

Washburn City Commission Minutes
August 2, 2016
6:30 p.m. City Hall

Members Present: Thomas, Jacobson, Kroll, Baumann and Boehm

Thomas called the meeting to order.

Motion to approve the July 18, 2016 meeting minutes, Baumann and seconded by Kroll. Discussion: Thomas said that the minute's states that the application that the Goos completed for Planning and Zoning hasn't changed, where he believes that the application has changed and the fee is much less now. Thomas stated that he doesn't think the increase in fees was ever voted on. Hendrikson advised she does not know and she would have to look into it. Thomas believes that this should have been a lot split. Baumann said that is why the commission had referred that Goos go back to the Planning and Zoning Commission. Hendrikson also advised that Planning and Zoning will review this on August 11th. Roll call: Aye: Jacobson, Boehm, Baumann, Kroll and Thomas. Nay: none. Motion carries.

Boehm advised that the air conditioner for the Library quit working on July 25th and the cost for replacement was \$3,000.00. Boehm advised that this was above the commissioners spending limit so Boehm discussed this with Thomas and they approved the replacement of the new air conditioner. The conditioner was installed on August 1st.

Discussion regarding the 6 foot driveway apron for Jamie Weber on 2nd Avenue. Jacobson advised that he thinks the commission should re-think requiring a 6 foot apron the whole length of the curb. Baumann stated that he didn't think it was for the whole length of the curb.

Motion to rescind the motion of the six foot driveway apron and curb on 2nd Avenue from 6th Street to 7th Street and to be revisited on August 15th, Jacobson and seconded by Baumann. Discussion: none. Roll call: Aye: Jacobson, Boehm, Baumann, Kroll and Thomas. Nay: none. Motion carries.

Discussion regarding approved method of contact for City Commissioners. Boehm advised on the July 18th meeting the commissioners discussed preferred methods of communication. Thomas stated that he prints off the information from the City and doesn't feel that he should have to use his paper or ink. Jacobson said we went to ipad's last year, but Jacobson said if the ink and paper is an issue, he can get reimbursed. Thomas said that he would just prefer to have the City print the information for him. Baumann asked if he is still able to contact by phone, Thomas stated yes. Jacobson stated on a HR standpoint, the commissioners should be uniform, Jacobson questioned what if he would decide he would want the information texted to him, where would it end. Boehm advised the agenda item is just for the commission to agree on a uniform and consistent way. Boehm advised that currently 4 of the 5 are able to view the information immediately and he is not. Thomas, stated that you are assuming everybody checks their emails daily and I don't. Boehm said yes, but at least everybody has the same opportunity to see the information. Thomas asked that this be tabled at this time and he will think about this. Hendrikson advised that the office is more than happy to print out the items and have a folder in the office for Thomas to pick up the items as he wishes. Item tabled.

Discussion on interim funding for the 2016 street project. Eric Lothspeich from AE2S, advised that the next pay request will be around \$500,000.00 to \$750,000.00. Jacobson asked if we need to get a loan.

Thomas said we need to know exactly how much we are going to need for a short term loan. Thomas directed the office to contact the bank to let them know we will be needing a short-term loan and to see what rates will be.

Hendrikson advised commission that the administrative office will be closed on Tuesday, August 16th for ND League of Cities training in Bismarck.

Kroll and Jacobson presented an Employee Disciplinary form that they want the commission to review. Jacobson stated that the HR Committee met with all employees and would like to have a set form to use for the employees. Thomas stated that he believes this is a good idea. No action taken.

Motion to approve the Fred Five Charity 5K on September 25th, Thomas and seconded by Jacobson. Discussion: none. Roll call: Aye: Jacobson, Boehm, Baumann, Kroll and Thomas. Nay: none. Motion carries.

Motion to approve the special liquor license for Captain's Cabin on August 20th, Thomas and seconded by Baumann. Discussion: none. Roll call: Aye: Jacobson, Boehm, Baumann, Kroll and Thomas. Nay: none. Motion carries.

