REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, October 8, 2012

CALL TO ORDER: Following due call and notice thereof, Mayor Burns called the meeting to order at 6:00 p.m. in the Council Room, City Hall.

ROLL CALL: Members present: Mayor Robert H. Burns; Council Members: Randi Vick, Tom Murphy, Bob Lemke and Paul Fisch. Members Absent: None. City Staff Present: City Clerk/Administrator: Ted Schoonover, Mike Gerardy, Mike Tornstrom. City staff present: City Electrician Matt Blocker, Police Officer Tim Irwin Guests present: Bill Klug, Eric Klug, Pete Molling, Duane Strub, John Klug, Herby Erickson and Caledonia Argus Reporter Clay schuldt.

AGENDA APPROVAL: A motion was by Member Fisch, seconded by member Vick to approve the agenda with the following additions: Item 7. (h) Payment to DAVY Engineering Inc, 7. (i) Building height limits, 7. (j) New agenda format, 7. (k) Develop new fund within the general fund for the ambulance fund, 7. (l) Snow plow. Change 7 (f) add missing meter. All members present in favor and the motion was declared carried.

CONSENT AGENDA: A motion was made by Mayor burns, seconded by Member Lemke to approve the consent agenda. All members present in favor and the motion was declared carried.

MINUTES OF PAST MEETING: Minutes were read and stand as read.

VISITORS AND COMMUNICATIONS: None.

ADMINISTRATIVE COORDINATOR TOPICS:

a. Motion by Mayor Burns, seconded by Member Lemke to approve Change Order # 3 for the Sanitary Sewer Project in the amount of $ 5,410.00. All members present in favor and the motion was declared carried.
b. Motion by Member Murphy, seconded by Member Vick to approve the change in the sewer project and repave N. Pine St. from the North lift station to the South where the road was removed. The four Council persons present voted in favor, the Mayor abstained from the vote and the motion was declared carried.
c. PUBLIC HEARING 6:05 p.m. – The regular meeting was closed and the Council went into a public hearing to discuss a variance request from Bill and Claire Klug. Mr. Klug asked if the city had plans in the future to place electrical service to the front of the properties. Mayor Burns stated that was the intent but a time frame had not been established. Administrative Coordinator Mike Gerardy stated that the Klugs were requesting a 5' setback variance on the East side of their property and a 3' setback variance to the East side of the existing easement. The second would be a direct violation of City Ordinance 208 which requires 5'. The adjoining property owners have no issues with the request. At 6:15 p.m. the Mayor closed the public hearing and reconvened the regular meeting. Motion by Vick, seconded by Murphy to deny the variance request. The Mayor called for a roll call vote: Yes: Member Fisch, Member Murphy, Member Vick,. No: Mayor Burns, Member Lemke. The motion to deny carried.
d. PUBLIC HEARING 6:25 p.m. – The regular meeting was closed and the Council went into a public hearing to discuss a variance request from Duane Strub and Pete Molling. Pete Molling explained that he has plans to purchase the property and needs additional space to expand his business. The property is zoned Industrial and there are no residential properties in close proximity. Administrative Coordinator Mike Gerardy stated they are asking for a 21' setback variance on the South side of the property and a 30" setback variance on the West side of the property. Unless the two parcels are combined they will not meet the 20,000 square foot limits by Ordinance. Mr. Molling stated he intended to combine the parcels so size would not be an issue. At 6:35 p.m. the Mayor closed the public hearing and reconvened regular meeting. Motion by Mayor Burns, seconded by Member Lemke to approve the variance as requested. The Mayor called for a roll call vote. Yes: Mayor Burns, Member Fisch, Member Murphy, Member Vick, Member Lemke. No: None. The motion was declared carried.
e. B-1 Central Business District. Administrative Coordinator Mike Gerardy stated a resident had requested to see if a Bed and Breakfast with food service would be allowed within the this district and he wanted clarification from the council to ensure that it would be considered the same as a hotel/motel which are allowed. The consensus of the council was they were that same and they would be taxed just like the Fairbridge Motel or any other lodging facility. No action was taken.

