

**CITY OF NOWTHEN**  
**CITY COUNCIL WORKSHOP DRAFT MEETING MINUTES**  
**THURSDAY, MAY 4, 2017 @ 7:00 PM**

The Nowthen City Council met for the City Council Workshop on **Thursday, May 4, 2017** 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 Dan Breyer
Others:	Planner, Liz Stockman

1). **Planning & Zoning**

a). **Cory and Hailey Sheldon**

**(9300 195<sup>th</sup> Ave 30-33-25-24-0007 and Tim McCoy (9228 195<sup>th</sup> Ave 30-33-25-24-0006 & 17-33-25-42-0005)** – *Request for a resubdivision of two existing parcels to redefine the parcel boundary that separates them from their neighbor to the east, Tim McCoy, and correct an error from 2002 when they purchased the property from Cooperative Homes.* – Reighard asked, how much, on average, escrow is refunded back to the applicants. Stockman said about \$500, but this request was a little more confusing than normal. She did reduce the required escrow amount on this one as well. There were no other questions or comments from the Council.

b). **Code Enforcement** – *Request for Council Direction*

- i). **Curt Anderson** *19523 Nowthen Blvd – Public nuisances/motorized vehicle use* – Stockman said that Anderson was forwarded the information that was presented to the Council. Stockman and Becky Wozney (Anoka Conservation District Wetland Specialist) did meet Anderson at his property. He was told all this last year that he could not have a mud run on his property. The ordinance prohibits this type of activity on the property and there are several other regulations that prohibit the off road driving on wetlands. Stockman did contact Crown to find out why the one there was shut down. She was told that it was never permitted there and it took 2 years to shut it down. Isanti County has since adopted an ordinance to allow it, but it is not permitted on a less than 20 acres. Rainville asked if property owners understand that this is prohibited. Stockman believes they understand it now.

Around 8:15 PM Curt Anderson attended the workshop. He said that after talking with Becky last year he was ok'd to operate an off-road vehicle in the area, now he is being told something different.

Mr. Anderson was asked if he understood that mud-running on his property is prohibited by ordinance. He said that he did understand that.

- ii). **Scott Halldorson** – *Property compliance matters* – Richard Scott Halldorson has some photographs and drawings to show the Council what he is

proposing with the fence. He put up the snow fence to keep the recycle material out of the driveway and keep the kids and dog in. He plans to replace the snow fence with a chain link fence. He said the new fence is proposed to be 11 ft. off the road.

Halldorson also talked to the neighbor and they are planning to park the camper at an angle to the right of the pole fence. They are planning to purchase a swinging gate. They are going to continue working on making the property better looking. Halldorson said that his brother sold his house and is planning on moving in with them for 15 days. They have a camper, boat and pickup with trailer that will be there while he is staying with them. He doesn't want any complaints while his brother is staying there temporarily. His brother will be moving out on Memorial Weekend.

Halldorson also said that there is another deal going on with his property. He said that Rainville has continually attacked their Conditional Use Permit. He believes it is a lack of respect for a business and his livelihood. They have worked at cleaning up their property, at the City's request. They also have gone above and beyond and will continue to do so. He said his family is afraid of the power of Rainville to his property and business. There have been a couple instances in regards to getting into his driveway with his semi. He said that he has contacted a trucking agency, State Patrol and the Anoka County Sheriff's Dept. and a lawyer friend. This is all because of Rainville's misuse of power. They feel threatened and considering harassment and a restraining order.

Halldorson said Rainville contacted the Ramsey Fire Dept. about their fire pit. He believes that Rainville is in violation of the City Code of Conduct. He stopped at the office and picked up the regulations for burning permits. They have not violated anything whenever they have had fires. He said they always had to have the Fire Dept. come out and look at their fire pile before they can burn and always approved to have the fire.