Discussion on Ballou King adding a culvert onto the City culvert. Kings said they did not know they need to make the city aware of that. Jacobson advised that since Kings added onto the City's culvert the City needs to be made aware of the situation. Boehm advised that there were not any permits completed for this and he is not sure if is something that the City would even have permitted. Lothspeich advised that he did look at this area and the drainage didn't change. King advised that he is just trying to make the land useable and viable. King advised he could have just filled in the coulee and stop the water flow instead he just extended the culvert. Ray Hager advised that King can't change the natural drain of the land. Baumann advised that there is already a culvert there, so this is not a natural drain and King didn't change the drainage, just extended it. Jacobson said that this is just something that the City needs to know when things like this are being done. Boehm advised that in the future if there is something wrong with the City culvert, then there could be issues with the City's culvert being attached to a residential culvert. Mark Lelm advised that when he was on the commission a similar situation occurred and at that time the resident had to use the same size and same material, and they needed a variance giving the City authorization to inspect that culvert. King advised he doesn't have a problem with the City coming to inspect the culvert. Jacobson asked if there needs to be something in writing. Lelm suggested we get a variance showing that his work was approved by the City engineer. Boehm advised that this would protect both sides. Thomas said that we have it in the minutes. Noelle asked if it would be better if we had an easement so we would have an actual file in the office. Lothspeich asked King if he plans on extending it. King said that yes he would like to. Jacobson said that if he extends it he will need to come back to the City at that time. Hendrikson advised that the office can write something up for Kings to review and sign.

David Bender on behalf of his business Can Clean to see if the City Commission will waive his company from having to go through the Iterant Merchant License process. Bender stated that he doesn't believe he falls under the ordinance since he is providing a service and not selling something. Bender stated that he just plans on putting a flyer in the lid of the garbage can, not planning on actually going around and knocking door to door. Hendrikson asked if Bender has talked to Circle Sanitation, Bender advised yes. Jacobson asked if Bender asked Circle if it was ok to put the flyers on their cans, Bender advised he didn't ask them that. Boehm asked if Circle is ok with them cleaning their cans, Bender advised he didn't

ask them that. He advised that Bismarck is happy that he does this service. Boehm asked if Bender has asked Circle if maybe he wants to contract under them to clean all of their cans. Bender said he doubts Circle will want to change their contract to include this. Bender advised that if he has to pay the \$200 fee and \$500 bond he won't be able to offer this service to the residents. Kroll advised that small towns don't handle soliciting very well and the permit is the way to go dealing with law enforcement and the amount of phone calls they will receive. Motion to allow David Bender with Can Clean to advertise in Washburn on garbage days with the completed application on file at the City of Washburn and Police Department, the fee is waived. If he does go door to door, the City will request the \$200.00 Iterant Merchants license and a \$1,000.00 fee, and with approval from Circle Sanitation Baumann and seconded by Thomas. Discussion: Thomas asked what he charges, Bender stated \$12.00 per month or \$20.00 for one time cleaning. Jacobson re-states that there is a fine if he goes door to door, Hendrikson informs \$1,000.00. Roll call: Aye: Jacobson, Boehm, Baumann, Kroll and Thomas. Nay: none. Motion carries.

Eric Lothspeich, AE2S Engineering gave an update on the 2016 Street & Utility Project and informed the City Commission that after inspection, some of the work that was done in the previous weeks is not up to standard and will be redone. All the residents impacted by sewer backup into homes have been contacted by Wagner's insurance adjuster. Baumann would like the adjuster to personally call every resident impacted and to continually keep them informed.

Discussion on the sidewalk in the coulee area from 10th to 11th Street and included tree removal along the length, moving the sidewalk inside the trees, as the sidewalk is in need of repair. Resident Ray Hager asks why the sidewalk is being repaired and maybe a new retaining wall would work better. Jacobson informed that there is a section of sidewalk in the middle that is tipping towards the coulee and the engineers felt this a good time to fix. Thomas stated that if it is going to be done the trees should be removed and the sidewalk moved over.

Lothspeich's preliminary estimate included \$2,400 to remove sidewalk at contract price, new 4 inch sidewalk, \$9,900.00, reseeding \$1,000.00 for a total estimated price of \$13,000.00 and is over and above what is already scheduled to be done. It is approximately 400 feet of distance. Baumann asked if City personnel should be doing the removal work to lower costs.

Ballou King, A & C Land Development offered that he could do it for \$2.00 per square foot and Thomas asks where he would haul it to, he replied it would be the City's so he would give it back to the City. Thomas states that it is the contractor's responsibility to dispose and King says he does have someone out of town who will take it. Thomas states that is something they will consider and continues it is a portion that needs to be done. King also states that he could do a retaining wall to which Thomas replies for him to keep in contact with him.

Lothspeich states that the tree removal was not included in the bid, Baumann adds that public works can do the tree removal. Jacobson then asks if they are going to get private bids. Baumann informs that he has never looked at it so he would like to look at it prior to making a decision, Thomas agrees.

Resident Bill Knox has concerns over the ditch by Pauline Slovarp. Lothspeich explains the proposed work and the method being used to stop erosion with the railroad.

