

CITY OF NOWTHEN
CITY COUNCIL MEETING DRAFT MINUTES
TUESDAY, JANUARY 12, 2016 @ 7:00 PM

The Nowthen City Council Regular City Council Meeting on Tuesday, January 12, 2016 at 7:00 PM, at the Nowthen City Hall, 19800 Nowthen Blvd NW, Nowthen, Minnesota.

Present: Mayor Jeff Pilon
Councilmember Randy Bettinger
Councilmember Mary Rainville
Councilmember Paul Reighard
Councilmember Jim Scheffler

Others: Sgt. Andy Knots

Approve/amend the meeting agenda – Rainville made to a motion to approve the agenda with removing Council Items g. Proposed Gambling Ordinance and I. Quarterly Expense Reports; Bettinger seconded. All in favor; motion carried.

- 1). **Sheriff Update** – Lt. Wayne Heath stated that the County is still working with their records management program. He hopes to have reports by next month. Some notable items are: There was a motor vehicle fatality on early New Year's Day on Hwy 47 going south and that they were able to purchase a speed sign that attaches to a pole and is mobile to different locations. It also captures data along the road way (traffic patterns).
- 2). **Floor Items:** - No items to present.
- 3). **Planning and Zoning**
 - a). **Dan, John and Pam Dekok** - (PID 20-33-25-42-0007) – A request for a **Conditional Use Permit (CUP)** of property owned at 20050 Iguana St. The CUP is being requested for multiple principal uses on a single property. – **Bettinger made a motion to approve the CUP, as recommended by the Planning and Zoning Commission and the Findings & Decision, dated January 12, 2016; Scheffler seconded. All in favor; motion carried.**
 - b). **Code Enforcement Updates/Direction –**
 - (1). **Randy Barrows** – *Verification of compliance – reduction of assessment –* **Pilon made a motion to adopt Resolution 2016-04, A resolution waiving the 2016 Special Assessment on PID 35-33-25-14-0005; Bettinger seconded. All in favor; motion carried**

- (2). **Jeff Gibas** – *Illegal Accessory Bldg. (9060 203rd Ave)* – No action required at this time. Gibas will be submitting a Variance application to the Planning and Zoning Commission.
 - (3). **Jeff Miller** – *Illegal Bldgs. on recent Issued IUP (19677 Jasper St).* – **Rainville made a motion to move forward with the Findings and Decision on the Interim Use Permit Compliance and Code Enforcement Issues, dated January 12, 2016, with the following changes: Condition #2, 3, 4, 6, & 7 must be compliant in 30 days; Condition #1, 5, & 8 must be compliance by July 1, 2016 and Condition # 9 must have immediate compliance and that Condition # 5 should be replaced with a 6 ft. high fence; Bettinger seconded. All in favor; motion carried.**
 - (4). **Burns Auto Sales**- *IUP Site Survey & Concept Plan (5340 199th Ave)* – Scheffler would like to see the concept plan passed onto the Planning and Zoning Commission. He would like to see all the parking paved, even if it is in stages as they grow. Pilon said that it would encourage them to pave as they grow. The concept plan would show the max they could have, but the growth would be limited to what is paved.
- 4). **Consent Agenda:**
- 1.1 **Approve the December 8, 2015 City Council Meeting Minutes**
 - 1.2 **Financial Report**
 - 1.3 **Approve All Audited Bills Claim # 9834 through Claim # 9877, plus Net Distribution reports dated December 7th, December 14th, and December 28th, 2015**

Bettinger made a motion to approve Consent Agenda; Rainville seconded. All in favor; motion carried.

- 5). **Council Items:**
- a). **Proposed Ordinance Amendment** (*Ordinance No. 2015-07*) - *Chapter two (2) of the City Code* – Bettinger said that they discussed at the workshop to do away with the Ordinance all together and just go with a policy. He thinks that it would be clearer if it was all just one document. **Pilon made a motion to continue the discussions of the proposed Ordinance Amendment and policies until the next workshop, so we can obtain legal opinion on the need for an ordinance and the proper structure; Rainville seconded. All in favor; motion carried.**

- b). **Adopt Resolution 2016-01 – A Resolution Making Council Appointments – Bettinger made a motion to adopt Resolution 2016-01, a Resolution Making Council Appointments, as recommended from the workshop discussions; Reighard seconded. All in favor; motion carried.**
- c). **Adopt Resolution 2016-02 – A Resolution Appointing a Responsible Authority – Scheffler made a motion to adopt Resolution 2016-02, a Resolution Appointing a Responsible Authority; Rainville seconded. All in favor; motion carried.**
- d). **Adopt Resolution 2016-03 – A Resolution Making Formal Appointments to Commission and Committees – Rainville made a motion to adopt Resolution 2016-03 and to appoint Dana Henjum, remove David Shook and to correct the date; Pilon seconded. All in favor; motion carried. Pilon made a motion to contact any previous candidates to see if they are still interested and to post the commission/ committee openings; Rainville seconded. All in favor; motion carried.**
- e). **Wage and Compensation Study – Evaluation & Selection – Scheffler made a motion not to accept any of the proposals that were received for the Wage and Compensation Study; Bettinger seconded.** Rainville said that if the motion is not to accept any of the proposals, what would Scheffler suggest. Scheffler would suggest staff update the current Compensation Scale. Reighard said that we have something in place that they could use; he doesn't see the need to spend up to \$5,000 for a study. **Four in favor; Rainville opposed. Motion carried.**

Scheffler made a motion to have staff to look into what it would take to update the 2008 wage study; Bettinger seconded.

