

# MINUTES

## Warren City Council Regular Meeting March 23, 2010

### Call to Order

A Regular Meeting of the Warren City Council was held commencing at 7:00 P.M. with Mayor Deb Myrfield presiding. Council members Amy Bartels, David Conely, Rodger Haugtvedt, David Maurstad, Jarod Peterson and Deputy Clerk Nancy Holub were present. Also present were Joseph Boushee, Craig Peterson, Nick Drees, Doug Sorenson, Jeremy Klinger and Linda Short. Absent was Sheila Hoerner. Following Roll Call, the Pledge of Allegiance to the American Flag was given.

3. **Approval of Agenda.** Myrfield asked if there were any corrections or additions to the agenda. Haugtvedt added item I, Disposal of City Guns and Myrfield added future agenda items 5<sup>th</sup> and 6<sup>th</sup> Streets Assessment Issue and Law Enforcement Contract. **Moved by Bartels, seconded by Haugtvedt to approve the agenda as amended.** Motion carried unanimously.
4. Approval of Minutes. **Moved by Maurstad, seconded by Bartels to approve the August 12, 2009 and February 18, 2010 Special Meeting Minutes and the February 23, 2010 Council Meeting Minutes as amended.** Motion carried unanimously.
5. **Business.**
  - a. **Swearing In of New Council Member** – Jarod Peterson was given the oath of office as Ward II council member.
  - b. **Community Service Day** – Craig Peterson reminded the council that community service day is May 12.
  - c. **Possible Pending Litigation** – Myrfield stated that, pursuant to Minn Stat. 13D, Subd. 3(b), the meeting would now be closed to discuss with the City attorney the Wesolowski et al litigation strategy.

**Moved by Conely, seconded by Haugtvedt to close the meeting at 7:40 p.m.** Motion carried unanimously.

The meeting was opened at 7:56 p.m.

City Attorney Jeremy Klinger stated that he has spoken to Minnkota's attorney regarding the transfer of the substation.

Klinger also told Council that the current year's special assessments need to be paid on the North 5<sup>th</sup> street lots before they can be conveyed to the new owners. Council consensus was that the City would pay the current year's special assessments on these lots.

Klinger stated that the new owners of the Taralseth building, in which the Senior Center leases space, would like to meet with City officials to discuss the possibility of renegotiating the lease contract.

- d. **PL566** – Nick Drees Administrator of the Middle-Snake-Tamarac Rivers Watershed District was present to discuss monies still owed to the district for the project. Drees reported that there are three (3) funds associated with the project; a rebuild fund which is required by the government, a maintenance fund to provide for ongoing upkeep, and a fund to recoup the seed money that the City of Warren put out to partially fund the project in its initial phases which will be repaid in 20 years. Drees stated that over course of time, amendments were made to the grant agreement to add more funds but when the project was almost completed, the grant was allowed to expire and costs kept accruing. Drees stated that the City now needs to repay the district for the costs not covered by grant money. Drees said that he had a meeting with former Mayor Klinner, the city & watershed's auditors and former Clerk/Treasurer Marhula to discuss this in the past. Drees reported that the funds, which are under the control of the watershed district, have been in place for 2 years; that the maintenance fund collects around \$10,000 per year, the lien will be at approximately \$105,000 at the end of this year, and the replacement fund collects about \$3,500 per year. Drees recognized that the district owes the City the \$105,000 in the lien fund, that the watershed's board thought it would be cleaner to send the City that money and have the City repay the \$271,000 it still owes the district, and that the district would accept payments over the course of the next few years.
- e. **Approve 2010 Commercial Incentives – Moved by Bartels, seconded by Haugtvedt to keep the 2010 Commercial Incentives the same as they were in 2009.** Motion carried unanimously.
- f. **August 10 Council Meeting Date or Time Change – Moved by Conely, seconded by Maurstad to change the starting time of the August 10, 2010 Regular Council Meeting to 8:00 due to the state primary election being held on that date.** Motion carried unanimously.
- g. **Substation Purchase Price – Moved by Conely, seconded by Haugtvedt to accept the purchase price of \$99,338 for the substation.** Motion carried unanimously.
- h. **Gas Rate** – Holub stated that the gas purchase rate has been locked for the coming season at roughly the same rate as last year.
- i. **Substation Reserve Funds** – Council discussed what to do with the funds that the City has been accruing in a substation reserve fund. Council directed Holub to check with the City's auditors if there are any restrictions on how the funds can be used.
- j. **Approve City Administrator/Clerk-Treasurer Job Description – Moved by Haugtvedt, seconded by Conely to approve the job description submitted by Springsted, Inc.** Motion carried unanimously.
- k. **Approve FS Engineering Contract** – Myrfield stated that the Finance & Human Relations committee had reviewed the contract and recommends approval. **Moved by Conely, seconded by Bartels to approve the contract.** Motion carried unanimously.

- 1. Disposal of City Guns** – Haugtvedt stated that the City can legally sell all of the guns. Council directed Holub to contact the League of Minnesota Cities for additional information regarding the sale of the guns.
- 6. Clerk's Report** – None available.
- 7. Operation Superintendent's Report** – None available.
- 8. Committee Meetings** –
  - 1. Utilities Committee** – Dave Maurstad reported that the utilities committee had discussed ways to recoup fuel costs for the city, demand meters and billing. Maurstad stated that Mike Schmidt, who was in attendance at the committee meeting, strongly advised the city to look into demand metering. Maurstad said that the city's line crew is looking at prices for the necessary equipment.
  - 2. Finance & Human Relations** – Myrfield reported that the committee had met and recommends approving the 2010 engineering contract. See item 5k.
- 9. Other** – None.
- 10. Future Agenda Items** – Myrfield added 5<sup>th</sup> & 6<sup>th</sup> Street Assessments and the Law Enforcement Contract.
- 11. Adjournment** – Moved by Bartels, seconded by Peterson to adjourn at 8:22 p.m. Motion carried unanimously.

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**Nancy Holub, Deputy Clerk**

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**Deborah Myrfield, Mayor**