As far as interaction, the Code of Conduct states that the Council Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the city council, boards, commissions, committees, staff or the public. Halldorson said they feel threatened. Under Improper Influence it states Council members shall refrain from using their position to improperly influence the deliberations or decisions of city staff, boards, commission or committees. By contacting the Ramsey Fire Dept. that is violating that. Halldorson already knows that there are things in the burn pile that he cannot burn. He cleans that up before he burns. He doesn't burn his pile until October and then he comes in for a burning permit.

Halldorson said under Positive Work Environment it says Council members shall support a positive, efficient and effective environment for residents,

businesses and city employees. He said in the past and current, Rainville has always attacked their CUP. He said there are people that drive by and have witnessed things. He did contact the State Patrol and they told him to put cameras in his truck. He has talked to the Anoka County Sheriff's office, State Patrol and his lawyer about this. He is hoping that the City Council can discuss this and come up with a solution so he and his family can feel safer at their home.

Halldorson said that they have talked to the Anoka County Highway Dept. to get some signs put up that say "Trucks Entering". He said that it takes him less than 30 seconds to back up. Most people are courteous about letting him back up. Vehicles are supposed to stay back 500 feet from a truck that is backing up. He is asking for guidance from the City Council on all the items he has brought before them and come up with some conclusions that make everyone happy.

Pilon said that all the meetings are open to the public. The only time they are closed is when they are dealing with staff review or attorney client privileges. He also has not heard Halldorson's name come up for quite some time. If there is any undue pressure, it is not coming from the Council. Pilon said that he has a large pile with things in it that cannot be burned. People don't know when he is going to burn, so it is legitimate to question it. If the Fire Dept. goes out and checks the pile before they burn and everything is ok, the City has no concern. If the Fire Dept. goes out there and finds items that cannot be burned, they would deal with the Fire Dept. on that and then it may come to the Council. Otherwise, the City hasn't been addressing any concerns about Halldorson.

Pilon asked if 11 ft. from the fog line is far enough back. Bettinger said that they would prefer it be out further. Ideally it should be out 33 ft. Halldorson would be happier if it were out further because in the winter if they get a heavy snow storm the snow getting pushed up to it could cause damage. Bettinger said technically it is just prescriptive easement, so he owns to the center of the road, but with a prescriptive easement it allows the county to continue to use what they have been using. That would be up to 33 ft. to maintain the road. He would appreciate if he moved his fence back out. The preference would be to move a little further West. At least move it more. Place it so that if they are dealing with the fence, they are not skirting the fence. He will make sure the sign is on the other side of the fence.

Pilon asked about the signs being in the fenced area. If the county has to maintain the signs they would have to straddle the fence. The preference is for him to move the fence further west so the sign is in the prescription easement as much as possible.

Stockman agrees with the setbacks of the fence location. She also indicated that it was her and the building official who contacted the Fire Dept. The camper should be parked 5 ft. off the property line. Halldorson said the camper will only be there for the summer months.

Rainville is surprised by Halldorson’s comments.

She stated that when he was before the Council a couple years back, all the Council Members participated in that conversation. Agreements were made and adhered to. Since then she has not been on his property except to drop off some literature. Recently she did contact the Fire Dept. because she had residents contact her about his burn pile. All the other things that Halldorson is accusing her of; there is no truth to any of that. She doesn’t know where he is getting his information from. Before he publically accuses her of things, she would ask that he come and talk with her first.

Pilon said the best thing Halldorson and Rainville can do is have a private conversation. Otherwise there has been no action coming before the Council.

