

## KASSON CITY COUNCIL SPECIAL MEETING MINUTES

November 13, 2013

Pursuant to due call and notice thereof, a special City Council meeting was held at City Hall on the 13<sup>th</sup> day of November, 2013 at 5:30 p.m.

**The following members were present:** Tjosaas, Coleman, Egglar, Hopkins and Nelson

**The following members were absent:** none

**The following were also present:** City Administrator Lenth, Admin Assist Weigel, Community Dev Director Martin.

**The following were also present via telephone:** Attorney George C. Hoff and Attorney Shelley M. Ryan  
Mayor Tjosaas presided over the meeting

### **NEW Business:**

1. **State of Minnesota by Cuomo, et al v. City of Kasson (Closed Session)**: Motion was made by Egglar and second by Nelson to close the City Council meeting pursuant to the provisions of Minn. Stat. 13D.05, subd. 3(b) to discuss the case of State of Minnesota by Cuomo, et al v. City of Kasson, currently pending in Dodge County, with our attorneys, for the purpose of receipt of confidential advice and information and to discuss and develop case strategy and settlement positions for the upcoming Court ordered mediation and trial at 5:32pm. The meeting was re-opened at 5:54 with a motion by Hopkins and a second by Egglar. **Outcome:** Litigation strategies and settlement options were discussed between the council, City Administrator Lenth, Community Development Director Martin and Attorney's Hoff and Ryan.

**ADJOURN:** The meeting was adjourned at 5:54 p.m.

**KASSON CITY COUNCIL REGULAR MEETING MINUTES  
November 13, 2013**

Pursuant to due call and notice thereof, a regular City Council meeting was held at City Hall on the 13<sup>th</sup> day of November, 2013 at 6:00 p.m.

**The following members were present:** Tjosaas, Coleman, Eggler, Hopkins and Nelson

**The following members were absent:** none

**The following were also present:** City Administrator Lenth, Admin Assist Weigel, Community Dev Director Martin, City Engineer Neil Britton, Apprentice Lineman Lance Diderrich and Randy Carlsen  
Mayor Tjosaas presided over the meeting

**A. COUNCIL:**

**1. Agenda:** Motion by Nelson and second by Coleman with all voting aye, to approve the November 13, 2013 agenda with the following amendments: NONE

**2. Consent Agenda:** Motion by Nelson and second by Eggler to approve the November 13, 2013 consent items. Ayes: Tjosaas, Coleman, Eggler, Hopkins and Nelson. Nays: None.

- a. **Minutes:** Approved the October 23, 2013 regular meeting minutes as submitted
- b. **Claims:** Approved all claims processed after the October 23, 2013 regular meeting, as audited for payment in the amount of \$365,048.21.
- c. **Acknowledgement of Committee and Meeting Minutes:**
  - 1. Planning & Zoning Commission – October 14, 2013
  - 2. Economic Development Authority – October 1, 2013
- d. **Annual Evaluations:**
  - 1. Lance Diderrich – Electric Lineman Apprentice, remove probation, move to Grade 10, step 4 \$24.50 eff. 10/22/13
  - 2. Paul Lindgren – PT Police Officer, move to Grade 10, step 2 \$22.98 eff. 11/15/13
  - 3. Michael Bodenheim – FT Police Officer, move to Grade 10, step 7 \$26.96 eff. 11/22/13
- e. **Conferences/Training:**
  - 1. Ron Unger                      Northern Green Expo                      Jan 8-10, 2014                      Minneapolis, MN
- f. **Pay Estimates**
- g. Approve the Snow Removal/Hauling Contract for 2014 from Swenke Ims Contracting.

**B. VISITORS TO THE COUNCIL: NONE**

**C. PUBLIC FORUM:**

- 1. Mark Anderson:** Mr. Anderson asked if there were any updates on the old school and Lion's Park
- a. Old School:** Mayor Tjosaas states that there is mediation with the plaintiffs on Fri., Nov. 15, 2013
  - b. Lion's Park:** Community Development Director Martin informed Council and Mr. Anderson that the developer is currently in private negotiations.

