

KASSON CITY COUNCIL REGULAR MEETING MINUTES
July 22, 2015

Pursuant to due call and notice thereof, a regular City Council meeting was held at City Hall on the 22nd day of July, 2015 at 6:00 P.M.

THE FOLLOWING MEMBERS WERE PRESENT: Borgstrom, Buck, Coleman and Egger.

THE FOLLOWING MEMBERS WERE ABSENT: Johnson

THE FOLLOWING WERE ALSO PRESENT: City Clerk Rappe, City Engineer Brandon Theobald, Finance Director Nancy Zaworski, Economic Development Director Mike Martin, Library Director Art Tiff, Public Works Director Burt Fjerstad, Tim Penny, Chris McKern, Bill Glawe, Jim Coughlon, Billy Gullickson, Stevie Ersland, Mark Sannes, Sarah Brown, Pat Dibble, Janice Borgstrom-Durst, Judy Rupport, Melissa Ferris, Diane O'Brien.

Mayor Pro-Tem Borgstrom called meeting to order at 6 P.M.

COUNCIL

Agenda:

Add: Old Business #2 Street Supervisor Position

Add: New Business Safe Cities

Motion by Egger and second by Coleman, with all voting Aye, to approve the amended July 22, 2015 agenda.

Consent Agenda:

- a. **Minutes:** Approved the July 8, 2015 regular meeting minutes and July 14, 2015 special meeting minutes.
- b. **Claims:** Approved all claims paid after the July 8, 2015 regular meeting, as audited for payment in the amount of \$1,143,685.74
- c. **Resolution Making City Appointment to Central Minnesota Municipal Power Agency (CMMPA) and Central Municipal Power Agency/Services (CMPAS) Board of Directors**

Resolution #7.5-15

Resolution Making City Appointment to Central Minnesota Municipal Power Agency (CMMPA) and Central Municipal Power Agency/Services (CMPAS) Board of Directors
(on file)

Motion by Coleman and second by Egger, with all voting Aye, to approve the consent agenda.

VISITORS TO THE COUNCIL

Chris McKern – Festival in the Park Update – Festival is two and a half weeks away. They have 31 sponsors. They have 70 volunteers and would like to recognize April Paulson for selling 52 buttons. Button sales are double what they were last year. The Hall of Fame dinner is next Wednesday. Home

Free is the free concert again on Saturday night, last year we had 3000 to 4000 people attend. The Mayor will be a judge for the rib/chicken cook-off. We need belly floppers. The parade will be bigger than ever. The medallion hunt is on public property, not private property and it is not buried. Fireworks clean up issues have been addressed for this year. They have seven ambassador candidates from the KM High School. Tug of war is back, they have the USA Tug of War Association and there will be 6 teams for a regional pull and will have public teams of 8. So far there are eleven food vendors and fifty craft vendors. Mr. McKern would like to thank all the behind the scenes people, the City and City workers, office and park crew, street crew, electric crew, pool staff, fire and police departments. Mr. McKern stated that we are very blessed to have such dedicated city staff.

Tim Penny – President of the Southern MN Initiative Foundation, handed out packets to all Councilmembers containing information on SMIF and Dodge County. Mr. Penny informed the Council on how SMNIF helps communities by helping small towns create community funds, providing matching grants for community funds, farmland retention program, entrepreneurship and early childhood resources. SMIF has made a local loan to Little Stars Childcare in Kasson. SMIF has donated over 2000 books through 3 book programs for early reading programs along with AmeriCorp. Mr. Penny asked that the EDA keep them in mind for grant and lending dollars. SMIF is also working with towns around Rochester on Destination Medical Center. Councilperson Coleman stated that MN is rated #1 for childcare and Mr. Penny stated that there are a lot of organizations that contribute and SMIF tries to be a helpful partner.

PUBLIC FORUM

Bill Glawe – 408 1st Ave NW – Mr. Glawe wanted to show support for the new council and knows it is a tough job; you were elected by the people for the people. Keep up the good work.

Jim Coughlon – 1304 4th St NW – They moved here 8 years ago, mostly for Mayo Clinic, and thinks the Council is doing a really good job and keep it up.

Billy Gullickson – 303 13th Ave NW – Mr. Gullickson stated that he watches the news and reads the newspaper and everything he has seen he thinks is crap. He thinks the Council is doing a heck of a job and they got voted in for a reason. People are behind you all the way, so keep your head up. You got voted in for a reason.