- 2). **Amanda Wilder** – **Consent Agenda Item # 1.5 - RCA** – *Request approval to have a temporary Porta-potty installed at the Nowthen Memorial Park* – Amanda Wilder is the Children’s Director of the Sports program. They use the whole softball field and the soccer field. She said that there are more parents that are just dropping off their kids. It is difficult to monitor the kids when they have to go so far to use the restrooms at the pavilion, so she is requesting to put a porta-potty near the volleyball court. They would gladly pay for it. This would be a standard porta-potty. One concern is the access to pump it. Reighard thinks that the City should just get another porta-potty for use at the park anyway. We should also check with Grant Rademacher to see if we can access it from their parking lot. Rainville doesn’t have a problem with this, but she doesn’t think that the City should pay for it. Breyen said that it will only be there seasonal and others would be using it. Reighard said that the church is not the only ones that use the parks. He said that it is a huge advantage to have the porta-potty. Pilon thinks if the City is going to pay for this, we should consider a handicapped one. Staff will check into prices and get back to the Council.
- 3). **Lynda Kolasa** – **Consent Agenda Item # 1.6 - RCA** – *Request approval of Farmers Market Budget and approve donation of a weather radio.* – Lynda Kolasa did provide some pictures and a budget for this year’s event. She is asking the Council to approve the budget, acknowledge Darlene King as the new Market Manager, appoint Rainville as the liaison and approve the donation of the weather radio. They use the radio for a drawing each week.

Reighard said if this is a City event with a board and they have meetings, shouldn’t they be following the same rules and regulations. Kolasa said that the Farmers

Market is 100% funded by the market. She said that the City was to just sponsor the event for insurance purposes only. She said the meetings are pretty laid back and the members are 100% volunteers. Reighard is all for the Farmers Market, but if it is a City funded event, they should all follow the same rules. Kolasa said there isn't anything coming out of the City that isn't going into the City. Bettinger said that they are using the City's checkbook to run it. The City is still overseeing it, so it is a City function and they have to follow the State Statutes regarding this. Kolasa said that she does document the meetings they have, who attended and sets an agenda. Bettinger said that when they originally set this up, they discussed running it through the Lions and use their insurance. Kolasa said that she has contacted the Lions about this, as well as the church. Because it is a 14 week event, it is hard getting volunteers. Bettinger understands that Kolasa loves doing this and he is not trying to take that away. He is trying to think of a way that she can get outside of the City and the rules and regulations. Kolasa is open to that, but she cannot find anyone.

Rainville said that based on the conversation tonight she would like to hear from the attorney and his opinion about the open meeting law and check with the State Auditor. Kolasa said that she already does do some of this and doesn't know what the expectations would be. Rainville would like to have staff work with them on using the City Credit Card as well for purchases. When possible, items needing to be purchased can be purchased on line with the credit card.

Reighard agrees with Rainville's comments, but that the more and more they go that way, it appears to be more like a City Event. Kolasa said that only reason they use the City is for the insurance purposes. It is primarily a community event. As they do progress, there are more things they need.

Pilon asked if Reighard is primarily concerned about the open meeting law requirements. Reighard said if it is a City event, then the City should know what is going on. They could provide notice of the meetings, agenda and minutes. Have Kolasa contact the attorney and explain her position and get an opinion if it is a City event. LaDoucer recommended a call to the State Auditor as well to confirm their position.

Bettinger asked who owns all the equipment and the trailer. Kolasa said the City owns the trailer and the equipment.

- 4). **Troy Bednarz** – **Consent Agenda Item # 1.7 - RCA** – *Use of Golf carts and temporary road closure (199<sup>th</sup> & Iguana)* – Troy Bednarz said that they have an annual car show. Last year it was pretty wet. He has an average of about 100 cars each year. He has contacted all the businesses on Iguana Street. He is looking to close Iguana St. to through traffic from 199<sup>th</sup> Ave north to 201<sup>st</sup> Ave from 9:00 am to 3:00 pm on September 23rd. He will leave one side of the road open so collector cars can come in. All the businesses will be accessible during this time. The sign company will be providing the signs. They are also working with the other businesses to see if they will be participating with events. If it is dry,

there will be no issues. It will still be accessible to emergency vehicles as well. They shouldn't need to worry about additional parking this year.