f. Administrative Coordinator Mike Gerardy informed the council that as of close of business today they had approximately 79 meters to replace. Clerk-Administrator Schoonover stated the contractor estimated that they anticipated 20-30 will not be completed. The main reason was they have many residents that have not responded to the door hangings, phone calls et set era. The contractor told Schoonover that other cities have sent letters to those non compliant residents threatening to shut off services others have set fines. The council directed Clerk-Administrator Schoonover to draft a letter informing the non compliant residents that thier service will be terminated on October 24, 2012 if they do not comply. The letters will be delivered by Peace Officers and if no reply by certified mail.

g. Administrator Coordinator Mike Gerardy informed the council that a resident at 607 Winnebago St. apparently removed his previous water meter and hard plumbed in his water line. The contractor attempted to retrieve the old meter but the resident stated he did not have it. The council felt that this was a criminal act and to have the Clerk-Administrator hand it over to the City Attorney for possible legal action.

h. Motion by Mayor Burns, seconded by Member Fisch to approve Change Order # 4 to Dakota Supply Group in the amount of $3,302.66. All members voted in favor and the motion was declared carried.

i. Motion by Member Fisch, seconded by Member Vick to approve Payment Request #2 to Griffin Construction Company in the amount of $90,270.43. All members voted in favor and the motion was declared carried.

j. The Mayor asked Administrative Coordinator Mike Gerardy if the height requirement in the industrial area was 40' and asked to look at Sno-Pac as it appears to be in excess of that height. Gerardy stated it was indeed 40' and he would check into the matter.

k. The Mayor asked if it would be possible to develop and implement an Ordinance that could deal with homes in disrepair and dilapidated. Clerk-Administrator Schoonover informed the council he would check with other cities and prepare something for the next meeting.

l. Administrative Coordinator Gerardy stated that the snow plow is ready to be picked up, Member Lemke stated he was available to pick it up. Motion by Mayor Burns, seconded by Member Fisch to reimburse Member Lemke for fuel and expenses. All members voted in favor and the motion was declared carried.

NEW BUSINESS:

a. Motion by Mayor Burns, seconded by Member Lemke to approve the prepaid claims for September as presented to include the ones received this evening. All members voted in favor and the motion was declared carried.

PREPAID CLAIMS

Caledonia Lumber Co.	Main Insulation Hwy 44, Misc.	86.73
Caledonia Oil Company	Unleaded	2,115.72
G & F Distributing	Liquor Store Inventory	283.50
Jack Neumann Trucking	Liquor – freight expense	125.00
Johnson Brothers Liquor Co.	Liquor Store Inventory	5,000.47
Mayo Clinic Health System	Health Cards	156.00
Medtox Laboratories, Inc.	Drug Screen	21.40
Mississippi Welders Supply Co.	Extinguishers	263.75
MN Municipal Beverage Assn.	Registration Fee	15.00
MN State Fire Dept. Assn.	2012 Membership Dues	50.00
Phillips Wine & Spirits Co.	Liquor Store Inventory	2,203.55
Quarter Master	Uniform Allowance – Johnson	152.97
Ranzenberger, Dorothy	2012 Clothing Allowance	60.00
Schoonover, Ted	City Clerk – Reimbursement Travel Expense	1,128.09
Sparks, Paul	Interim Clerk	2,644.04
Winnebago, City of	Repair Parts	150.00
Ziebell's Hiawatha Foods, Inc.	Liquor Store Inventory	34.75
Airgas USA, LLC	Cylinder Rent	116.48
Fahrner Asphalt Sealers	Sweeping for Houston Co.	8,653.67
Galls, LLC	Uniforms	212.60
Hoskins Electric Co.	Install CT Cabinet	3,715.64
Houston Co. Treasurer	Lein Release	10.00
Rogich, Mike	Tree Removal	900.00
Tri-County Electric Co-op	Electric Energy	1,789.69
Alexis Fire Equipment Co.	Chassis Down Payment	90,000.00
Banyon Data Systems, Inc.	Meter Project	300.00
Business Financial Planning	Cafeteria Plan	455.95
Caledonia Oil Company	Diesel	1,979.66
Caledonia True Value	Misc.	115.43