Stevie Ersland – 206 1st Ave NW – is concerned about the firehall stuff that was brought up at the last meeting and she would like to volunteer to be on the committee. Councilperson Borgstrom stated that the Mayor will appoint the committee. Ms. Ersland asked that her request be conveyed to the Mayor for consideration.

Chris McKern – 523 21st Place NE – Mr. McKern has a complaint about horses running loose in the City. He has talked to the police, and the County Sheriff. Mr. McKern is asking that the punishment for the ticket for animals running at large be increased to make it a hardship and force these people to fix their fence. Mike Martin, Economic Development Director for the City of Kasson responded - this property is just outside the City limits so we have no jurisdiction, but the City is talking to the County about this property and understands that there is a concern.

Mark Sannes – 106 6th Ave NW – Mr. Sannes stated that he is here to suggest to the Council that they could use a better process and be more transparent. When you add something to the agenda at the last minute and then vote on it and make a decision without letting people give feedback that is wrong and you lose the trust of your constituents. “Coy and Doug you say you got the most votes, you got 35% of the votes, there are 65% that didn’t vote for you and you need to serve them too.” Mr. Sannes is not pleased with the job they have done so far and they have given Kasson a black eye.

Sarah Brown – 1404 2nd Ave Cir NE – Ms. Brown said that she read an article from May 2014 where Councilman Buck had supported another person for the street supervisor position and that person

was his relative and being that he is the person who added this to the agenda to get rid of our current street supervisor position it seems to be a major conflict of interest and wanted to know if there was a response to that. - No response was given.

Pat Dibble – 805 5th St NW – Mrs. Dibble stated that she is a firm believer in never saying anything behind someone’s back that she wouldn’t say to their face. She is addressing the Council as a concerned resident who also happens to be a business owner. Some of her observations and comments are flavored by her 20 years in personnel administration specializing in executive compensation for a large twin cities corporation. It is how we address these challenges and how we respect each other in that process that concerns her the most. This administration began with a bit of a shroud of secrecy with the election process and who lived where and rented what and did they really live there, etc? She would have appreciated a straight forward response to begin with. She would like to remind the Mayor and City Council that they were elected to listen to and to serve the persons of Kasson with no regard to any personal agendas or egos. Much mention has been made about change. Change for the sake of change is not a good enough reason in her opinion for some of the decisions she has seen being made over the last seven months. She fully supports efforts to save taxpayer dollars. Mrs. Dibble stated that volunteers serve on the boards and commissions of Kasson and wondered if the Council would do the same? That would save \$15,000 a year. In her opinion this City is falling into a lack of transparency, in pretending to further a discussion on one topic and voting in another, lack of teamwork, lack of integrity, while some actions are legal they display a disregard for the individuals being affected, a lack of ethics, she doesn’t like to slander by innuendos, and some lack of willingness to employ business best practices. She challenges each of the Council to educate themselves on what being an elected official really means. Ask questions of the public and listen to their input and resist the temptation to talk only to your friends. Use the expertise of those City employees seated at your very table. Admitting your mistakes is the mark of a true leader.

Janice Borgstrom-Durst – 401 3rd Ave NW – being that this is Kasson’s 150th Celebration she feels this has been hidden under their bushel basket. She would like to know if the City is going to fix the lights at the Old Watertower? Finance Director Zaworski stated that it is the City’s full intention to get them fixed. Mrs. Borgstrom-Durst stated that both the lights on the ground and the ones on the top are out. Publics Works Director Fjerstad answered that some are fixed already and we are waiting on parts for the rest.

PUBLIC HEARING

COMMITTEE REPORTS

Councilperson Buck would like to add a Library Report – Art Tiff, Library Director gave an update on the new library. On the advice of the City Attorney they are going to rebid Division 2 and because time is of the essence they are using the State requirement of ten days. It will be published in the DCI, Builders Exchange of Rochester and the Construction Marketing Group nationwide. Division 2 is site preparation, and once they get the dome in it would take two months of 24/7 work to get the building finished. Councilperson Borgstrom asked why they are rebidding. Mr. Tiff stated that they had advice given to them by individuals that the bidding process was not easy to understand. The City Attorney and the League of MN Cities has also advised them to rebid this Division. The KPL Board of Trustees has approved two Division bids. Division 1 bid, which is the construction on site superintendent, site office, portable toilets, dumpsters, etc.; and Division 13, pre-engineering concrete dome, construction supplies and installation of custom made airform. Both bids fall within the budget for this project. They would like the Council’s approval to accept Division 1 and 13 bids. There was only one bidder for each. Councilperson Borgstrom asked if this is something that should go on as an agenda item. He has