**5). Maintenance Dept:**

- a). **RCA – Request bids to replace Culverts** – Pilon asked if it would be more cost effective to rent the equipment rather than hiring a contractor. Glaze said that the City doesn't have the man power to do it. Pilon asked about hiring for some of it and using City staff for some of it. Glaze said that we have enough culverts on hand to proceed at this time. The culverts are being replaced with metal ones. The one on Hillendale is worse because it has a hole in it. Glaze said that it costs about \$1300-\$1,500 week to rent the equipment. Take it out for bids to see what is cheaper. The culvert on Variolite is on private property, so we need permission to replace it. Staff to check with the attorney and get his opinion about how to gain access to replace the culvert on private property. Bettinger asked if the bid is just for the hoe and the operator. Glaze said last year the City supplied the culverts and the material and the contractor did all the work. Bettinger said that we need to document when and where and at what elevations the culverts are getting replaced. Glaze said that he already has a map with the information of the when and where.
  
- b). **RCA – Approve Dust Control Bid** – Not all the same roads are done every year. Rainville asked what the process was to obtain bids. Glaze said that he called several. Rainville said that she received an email from the contractor that we received a bid from last year. She told them that she would keep them posted as to where we are at in the process. She watched meeting minutes and at the March Road & Bridge Meeting it was stated that Glaze was going to go out for bids as soon as the Council approves the roads to be done. Based on the bids that came in, they are dated March 29<sup>th</sup> and 30<sup>th</sup>. He went out for bids prior to having the conversation with the Council. The contractor that did it last year said that he was never contacted.

Glaze indicated that he was not happy with the services we received last year. Rainville asked if Glaze contacted them about his dissatisfaction. Glaze said that he indicated that to them about 5 or 6 years ago when we used them before.

Reighard thinks staff is fully capable in obtaining bids. He can care less who he contacted. If Glaze was dissatisfied with the contractor last year, that is his option. That is not up to the Council to decide. He has done what he is expected to do; get three (3) bids from three (3) vendors. Who he gets them from should be his call. Reighard said Glaze knows what is going on with the roads more than any one of the Council Members.

Rainville said that the vendor never received any feedback and wasn't contacted. She prefers closed bids and so did this particular contractor, as it bring everyone on an even playing field. If we are having issues with

contractors, we should contact with them our concerns. If there isn't any contact with them, how do they know what the issues are? Glaze said that he has talked to them several times in the past.

- c). **RCA – Replace storage garage roof** – Staff will check with the auditor to see if this classifies as a Capital Improvement and if the Park and Trail Funds could be used to pay for the replacement of the roof.

6). **Consent Agenda:**

- 1.1 **Approve the April 6, 2017 City Council Workshop and April 11, 2017 City Council Meeting Minutes**
- 1.2 **Financial Report**
- 1.3 **Approve All Audited Bills Claim # 177 through Claim # 220, plus Net Distribution reports dated April 10<sup>th</sup>, April 17<sup>th</sup>, and May 1<sup>st</sup>, 2017** – Council inquired about the unemployment payment. Staff will check into it again and advise Council.
- 1.4 **Approve Liability Coverage – Waiver Form**

7). **Council Items:**

- a). **RCA – 2:00 City Hall HVAC replacement system** – Breyen said that we could use the donated money from the Ham Lake Chamber of Commerce as well as carry over General Fund reserves from last year to cover the rest. One of the furnaces is 32 years old. The air conditioner is 19 years old.

The recommendation would be to replace both furnaces and to replace the air conditioner and install another new one for the kitchen.

LaDoucer explained that carryover reserves are not a budget line item. If these repairs were not budgeted for, we could essentially be going over budget in the General Fund for 2017.

Breyen said that it makes sense to have a budgeted line item, in the future, for the repair and replacement of items.

