

# HARRIS CITY COUNCIL

## REGULAR MEETING MINUTES

April 10, 2017

### I. Call to order

Mayor Miller called to order the regular meeting of the Harris City Council at 7:00 p.m.

### II. Pledge of Allegiance

Everyone joined in the Pledge of Allegiance.

### III. Roll Call

City Clerk Dargay conducted roll call. The following members were present: Mayor Miller, Councilmembers Payne, Sculley and Williams. Councilmember Rossini was absent. Clerk Dargay announced a quorum of the Council was present.

### IV. Consent Agenda

Councilmember Payne made the motion to approve the March 13, 2017 Regular Meeting minutes and the Accounts Payable. Councilmember Williams seconded the motion. All in favor, motion carried.

Councilmember Rossini arrived at 7:10 pm

### V. Public Comment

No public comment.

### VI. Consulting Staff Reports

- **People Service Report - written report**

- The City, again, received the MPCA Operational Award for our WWTP operations.

- **Park Committee - Chair Monica Hult**

- **City Engineer – Chuck Schwartz**

- Chuck introduced James Water, who works with Chuck and would be a back up for him in his absence.

- Chuck advised that the funded portion of the North Branch trail will take the trail up to 410th Street in North Branch. The grant funded the engineering design and plans all the way to Stark Rd.

### VII. Regular Agenda

- **Deb Henton & Kirby Ekstrom of NB Schools - 2017 Referendum** - Mr. Ekstrom, the NB School Board Chair, and Ms. Henton, Superintendent of NB Schools, were present. They were in attendance to discuss their 2017 referendum. The referendum will include three questions. The first question is for \$59 million for deferred maintenance. The second question is for \$10.9 million to add two gym spaces on to the high school. The third question is for \$500,000 each year, for ten years, for technology. In grades 5 - 12, each student is given a computer and currently the parents are charged \$40 per year. If this referendum passes, that charge will be waived.

- **Bob Boyce & Richard Johnson and Tim and Natalie Cropper - Stark Rd Ln Easement Issue** - Richard Johnson was bringing this issue to the Council because, while working on a sale of part of his property, he attempted to get a title opinion from a lawyer. He could not get this opinion because the road into his property is not located where the legal easement shows it. The easement was given when the lots were developed in 1979. However, the road has been in its current location for over 100 years and was never moved to the actual easement location. They also discussed 430th Street off of Forest Blvd. That road ended at Ginger Ave. when the Ginger Ave. development was built. They felt that 430th Street should be extended to the properties that are currently landlocked. Chuck Schwartz, City Engineer, advised that, although he is not an attorney or a land surveyor, he felt that since the road has been in that location for more than 15 years, that there is already a prescriptive easement for the road even if it is not in the location noted in the easement. Councilmember Sculley advised that he felt that all of the residents needed to get together with an attorney and work this out. Chuck agreed with this. He further stated that this is a private road and the City shouldn't be expending City funds to fix this. He feels that this is a private issue and the City shouldn't be involved.

The residents then discussed 430th Street. Chuck stated that this road was probably put in as a future road extension if, and when, the property was ever to be developed. Chuck's advice was that the owner of the property that is landlocked should seek legal counsel to see what, if any, easement there is to that property and seek advice on whether or not they should petition for a cartway.

- **Water Tower Cleaning/Inspection -**
  - **Shawn Mulhern - KLM Engineering** - Shawn Mulhern and Dewey Prinzing of KLM Engineering were present. They have submitted a quote for the cleaning and inspection of the water tower. They have a lot of experience in with water towers and they are a local company. All the City would have to do is drain the tank, refill it and do the 24- and 48-hour bacteria testing, as well as disposing of the sediment removed from the tank. Chuck Schwartz advised that he has worked with this company with other cities and has relied on their reports and collaborated with them. He is very comfortable with their reporting and their services.
  - **Matt Montgomery - Utility Services Group** - Mr. Montgomery was not present. The Council looked at all of the quotes for the cleaning and inspection of the water tower. Councilmember Sculley made the motion to approve KLM Engineering to clean, inspect and take coating samples to test for lead and chromium, in the amount of \$2,700. Councilmember Williams seconded the motion. All in favor, motion carried.
- **Fire Dept By-Laws update** - Brian Swanson and Larry Eckl were present. At the March Council meeting, the Council had approved an increase in the Relief Association's pension from \$1,100 to \$1,213. The Relief Association By-Laws have been revised and a copy presented to Council. Councilmember Sculley made the motion to authorize the Mayor and the Clerk to sign the amended By-Laws. Councilmember Payne seconded the motion. All in favor, motion carried.
- **Rental Ordinance #2016-02** - Councilmember Rossini stated that this ordinance has been worked on for quite some time and that the Council might want to table this ordinance until the May meeting so the Councilmembers have more time to read through it. He did not want the rest of the Council to feel rushed into approving the ordinance. Councilmember Sculley made the motion to table the rental ordinance until the May meeting. Councilmember Rossini seconded the motion. All in favor, motion carried.
- **Rezoning of Parcel 14.00344.00 from R1 to R3 (Pinewood Apts)** - This has gone through a public hearing and the Planning Commission has recommended it for approval. Councilmember Rossini made the motion to approve Resolution #2017-02. Councilmember Williams seconded the motion. All in favor, motion carried.

