

REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, October 24, 2011

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, Paul Fisch, and Bob Lemke. Members Absent: None. Consultants and City staff present: City Clerk/Administrator Jennifer Feely, Administrative Coordinator Mike Gerardy, Police Sergeant Jim Stemper, and Accountant Stephanie Mann. Visitors present: Caledonia Argus Reporter Charlie Warner.

AGENDA APPROVAL. A motion was made by Member Vick, seconded by Member Lemke, to approve the agenda with the following additions: Rod and Gun Club Application for Arlin Falck Foundation Funds and Camp Winnebago Request to Use City Auditorium. All members present voted in favor and the motion was declared carried.

CONSENT AGENDA. A motion was made by Member Vick, seconded by Member Murphy, to approve the consent agenda. Voting in Favor: Vick, Murphy, Burns, and Lemke. Voting Against: None. Abstaining: Fisch. The motion was declared carried.

A. MINUTES OF PAST MEETINGS. To approve the minutes of the Regular Meeting held Monday, October 11, 2011, as presented.

B. APPLICATION FOR EXEMPT PERMIT: CALEDONIA WRESTLING CLUB. To approve an application for exempt permit for the Caledonia Wrestling Club at the Caledonia Area High School on March 10, 2012.

C. ARLIN FALCK FOUNDATION APPLICATION: CALEDONIA ROD AND GUN CLUB. To approve allowing the Caledonia Rod and Gun Club to apply for an Arlin Falck grant under the City's name.

VISITORS AND COMMUNICATIONS.

A. POLICE DEPARTMENT: BALLISTICS VEST REQUEST. Sergeant Jim Stemper was present to review a letter from Police Chief Kurt Zehnder requesting that the City provide a tailored vest for Part-Time Officer Jackie Lund and replacement vests for Officer Allan Johnson, Sergeant Jim Stemper, and Zehnder. Discussion ensued regarding the Public Safety Vest Reimbursement Program through the State of Minnesota. Stemper stated that the ballistic protection in each vest is only guaranteed for five years, and noted that some of the officers' vests will be expiring soon. A question arose as to what happens to the old vests that are stored at the department. Stemper replied that old ballistics vests are used by part-time officers, reserve officers, and those that are job shadowing. Member Murphy inquired as to what happens when a part-time officer is working in two communities – should the amount for a ballistics vest be shared between both employers? Stemper replied that it would likely be difficult to split the

difference but not impossible to work out. A motion was made by Member Murphy, seconded by Member Vick, to acquire four new ballistics vests. All those present voted in favor and the motion was declared carried.

B. POLICE DEPARTMENT: PROPOSAL FOR 2013 FORD INTERCEPTOR SQUAD CAR. Sergeant Stemper was present to review a proposal obtained by Chief Zehnder for the purchase of a new squad car and equipment. It was noted that the proposal was for a 2013 Ford Interceptor Squad Car from Nelson Ford of Fergus Falls, Minnesota, through the Government Fleet Program, in the amount of \$38,447.42. Sergeant Stemper stated that Ford no longer makes the Crown Victoria and that the Ford Interceptor is only being produced for law enforcement. It was noted that a neighboring community recently ordered an SUV version of the Ford Interceptor. Stemper stated that the Ford Interceptor would be all wheel drive and that the Police Department would like to stay with Ford as all the squad cars are currently Ford. Stemper noted that the SUV is almost identical in price to the Interceptor, however, it sits very low to the ground, which could pose issues in the winter time. Stemper noted that some of the existing equipment may be able to be transferred but that they will just have to wait and see. When asked what would happen to the squad car being replaced, Stemper stated that it would be sold at an auction. Mayor Burns inquired as to whether there is more room in the SUV versus the Interceptor. Stemper replied that a cabinet system would have to be built into the SUV and that the Interceptor is a better fit for the Police Department. It was noted that the estimated delivery date ranges from the end of March 2012 into April 2012. Discussion ensued. A motion was made by Member Fisch, seconded by Member Vick, to approve spending up to \$40,000.00 through a certificate of indebtedness to purchase a new squad car. All members present voted in favor and the motion was declared carried.

