

Emergency Meeting called to order at 8:14 AM  
Verbal agreement from everyone present that this meeting is meeting under City of  
Gustavus Ordinance Section 2.30.050.

Sandi discusses call outs and how many there were. Discussion followed about that.

Sandi states what Paul Grant had said -This is where the conversation with the acting  
chair of road committee comes into play.

Kathy asked about if this is about bill

Sandi talked that about road specs.

Kathy said this was in accordance with the email. Tom stated he thought that this was  
about talking about new contract.

Council nodded yes this is about new contract but billing plays into it.

Discussion followed about bill and contract and budget.

Sandi states \$6000 has been used of the \$10,000 leaving a remaining \$4000.

Discussion on attorney's statements

Kathy wanted everyone to know that they were not holding the city hostage.

Tom stated that the billing came in very low.

Becky stated that in a 2 week period that we have gone through over half of our budget.

Kim said concern of only having 4000 left in budget.

Mike states that it looks like we budgeted to low. This year we have had a lot of snow.

John stated that we want to have everything ironed out and that everything clear and  
everyone knows what is going on.

Kathy states that the pass was free. That when people call they are stuck in their  
driveway, and they trying to get them out.

Sandi asked about billing and charges. What was free.

Kathy said they stated in email that they were not going to pushback berms/sides. She  
said they \$65 is a far price. Other places are much higher.

Tom stated when Sandi called he gave her the \$65 dollar a mile. He didn't give her any additional information. Maybe he should have.

Laurie wants to know what will happen when the 4000 is gone. She thinks once it is gone then people should go back to doing it themselves.

Kathy wanted to know if the city wanted to them to take off the extra passes \$400, The city should have requested/talked to her about taking it off.

Sandi stated that the bill was not turned in on time. So how could they have asked that.

Tom thinks that the budget should be 20,000. The city is in the business of snow plowing. And should be taken care of.

Sandi stated that the forest service money was agreed to be used to build up the roads,.

Becky we are under ordin. To only spend what is in our budget. When we hit 10,000. we are at our budget.

Mike said we need to look at our budget.

John if the city is going to do the basic plowing then people don't prepare for doing it for themselves. John wants us to look at when we are going to plow, and put something out there. John wants to avoid stopping plowing now. Asked about budget and how it works. We have 4000 is that correct.

Sanid yes

Tom if you put a request out to bid then you have to have the money to pay for it.

Kim said yes we do have the money.

Tom said we are not money poor. The money is there.

John reads from the RFQ that it can be canceled at anytime. He says that the argument is not true/valid because it is in the RFQ.

Tom says that money can not be used for anything else.

Becky stated that, that is why we were so concerned about having the bill on Friday. The RFQ is a quote / estimate.

Tom asked if it says anywhere in the RFQ that the budget is 10,000.00.

Sandi said the contractors know this and showed the Feb. 2006 and that

Kathy said yes but is this a fiscal year or calendar year.

Sandi said we talked about this. That this a fiscal year. And talked about forest receipts. We have the money to pay this bill and we have 4000.00 left in the budget.

John #5 read it from RFQ. (Can be increased or decreased) John says they bid on a unit price. They are going to get paid by unit price as long as it is in the budget.

Tom said this is not fair. Someone may spend money to get insurance

Sandi says council is very aware of what a great price for snowplowing . Sandi discusses how this is making life a little easier for those that live here. We could have property tax, but ... Every bit of money spent takes away from the road maintenance. Everyone needs to remember that. Next summer calls come in about road maintenance. \$65 is fair price \$120 is a fair price. Best thing if we could leave it up to the discretion of the contractor. Go out there and do some and see that it isn't needed and stop. 2 weekends ago that is not what happened. Hopefully everyone will look at the contract. She is not a lawyer and contract writer. Hopefully will not find any loop holes and if they do

Becky asked about 12" and hourly rate.

Kathy said that that makes it negot. To hourly rate. Kathy or not and for the 80 inches.

John said that is to protect the contractor.

Tom said that he was under the understanding it was call out at 6 inches.

John read the RFQ/Spec call out procedure. Who calls who and how it works. John said he thinks all members who are here should be called.

Tom says that is to cumbersome. He has to make a decision quickly and right away and he was understood it as he made the decision.

John said that he should call Richard and even maybe Laurie because that makes 3. It is not his money to spend and this covers him for making decision.

Tom didn't bypass Richard because he has been very sick. And didn't want to bother him.

Sandi – We did agree to write a 2000.00 Purchase Order. We will do that . Asked everyone to sign contract. Everyone sign it and agree it to agree to it.

Kathy says that it is not the same as RFQ. About termination. Not sure of content. Can't have a contract that is different than RFQ.

Discussion on contract/RFQ

Tom question – If all this is in the specification why do we have to have a contract. Should only have it written once. It is already in specifications.

Kathy takes exception to how this billing is being talked about. If this all about her billing.

Sandi said then lets work on this.

Tom why

John says this is his fault he came into this because he thought PO was not enough, but thought a contract was needed.

Tom said you do have a contract in the RFQ

Discussion on signing Purchase Order. What that means. Contract/PO

John said there is no contract per attorney.

More discussion on do we have a contract when Purchase Order is signed.

Tom says that that can not be any different than what is in the RFQ. If the city inadvertently puts something in there that is different.

John said the purpose of this meeting is to come up with an agreement today.

Tom interrupts but John continues.

John discusses how to go on today.

John says that there is nowhere for signatures on the RFQ.

Kathy how federal contracts are done.

Sandi what do we need to do.

John says merge two together, and sign.

Council merging documents/ discussion followed.

Sandi asks how the language should reference the 2006 Road Specs. Council, Kathy and Tom argeed it referenced it in the RFQ.

The language “ The rights the obligations of the contract (A) (B) (C)”

At the top Sandi will put

Sandi asks Kathy to come around and look at it.

Kathy looks at contract on Sandi's computer. Council is also looking.

Sandi will print out one copy for everyone to look at and agree that it is the way it is suppose to be.

John wanted to talk about marking phone pedi and transformers. Shelly was very good about doing it. Now that she is not doing it that it is not being done.

John would like a letter written to the companies saying that the City will not be held responsible for them.

Meeting adjourned at 9:50am