Central Cable Contractors, Inc.	Highway 44 Project	180.00
City of Caledonia Emp. Assn.	Association Dues	70.00
Commissioner of Revenue	State Withholding	1,284.63
Hale Skemp Hansen Skemp Sleik	Case No. 11-CV-67-A	369.72
ING Institutional Plan Services	TSA Payday 9-18-12	480.00
Jack Neumann Trucking	Liquor – Freight Expense	45.00
Merchants Bank	Federa/FICA/Medicare	6,027.43
MN Dept. of Health	Water – Application Fee	32.00
MN Benefit Association	MBA Payday	97.59
MN Rural Water Assn.	Registration Fe	225.00
NCPERS Minnesota	NCPERS Payday	80.00
Northern Beverage Distribution	Liquor Store Inventory	779.90
Public Emp. Retirement Assn.	PERA Payday	5,662.19
Resco	Light – Inventory	896.99
Schott Distributing Co, Inc.	Liquor Store Inventory	2,557.70
Spring Grove Soda Pop, Inc.	Liquor Store Inventory	105.65
Stuart C. Irby	Light – Inventory	1,155.05
Tri-State Ambulance, Inc.	Intercept Fee	250.00
US Postal Service	Stamped Envelopes	276.95
Wirtz Beverage MN	Liquor Store Inventory	2,390.54
Buttell's Lighting	Bulbs	901.59
League of MN Cities	Registration Fee	80.00
MN Dept. of Labor & Industry	Boiler Inspection	30.00
Principal Life	Life/Ad&d/STD	527.59
Weichert & City, Kevin	Refund Credit on Final Bill	369.02
G & F Distributing	Liquor Store Inventory	141.75
MN Energy Resources	Natural Gas	1,846.98
Northern Beverage Distribution	Liquor Store Inventory	1,166.95
Resco	Light – Inventory	271.89
Schott Distributing Co, Inc.	Liquor Store Inventory	2,681.70
Southern Wine & Spirits of MN	Liquor Store Inventory	100.90
Spring Grove Soda Pop, Inc.	Liquor Store Inventory	106.95
Caledonia Volunteer Fire Dept.	Relief Association	600.00
Rask, Nick	Animal Control	50.00
Alert-All Corp.	Promotional Items for Schools	664.00
Caledonia Convention & Tourism	Tourism	993.46
Commissioner of Revenue	State Withholding	13.17
Jack Neumann Trucking	Liquor – Freight Expense	100.00
Johnson Brothers Liquor Co.	Liquor Store Inventory	2,503.01
Kennedy & Graven	Legal Services for General Obligation	4,323.98
Merchants Bank	Federal/FICA/Medicare	385.24
Phillips Wine & Spirits Co.	Liquor Store Inventory	1,287.83
Public Emp. Retirement Assn.	PERA Payday	265.00
Ziebell's Hiawatha Foods, Inc.	Liquor Store Inventory	69.15
Sparks, Paul	Interim Clerk	2,634.94
Betz, Mark	2012 Uniform Allowance	125.00
Collins Brothers, Inc.	Liquor Store Inventory	179.89
Houston Co. Treasurer	Ho. Co. Collection Site	3,340.00
Metro Sales, Inc.	Copier Agreement	52.50
Northern Beverage Distribution	Liquor Store Inventory	1,682.55
Printy Quik	Nameplate	14.96
Richard's Sanitation	Collections	6,598.55
Schott Distributing Co., Inc.	Liquor Store Inventory	6,325.55
Southern Wine & Spirits of MN	Liquor Store Inventory	927.26
Spring Grove Soda Pop, Inc.	Liquor Store Inventory	65.10
MN Dept. of Revenue	Sales / Use Tax	23,604.00
ING Institutional Plan Services	TSA Payday	480.00
Merchants Bank	Federal/FICA/Medicare	7,351.55
Public Emp. Retirement Services	PERA	6,384.05
Business Financial Planning	Cafeteria Plan	455.95
Commissioner of Revenue	State Withholding	1,510.85
Hale Skemp Hansen Skemp Sleik	Case No. 11-CV-67-A	442.06
Houston Co. Sheriff	File No. 1040	110.51