not seen the bids or numbers for this and would have a hard time putting his name on something he has not seen anything on, and this was not on the agenda. Finance Director Zaworski stated that if the Council will accept motions of items not on the agenda this would not be out of line. These have been bid and accepted by the Library Board. Under the advice of the City Attorney, this is a City building and it does need the City Council approval. All of the other bids will come before you as well once they have gone through the proper process. Councilperson Borgstrom asked if they were well under budget. Mr. Tiff stated that they are right at budget. Councilperson Borgstrom stated that we need to get this project rolling. **Motion to approve Division 1 and 13 contracts for Kasson Public Library made by Coleman, second by Buck with all voting Aye.**

OLD BUSINESS

Resolution approving the take over from Xcel Energy – Finance Director Zaworski stated that this is service to the WWTP. Last November the City Council did pass this resolution but with a sunset date of July 1, 2015. This did not get done so it is coming back with a different end date. There is a 90 day window to give notice to Xcel that the City intends on taking over this territory. Councilperson Borgstrom asked if there is a cost to do this. Zaworski stated that there is a cost for infrastructure and there will be a cost to transfer with a total cost close to \$70,000. Councilperson Borgstrom asked about buying “blue sky”. Zaworski stated that this would not apply to this purchase and we have many areas in town where we have already dealt with this. **Motion by Egger, second by Coleman to approve the Resolution Approving and Directing the Take-over of Electric Territory from Xcel Energy, with all present voting Aye.**

Resolution #7.6-15

***Resolution Approving and Directing the Take-over of Electric Territory from Xcel Energy
(on file)***

Street Supervisor Discussion – Councilperson Coleman would like answers from Councilperson Buck. Coleman has been going through the minutes and would like to know when Councilperson Buck stated that the union said the job duties don’t match the title and they are not the job to be exempt and can’t figure how we match these jobs to the wages. Councilperson Buck stated that is what was said when they met with the union in the office. Councilperson Coleman asked if the City Attorney was there then and Councilperson Buck stated that he was.

Councilperson Coleman then asked Councilperson Buck what was meant when he stated that he was thinking of taking someone out of the field that knew how to do most of the work. Councilperson Buck stated that he was thinking of someone who had run crews and knew something about sewer and water and blacktop; an overall person who could run people in those jobs. Councilperson Coleman asked if he had someone in mind for this position? Councilperson Buck stated that he did not.

Councilperson Coleman stated that Mayor Johnson asked Councilman Buck if he was correct in leaving the electric, parks and wastewater supervisors to continue on and whoever is hired to be overall in charge would be in charge of the streets? Are we even thinking of replacing the three supervisors? There is a lot of concern about that right now. Councilperson Buck said “not that he knows of”.

Councilperson Coleman stated that he would like a copy of all of the numbers Buck was giving on wages and benefits and where the numbers came from.

NEW BUSINESS

Public Works Discussion – Councilperson Coleman would like to turn this over to Public Works Director Burt Fjerstad. Mr. Fjerstad stated that he is here because he is troubled by some things that have

