

**MINUTES OF A REGULAR MEETING OF THE PRINCETON CITY COUNCIL HELD ON
DECEMBER 22, 2015 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Mayor Paul Whitcomb called the meeting to order and led the Pledge of Allegiance to the Flag. Council members present were, Thom Walker, Victoria Hallin, Dick Dobson, and Jules Zimmer. Others present: Administrator Mark Karnowski, Development Director Jolene Foss, Police Chief Todd Frederick, Public Works Director Bob Gerold, Liquor Store Manager Nancy Campbell, Fire Chief Jim Roxbury, Clerk Shawna Jenkins, Engineer Mike Nielson and Attorney Damien Toven.

AGENDA ADDITIONS/DELETIONS

CONSIDERATION OF MINUTES

- A. Regular Meeting Minutes of December 10, 2015

HALLIN MOVED TO APPROVE THE REGULAR MEETING MINUTES OF DECEMBER 10, 2015. WALKER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

CONSENT AGENDA

- A. **Permits and Licenses**
- B. **Personnel**
 - 1. Approval to hire Kyle Fawkes for Public Works GM1 effective 12-28-15
- C. **Donations/Designations**

DOBSON MOVED TO APPROVE THE CONSENT AGENDA. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

OPEN FORUM

PUBLIC HEARINGS

REPORTS OF OFFICERS, BOARDS, AND COMMITTEES

PETITIONS, REQUESTS, AND COMMUNICATIONS

ORDINANCES AND RESOLUTIONS

- A. Ordinance 728 – Fee Schedule – FINAL READING

Karnowski that we have added some language since the first reading, that changes “Non Intoxicating” to “3.2% malt” to the fee schedule. Otherwise, there have been no changes.

WALKER MOVED TO APPROVE ORDINANCE 728. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

UNFINISHED BUSINESS

- A. 7th Ave North Sewer and Water Extension
 - 1. Change Orders #1 and 2) \$21,1001 and \$6,700)

Nielson reported Change Order No. 1 was for work associated with additional watermain on

12th Street that was added to the project. The items on Change Order 1 were previously reviewed by the Public Utilities Commission. The need for this change order resulted in a potential risk for damage to the existing watermain due to the depth of the existing sanitary sewer in the roadway.

The plan called for the contractor to protect the in-place watermain while connecting the sewer on 7th Street. The contractor felt that there was a high level of risk associated with leaving the watermain in place. WSB staff met with Scott Danielson from PUC and discussed the number of homes that would be out of service if the watermain were to break and determined that the risk could easily outweigh the cost of changing the plan. Together they proposed a change to the watermain system that would relocate the watermain further from the sewer and provide larger 12" pipes in the east/west direction on 12th Street North. The 12" watermain extensions in the east/west direction will allow for the continuation of the trunk watermain to the west without having to re-excavate the intersection in the future.

Nielson stated that the items on Change Order 2 resulted from the need to remove trees to locate a private sewer service, remove buried culverts and construction delays due to existing powerlines that slowed construction. The plan did not include any tree removal but noted that the contractor should work with the property owner to find a location that would eliminate the need to remove any mature trees. This particular lot had a dense row of evergreen trees that prohibited the installation of the service lines without the removal of some trees. A total of 8 trees were removed to allow this work to be completed.

Nielson added that two buried culverts were discovered during the excavation for the sewer improvements. The culverts were located on the east and west side of 7th Avenue N at 12th Street N. Evidently there was a ditch along this roadway that was filled in and the culverts were never removed or abandoned properly.

There were also existing telephone cables that interfered with the progress of the sewer and water installation on 7th Avenue North between 12th Street and the north end of the project in 3 different locations. The contractor had to hold up the cables in the trench during the installation which slowed progress. The contractor has request 4 hours of crew time for this extra work.

Walker asked who pays for the increases. Nielson said the 12" main would be considered an improvement. He is not sure on the tree removal, as the council may want to assess that to the property owner. The culvert removal would be part of the road cost.

Nielson added that the Council may want to determine soon if SAC and WAC fees can be added to the assessment.