Klug, Tony	Consulting Services	1,305.00
Abrams & Schmidt, LLC	Consulting Attorney	1,745.00
Ace Link Telecommunications	Communication Expense	1,087.59
E O Johnson Company	Clerk's Office – Repair Folding Machine	140.00
Gavin, Patricia	2012 Uniform Allowance	60.00
Houston Co. Recorder	Sewer Rehab Project	46.00
Jack Neumann Trucking	Liquor – Freight Expense	35.00
MN Highway Safety & Research	EVOC Course Registration Fee	792.00
Northern Beverage Distribution	Liquor Store Inventory	2,569.25
Schott Distributing Co, Inc.	Liquor Store Inventory	2,611.55
Spring Grove Soda Pop, Inc.	Liquor Store Inventory	64.50
US Postal Service	Annual Fee for PO Box	220.00
Verizon Wireless	Communication Expense	206.59
VISA	STP- Repair Part	29.70
Wirtz Beverage Minnesota	Liquor Store Inventory	1,372.75
Ziebell's Hiawatha Foods, Inc.	Liquor Store Inventory	18.75
Bakely & City, Vernon	Meter Deposit Refund	250.25
Carr & City, Deborah	Meter Deposit Refund	250.25
Conrad & City, Susan	Meter Deposit Refund	250.25
Fox & City, Chris	Meter Deposit Refund	250.25
Gluch & City, Brandon	Meter Deposit Refund	250.25
Hankins & City, Heidi	Meter Deposit Refund	250.25
Hempstead & City, Mary	Meter Deposit Refund	250.25
Kearney & City, Bill	Meter Deposit Refund	250.25
Latham & City, Denise	Meter Deposit Refund	250.22
Leonard & City, Deloris	Meter Deposit Refund	250.03
Ranzenberger & City, Mark	Meter Deposit Refund	250.25
Shefelbine & City, Valorie	Meter Deposit Refund	200.40
Skauge & City, Margie	Meter Deposit Refund	250.25
Tyson & City, S L	Meter Deposit Refund	250.25
		$ 243,328.94

b. Motion by Mayor Burns, seconded by Member Lemke to approve the claims payable for September. All members voted in favor and the motion was declared as carried.

CLAIMS PAYABLE

AAA Striping Service Co.	Street Striping	341.24
Ability Building Center	Rec Park – Groundkeeping Crew	126.88
Affordable Technology Solution	Office Supplies, Tech Services	890.63
Alco Discount Store	Phone Minutes, Battery	144.25
Artic Glacier Inc	Ice	120.24
Baker & Taylor Books	Library Books	850.25
Becker & Stemper Electric, LLC	Install 100A Service, Bow Parking LC	601.61
Bonanza Grain, Inc.	Maintenance Materials, Repair Materials	424.29
Bound Tree Medical	Ambulance Supplies	131.10
Caledonia Bakery	Pool Project – Kick Off Party	107.80
Caledonia Implement Co.	Oil Filters	97.32
Caledonia Lumber Co, Inc.	Sideboards for Truck, Misc. Repair Materials	112.23
Caledonia Ready Mix, Inc.	Storm Sewer Materials	47.03
Carquest Auto Parts Store	Miscellaneous Items, Battery	79.16
Century Manufacturing Corp.	STP - Miscellaneous	998.00
City of Caledonia Utilities	Electric, Water & Sewer	13,030.66
County Materials Corp.	Manhole Adjusting Rings	66.00
Crescendo Consulting LLP	Pool Project	8,010.50
D S Electric Supply, Inc.	Inventory, Misc.	474.08
Davy Engineering	Sewer Rehab, Engineering Fees	28,959.23
Davy Laboratories	Lab	2,388.84
E O Johnson Company	Copier Agreement	67.50
ECM Publishers, Inc.	Advertisements	1,039.63
Employee Data Forms	2013 Employee Data Calendar	23.00
Expert T Billing	Contracted Billing	600.00
Farmers Coop Elevator Co.	Chemicals	44.41
Farrell Equipment & Supply Co.	Saw Blades for Patching	126.55
Fastenal Company	Misc./Bolts	100.79
First Supply LLC	Repair Parts	19.04