happened recently and has some perspectives. He is here because it seems that some Council people have a low opinion of some of the dedicated people who work for the City of Kasson. We are professionals in our fields as much as other people are in theirs. We were told when the new Council came on that communication was the key. Mr. Fjerstad stated that he was not informed on the removal of the City Administrator, the removal of WSN and was not in on the hiring of the new engineering firm. He was not informed of the demotion of the street supervisor position. Everyone at the public works department was in shock. This was the first time Mr. Fjerstad had three people in the streets department. Mr. Fjerstad would like the Council to know that all of his supervisors are working supervisors and their backgrounds and qualifications are large. Mr. Fjerstad listed the Wastewater Supervisor's Class A license that took him eight years of training to achieve, he has four separate licenses for sludge and numerous things and he can be personally prosecuted and sent to prison if any of the compliance is not completed at the WWTP. The electric supervisor had four years to attain his journeyman license, he has 29 years employed at the City and started at \$7.14 an hour and currently makes \$34.80 an hour. Regular linemen at Xcel Energy make \$40 an hour and are not in charge of anything. We have lost three journeyman linemen because of wages. The Street Supervisor, who he is here supporting, has a four year Bachelor of Science degree, 14 years in civil engineering experience from design to build, Certified Level Three Surveyor, proficient in AutoCad, GIS, mapping, Excel and Word. The Parks Supervisor has a pool license, tree forester, oversees Aquatic Center, Cemetery, Ice Arena and Tree USA. He has been with the City for 28 years, starting wage was \$7.44 an hour. He is in charge of 75 employees in the summer and interviews all of them for the jobs at the pool and summer help. Mr. Fjerstad is offended at the comment that the City doesn't have strong supervision anymore. Mr. Fjerstad stated that Councilperson Borgstrom was out at the shop and there was dirt on the floor and stated that was poor supervision. Mr. Fjerstad stated that Councilperson Borgstrom said there was strong supervision 20 years ago. Mr. Fjerstad stated that he has been here 24 years. Mr. Fjerstad stated that they are accused of not working and the supervisors are accused of not working. Mr. Fjerstad challenges the Council to keep up with anyone of his supervisors. They are working solid all day long and are constantly looking for better and cheaper ways of doing things. They have a 24 hour business that they keep going with 8 hours of work. He is told that they don't get going in the mornings, Mr. Fjerstad has talked to Councilperson Buck on this and all of the prep work that has to be done for blacktopping only to be told by the Mayor that at that time that they didn't get up in the morning and there shouldn't be any overtime, even though all of the men who worked on these projects worked straight through and took no breaks or dinner hours. We have no committees anymore so when we want to get together to discuss projects there is nowhere to go. We used to have supervisor meetings once a month but now are told that it is ridiculous that four supervisors are there when they were originally told that they all needed to be there. Mr. Fjerstad then listed all of the things the Public Works Department does. It is amazing to him that they don't have support from the City leaders. Are we being punished for past situations, the Folkestad building, Shopko, etc? They didn't do that the City Leaders decide those projects. Mr. Fjerstad stated that no one has ever come to him asking how to cut the budget, he finds out after the fact. Mr. Fjerstad stated that he has been here 24 years and has never once gone over budget. There is no communication. Mr. Fjerstad proposed a solution; he is retiring in December and Al Riedel is retiring in October so take the money that is saved by not filling those two positions, and maintain Tom Ricke as the Street Supervisor. Mr. Ricke is a valuable employee who has already saved the City money by doing mapping for the other department that has saved the City \$90 - \$120 an hour to have an engineer do. Mr. Ricke can do estimates and the GIS that we pay others to do. Mr. Fjerstad stated that he has lived in Kasson all his life, served on the City Council and had 27 years on the Fire Department and 4 years in the Service and this is his town. Fifteen years ago Mr. Fjerstad negotiated a contract that saved the City a million dollars and isn't asking for any thanks but is offended now by this.

Councilperson Coleman gave information to the audience as to what is going on behind the scenes. Coleman stated that no one can make a move in the Public Works departments without a phone call being made to one of these new representatives here. Councilperson Coleman stated that he went to the Public Works building to visit with Mr. Fjerstad and he came home to an email from the Mayor asking why he went to see Mr. Fjerstad. Councilperson Coleman asked the Mayor who told him he was in to see Mr. Fjerstad and he was told by the Mayor that didn't matter. Councilperson Coleman stated that there is someone out there trying to destroy Mr. Fjerstad and our supervisors and someone in this room knows who it is. Coleman stated that if he wants to talk to a supervisor he will.

Councilperson Egglar stated that in light of Public Works Director Fjerstad's statement of not replacing him or Al Riedel when they retire, Councilperson Egglar would like to make a ***motion to reinstate Street Supervisor position effective immediately, seconded by Coleman, Ayes: Egglar, Coleman Nays; Borgstrom and Buck.***

Finance Director Zaworski stated that this fails for the lack of a majority.

Councilperson Egglar would like to add to the next Council meeting agenda that since we have the budget cuts coming we reinstate our Street Supervisor.

Safe Cities – Councilperson Coleman stated that the City of Kasson is in the Top Ten in the MN as one of the safest Cities to live in. Coleman would like to congratulate the Police Department. We have a good place to live and it is safe!

MAYOR'S REPORT

ADMINISTRATOR'S REPORT

ENGINEER'S REPORT

Blaines's 12th Phase 5 - City Engineer Theobald stated that there are two items for Blaine's 12th Phase 5. One is the petition and waiver agreement that was approved at a previous meeting and we now have the numbers for it. The 2nd is the resolution to accept the bid for Blaine's 12th Phase 5.

