

## Ashby City Council Meeting – November 15, 2012

Mayor Grover called the meeting to order at 6:00 p.m. with council members George Jordan, Jim Karl, Marcia Koefod and Ronnie Jaenisch present. Also present was Val Martin-Clerk/Treasurer, Jeremy Obright, Police Officer; Thor Tollefson, Public Works & Police Chief; Richard Walton, City Attorney. Visitors were Trent & Darrin Froemming from TFC; Larry VanHout and Jeff Kuhn from WSN; Cindy Welch and Bob Boren.

The pledge of allegiance was recited.

Karl moved to approve **Resolution 2012-18 Resolution to Appoint a Council Member**. Jaenisch seconded. Roll call vote: those for – Jaenisch, Grover, Karl and Jordan, those against – none. MCU

**Appoint  
Koefod to  
Council**

Martin administered the oath of office to new council member Koefod.

**Oath of Office**

Jordan moved to approve the agenda as amended. Jaenisch seconded. MCU

### Visitors

A homeowner was present to discuss some disappointment with the construction in her back yard such as communicating when they will be there for fence removal, seeding, etc. They were also upset that their garden was seeded and sand was stored in their yard when they were working in the project area without first discussing this with them. Jeff Kuhn will investigate further and get back to the homeowner. Another homeowner discussed his issues with the alley behind his property. He stated that it is 12-15 inches higher than it was before resulting in a sunken garden in his yard. Jeff Kuhn will also check on the alley issue.

**Construction  
concerns**

### Wastewater Project

- Jordan moved to approve Pay Estimate 4 as presented. Jaenisch seconded. MCU
- The council asked if storm sewers were cleaned – Jeff Kuhn stated that this is part of the project and he will check to make sure it was done.
- There are a few unique situations related to the policy of assessing per connection and could be considered “grandfathered in.” Kuhn recommended that the following property owners that have multiple connections will receive only one assessment: Chad Sethre, Ruby’s City Restaurant, Ashby Equity Service Station, and Sue Rodriguez. The Ashby Equity Fertilizer building has an addition stub off Nelson. They will receive one assessment now and the additional connection assessment will be deferred until the sale of their building. Jaenisch moved to approve this recommendation and a request to Chad Sethre to put a lock on his RV dump station. Koefod seconded. MCU
- Due to the change of the main location, a few property owners will need their personal service moved. It cannot be paid with project money because of RD regulations but the change saved the City money on the project. Jordan moved to pay for the replacement of personal service for Chris Ripley and Rhonda Johnson and to reimburse Peace Church for a portion of the replacement that they’ve already done. Jaenisch seconded. MCU Martin will work with Walton to send a letter and contract containing a waiver of liability to these two property owners getting new service. June Lacey’s property will not be connected as there has been no one living there for many years and the City is not receiving any revenue from the property. Martin will work with Walton to send a letter stating that they will have no service until they connect to the main on Larson.
- There was an issue with a property owner on Cedar not getting connected to the main. The contractor had some issues finding where their service goes out to the main. A new connection was installed at a later date. The homeowner has requested payment for expenses related to cleaning out their service. Jeff Kuhn will work with the contractor to get this paid.
- There was another issue with a 2<sup>nd</sup> connection for a business not getting connected to the main. There was some confusion on this service as it went across another property and appeared to not be active. This property owner is requesting that a bill get paid related to cleaning out their service. Jeff Kuhn felt the contractor followed protocol. The majority of the council did not agree with this. Even though he did not agree Jeff Kuhn said that he would resolve the issue of the bill and take care of it.
- The warranty period is one year after issuing substantial completion – probably the end of November, 2013.
- After addition research, proof was found that asphalt did exist behind TFC and will be replaced in the spring.
- The issue on Jim Olson’s property will probably get taken care of in the spring. Jeff will contact the property owner on this.
- Overall, the council stated that the project went well and the crew did a great job.

**Wastewater  
project**

### TFC Poultry

TFC Pretreatment was discussed. Larry VanHout suggested the testing continue as stated in the agreement. It is more important now with the possibility of future changes and reductions in levels. It will be very important to monitor the progress. No temporary pretreatment will be done at this point. Some changes have occurred at the facility and the Froemmings feel that with the reduction in production, they will probably be within the limits established. A plan will still need to be in place for the future as they will continue to look for additional business. Worst case scenario is about where they were at this year with BOD levels. A study should be done so we are prepared for future changes. Jaenisch moved to have WSN do a sanitary sewer study at the City’s expense – approximate cost is \$7500. Karl seconded. MCU

**TFC**

**Approval of  
Wastewater  
study**

TFC fines and past due balance was discussed. TFC agrees they need to address. Jaenisch moved to approve a contract for repayment of the fines as follows; \$1000/month until May and \$2000/month thereafter until paid. Any new fines will be due within a month of the invoice. The City will reserve the right to amend the contract at any time. Karl seconded. MCU

**TFC  
Fines/payment  
schedule**

**Consent Agenda**

**Consent  
Agenda**

Karl moved to approve the Consent Agenda as follows:

- Approval of minutes from the previous month.
- Approval of bills: Prepaid Bills: \$383,800.53, Claims for Approval: \$31,011.11, additional Prepaid Bills: \$3,457.29 and additional Claims for Approval \$14,092.39 for a total of \$432,361.32 Jordan went through the bills and the bank statement ahead of time and gave prior approval. Jaenisch seconded. MCU

**Mayor's Report**

**Mayor**

Regional Mayor's Meeting

**Council Reports**

None

**Administration**

**Clerk**

The Clerk/Treasurer's Report was accepted. The report details work done by the Clerk/Treasurer for October 6<sup>th</sup> – November 8<sup>th</sup>.