HALLIN MOVED TO APPROVE CHANGE ORDER #1 FOR \$21,1001 AND CHANGE ORDER #2 FOR \$6,700 FOR THE 7TH AVE NORTH SEWER AND WATER EXTENSION PROJECT. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

2. Pay Voucher #2 for \$73,662.25

Nielson advised that the quantities completed to date have been reviewed and agreed upon by the Contractor and it is recommended the City approve construction pay voucher #2 for \$73,662.25 to R.L Larson Excavating, Inc.

HALLIN MOVED TO APPROVE PAY VOUCHER #2 IN THE AMOUNT OF \$73,662.25 TO R.L. LARSON EXCAVATING FOR THE 7TH AVE NORTH SEWER AND WATER EXTENSION PROJECT. DOBSON SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. 8th Ave South drainage improvements – Pay Voucher #1

Nielson reported that Construction Pay Voucher No. 1 for the 8th Ave South drainage improvement project in the amount of \$11,814. The quantities completed to date have been reviewed and agreed upon by the Contractor, and we hereby recommend that the City of Princeton approve Construction Pay Voucher No. 1 for West Branch Construction Co.

Due to conflict with a pair of gas mains in 8th Avenue S, the project is on hold and will be completed in the spring of 2016. Final payments will be made upon completion of that work.

WALKER MOVED TO APPROVE PAY VOUCHER #1 FOR \$11,814 TO WEST BRANCH CONSTRUCTION FOR THE 8TH AVENUE SOUTH DRAINAGE PROJECT. DOBSON SECONDED THE MOTION.

Hallin asked how much work has been done on the project. Nielson said about half the project is completed.

THE MOTION CARRIED UNANIMOUSLY

C. Union contracts

Karnowski reported that the city has completed negotiations with the two unions that represent some of our employees: AFSCME (representing our non-supervisory staff that are not police officers) and LELS (representing non-supervisory police officers).

LELS: The LELS negotiations included a re-opener for insurance in the 2nd (and final) year of the existing contract. Since the city's health insurance premiums went down 3% for 2016, negotiations were not difficult. The agreement, subject to Council approval, to reduce both the employee contribution and the city's contribution for health insurance by the same 3% cost reduction in the premium. For Dental Insurance, the 2016 premium increased by 4.5% so, as is the case in the health insurance contribution, both the employees and city will share equally in that increase. In order to treat all employees equally, the LELS wage adjustment for 2016 is proposed to be the same as outlined in #5 in the AFSCME contract explanation below.

If the Council agrees with that proposal, a motion supporting the above modifications to the insurance rates, a motion to authorize the Mayor and City Administrator to sign the Memorandum of Understanding after the MOU has been signed by LELS would be in order.

AFSCME: The AFSCME negotiations was for a new contract. Both sides agreed to a 2-year deal. The agreement, subject to Council approval, is for:

1. The same adjustment in the city and employee contribution to both health and dental insurance as proposed in the LELS contract.

2. A provision allowing for an increase in the number of hours of vacation that can be accrued in any one year from 240 hours to 300 hours.
3. Another provision setting the maximum number of vacation hours an employee can carry at any time at 360 hours.
4. A provision that if an employee is required to use their own tools and a tool breaks, that the city will fix or replace that tool. Because public works employees are required to use their own tools, standard hand tools are exempt from this provision.
5. The wage provision in the AFSCME contract proposes a 2% wage increase from January 1 to June 30 of 2016 and an additional 1% for the balance of the year. The same process applies to the 2017 wages (which is just slightly more than 2.5% for either of the years).
6. The city also agreed to do a wage compensation study in 2016 with any adjustments adopted going into effect upon adoption.

If the Council concurs that the above 6 modifications are reasonable, a motion to authorize the Mayor and Administrator to sign the 2-year contract would be in order.

Rest of Staff: For the balance of the employees, staff is recommending the same COLA adjustment as outlined in #5 of the proposed AFSCME contract. If the Council agrees with that adjustment, a motion to that effect would be in order.