C. CAMP WINNEBAGO REQUEST TO USE CITY AUDITORIUM. Elsie Vesterse was present on behalf of Camp Winnebago to request the Council's consideration in allowing a dinner theater to take place in the City Auditorium the first weekend in May. It was noted that Vesterse was requesting permission to offer a full bar to those attending the dinner theater. Vesterse noted that Camp Winnebago would also like to use the City Auditorium for rehearsals but did not know dates and times yet. Vesterse inquired as to how much the City would charge Camp Winnebago to use the City Auditorium. Discussion ensued. The consensus of the Council was that the request will be revisited at an upcoming meeting.

D. CITY ACCOUNTANT TOPICS.

1. **CASH AND INVESTMENT REPORT.** City Accountant Stephanie Mann was in attendance to report that as of September 30, 2011, the total cash balance was \$1,159,050.44, and the total investment balance was \$2,314,750.00. Member Murphy inquired as to the penalty to forfeit various certificates of deposit. Mayor Burns questioned whether the City could lower the interest rate on its EDA revolving loans that are issued so as to encourage existing and prospective businesses to use the funds in the revolving loan fund. Discussion ensued.

2. **BUDGET WORKSHEET.** City Accountant Mann reviewed the budget worksheet which showed the line item detail for revenues and expenditures through September 30, 2011. Discussion ensued.

3. LONG TERM DEBT. City Accountant Mann reviewed the long term debt worksheet. It was noted that the following loans will be paid off in February of 2011: USDA Ambulance Loan, 2009A General Obligation Sewer Revenue Refunding Bond, and the 2003B General Obligation Water Refunding Bond. Discussion ensued.

4. PERMANENT FUND TRANSFER. After much discussion and deliberation, a motion was made by Member Murphy, seconded by Mayor Burns, to approve a permanent transfer from the 604 Light Fund to the 602 Sewer Fund in the amount of \$800,000.00 so as to eliminate the existing deficit. All members present voted in favor and the motion was declared carried.

E. ADMINISTRATIVE COORDINATOR TOPICS.

1. FITZPATRICK ZONING REQUEST. Discussion resumed regarding the zoning application submitted by David Fitzpatrick, 916 East Grant Street, to construct a 40'x80' pole shed with 16' walls. It was noted that the proposal required consideration of a 1,400 foot variance to build a 3,200 square foot pole shed, a 5' setback variance on the east property line, a 5' setback variance on the south property line, and a 3' setback variance from the recorded easement on file. Fitzpatrick stated that he would be willing to turn the building to the east side of his property so that it would be accessed from East Grant Street. Fitzpatrick noted that doing so would eliminate the need for a side or back setback variance. Mayor Burns stated that his concerns with granting the request included the fact that it is a commercial application, the fact that it is located on a non truck route street and the potential truck traffic, and the fact that precedent will be set. Member Fisch stated he had concerns with the commercial aspect as the semi truck will idle and possibly become a nuisance concern for neighboring properties. Administrative Coordinator Mike Gerardy stated that neighboring property owner Bob Colleran opposes the zoning request. A motion was made by Mayor Burns, seconded by Member Vick, to deny the request because it is a commercial application in a residential area, it would be on a non truck route, and because of the precedent the Council would be setting. Voting in Favor of the Motion: Burns, Vick, Fisch, and Murphy. Voting Against the Motion: Lemke. Abstaining: None. The motion was declared carried.