G & F Distributing	Liquor Store Inventory	326.50
Gopher State One-Call	Location Notifications	117.65
Guillaume, Joyce	Reimbursement – Calendar	27.42
Hawkin's Inc.	Chemicals	1,366.84
Hoskins Electric Co.	Conduit Repair, Inventory, Well #6	1,427.93
Houston Co. Highway Dept.	Lath for Project, Street Eq. Rental	537.06
Innovative Office Solutions	Office Supplies	308.56
Jeff's Automotive Repair	Repairs #96 Truck	50.90
Karian Peterson Power Line	2012 Project	55,000.00
Kraus Oil Co. Inc.	Unleaded	1,950.00
Kwik Trip Stores	Pool Project Scrip	1,269.00
Lackore Electric Motor Repair	Motor Repair	306.65
Laser Product Technologies	Print Cartridge	84.32
Mayo Clinic Health System	Drug Screen	40.00
Midwest Tape	Library – DVD(s)	217.14
Minnesota Pipe & Equipment	Repair Parts	1,015.96
Mississippi Welders Supply Co.	Misc. Equipment, Oxygen	541.61
MN Dept. of Labor & Industry	Elevator Operator Permit	100.00
Printy Quik	Pool Project - Printing Expense	4.28
Public Safety Equipment, LLC	Certify Rador Units	106.36
Quillin's IGA	Liquor Store Inventory, Kick-Off	282.69
Resco	Inventory	1,386.66
Richard's Sanitation, LLC	Refuse Disposal	155.84
Rippe, Hammell & Murphy	Prosecution Sept. 20	2,760.75
Ronco Engineering Sales, Inc.	Chains	85.94
Schilling Supply Company	Towels, Copy Paper, Bags	544.74
Schulze Plumbing and Heating	Main Repair Parts	1,587.31
SE Libraries Cooperating	Main Repair Parts, Labor	395.42
SEMA Equipment, Inc.	Mower Wheels	261.69
Spring Grove Battery, LLC	Battery, Charger, Misc.	249.60
Stantec Consulting Services	Consulting Services	8,550.00
Star Energy Service	2012 Electric Project	1,351.07
Storlie's Portable Pit stops	2012 Project	96.19
Tri-County Electric Co-op	Electric Energy	149,312.17
Tri-State Ambulance, Inc.	Intercept Fee	500.00
United Auto Supply	Repair Parts, Gloves, Parts	248.36
United Laboratories	Cleaning Supplies	226.98
USA Blue Book	Equipment	272.81
Winona Controls, Inc.	Boiler Maintenance	89.00
World Point ECC, Inc.	Supplies for Training	143.45
WWTP MPCA PFA Loan Fund	PFA Loan Payment	3,500.00
Griffin Construction Co.	Payment No. 2	90,270.43
		$ 387,541.66

c. Ambulance Director Mike Tornstrom was present and asked the council to allow three of his EMT to attend an instructor course in Austin. The course would require and overnight stay and he asked if the EMTs could be paid for the training. He estimated that the total cost would be less than $1,800.00 and that they could get that back by holding their own training once they are certified. Motion by Mayor Burns, seconded by Member Fisch to allow the three EMTs to attend the training and reimburse them for lodging and pay them for the 18 hours of classes. All members voted in favor and the motion was declared carried.

d. Motion by Mayor Burns, seconded by Member Lemke to approve the extension of the 2012 Electrical Project until November 2, 2012. All members voted in favor and the motion was declared carried.

e. Motion by Member Fisch, seconded by Member Vick to approve Resolution 15-2012 Joint Agreement between the City of Caledonia and the State of Minnesota. All members voted in favor and the motion was declared carried.