The cost of all of the above was anticipated and is covered in the 2016 budget already approved by the Council.

DOBSON MOVED TO AUTHORIZE MAYOR AND ADMINISTRATOR TO SIGN THE ASTHME AND LELS CONTRACTS AND APPROVE THE EMPLOYEE WAGES AND UNION CONTRACTS AS RECOMMENDED. HALLIN SECONDED THE MOTION.

Zimmer asked if the provision for employee tools was common. Gerold responded that it is mostly in the case of an employee bringing in a tool from home that the city does not own. In that case, the city would replace it if damaged.

THE MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

A. Personnel Policy Amendments

Karnowski stated that the city has been advised that, because of a couple of laws passed in the 2015 legislative session, the city should consider amending its Personnel Policy to comply with those law changes. Accordingly, the two sections below are proposed to be modified as noted (old language has a strikethrough and new language is underlined).

If the Council concurs with the recommended changes, a motion to approve the amended language would be in order.

9.9 Military Leave

Regular part-time and full-time employees who are members with active status of an

Armed Forces Reserve Unit shall at their request be granted military leave when called to active duty for a period not to exceed fifteen (15) days annually. Employees granted such leave shall receive such military pay and their regular straight time pay provided the employee submits to the City's Finance Officer proof of such military pay. The documented proof submitted may take the form of the following:

- A. A copy of the military orders, and/or
- B. A copy of the applicable drill schedule (i.e. battle assembly schedule), and/or
- C. A signed memo from the military employee's immediate military supervisor

Any leave exceeding fifteen (15) days shall be granted but without pay.

The reinstatement to City employment of any person who enters the military service of the United States by reason of an act of law enacted by the Congress of the United States, or who voluntarily enlists during the effective period of such law, shall be determined in accordance with the provisions of the law granting such rights.

13.13. Prescribed Medications

Employees who are required to participate in job related safety sensitive functions and are taking physician prescribed medicine that could impact their work performance shall advise their supervisor of that fact. After so doing, they shall be allowed to refrain from participating in safety sensitive functions pursuant to written instructions that accompanied said prescription.

An employee who is a registered user of medical marijuana cannot be disciplined for testing positive for cannabis unless the employee used, possessed, or was impaired by cannabis on the employment premises or during the hours of employment. A positive test during employment hours may be used as evidence of impairment during employment hours so long as the results of said positive test includes a reference to when the positive occurs in relation to the employee's work schedule.

Walker asked about military leave and if the employee is paid from the City in addition to their military pay. Jackson believes that they receive both city pay and military pay. Dobson added that he believes it is required that they get both. Walker said he would like clarification. Jackson said while it has not happened in quite some time, when it did they were continued to be paid through the city as if they had been working.

WALKER MOVED TO APPROVE RECOMMENDED AMENDMENTS TO THE PERSONNEL POLICY. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

B. 2015 state contract for trailer storage

Karnowski advised that this has been in place for some time but was originally paid through the relocation program. It has been determined that it needs to be paid through the state instead.

WALKER MOVED TO APPROVE THE 2015 STATE CONTRACT FOR TRAILER STORAGE. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

MISCELLANEOUS

Walker asked staff if there were any 2016 license paperwork that had not been received as of

yet. Jenkins responded that she had not received anything from Family Dollar Corporate and has sent out additional letters to Corporate and contacted the store directly. She added that she will contact both of them again.

BILL LIST

HALLIN MOVED TO APPROVE THE BILL LIST WHICH INCLUDES THE MANUAL CHECKS AS LISTED ON THE MANUAL BILL LIST FOR A TOTAL OF \$123,654.58 AND THE ITEMS LISTED ON THE LIQUOR BILL LIST AND GENERAL CITY BILL LIST WHICH WILL BE CHECKS 72931 TO 73001 FOR A TOTAL OF \$316,676.28. ZIMMER SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

ADJOURNMENT

There being no further business:

DOBSON MOVED TO ADJOURN THE MEETING AT 7:22PM. HALLIN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

ATTEST:

Shawna Jenkins
City Clerk

Paul Whitcomb, Mayor