Reighard has a problem just going with this bid. On the previous quotes we received there was thousands of dollars difference between the furnace and air conditioner units for the same equipment. Pilon said that they asked this specifically and the Trane model that was quoted by the other vendor is an obsolete model. It was cheaper, but obsolete. Reighard said the furnaces that are in their homes are obsolete now and you can still get service on them. He doesn't agree that the obsolete one cannot get serviced. There are universal parts out there now. He is not comfortable going with one that is a lot more expensive. Before they make a decision, Reighard thinks they need to look at more bids.

Pilon said that was one of the frustrations that they couldn't get a call back. That was a concern. This vendor made the effort to come to a meeting and

present to us and made an effort to follow up with the City. The other vendor didn't even follow up on their bid proposal or return any calls.

Reighard doesn't think we need to limit it to the four (4) bids we got. There are several contractors out there that can do this. He is not opposed by Air Comfort doing it, but based on the numbers from the spreadsheet, he was considerably higher.

Pilon said the spreadsheet didn't include the duct work. The cheaper furnace was a cheaper furnace, but it was larger so it didn't allow for the 4" filter system. We didn't know if he was quoting a zone system.

Bettinger thinks the Council first needs to make a decision on if they want to replace it all and what brand of equipment we want.

Breyen said that the gas line needs to be lined and that was something that Air Comfort came out and assessed and informed them about.

Replace the furnaces, air conditioner and add an air conditioner, if they can figure out a revenue source. Get more bids and try to stay within the budget.

Pilon doesn't have a problem with using money that we put into saving from under budgeted utilities from previous years. This is a one-time purchase and not an on-going expense.

- 8). **Introduction of New Items:** - Breyen submitted a RCA for approval to get a cost estimate from the City Engineer for a feasibility study for the Rogers Lake area residential roads.

Bettinger thinks that we should just do one feasibility study at a time. We don't even have the money to pay from one road improvement project. Why do a feasibility study if we are not even going to do the project.

**Rainville made a motion to adjourn the meeting at 9:35 PM; Pilon seconded. All in favor; motion carried.**

Respectively submitted by:

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Corrie LaDoucer, City Clerk

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Mayor Jeff Pilon



**CITY OF NOWTHEN**  
**CITY COUNCIL DRAFT MEETING MINUTES**  
**TUESDAY, MAY 9, 2017 @ 7:00 PM**

The Nowthen City Council met for the City Council Workshop on **Tuesday, May 9, 2017** at 7:00 PM, at the Nowthen City Hall, 19800 Nowthen Blvd NW, Nowthen, Minnesota.

Present:

Mayor Jeff Pilon

Councilmember Dan Breyen

Councilmember Randy Bettinger

Councilmember Mary Rainville

Others: Lt. Wayne Heath

Councilmember Paul Reighard

**Approve/amend the meeting agenda** – Rainville requested that Consent Agenda item #1.6 be moved to Council item #b for discussion. Reighard would like to move Consent Agenda item #1.5 to Council item #c for discussion. **Rainville made a motion to approve the meeting agenda as amended; Bettinger seconded. All in favor; motion carried.**

- 1). **Sheriff's Report** - Lt. Wayne Heath provided a report of Sheriff Services for the month of April, 2017. Lt. Heath reminded residents that with the warmer weather there are more car break-ins, so be sure to lock up your vehicles and bring your valuables inside. People are also out walking the roads more, so keep an eye out for them.
- 2). **Floor Items:** - Dan Williams of 7967 191<sup>st</sup> Lane said that there is no signage for the parks. Maybe the City can get a sign at the intersection for the Nowthen Memorial Park and the Twin Lakes Park. He would like Council direction on what to do to get this moving. Does it go to the Park and Rec. Committee or to the Council? He would just like to know what direction he can take to get this going.
- 3). **Planning & Zoning**
  - a). **Cory and Hailey Sheldon (9300 195<sup>th</sup> Ave 30-33-25-24-0007 and Tim McCoy (9228 195<sup>th</sup> Ave 30-33-25-24-0006 & 17-33-25-42-0005) –**  
*Request for a resubdivision of two existing parcels to redefine the parcel boundary that separates them from their neighbor to the east, Tim McCoy, and correct an error from 2002 when they purchased the property from Cooperative Homes.—* **Rainville made a motion to approve the request by Cory & Hailey Sheldon of 9300 195<sup>th</sup> Ave and Tim McCoy of 9228 195<sup>th</sup> Ave for a resubdivision of two existing parcels, as recommended by the City Planner and the Planning and Zoning Commission; Bettinger seconded. All in favor; motion carried.**
  - b). **Code Enforcement – Request for Council Direction**