CITY OF CALEDONIA, MINNESOTA

RESOLUTION 15-2012

A RESOLUTION AUTHORIZING EXECUTION OF A CONTINUATION OF A JOINT POWERS AGREEMENT BETWEEN THE CITY OF CALEDONIA, MN AND THE STATE OF MINNESOTA,

ACTING THROUGH ITS DEPARTMENT OF PUBLIC SAFETY AND THE BUREAU OF CRIMINAL APPREHENSION

WHEREAS, the Caledonia Police Department originally entered into a Joint Powers Agreement with the State of Minnesota through its Commissioner of Public Safety and the Bureau of Criminal Apprehension to investigate and combat the exploitation of children through the use of computers;

Now therefore, this Joint Powers Agreement is being renewed to cover the 1 June 2012 – 31 May 2013,

The Caledonia City Council is now hereby authorizing the City of Caledonia Mayor, City Administrator and Chief of Police to execute the continuation of the Joint Powers Agreement on behalf of the Caledonia Police Department.

PASSED and adopted by the City Council of the City of Caledonia this 8th day of October 2012.

ATTEST: APPROVED:

_____ _____

TED A. SCHOONOVER ROBERT H. BURNS, Mayor
Clerk-Administrator

f. Clerk-Administrator Schoonover informed the council that the State of Minnesota has changed the way that fire fighter training is billed and invoiced. The state will now pay directly to the vendor and the city does not have to do the voucher system and get reimbursed.
g. Clerk-Administrator Schoonover informed the board that back in August there was a wind storm that caused a tree limb to fall onto a electrical service and pulling it from the home. The tree was in the city Right of Way but deemed to be healthy. Because it was considered an act God the home owner should be liable to pay for the reinstallation of services. Schoonover stated he will send the owner a letter asking for payment. If payment cannot be made the owner has the option of a special assessment.
h. Motion by Member Fisch, seconded by Member Murphy to approve Resolution 16-2012 Intent to Terminate Pole Agreement with Mediacom. All members voted in favor and the motion was declared carried.

RESOLUTION NO. 16-2012

RESOLUTION TO PROVIDE INTENT TO TERMINATE POLE AGREEMENT BETWEEN CALEDONIA CITY AND MEDIACOM CABLE INCORPORATED

WHEREAS, the Caledonia City Council considered all relevant options;
WHEREAS, both parties cannot work out a suitable agreement of work and schedules,
WHEREAS, the City would like to continue burying our electrical service without having to wait on the other interested party to do their portion of work required,
NOW, THEREFORE, BE IT RESOLVED by the City of Caledonia City Council, as follows:
We intend to terminate the pole usage agreement that we entered into on April 29, 1982 with an effective date yet to be determined
This Resolution is duly adopted on this _____ day of _____, 20 ___.

ATTEST:_____ APPROVED:_____

TED A. SCHOONOVER ROBERT H. BURNS, Mayor
Clerk-Administrator

i. Clerk-Administrator Schoonover informed the board that Last August a resident was informed of a diseased tree on his property and gave him ample time to remove the tree. The home owner for whatever reason did not remove the tree so in accordance with the City Ordinance the tree and stump were removed. In talking to the City Attorney we need to inform the owner that we will hold a public hearing on the issue and determine who is liable for the payment. Motion by Mayor Burns, seconded by Member Vick to set a Public Hearing date for November 12, 2012 at 6:15 p.m. All members voted in favor and the motion was declared carried.

ADJOURNMENT: There being no further business before the Council, A motion to adjourn was made by Mayor Burns, seconded by Vick. All voted in favor and the motion was declared carried to adjourn at 8:17 p.m.

_____
Robert H. Burns

_____
Ted A. Schoonover
Clerk-Administrator