**D. PUBLIC HEARINGS: NONE**

**E. COMMITTEE REPORTS:**

**1. Ordinance Committee:**

- a. Recreational Fires:** After discussion this committee has determined that there is no need to change our ordinance and will continue to support the ordinance as written. The ordinance follows the Recreational Fires Ordinance published by the State Fire Marshal Division of the Minnesota State Department of Public Safety

**F. OLD BUSINESS:**

- 1. Overland Group Water and Sewer:** *Motion to approve the **Resolution Allowing Reimbursement of Certain Expenditures by the Overland Group; Resolution #11.2-13** was made by Council Member Nelson and duly seconded by Council Member Egger. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.*
- 2. Resolution approving Mendenhall land sale:** *Motion to approve the **Resolution Approving the Sale of Public Property; Resolution #11.1-13** was made by Council Member Coleman and duly seconded by Council Member Hopkins. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.*

**G. NEW BUSINESS:**

- 1. Safe Route to School Letter of Intent:** Community Development Director Martin asked for Council approval of Letter of Intent for the Transportation Alternatives Program. The Letter of Intent is submitted now, the application will take place in February and staff will be notified in July. After some discussion the *motion to approve sending the Letter of Intent for the Transportation Alternative Program was made by Council Member Egger and duly seconded by Council Member Coleman. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.*

**H. MAYOR'S REPORT:**

- 1. Joint Venture Meeting:** Mayor Tjosaas informed Council that the Joint Venture Committee will be meeting on November 14, 2013 in the morning. The Joint Venture Committee is comprised of the Mayors of Kasson and Mantorville and the Superintendent of Kasson-Mantorville School District.

**I. CLERK-ADMINISTRATOR'S REPORT:**

**1. Southeast Service Cooperative:** City Administrator Lenth informed Council that they are each granted one vote to the 2013 election of the Board of Directors for the Southeast Service Cooperative. Council Members took a moment to review the ballot and voted individually. Ballots were returned to City Administrator Lenth.

**2. Utility Rate Increase:** City Administrator Lenth indicated to Council that Finance Director Zaworski has recommended a 2.5% utility rate increase across the board. He also indicated that the energy rates look favorable through the year 2020.

**3. American Legion – Charles Anderson:** Mr. Anderson stopped into City Hall and spoke with City Administrator Lenth looking for an update of the Kasson American Legion Post 333's request to acquire the land west of their building. Community Development Director Martin stated that this is scheduled to be discussed at the December EDA meeting on December 3, 2013. City Administrator Lenth wants to make sure that there is a definitive date for the asphalt to be down and that the drainage problem will be fixed if this were to move forward.

**J. ENGINEER'S REPORT:**

**1. Neil Britton, WSN reported on the following projects:**

- a. **Folkestad Building & House:** Architect Monica Watkins met with the two tenants to finalize the build out on November 12, 2013. The contractor is projected to finish the flat roof next week.

**K. PERSONNEL:**

**1. City Clerk Job Description:** The Administrative Committee has been looking at separating the duties of the Clerk and the Administrator for a couple of years creating two positions. There are four individuals in the office that are qualified for this position at this time. Those qualified to fill the position would be the Community Development Director, the Finance Director and two Deputy Clerks. If more than one individual is interested in the position interviews will be held. After little discussion the *motion to approve the job description of City Clerk was made by Council Member Nelson and duly seconded by Council Member Hopkins. Upon a vote being taken, the following members voted in favor thereof: Tjosaas, Coleman, Egger, Hopkins and Nelson. Those against same: none.*

**L. CORRESPONDENCE:**

**1. International Institute of Municipal Clerks; Athenian Fellow; Linda Rappe:** No Discussion

**2. International Institute of Municipal Clerks; Master Municipal Clerk; Linda Rappe:** No Discussion

**3. Third Quarter Cash and Investment Summaries:** No Discussion

**M. ADJOURN:**

- 1. The meeting was adjourned at 6:26 p.m.

**ATTEST:**

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Randy D. Lenth, City Administrator

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Tim Tjosaas, Mayor