

## REGULAR COUNCIL MEETING

A regular meeting of the LeRoy City Council was held Monday, September 9, 2013, at 6:30 PM at the LeRoy Community Center with the following members present: Mayor Jennifer Gumbel, Council Members Kathleen Gottschalk, Vickie Lidtke, Linda Sanders, Justin Brandau, Maintenance Supervisor John Jones, and City Clerk Patty White. Others attending included Jan & Shirley Whisler, Harold & Joann Shipman, Eileen Evans, Gerald & Barb Payne, Axel Gumbel, Ann Lazzara, Deputy Jeremy Meyers, Ginger Holm, Roger & Pauline Fister, Jay Hardecopf, and Brian Thiel. Mayor Gumbel called the meeting to order at 6:30 PM.

Motion by Sanders, second by Lidtke to approve the consent agenda. Motion carried 5-0. Gumbel applauded the EDA and city maintenance crew for the installation of the two new entrance signs.

During Public Input Time, (1) Harold Shipman questioned if the personnel committee had met yet. Gumbel replied that the committee has not met yet; she hopes to convene a meeting in November. Shipman commented that another year with unlimited vacation accrual and full health insurance premiums being paid by the city with nothing being done; he commented this costs the taxpayers a lot of money. Gumbel noted that if policy changes need to be made the personnel committee will work on these to present to the council. Gumbel noted that the biggest concern she heard from constituents last year when she was running for the office of mayor was ordinance enforcement. She felt the time spent in working on ordinance enforcement was the most important issue and has not been time squandered. Shipman questioned where the dollar figure is for the payout for accrued vacation and sick leave. White replied that figure is included in the liabilities of the city, not in the expenditures. She also noted this figure has always been included in the annual audit reports. Gumbel noted the city works with a skeleton crew and for a city this size the work crew is the right size. With having such a small work crew, it is hard for employees to take time off. She noted the city could hire part-time personnel, but that also costs taxpayer money and could also cost more than the vacation time. (2) Ann Lazzara, on behalf of Lutheran Social Services, would like to hold their first annual "Treat in a Trunk" event to coincide with the regular trick or treat hours. It was council consensus to allow this event. (3) Eileen Evans requested permission of the council to write a letter to the LeRoy Community Foundation requesting funds for Community Center renovations. The renovations, all being done on the dance floor portion of the building, would entail a new steel roof, new ceiling tiles and insulation, and a new floor. Sanders commented that someone from the council needs to be involved with these plans. It was council consensus to give Evans permission to write this letter. (4) Barb Payne noted she has no problem or questions about the administrative fine ordinance, but she thinks the fine should be higher. She felt you have to hit people in the pocketbook to make them accountable. Gumbel noted the fine is a cumulative fine.

During Standing Committee Reports, Lidtke noted the LeRoy Area Ambulance Service received a \$1000 grant from Northern Country Coop and Land O' Lakes. This grant will be used for equipment. Sanders reported that two additional entrance signs will be ordered for installation at the north and west entrances of town.

Deputy Meyers handed out the written police report. He noted there has been a high number of traffic stops. He also reported the park benches and bike racks on the bike trail have been vandalized. He also questioned when the city parks close; he noted that most cities have park closing time of 10:00 PM. LeRoy does not have a closing time listed in ordinance. Sanders commented the city does permit golf carts, but the carts are not to be ridden down Main Street or ridden after dark unless the cart has lights. Deputy Meyers will monitor this. Council thanked Deputy Meyers for his thorough report.

White reported the funding process through the Public Facilities Authority is on-going. The council will be kept informed when any further information becomes available.