- i). **Curt Anderson** *19523 Nowthen Blvd – Public nuisances/motorized vehicle use* – This was discussed at the workshop and Mr. Anderson was informed at that time that the mud-running on his property is not allowed. No further action necessary
  - ii). **Scott Haldorson** – *Property compliance matters* – This was discussed at the workshop and was for update matters only. Rainville said that she listened back to the recording and she didn't feel that she has stepped over her bounds, per the accusations at the workshop. No further action necessary.
- 4). **Maintenance Dept:**
- a). **RCA** – *Request bids to replace Culverts* – **Breyen made a motion to approve the Request for Council Action to direct staff to go out for bids to hire a contractor to remove and install 5-6 culverts this year and if the City can rent the equipment and do the work cheaper, that option be pursued; Bettinger seconded. All in favor; motion carried.**

**Rainville made a motion that starting with the 2017 budget process for fiscal year 2018, that the Council directs the Maintenance Supervisor, each year as part of the budgeting process, to provide a list of culverts expected to be replaced in the following year and the estimates to do so; Breyen seconded.** Rainville said her reasons for doing this is so they have an idea, going forward, what the maintenance costs are going to be. There are 5 or 6 culverts that need to be replaced this year. Going forward we need to have some cost estimates for this. She thinks the Council needs to have that information in hand when dealing with next year's budget.

Reighard doesn't have an issue with creating a new line item for culverts, but this isn't something that pops up until spring.

Since they do not know until spring what needs to be replaced, do they come up with an average? He doesn't mind creating a separate line item, but how do they go about doing it.

Rainville would think that if staff watches the culverts from year to year, they should be able to create a list of ones that possibly need to be repaired. It is an ongoing maintenance that needs to be watched and budgeted for.

Breyen said that we will not know an exact number to budget, but we can either include it somewhere in the budget or have a separate line item.

Bettinger agrees with Reighard. He said that we may not know until spring which culverts need to be replaced, but we should always plan to have some replaced. Bettinger said that we let one full time person go a couple years ago and now our full time maintenance person is not coming back. That is one of the problems we have. There isn't enough staff to provide all the labor to do it themselves.

Pilon said that there is wisdom in having it in the budget. The worst case is that the City will have to hire the work out. At least they can budget for replacement of some each year and then in the spring they can determine which ones need to be replaced.

Bettinger said that staff wouldn't be asking for this if there were enough staff to provide the labor to do the work. Maybe the Council wants to consider hiring a third maintenance person again. He thinks there is a need for it and they should have some discussion on it. **All in favor of Rainville's motion; motion carried.**

- b). **RCA – Approve Dust Control Bid – Breyen made a motion to approve the dust control bid from Northern Salt Incorporated in the amount of \$23,316.48; Bettinger seconded.** Rainville is disappointed at how the process went. She said that Glaze was supposed to present the roads for dust control to the Council and that the Council was supposed to decide if they were in agreement, and then go out for bids.

Instead this just went out for bids. She thinks that the Council should have had a discussion on this and that this should have gone through closed bids.

Reighard doesn't understand why staff would have to come before the Council to present what roads need dust control. He doesn't have a problem with the way that it was presented. We should trust him to make that decision.