Councilperson Egglar stated that there are different numbers on page 2 and page 3 of the petition and waiver agreement. Economic Development Director Martin stated that it is due to rounding and the page 2 are "not to exceed" figures and the figures on page 3 are more specific.

Motion to enter into the petition and waiver agreement made by Egglar, second by Coleman with all voting Aye.

Motion awarding the contract for Blaine's 12 Phase 5 to Elcor construction made by Coleman, second by Egglar with all voting Aye.

Resolution #7.7-15

***Resolution Awarding and Approving the 2015 Assessment Project – Blaine's 12 Phase 5 bid
(on file)***

School Watermain – Engineer Theobald stated the bids are in the council packet. We did not have an official engineering estimate but Mr. Theobald feels this is a solid number. Swenke-Ims has the low bid at \$30,990.36 ***Motion to award the contract for the school watermain made by Coleman, second by Egglar with all voting Aye.***

Resolution #7.8-15

***Resolution Awarding and Approving the Watermain to serve Kasson Meadows Bid
(on file)***

Grant for the WWTP Upgrade from PFA – City Engineer Theobald stated that this resolution allows us to move forward with the grant application. Finance Director Zaworski stated that we don't qualify for many grants but we may qualify for this one.

Motion to approve the resolution to submit the grant application made by Coleman, second by Buck with all voting Aye.

Resolution #7.9-15

Resolution Authorizing the City of Kasson to Submit a Point Source Implementation Grant Application to the Minnesota Public Facilities Authority (PFA) and to Authorize City Officials to Execute a Grant Agreement on behalf of the City of Kasson for the Wastewater Treatment Plant Upgrade.

(on file)

PERSONNEL

Motion by Coleman and second by Egger acknowledging the retirement of Jeffrey Stevenson, Jr. and thanked him for his dedication and service. All Ayes.

CORRESPONDENCE: None

PUBLIC FORUM –

Judy Rupert – 403 3rd Ave SW – Since we are talking about honoring people and snitching on people she would like to talk about the blogger. Since she has been mentioned in the blog she has the right to talk about it. There are people here she knows are doing it and the night her name was spelled wrong she made a comment that her name was spelled wrong and there were only four people sitting here and when she got home that night there was a correction on the blog with regard to her name. She knows there is a snitch. She stated the blogger is a coward.

Melissa Ferris – 204 4th Ave NW – She wanted to thank them for putting in the recording system so that she can watch the council meetings at home but she would like to remind the Councilpeople to use their microphones because they are hard to hear.

Chris McKern – 523 21st Pl NE – He tries to stay out of these things because of volunteering and having kids in school and doesn't want to be on someone's list. He would like to remind the Council that it isn't always what you say it is how you say it and it isn't always what you do but how you do it that makes the difference. You can tell by how things have been done that there is a lot of inexperience on this Council. You need to get more information before you make decisions and no one including the people involved know anything about it. He has employed people for 27 years he has had to hire and fire people and everytime he had to fire or eliminate a position it was an agonizing decision it wasn't just a number, people need to be treated with respect. Think before you do things so it is not a shock. We have a fragmented Council. He is not from here but he chooses to live here. It took 150 years to be in the top ten places to live and be safe and it will only take one or two years to circle that drain and go right back down. Please think before you act and let people know what is going on. Get input and talk to more people than just your circle of friends. It is sad we have a divided community. There have been some decisions that have not been transparent. He told the Council that they are an example for 6000 people. He will share his opinions with the Mayor face to face.

Councilperson Borgstrom wanted to thank Chris McKern for the hours he spends volunteering and heading up the Festival in the Park.

Diane O'Brien – 122 W Main St – She stated that she wanted to piggy back on what Mr. McKern said, that you wouldn't have a crowd like this if you were more transparent but she is happy to see this crowd. She has attended Council meetings where she was the only citizen there. She has sat on boards and been an employer and it is a tough job. We all make mistakes and we all say things that we want to pull back. But, it is a difficult thing to be a leader in the community and she appreciates the job they are doing.

Chris McKern – wanted to clarify his point of the room being divided, he would love to see 6000 people here concerned with Kasson, and for Kasson not to be taking sides.

ADJOURN: The meeting was adjourned at 7:25 p.m.

ATTEST:

Linda Rappe, City Clerk

Coy Borgstrom, Mayor Pro-Tem