Gumbel updated council on conversations with the city attorney pertaining to the administrative fines ordinance. She noted the council definitely needs to have the independent ordinance enforcement board in place; this board does not make the decision if a nuisance is present. Members of the appeals board would be charged with the responsibility of determining whether the City's ruling is correct when a resident disputes the claim that he/she is in violation of a nuisance ordinance. Council reviewed the proposed ordinance. The ordinance violation can begin when a possible issue is brought to city staff. City staff would then go check out the potential ordinance violation; if an ordinance violation is noted a letter would be sent to the owner of record. Motion by Sanders, second by Brandau to pass an ordinance amending the LeRoy City Code by adding section 10.98, creating an administrative procedure, and allowing for administrative fines. On a roll call of votes, all members voted aye. The motion carried 5-0. The ordinance will become effective following publication as required by law and following the appointments made to the ordinance enforcement board. This board must be in place

before anything can begin; this is needed for due process. Gumbel reminded all present that any violation concern must be submitted to city personnel and signed by the person submitting the violation concern. She noted that council members or city staff is considered the messenger in this process.

White noted the resolution passed at the August council meeting addressing the state of the properties located at 102 East Main Street and 105 East Main Street needs to be signed and forwarded to the county auditor/treasurer and county coordinator. White will keep the council updated on the proceedings with these two properties.

Trick or Treat hours have been set from 5:00 to 7:30 PM in the past. Gumbel felt it appropriate to extend the hours from 5:00 to 8:00 PM to accommodate those working out of town to have more time with their children to trick or treat. Motion by Gumbel, second by Brandau to set the trick or treat hours for October 31, 2013, from 5:00 PM to 8:00 PM. Motion carried 5-0.

Jay Hardecopf was in attendance to address the state of his property at 314 East Main Street. Mr. Hardecopf plans to install rafters on the house and put the roof back on. He hopes to have the roof on yet this fall or fixed by spring or completely torn down by spring. Gumbel expressed concern for a hazardous situation that the burned house poses. Mr. Hardecopf stated he will keep the property secured and closed up. Gumbel noted she would like to have "Plan B" in place that the council will have someplace to turn if the repairs or demolition is not completed. Gumbel would like to have an item in the budget of up to \$10,000 to address this situation if Mr. Hardecopf doesn't get his intended work done. Council thanked Mr. Hardecopf for his time and attendance at the meeting.

There were no building/zoning permits for council review.

The communications file was reviewed. Items included information from Alliant Energy addressing their pending sale, the next Mower County dinner meeting will be held in Elkton on October 17, and the closest LMC Regional Meeting will be held in Zumbrota on October 29.

White was directed to get options for maintenance pertaining to the water tower and have available at the October council meeting.

Jones reported that Dave Miller has not had time to compile a figure to replace the screws in the Emergency Services Building roof. Jones submitted a request for a wall and window to be installed at the Emergency Services Building in the southwest corner; the wall would slightly enclose the area where the computer and radio equipment used by the fire department is located. The window would allow the emergency management officer of the fire department sight to the outside and remaining close to radio equipment during weather watch times. These items would be paid for from donations to the fire department. Motion by Sanders, second by Gumbel to allow this installation. Motion carried 5-0.

Council reviewed the proposed 2014 budget and levy. Harold Shipman and Jan Whisler questioned about the increase noted in the clerk's portion of the budget. Sanders explained the items in that portion of the budget and felt any increases were justified. Council discussed the amount of funds to be set aside for ordinance enforcement. White further explained the possible payoff of the maintenance department building lease. Sanders felt it prudent to set the preliminary levy at \$500,000 with the hope to lower the final levy before final adoption and to pay off the maintenance building lease. Brandau concurred. A motion was made by Brandau to pass Resolution 2013-10, a resolution setting the preliminary levy at \$500,000 and setting the Truth in Taxation hearing for Monday, December 2, 2013, at 6:00 PM. Second by Sanders. Motion carried 5-0. Council will continue to review the budget at future meetings. Motion by Sanders to pay off the maintenance building lease and use capital outlay funds from the East Y Fund, Maintenance Building Fund, and the balance from the Street Fund. Second by Brandau. Motion carried 5-0.

Being no further business to come before the council, the meeting was adjourned on a motion by Brandau, second by Lidtke at 8:14 PM.

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Jennifer Gumbel, Mayor

Attest:

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Patty A. White, City Clerk-Treasurer