Rainville said that it wasn't done the way that Glaze said he was going to do it and she thinks we would have gotten a better price if we would have went with closed bids. **Four in favor; Rainville opposed. Motion carried.**

**Rainville made a motion to direct staff to make sure that the roads are properly prepared for dust control and graveling.** She doesn't know what affect the graveling will have on a road that isn't graded before it is graveled. She would like to make sure they are properly prepared before the dust control or graveling is done. **Pilon seconded Rainville's motion.**

Reighard asked if the Council knows what is considered properly prepared. Rainville believes she does. Reighard isn't saying that they shouldn't be properly prepared, but he doesn't think any one of the Council knows what

Pilon said maybe Rainville can reconsider her motion to have Glaze define what the proper preparation is. That way there is an agreement of how it should be done no matter who's doing it.

Rainville said she would like it done to industry standards. If you look it up you can find quite a bit of information on line about industry standard. Reighard agrees that standards can be put in place.

Bettinger said that Glaze knows what he is doing when he preps the roads and he does a fine job on this. The way staff hauls gravel, Glaze cannot be out every day before 7 or 8 loads of gravel get dumped. He may grade it on Monday and then they haul all week. It is not cost effective to sit out there and keep it graded while the gravel is getting hauled in.

**Rainville amended her motion to direct Glaze to present road preparation plans for dust control and graveling; Pilon seconded. All in favor; motion carried.**

- c). **RCA – *Replace storage garage roof* – Breyen made a motion to approve the replacement of the Nowthen Memorial Park Building roof with a Metal Sales, 29 gauge, pro-panel, exposed fastener ag panel roof for an amount not to exceed \$4,500, with a color that matches the current color of the park pavilion; Bettinger seconded. All in favor; motion carried.**

5). **Consent Agenda:**

- 1.1 **Approve the April 6, 2017 City Council Workshop and April 11, 2017 City Council Meeting Minutes**
- 1.2 **Financial Report**
- 1.3 **Approve All Audited Bills Claim # 177 through Claim # 220, plus Net Distribution reports dated April 10<sup>th</sup>, April 17<sup>th</sup>, and May 1<sup>st</sup>, 201**
- 1.4 **Approve Liability Coverage – Waiver Form**
- 1.5 **Moved to item 6.c. for discussion**
- 1.6 **Moved to item 6.b. for discussion**
- 1.7 **RCA – *Use of Golf carts and temporary road closure (199<sup>th</sup> & Iguana)***

**Rainville made a motion to approve the Consent Agenda, with the removal of items 1.5 and 1.6 for discussion purposes; Bettinger seconded. All in favor; motion carried.**

**6). Council Items:**

- a). **RCA - City Hall HVAC replacement system** – Breyen made a motion to approve proposal #3223260 from Air Comfort to replace both furnaces, replace the existing air conditioner and install a new air conditioner for the kitchen;

Reighard said the Council technically requires everything to have multiple bids and currently they only have one bid for the furnace repairs. He knows that others have looked at it, but they have never presented a full picture of what repairs they want to make. He thinks that they need to get more than just one bid.

Bettinger agrees with Reighard. He doesn't think they need to rush this. There is still time to look at options.

Bettinger would still like to know how this is going to be funded. He hates to spend money on something that wasn't budgeted for. Then you start purchasing things out of sequence. It is better to have the money in the bank to pay for this. If it was broke down and not working, then it would be an emergency.

Reighard said that they previously received some rough bids and possibilities. We didn't know what we wanted to do or what needed to be done at that time. He doesn't think you can call what we received bids. If you compare the bid we received now to the company that was selling the same brand of equipment, this bid is roughly \$3,500 more for the same efficient furnace. That is \$3,500 we are willing to throw out there because we received this one bid and no additional bids.

