

MINUTES, HENDERSON CITY COUNCIL REGULAR MEETING, WEDNESDAY, SEPTEMBER 21, 2011

Meeting called to order at 7:00 P.M. by Mayor Tim Nytes at the community meeting room. Present were council members Kelly Braun, Randall Tiegs, Paul Menne and Les Mediger. Also in attendance were Barb Conrad, Troy Koester, Alison Jones and Dick Collins.

Motion Tiegs to approve minutes from August 17, September 8, 14 and 19 and to amend approved minutes from September 12 to reflect the intent of interviewing at least 4 candidates for the position of Henderson Police Chief-there was no second on the motion.

Motion Braun, seconded Mediger to approve minutes from August 17, September 8, 14 and 19. Motion carried 4-1 with Tiegs opposed.

Barb Conrad addressed the city council expressing her very strong feelings that the Henderson City Council not hire Michael Cherney as the next Henderson Police Chief.

Motion Tiegs, seconded Menne to approve Resolution 2011-15 accepting a donation from the Henderson Fire Department Relief Association for vehicles to be used by the Henderson Fire Department. Motion carried.

Council Member Mediger mentioned there was a good article in the Henderson Independent about the donation from the Henderson Fire Department Relief Association; he also noted that the new vehicle will replace an existing vehicle.

Review of hook-up charge fees for the wastewater treatment plant; these revised charges were discussed at previous meetings and workshops.

Motion Mediger, seconded Braun to approve Resolution 2011-13 adopting the \$2500 fee for new hook-ups to the wastewater treatment system. Motion carried. This replaces the previously established fee schedule.

Motion Menne, seconded Braun to waive second reading of Ordinance 224 amending Chapter 4 of the Henderson City Code and to adopt this ordinance upon publication. Motion carried.

Council Member Menne introduced Ordinance 225 imposing a franchise fee on Xcel Energy and related utilities-a first reading was held. Second reading with consideration for adoption will be Wednesday, October 19, 2011.

Review of the current status of job applications for the Henderson Police Chief position.

Motion Tiegs to rescind the job offer to Michael Cherney for the position of police chief for the City of Henderson based on information available about the applicant on public record-no second.

Motion Tiegs, seconded Menne to authorize Le Sueur Police Chief Bruce Kelly to perform a background check on Henderson Police Chief candidate Kyle Hoehne but to not make this information be available to the Henderson City Council for review and consideration unless a disposition is reached on candidate Michael Cherney. Motion carried.

Motion Tiegs, seconded Mediger to authorize Mayor Nytes to enter into an agreement with an area law enforcement department whereby City of Henderson law enforcement coverage including employment of an interim Henderson Police Chief and Chief Law Enforcement Officer (CLEO) be provided. Area law enforcement departments are to be contacted in the order below to determine if they would accept the assignment and provide terms to place an appropriate official in the interim Henderson Police Chief and CLEO position effective October 1, 2011 (contracts included as part of these minutes).

Order to contact area agencies to provide law enforcement services:

Top priority: Sibley County Sherriff's Department (Sheriff Bruce Ponath)

Second Option: City of Belle Plaine Police Department (Tom Stolee, Chief)

Third Option: City of Le Sueur Police Department (Bruce Kelly), Chief)

(City Attorney Alison Jones recommended that the Le Sueur Police Department be considered as option 3 due to the fact that they were performing background checks of selected applicants for the Chief of Police position.)

Motion carried 5-0.

Nuisance ordinance enforcement was discussed-letters have been distributed but Attorney Jones reported that some of the notices needed to be sent out again due to how the notices were drafted. Additional discussion held with no action taken. Violations for weeds are sited under a separate part of the Henderson City Code.

City Administrator Berberich provided FEMA project updates, went over activities list, correspondence from Waste Management (rate increase); Minnesota Management and Budget pay equity compliance and League of Cities information.

Discussion on debris in streets in Oak View Heights and how this area is maintained including storm drains. This area will be looked at as part of inspections during the October 12 workshop.

Menne and Mediger reported on recent MRVPUC meetings and the September 1 open house.

Council Member Tiegs thanked Chief Aldrich for his 25 year plus of outstanding and dedicated service.

The FEMA 800 radio grant has been submitted-this topic will be a discussion item for the next workshop.

Motion Tiegs, seconded Menne to approve the following city bills (Bolton and Menk bill taken out):

ALPHA WIRELESS COMM. CO.

\$74.09

BANYON DATA SYSTEMS

\$395.36

CHESTER ALDRICH \$461.80

CITY OF LE SUEUR \$1,500.00

CITY OF LESUEUR-MRVPUC

\$7,323.28

CITY OF WINTHROP		MES-MIDAM	
\$198.23		\$2,948.93	
DENZER'S VALLEY AG.		NELSON & JONES LDT	\$412.25
\$83.50		NORTHWEST NATURAL GAS	
ETTERMAN ENTERPRISES		\$65.92	
\$30.82		OFFICE ETC .	
EXCEL ENERGY	\$5,219.01	\$80.57	
FINANCE AND COMMERCE		GOHPER STATE ONE CALL	\$11.60
\$186.47		PRAIRIE TRAIL ELECTRIC	
FRONTIER COMM.		\$590.00	
\$714.02		RANDALL TIEGS	
GENESIS	\$122.85	\$62.16	
HENDERSON INDEPENDENT		RIVER VALLEY TRUCKING	
\$425.52		\$1,139.89	
INTERSTATE BUILDING SUPPLY		SEH	
\$63.65		\$513.05	
JAMES BAUMANN		TOSHIBA BUSINESS SOLUTIONS	
\$498.36		\$25.60	
LABELLES LE SUEUR ALIGMENT		TOM FRAUENDIENST	
\$47.41		\$175.00	
MATT SAXE CHEVROLET BUICK		TRUE VALUE	
\$336.48		\$246.83	
MENARDS-MANKATO		UNITED FARMERS	
\$294.13		\$278.49	
MEYER AUTO REPAIR		US BANK	
\$585.90		\$431.25	
MINN DEPT OF HEALTH-MDH	\$655.00	VALLEY NATIONAL GASES	
MINNESOTA DEPT OF REVENUE		\$12.13	
\$406.00		WASTE MANAGEMENT OF	\$334.31
MN RURAL WATER ASSOC.			
\$360.20			
MN Valley Electric			
\$2,559.38			

Motion carried.

Motion Tiegs, seconded Menne to approve the August end of month financial report; motion carried.

The revised meeting schedule was distributed. Motion Tiegs, seconded Menne to approve the revised schedule and have it posted; motion carried.

Mayor Nytes adjourned the meeting at 9:05 P.M.

Respectfully Submitted

Lon Berberich, City Clerk