- Central Lakes Trail financials and meeting.
- MCFOA Board meeting in St. Cloud.
- GrOw Grant County – sent out reminders, prepared items for meeting, attending meeting in Elbow Lake.
- Construction project – answered resident questions, continued to work with inspector and engineer, mailed letters regarding personal service, updated property owner spreadsheet, pay estimate, RD information, easements.
- Council vacancy – research appointment vs. special election – worked with Walton and received an opinion from him – sent to council. Prepared resolution for special meeting – worked on appointment as directed by council.
- Sent notice and prepared information for MCFOA Regional meeting in Spicer.
- Election – registration at Ashby Living Center, set up school, picked up supplies, delivered food and supplies for election workers, worked as election judge – p.m. shift, delivered results to County.
- Snow removal contracts prepared and mailed.
- TFC – test results, invoices.
- Wellhead Protection meeting.
- Mailed liquor renewals for 2 establishments to state.
- Update investment worksheet.
- Financial report to council.
- 2013 flex renewals.
- Public works meeting.
- Special council meeting.
- Arts commission meeting.
- Construction meeting.
- MCFOA newsletter.
- Collateral worksheet – 3<sup>rd</sup> quarter.
- Waiting on customers, all financials including deposits, checks, reports; posting and publishing notices; payroll; minutes; policies, compiling and delivering agenda packets to council members and more.

Thanks to Martin for doing a good job during the construction period along with the rest of the staff.

**Public Safety**

**Police Report:**

**Police**

Jeremy Obright presented the Police Report was as follows:

- Driving After Revocation – 1 Citation
- Domestic (non arrest) – 1
- Exhibition Driving – 2
- Improper Signaling – 1
- Juvenile Use of Tobacco – 1
- Public/Motorist Assist – 2
- Sick Cared For – 1
- Speed – 3 Warnings, 1 Citation
- Unsafe Equipment – 5
- Vehicle Checks – 2

The council discussed the possibility of a school speed zone on County Road 4. According to Jeff Kuhn, a study needs to be done before the speed zone can change. Jordan will talk with the school and others for letters of support and will request this from the County Commissioners.

**School speed  
zone**

**Fire Department Report:**

October:

Ambulance Runs – 18, 7 within the City  
Fire and Rescue Calls – 2, 0 within the City

**Fire**

**Arrow EMS Report:**

**Arrow EMS**

EMT refresher course will begin the first week of December for Browns Valley. The number of CPR classed that Arrow EMS instructs is continuing to increase. To handle the additional classes, we will be adding two additional instructors. Four new EMT's have been added to the roster after successful completes of the course.

**Public Works**

- Skating rink will be up and running this year in the new location.
- Ponds – bio bugs are still being used and testing is done, made discharge limits okay.
- Frank from Rural Water will be here on Monday to help with sludge judging.
- Things are ready for winter.

**Public Works**

We received a report from MN Dept. Health – everything reported fine.

**MDH report**

Congrats to Tollefson from passing his Class C Water test. He will be fully licensed for all the City's needs.

**Tollefson passed Class C Water**

Jaenisch reported that he is repairing the snow blower.

Street sweeping has been done.

**Old Business**

**GOGC**

Martin and Jordan reported on GrOw Grant County. An information meeting was held for the public on the 14<sup>th</sup> and went well. The group would like to apply for additional funding from West Central Initiative to work through the goals set by the committee. Jaenisch moved to approve the City of Ashby to continue acting as fiscal host. Jordan seconded. MCU

**New Business**

**Property Complaint**

A complaint has been received directed at the City Council regarding the conditions of a commercial property. The police department will serve the owners with a letter and ask them to clean it up.

**Letters not signed – complaints**

The Council discussed how to handle letters that are not signed. It is difficult and sometimes not possible to deal with a complaint that is not signed. There is a process which includes a complaint form available at City Hall or on the web-site. The complainant's identify is private information. Complaint forms remain with City staff and if they need to be directed to the City council, the name of the complainant would not be released to the council or at a public meeting. If it involves an ordinance violation, the police department can deal with it without going through the council.

Jaenisch moved to approve **Resolution 2012-19 to Certify Results of the Tuesday, November 6, 2012 General Election**. Koefod seconded. Roll call vote: those voting for – Jordan, Koefod, Grover, Karl and Jaenisch, voting against – none. MCU Jordan and Jaenisch have been re-elected to serve on the City Council for the next four years.

**Election certification**

<b>Council members</b>	
<b>George Jordan</b>	<b>212</b>
<b>Ronnie Jaenisch</b>	<b>199</b>
<b>Write-Ins</b>	<b>11</b>

Jaenisch moved approve **Resolution 2012 -17 Liquor and Tobacco Licenses for 2013**. Karl seconded. Roll call vote: those voting for – Jordan, Koefod, Grover, Karl and Jaenisch, voting against – none. MCU

**Liquor/Tobacco Licenses**

Jordan moved to approve **Resolution 2012-20 Accepting Donations - \$200 from Lions Club for the Central Lakes Trail membership and a donation for the Fire Department was received from Larry and Nancy Purdon**.

**Donations**

Council gave consent for Martin to work on a Safe Routes to School grant application and a Legacy Arts Grant application.

**SRTS Grant**

**Arts Grant**

Adjourn 8:10 p.m.

\_\_\_\_\_ Valerie Martin, Clerk/Treasurer