#### VIII. Staff Reports

- **Fire Dept - Henry Gregoire**
    - Training Captain, Brian Swanson, has submitted his request to step down as Training Captain for the HVFD. The Council asked if he would reconsider. Brian stated that he would not reconsider. Councilmember Sculley made the motion to approve the resignation of Brian Swanson as Training Captain. Councilmember Rossini seconded the motion. All in favor, motion carried.
    - The Council looked at the requests from the Fire Department for vehicle repairs and the purchase of other necessary items:
      - The tanker needs a brake job and the replacement of the rear wheel seals. Henry presented Council with three estimates. The lowest estimate was FleetPride @ \$1,001.52.
      - The tanker also needs to have the transmission fluid changed and Trever can do this while the tanker is at FleetPride.
      - The firefighters need new Nomax hoods. They received three estimates for hoods that contain a liner that is more effective at stopping carcinogens. These are a little more expensive than the previous un-lined hoods. The lowest estimate was MES @ \$1,750.
      - The fire department has five pagers that need to be sent out to Ancon for repair. The repair price is \$125 each for a total cost of \$625.
      - The white pumper has two gauges that are not working. They do not have an estimate for this, but it would be done by Kirvida.
      - The Council had previously approved the purchase of new structure gloves for the firefighters at a cost of \$60 per pair. After being fitted for the gloves, they would like to use a different vendor and some of the firefighters need special sizes that cost slightly more. The total additional cost is \$120.
- Councilmember Sculley made the motion to approve the purchase of the Nomax hoods and the gloves that the firefighters want. Councilmember Payne seconded the motion. All in favor, motion carried.
- Mayor Miller made a motion to approve the tanker brakes, rear seals and transmission fluid change; the repair of the two gauges on the white pumper and the repair of the five pagers. Councilmember Rossini seconded the motion. All in favor, motion carried.
- Henry advised that the Fire Department is still looking at options for the Tyvek Level C disposable suits and will bring more information to the next Council meeting. They are also still looking for cord reels that will work for their needs. They will bring that information to the next meeting too. One of the grass rigs' beacon lights are working intermittently and they will keep an eye on this for now.
  - The fire department is hosting the April 13th State Fire Chief's meeting at the firehall. The firefighters will get together on April 12 and get the hall ready for the meeting.
  - Henry also asked that the fire department be kept in the loop on the maintenance of the water tower so that they can plan some training on drafting from the creek.

- Henry also advised that the fire department is having their fire department dinner on April 29 at 6 pm at the Fuse.

- **Planning Commission - John Rossini** - The Planning Commission will have a public hearing just prior to their June meeting to discuss a residential dog kennel. They may also have a public hearing on a variance that is currently in process.  
The Planning Commission is looking at possibilities for sewer and water expansion. The Commission would like to have a joint workshop with the Council and also invite Congressman Nolan and our County Commissioner.
- **Public Works - Alan Teich** - written report -
  - Alan has asked to schedule a road trip to assess the roads for this year's roadwork. The Council discussed dates that would work. The Council decided to do this assessment on Wednesday, April 19 at 6 pm.
  - We need to replace some of our parks' picnic table. Councilmember Sculley will look into some four-sided tables and get that information to Alan for the May meeting.
  - Councilmember Rossini asked about the brushing of the ditches. He felt that it was done outside of the ROW. Alan advised that the ROW extends 33 feet from the middle of the road.
- **City Treasurer - Marlys Balfany** - written report
  - Marlys has requested approval to work an additional eight hours during the audit in case it is extended an additional day. Councilmember Sculley made the motion to approve these additional hours. Councilmember Rossini seconded the motion. All in favor, motion carried.
  - Marlys also asked if Trever should be paid the \$25 Council special meeting pay plus the \$9 fire department business meeting pay. Councilmember Payne made the motion to approve payment of both to Trever. Councilmember Rossini seconded the motion. All in favor, motion carried.
  - Marlys advised that there was an officer on the fire department who has not attended any of the 29 fire calls or first responder calls in the first quarter, and only 5 of the 9 training/business meetings. The SOP's require all firefighters to attend a minimum of 25% of the calls. She was wondering if this officer was on an approved leave of absence and whether that officer should be paid their quarterly officer pay. Henry advised that there were no firefighters on a leave of absence. The Council discussed how this should be addressed. Councilmember Rossini asked if this should be looked at for all firefighters or just the officers. They discussed that they should start with the officers. Mayor Miller suggested that they advise Marlys to issue the check and that the officer's direct supervisor, which would be the Ass't Chief, give the officer a verbal warning, in a private setting, at the time the check is distributed. The verbal warning should be documented and signed and put in the officer's file. Councilmember Sculley made the motion to follow the procedure suggested by the Mayor. Councilmember Rossini seconded the motion. All in favor, motion carried.
  - Marlys asked Council how to proceed with a house where the water is currently shut off. They are hauling in water, which means that they are using the sewer system. They are currently being charged for base charges, but no usage. Councilmember Sculley made the motion to direct Marlys to charge \$45/month, retroactive to January 1, 2017. Councilmember Rossini seconded the motion. All in favor, motion carried.
- **City Clerk - Joanne Dargay** - written report -
  - The Clerk reminded the Council that the Local Board of Appeal and Equalization meeting is scheduled for April 24 at 6 pm.
  - Joanne also asked if the Council would make an exception to the limit placed on vacation time, because she had lost over 3 hours of vacation during Marlys' extended vacation in February. Mayor Miller advised that in order to do this, they would have to change the policy as it was not something that they could simply make an exception on. Based on this, the Clerk rescinded her request.

#### **IX. Mayor and Council Reports**

#### **X. Adjourn**

Councilmember Rossini made a motion to adjourn the meeting. Councilmember Williams seconded the motion. All in favor, motion carried. There being no further business, Mayor Miller adjourned the meeting at 9:20 p.m.

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City Clerk Joanne Dargay

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Mayor Diane Miller

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Date Approved