sidewalk in front of the Hokah Hardware that would stick out further on the sidewalk than their sign. Administrator Blank states that they were asked to remove the item and they did. Administrator Blank also states that Sara's Treasure was asked to remove their sign, and they did. But when asked to remove the sign at Hummers Pub, they refused. Administrator Blank states he had asked in a letter to either remove the sign or to raise its a distance of 7 feet from the sidewalk, at the request of Lance Ross. Craig Fredrick states the reason they refused to remove the sign is because there are no specific guidelines that they have been provided for placement of the sign. He then goes on to state that the Ordinance is hearsay. Discussion between parties in regards to the safety of the sign, and the construction of the sign and the materials utilized in the placement of the sign. Administrator Blank asks Carmen Fredrick if her insurance carrier is aware of the sign. Carmen states she believes he is, he was there recently. Chief Schuldt goes to state he believes that's why there is a Sign Ordinance and the procedure to have the Planning Commission review applications received for placement of signs. They can read the application as supplied, they can look at past history, they can inspect

the property and/or sign and determine if they feel that it's placement is warranted, proper, attractive and safe. Further he believes that sign should be reviewed to determine that their content would be proper for viewing by the general public. Chief Schuldt doesn't believe that the Sign Ordinance should be cut in stone it should be by a case-by-case basis because there are so many variables. Councilmember Walther asked the Fredericks if they would abide by the decision of the Planning Commission and City Council or do they like the sign where it currently is now. Craig Fredrick responds he likes the sign where it currently is located at this time. The Fredericks state they believe the sign does not have a liability issue attached to it and they believe there is plenty room on the sidewalk currently with the sign in place. Ross states the Planning Commission will review and offer recommendations.

8.2 Sidewalk Policy

Administrator Blank reports that the Council reviewed the supplied sidewalk policy in the Fall of 2007 but that the policy was not enacted. Administrator Blank further states that this policy was constructed by Von Arx law Office. Blank further states that the League of Minnesota Cities and Berkeley Risc have spoken to him in regards to the city implementing a sidewalk policy. Further there have been at least two injuries sustained on the sidewalks. Further Blank has spoken to a representative of the Minnesota Department of Transportation who states that next year there may be stimulus money available to repair sidewalks adjacent to state highways. This representative asked that they be supplied any current inspection of the sidewalks and information from any complaints in regards to injuries received. Further a copy of the City's sidewalk Police or Ordinance. This information would then be utilized to give priority for needed repairs next construction season, possibly using stimulus funds. Administrator Blank reads from the sidewalk policy that the cost regarding replacement of sidewalk is shared equally between the property owner and the city, and the property owner would be given three years to pay for their portion. Councilmember Walther states that there could be changes to this procedure. Mayor Scholze asked if anyone sees any changes that need to be made or should we go on and approve this policy. Discussion regarding maintenance of sidewalks and also responsibility for replacing and/or installing sidewalk. Christenson questions the City assuming any expense for the placement of sidewalks. Scholze states that we should check into having a property owner assume the responsibility for the cost of replacement of their sidewalks. Mullen states that we should check into surrounding communities as to what their procedure is. Scholze states that this has been tabled for over two years now and this is something that we have to look into more before any decisions would be made. Council Members are all in agreement on this.

8.3 Personnel Committee.

Mayor Scholze reports that the personnel has been busy with numerous meetings. Scholze reports that Personnel Committee does have some recommendations tonight for the Council's consideration. He reports there are three individual recommendations and they are as follows:

A. Andrew Klingsporn would assume a supervisory roll of Director of Public Works. Mayor Scholze further states this position would pay \$20.85 per hour computed on a 40 hour work week but that his duties would then become salaried rather than hourly wages. Mayor Scholze later describes the cost of living adjustment as detailed below in item "c" would be retroactive to January 1, 2009 and the wage increase for Andrew Klingsporn would be retroactive to May 2009.

B. Incoming New hire would be recommended by the Personnel Committee at either 30 hours or 40 hours dependant on the Council's direction. Mayor Scholze recommends the position to be $\frac{3}{4}$ time at 30 hours per week. Christianson states that she believes it should be a

40 hour week position. She then questions whether the director of public works would be hourly or salary because it has been stated that he would be paid \$20.85 per hour. She further questions as to whether overtime paid or not. Further clarification by Scholze that he would be salaried, not eligible for overtime but limited to Comp time. The hourly rate is just used to compute his salary.