Pilon said that is why we engaged Schreder's services. We got four (4) people to put in bids and only got one to show up to see what exactly they were bidding on. If we had sealed bids, Air Comfort did all the work and put everything together and it could have been easily undercut because the information would have been out there instead of put in all at the same time. Even if everything was the same and everyone came out here to look at the layout, the City is not obligated to take the lowest bid. We should be looking at the best package for the City. We are looking at equipment and service at a quality price. They are located in town, offer 24 hour service and provide a warranty on their equipment. The packages were different, so they were comparing the exact same equipment w/options. The other vendor never returned calls, which concerns him. There is money from non-budgeted items in our saving account that are reasonable to use for this.

Reighard said there were four (4) people to kind of look at this. We never specified at any point specifically what we wanted them to bid on. It's the City's fault that the information is now public. If they would have done their due diligence and done what we require on everything else

and got three (3) actual bids, Air Comfort's proposal wouldn't be available for everyone to see. On the spreadsheet that Schreder put together there was another Trane dealer that had equipment that was \$3,500 less than what we received on the Air Comfort bid. They are willing to just throw away \$3,500. How are they going to explain to the taxpayers that the Council wants to arbitrarily give in to the one bid we have. We have not asked anyone else to bid on the specifics and now they want to just throw away \$3,500.

Pilon disagrees that it is throwing it away. We are getting additional services. The other Trane dealer was called but never called back. The spreadsheet did provide four (4) bids from HVAC companies to tell us what we need. Of the four (4) only one actually came out and looked at the facility. Only Air Comfort provided a thorough bid. There were a number of people contacted and they declined to bid. At this point the best package appears to be Air Comforts.

Reighard disagrees 100% that they have four (4) bids. We did not have a detailed bid sheet of exactly what our expectations are. Schreder worked with some individuals to get an idea of what we needed to do. Replace just the failing one, both or everything. We never once sent out a detailed bid sheet to multiple suppliers. If Pilon is saying that we have, Reighard disagrees 100%. The four (4) guestimates on the spreadsheet were not bids.

**Three in favor of Breyen's motion; Reighard and Bettinger opposed. Motion carried.**

- b). **RCA – Request approval of Farmers Market Budget and approve donation of a weather radio. – Rainville submitted and made a motion to approve the amended RCA to include allow for items to be purchased by city employees via the cities credit card. Market Manager is responsible for providing in a timely manner a detailed description of required product including pictures, website documents. Allow or items to be billed to the city verses reimbursing the Market Manager i.e. advertising. Marketing Manager to inform the City Clerk of the purchase and provide documentation as necessary; Pilon seconded.** Reighard would like to request that they have one annual meeting. Pilon said that they already do. **All in favor; motion carried.**
- c). **RCA – Request approval to have a temporary Porta-potty installed at the Nowthen Memorial Park –** Reighard said that the facilities that we currently have are accessible. Due to the cost of a handicap porta-potty, he thinks we can get by with just a standard one. He would propose that it is something that the City provides year round. **Reighard made a motion for the City to supply and pay for a porta-potty, year round to be used at the end of the out field, just south of the basketball courts and**

**replaced with an ADA unit and moved to the location of the ice skating rink in the winter; Bettinger seconded.** Rainville is not in favor of the City paying for a porta-potty for the year. The church has offered to rent one two (2) months out of the year.

No other organization has come to the Council to say the restroom accessibility is an issue. She thinks it is appropriate that Nowthen Alliance Church assumes that responsibility. She would assume that Reighard would like the porta-potty for the ice rink in the winter. What she has been reading requires a handicap accessible restroom for the ice rink.

Reighard doesn't see there would be a limited use after the church is done with the fields. He thinks there is an advantage of having one there year round.

Bettinger said that there have been complaints that the pavilions are not open and a porta-potty would help during those times. **All in favor; motion carried.**

7). **Introduction of New Items:** No new items were presented

**Rainville made a motion to adjourn the meeting at 8:00 PM; Pilon seconded. All in favor; motion carried.**

Respectively Submitted by:

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Corrie LaDoucer, City Clerk

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Mayor Jeff Pilon