Pilon said that it would appear to make sense to update the one that was done in 2011/12. He is not sure what we would be directing staff to do. He doesn't know how staff would accomplish this without clear direction. Pilon is not sure how staff can conduct a wage study on themselves. It would seem to be better to go with something that is more current, than with something that is 8 years old. It also would seem to be best to have an independent group do this. Bettinger said that they are not looking at a wage structure or job descriptions, as those things haven't changed. The study done in 2008 has a step system set up in it. The one done in 2011/12 doesn't have any data to back up what was done and it doesn't have a step system. They are just asking staff to update the step rates. There are a lot of resources out there that could be used.

Pilon questions, what is wrong with the one done in 2011/12. Bettinger said that once the study in 2011/12 was made public, he contacted the agency and asked for information of data on how they came up with the figures. The person who did the study was no longer working there and there was no data available. Bettinger also stated that study was used for Union Contracts and appears to be incomplete. Pilon said that in looking at the 2008 study, he doesn't think there was a compensation study on the whole package. There is nothing that guides them on how they are qualified for the steps.

Reighard said that if we are currently using the 2008 study for the Pay Equity Reports, and there is some way to figure cost of living increases since that study without spending \$3,000, is there a way to do that. He said that if they don't have to spend \$3,000, then don't spend it. Pilon thinks that it would get the Council updated information. He thinks that they should be looking at the full compensation package.

Bettinger said that they don't have it in the budget to pay for the Wage Study this year. Why don't they move forward with the motion at hand? He said that they can always do the study next year.

Rainville is not comfortable about how they would go about getting information to compare something from 2008, when there have been so many changes in the economy. She thinks the proposal from Laumeyer Human Resource Solutions will provide them a true picture. There is some money from the budget that could be used to pay for this.

Rainville doesn't feel comfortable with staff going out looking for information on what they should be paid. She would rather have a third party provide that information.

Scheffler said that his motion not to accept any of the proposals has already been dealt with. His motion that is now on the floor stands and he would like to move on with it. Rainville would like Scheffler to have a document saying what it is that they are going to be asking for. We are asking people that are looking for increases in wages to figure out how they are going to get them. She doesn't think that is appropriate and she doesn't support this. Pilon agrees that the motion doesn't give any instruction to staff as to how to do that. It leaves the door wide open to interpretation. It lacks direction and structure and accountability to the Council to make a decision on.

Rainville said that if Scheffler is willing to table his motion and come back next month with details as to what it is that he is looking to ask staff to do. Scheffler doesn't agree with the statement. If you look at the

proposals, they stated that you should update your plan every 5 to 7 years. Scheffler said that staff can look at what it would take to do that, and bring that information back to the Council. His motion stands. Reighard doesn't think that it is a problem to have staff contact the neighboring cities to find out what they are doing for this. The Council doesn't have to act on any information that is given. He would like to direct staff to obtain information for surrounding communities.

Pilon said that way you are still expending funds to have staff do this. He said that you have to compare with similar size and duties. That is one reason that you have this done professionally. Reighard said that they are not asking to compare apples to apples, just to compare what the other cities have done over the years. The other cities can just give us a percentage of what they have been giving their staff over the past 8 years. Staff will just be providing some useful information. We might come back and say that they need further information. Pilon would like to come back with more specific instruction to staff, so they can compare cities similar in size and structure. **Three in favor; Pilon and Rainville opposed. Motion carried.**

- f). **Drug and Alcohol Policy – Pilon made a motion to direct staff to add to the current Drug and Alcohol Policy, the Department of Transportation Pre-Duty Use of Alcohol; Rainville seconded. Four in favor; Bettinger opposed. Motion carried.**
- g). **Proposed Gambling Ordinance – Removed by Rainville**
- h). **2016 Leadership Conference – Pilon made a motion to approve attendance by any Council Members to attend the 2016 Leadership Conference; Rainville seconded. Bettinger thinks that the money can be spent elsewhere in the City. Four in favor; Bettinger opposed. Motion carried**
- i). **Kent Roessler's request to address Council – Bettinger made a motion to approve Kent Roessler request to address the Council at the February Council Meeting; Reighard seconded. All in favor; motion carried.**
- j). **Land Use Signs – Further Clarification – Bettinger made a motion to approve getting quotes on 4 signs with reflective tape, stands, bolts, sand bags, etc. that read, "This Property Is The Subject Of A Land Use Application, For More Information Call City of Nowthen (763) 441-1347; Reighard seconded. Bettinger said that if the signs are posted, people will understand to contact the City. All in favor; motion carried.**

- k). **Nowthen Lions Ice Fishing Contest** – *Request approval for Use of staff time*
– **Bettinger made a motion to approve the request for staff time by the Nowthen Lions, for plowing of Twin Lakes Park and garbage pickup; Scheffler seconded. All in favor; motion carried.**
- l). **Quarterly Expense Reports** – Rainville will resubmit a sample of what she is looking to Council for consideration.

6). **Introduction of New Items:** - No new items were introduced.

Rainville made a motion to adjourn the meeting at 8:34 PM; Pilon seconded. All in favor; motion carried.

Respectively Submitted By:

City Clerk

Mayor Jeffrey Pilon