

**MINUTES OF REGULAR SESSION
HIGHLAND CITY COUNCIL
MONDAY, JUNE 2, 2014**

Mayor Michaelis called the Regular Session to order at 7:00pm. Council members Schwarz, Frey, Bellm and Nicolaides were present. Others in attendance were City Manager Mark Latham, City Attorney John Long; Directors Cook, Gillespie, Korte, Rosen, Schoeck and Peek; Police Chief Bell, Fire Chief Bloemker, Supervisor Limestall, Library Director Kim, Treasurer Foehner, Deputy City Clerk Hediger, City Clerk Bellm; Steve Kyle and Jason Schreckenber of Oates Associates, Inc.; 5 citizens and one member of the news media.

MINUTES

Councilwoman Bellm made a motion to approve the minutes of the May 19, 2014 Regular Session as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

PUBLIC FORUM

Citizens' Requests and Comments:

2014 St. Paul Kirchenfest Request – Steve Kessmann, General Chairman, along with Brad Scott, 2015 Kirchenfest General Chairperson, requested permission to host the Kirchenfest on August 23 & 24, 2014 with city assistance as outlined in the request letter and in years past. Councilman Schwarz made a motion to approve the 2014 Kirchenfest to include the various items requested including street closure, use of electric, fire, police and EMS as attached; seconded by Councilwoman Bellm. Councilman Schwarz asked if everything is pretty much the same as in past years. Mr. Kessmann stated it would be the same as last year. Mr. Kessmann inquired what would it take to allow for a margarita-mixing stand. City Attorney John Long stated we would have to amend our liquor ordinance, as it presently allows for beer or wine; it does not allow for open mixed drinks. It may require an amendment under the liquor control ordinance. We would have to look at that also. Mr. Kessmann stated it was something we were just wondering about. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Relevant Pregnancy Options Center Walk for Life/5K Life Run Date Change Request – Tricia Blasdel, Executive Director, stated we originally requested September 20; however, the Street Art Fair is scheduled to be held on the Square and there is a vintage market fair that will be held at Lindenthal Park, which will interfere with the run route. We are asking to move the date to September 27, 2014. Councilwoman Bellm made a motion to approve the walk/run to September 27, 2014; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Brady VonHatten, 901 12th Street, stated he had a question about the inspection process. There has been some inspections done at the building I live in. I got information under the Freedom of Information Act. I doubt that the issues have been addressed properly. I know there are illegal shower guards on water valves, because I can get scalding water in my apartment, which is unsafe for my twelve-year old daughter when she stays with me. I do not feel the first inspection was done well, and that the follow-up inspections have been done. It has been over a month since the last inspection. If one starts the inspection, I think the same inspector should finish the process. Building and Code Officer Kevin Limestall reported the state-licensed inspector did the plumbing inspections. I also talked to the electric inspector. Mr. VonHatten stated you were there with someone, and I wonder if all issues were addressed. Supervisor Limestall explained I was there with the inspector to cover the list of things that needed to be reviewed. Mr. VonHatten stated my electric box was to be labeled so that I know what was done. It came to my attention that my electric panel was servicing the washer and dryer for the whole unit. Supervisor Limestall reported the state-licensed electric inspector did the inspection of those items. Mr. VonHatten questioned how am I to know the work was done and done properly. I have been locked out for that area. Supervisor Limestall stated Mr. Klenke made the changes requested. Mr. VonHatten questioned Kevin if he was related to Mr. Klenke. Supervisor Limestall stated I am not; he is my wife's fourth or fifth cousin. Mr. VonHatten asked is there something that I can see pictures of, to know what has been fixed and what has not been fixed. City Manager Latham recommended getting everyone together to figure out what has been done. Mr. VonHatten stated the problem I am having is this is a legal matter and in how illegal things are done. I feel if I leave that the next person that moves in will be in danger because they do not know how things should be. Mayor Michaelis concurred a meeting with all involved parties would be the best, and he instructed staff to schedule this with Mr. VonHatten.

Requests of Council:

No requests or comments.

Staff Reports:

City Manager Latham informed council that a public hearing will be held on Wednesday, 4pm-6pm with regards to drainage issues in Prairie Trails. We have found there are inadequate sump pump lines installed; we have sent out a notice to everyone to view the plans and make comments.