The estimated completion date for 2016 construction is October 28th, 2016.

Portfolios:

Commissioner Jacobson: Nothing to report.

Commissioner Boehm: Met with building and grounds and is still becoming acquainted with his portfolio. Commissioner Thomas asks to meet with Boehm about the museum and work that needs to be done. The floors at the Memorial Building should be completed around August 11th.

Commissioner Baumann: Nothing to report.

Commissioner Kroll: Nothing to report.

Commissioner Thomas: He will be out of town August 8th-11th, and will not be at the Planning & Zoning meeting on August 11th and possibly the Commission meeting on August 15th.

Resident Ray Hager is upset about the condition of the boulevard in front of his house citing poor dirt, rock and no seed. He has put up with it for the past two years and does not want to wait until this fall for it to be fixed. Lothspeich states he will look into it.

Resident Sharon Chrest has concerns about the road that was done on Missouri Avenue last summer. Jacobson shared that the road is going to be taken care of. Thomas asks if Quam Construction will be sent the bill for this.

Resident Kristi Jaeger asks the Commission if they have ever consider an HR Consultant rather than having two commissioners doing it. As the City is a business, there should be more of an HR structure than what the city currently has, adding that the discipline form is a great form, but that there is more to HR than that. She also has concerns about the amount of items that are tabled, referring to Thomas possibly not being at the next meeting, but the agenda item of commissioner communication being tabled again. She states that is an important issue that should be a priority as leaders of the community and that the checking of emails and voicemails should be done. Jacobson says that he thinks sometimes the opposite happens where things are rushed into instead of tabling it but understands the concern over this particular issue. Jaeger states that the Commission spent more time on Can Clean than they did on communication of Commissioners and thinks that should be a priority. Thomas thanked her for her statement.

Bills:

000343E	INTERNAL REVENUE SERVICE	\$3,711.99
28020	Fuchs, Nancy L.	\$109.29
28021	Hendrikson, Sharon	\$1,034.21
28022	Hillerud, Nancy J	\$0.00
28023	Johnson, Alan, R	\$351.72
28024	Ogden, Mark	\$368.99
28025	Patterson, Elizabeth A.	\$88.55
28026	Rothmann, Bryan	\$2,243.56
28027	Schell, Zachary D	\$793.24
28028	Thomas, Adam L.	\$1,674.47
28029	Zimmerman, Joan	\$1,642.03
28030	Zimmerman, Kim	\$1,528.41
28045	AE2S	\$621.50
28046	Zimmerman, Kim	\$1,404.08
28047	Fuchs, Nancy L.	\$35.41
28048	Zimmerman, Joan	\$1,653.72
28049	Thomas, Adam L.	\$1,515.49

28050	Schell, Zachary D	\$901.89
28051	Rothmann, Bryan	\$1,799.24
28052	Patterson, Elizabeth A.	\$149.84
28053	Ogden, Mark	\$515.19
28054	Johnson, Alan, R	\$886.64
28055	Hillerud, Nancy J	\$184.70
28056	Hendrikson, Sharon	\$1,115.63
28057	A ONE JANITORIAL	\$344.41
28058	BHG LEADER NEWS, INC	\$6,684.79
28059	CARDMEMBER SERVICES	\$307.17
	FISHBECK TECHNOLOGY	
28060	CONSULTING	\$24.00
28061	HAWKINS	\$4,324.94
28062	HELPER GUY	\$2,357.43
28063	HENDRIKSON, SHARON	\$696.79
28064	Diane M Due	\$3,000.00
28065	LINDELL LAW OFFICE	\$75.00
28066	Matthew Bender	\$117.60
28067	MIDCO	\$75.00
28068	MVTL LAB	\$25.00
28069	ND LEAGUE OF CITIES	\$1,240.00
28070	OTTERTAIL POWER	\$5,011.46
28071	SALHUS SEPTIC PUMPING	\$450.00
28072	SCOTTS HARDWARE	\$276.04
28073	STARION BOND SERVICE	\$900.00

Motion to pay bills, Baumann and seconded by Boehm. Discussion: Thomas asks about a previous bill, asking Hendrikson if the bill for the handicap chair had been checked on. She informed that the company had been here twice, but only one set of batteries was installed. Roll call: Aye: Jacobson, Boehm, Baumann, Kroll and Thomas. Nay: none. Motion carries.

Baumann informed the Commission that he requested that public works put caution lights on both lawn mowers and make sure they work all the time.

Motion to adjourn.

Submitted by
 Sharon Hendrikson
 Joan Zimmerman