C. 3% COLA across the board for City Employees. Mayor Scholze asked for motions from the floor regarding these three items from the Personnel Committee. Councilmember Christianson makes a motion that Andy Klingsporn be promoted to Director Public Works with a salary of \$20.85 an hour, and that the new position and be 40 hours instead of 30 and that the Employees receive a 3% cost of living adjustment wage increase. Mayor Scholze repeats this for clarification and asks Councilmember Christianson if this is retroactive to January 1. Further discussion regarding retroactive status and Administrator Blank interjects that a 3% across-the-board pay raise for city employees adds approximately \$6,000 increase to the City budget. Discussion in regards to which Employees would be receiving the cost of living adjustment. It was determined that it wouldn't be the pool or seasonal employees but that the permanent Employees would be receiving the increase. Administrator Blank asks for clarification regarding which Employees would be receiving the increase. Further discussion determined that it would be the Employees that work 52 weeks a year that would be eligible to receive the cost of living adjustment of 3% including the Assistant Librarian. This was further clarified by Mayor Scholze to be Class 1 Employees who work 52 weeks a year, not seasonal, or summer rec. or pool Employees, and retro-active to January 1, 2009. Roll call all in favor.

8.4 Como Avenue Slope Stabilization Contract Award.

Mayor Scholze describes the area for repair. He states that the area was tabled by the NRCS in 2007. He reports that the City will be responsible for 7% of the project cost to repair the area that was damaged by flood waters in both 2007 and 2008. Mayor Scholze states we took advantage of the funding, we had Terry Regan , an NRCS Engineer design the project. We placed it open for quotations, received four quotes back, and after the Engineer reviewed the bids, his recommendation was for the City to award the contract to Ole's Excavating. Mayor Scholze states there were a couple of discrepancies in the submitted quotes. The quote received was \$23,500. And, the City is responsible for 7% of that amount. Motion by Christianson, second by Mullen rollcall all approve to accept the recommendation by Engineer Terry Regan and award the contract to Ole's Excavating.

8.5 Equipment Disposal / County Government Auction Tuesday August 18, 2009

4:30pm

Administrator Blank explains the three items that were listed for sale this month: Ford F-800 Dump Truck, Pelican Street Sweeper and 1992 Ford F-150 Pickup Truck. He states the items have been parked by Hwy.16 with for sale signs, and also have been posted on Craigslist both La Crosse, and Minneapolis. Blank reports receiving a total of three bids for the equipment, that have been sealed to this time. Blank opens the bids and hands them to Mayor Scholze. Mayor Scholze reports the first bid was for the Ford F-150 Pickup from John Esser in the amount of \$300.00. Next bid reviewed was for the F-150 Ford Pickup Truck in the amount of \$260.00 by Francis Van Gundy. The final bid reviewed is from Modern Disposal in the amount of \$ 953.00 for Ford F-800 Dump Truck and plow, and \$851.00 for the Pelican Street Sweeper. Administrator Blank explains that he listed the items with the understanding and verbiage that the City has the right to reject any and all bids, that they are not obligated to sell at these prices if they so choose. After discussion, motion received from Walther to sell the vehicles for the received bid prices. Second by Ross, rollcall all in favor. Discussion regarding Houston County Fair auction. Former Mayor Martell stated that he has spoken to Hundt Implement in Cashton,

WI who have an engine for the Case Tractor that could be installed for approx \$4,100.00. Walther asks for final numbers regarding the tractor.

9. Old / Unfinished Business None noted

10. Council Member's Comments

Parks and areas look good. Discussion about signage at Como Park. Survey going out to residents in the near future.

11. Mayor's Comments

Mayor Scholze discusses the upcoming budget meetings.

12. Staff Correspondence

Bluff Country Support. SMIF Support. (500,250) . After discussion a motion to pay Bluff Country \$250.00 by Mullen, second by Ross roll call Scholze no, remainder Yes, Motion Carried. SMIF donation of \$50.00 motion by Mullen, second by Christianson, rollcall Scholze no, remainder Yes, Motion carried. Administrator Blank states he wishes to resign his position of Emergency Management Director. Further he states that Police Chief Schuldt has the necessary mandated FEMA training. Motion by Ross, second by Walther, rollcall all in favor to accept Blank's resignation, and appoint Robert Schuldt as Emergency Management Director.

13. Correspondence Received

14. Announcements

Next Council Meeting August 4, 2009 6:00pm / Schedule Budget Meetings.

Budget meetings set for August 11th and 18th at 3:30pm. Administrator Blank states we did not discuss placing a wage on the advertisement for hiring a new employee. After discussion, decision was made to not list an hourly wage, but to state "wage negotiable".

15. Items for next Agenda None noted

16. Adjournment Motion by Walther to adjourn at 1945.

ATTEST:



City Administrator

Mayor