NEW BUSINESS

Bill #14-66/ORDINANCE Designating Depositories for City Funds & Money – Councilman Schwarz made a motion to approve Bill #14-66/Ordinance #2625 designating depositories for City funds and money as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #14-67/RESOLUTION Determining Prevailing Rate of Wages – Councilwoman Bellm made a motion to approve Bill #14-67/Resolution #14-06-2210 determining prevailing rate of wages as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #14-68/RESOLUTION Approving Agreement with Oates Associates, Inc., for Development of Plans, Specifications, and Estimates for Reconstruction of Nagel Drive and Trail in Glik Park Around Zobrist Field – Councilman Schwarz made a motion to approve Bill #14-68/Resolution #14-06-2211 approving agreement with Oates Associates, Inc., for development of plans, specifications, and estimates for reconstruction of Nagel Drive and Trail in Glik Park around Zobrist Field in the amount of \$256,980.00 as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #14-69/RESOLUTION Approving Amendment to Existing Agreement with Williams Associates Architects, Ltd., for the Purpose of Performing the Next Phase of the Public Safety Facility Project – Councilwoman Bellm made a motion to approve Bill #14-69/Resolution #14-06-2212 approving amendment to existing agreement with Williams Associates Architects, Ltd., for the purpose of performing the next phase of the Public Safety Facility Project as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #14-70/RESOLUTION Approving Contract Agreement for Professional Land Surveying Services with Thouvenot, Wade & Moerchen, Inc. for the Roadway Project Associated with the New Public Safety Facility – Councilman Schwarz made a motion to approve Bill #14-70/Resolution #14-06-2213 approving contract agreement for professional land surveying services with Thouvenot, Wade & Moerchen, Inc. for the roadway project associated with the new public safety facility, in the amount of \$11,800.00, as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #14-71/RESOLUTION Approving and Authorizing Execution of Agreement with Oates Associates, Inc. for Development of an ADA Transition Plan – Councilwoman Bellm made a motion to approve Bill #14-71/Resolution #14-06-2214 approving and authorizing execution of agreement with Oates Associates, Inc. for development of an ADA Transition Plan as attached; seconded by Councilman Schwarz. Councilman Schwarz asked if we have any discretion on whether to do this or not. Lisa Peek explained there is the option of not doing the plan; however, you would no longer be eligible to receive some of the state and federal grants we are presently receiving. Based upon grants regularly received, the cost of the study will be paid back within two years. Councilwoman Bellm inquired how many things we feel are not ADA compliant. City Manager Latham noted there are several areas throughout the city that have been addressed; however, we do not know all the new regulations enacted over the past few years. Steve Kyle, of Oates Associates, explained that developing this is going to give you a plan to any address any issue found over a few years. It will get the city compliant and still have the city remain eligible for grant funding. City Manager Latham noted there is a partial list of grants the city regularly receives, such as STP (Surface Transportation Program), PEP (Park Enhancement Program), CMAQ (Congestion Mitigation and Air Quality Improvement), Community Block Grants, regularly, which we would be ineligible for if this plan is not done. Councilwoman Bellm expressed her concern would be addressing all concerns within a short period of time, which may be prohibited due to the costs. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Bill #14-72/ORDINANCE Approving Renewal of Lease of Land to Ronald Law and Nina Law for Sammie's Ice Cream Parking Area Access – Councilman Schwarz made a motion to approve Bill #14-72/Ordinance #2626 approving renewal of lease of land to Ronald Law and Nina Law for Sammie's Ice Cream Parking Area Access as attached; seconded by Councilwoman Bellm. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Approve Notice of Municipal Letting Bid #PW-08-13, MFT Section 13-00067-01-WR, for the 5th Street Reconstruction Project – Councilwoman Bellm made a motion to approve Notice of Municipal Letting Bid #PW-08-13, MFT Section 13-00067-01-WR, for the 5th Street Reconstruction Project as attached; seconded by Councilman Schwarz. All council members voted aye, none nay. Motion carried.

REPORTS

Approve Warrant #951 – Councilwoman Bellm made a motion to approve Warrant #951 as attached; seconded by Councilman Schwarz. Roll Call Vote: Schwarz, Frey, Bellm, and Nicolaides voted aye, none nay. Motion carried.

Councilman Schwarz made a motion to adjourn; seconded by Councilman Frey. All council members voted aye, none nay. Motion carried and meeting adjourned at 7:28pm.

Joseph Michaelis, Mayor

Barbara Bellm, City Clerk