2. CAVANAUGH ZONING REQUEST. Administrative Coordinator Gerardy noted that a zoning application was submitted by Kurt Cavanaugh, 308 East Grant Street, proposing to construct a 16'x20' addition onto an existing garage. The proposed addition would be located approximately 3' from the west (side) property line. It was noted that the proposal required consideration of a 7' setback variance from the west (side) property line. Discussion ensued. Hearing no comments or concerns from the public, a motion was made by Mayor Burns, seconded by Member Vick, to approve a 7' setback variance from the west (side) property line at 308 East Grant Street for the purpose of constructing a 16' x 20' addition onto an existing garage. All members present voted in favor and the motion was declared carried.

3. SNODGRASS ZONING REQUEST. Administrative Coordinator Gerardy stated that Norman Snodgrass was requesting permission to put a roof on a porch of a mobile home that he owns located at 825 North Kingston Street. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Fisch, to allow a roof to be put over the deck so long as it is

not enclosed without first securing the appropriate permit. All members present voted in favor and the motion was declared carried.

4. RECAP OF MNDOT MEETING. Administrative Coordinator Gerardy provided a recap of a recent MnDOT meeting he attended in Rochester with Electrical Line Foreman Matt Blocker and Water/Wastewater Supervisor Tony Klug concerning the upcoming TH 44 project. It was noted that the City will add 10 lights along TH 44 in addition to the 12 already proposed for a total of 23 lights. MnDOT will pay for 6 lights (3 at each intersection) that meet MnDOT lighting warrants. The City will pay for a total of 17 lights as part of the municipal agreement. Discussion ensued regarding the City taking the lights out if MnDOT does not agree to salvage them for the City. Mayor Burns noted that the lights belong to the City and the construction contract should be written as such to reflect the fact that the City will salvage its light poles if MnDOT won't. Member Fisch inquired as to whether there was participation by MnDOT to complete La Crescent's walking path.

5. CITY HALL FRONT ENTRY. Administrative Coordinator Gerardy noted that it will cost approximately \$15,000.00 to make improvements at City Hall to the front entry. It was further noted that the doors would be located on the east side of the elevator. The consensus of the Council was for staff to do more research and then look at building funding for such a project into the 2012 or 2013 budget. Member Murphy suggested that Gerardy talk to SEMCAC to do an energy audit.

6. OVERHEAD DOOR. Administrative Coordinator Gerardy requested permission for Tree Site employee Orv Danielson to put in the overhead door frame in the garage at City Hall. The consensus of the Council is to move forward with the overhead door project.

F. COMMUNICATIONS.

1. LETTER FROM CALEDONIA COMMUNITY CELEBRATIONS COMMITTEE. Attached with the agenda was a letter from the Caledonia Community Celebrations Committee regarding planning for the 2011 Winter Wonderland. Discussion ensued. The consensus of the Council is to participate in the parade and handout candy.

2. EMAIL FROM CALEDONIA COMMUNITY CELEBRATIONS COMMITTEE. Attached with the agenda was an email from the Caledonia Community Celebrations Committee regarding whether the City would consider putting a snow plow in the parade with lights on it and whether it would be possible for Music in the Park to provide musical entertainment in the gazebo on Friday evening of the Winter Wonderland event. Discussion ensued. The consensus of the Council is to allow a snow truck to be in the parade only if staff is willing to volunteer to drive it. City Clerk/Administrator Feely stated that it would not be appropriate to ask City staff to work for no pay. Mayor Burns stated to still ask City staff if they would be willing to donate their time. Due to the fact that the Music in the Park funds have been depleted for 2011, it was noted that the City would not be able to assist with providing musical entertainment in the gazebo. The Council noted that the gazebo is available for use at no charge.

3. LETTER FROM CITY INSURANCE AGENT REGARDING SANITARY SEWER INCENTIVE PROGRAM. Attached with the agenda was a letter regarding a sanitary sewer incentive program offered through the League of Minnesota Cities Insurance Trust. It was noted in the letter that the deductible for each sewer backup claim will increase to \$2,500 on each city's renewal. For the City of Caledonia, this change will take effect July 1, 2012. It was noted that this change is the result of the \$1.5 million dollars spent each year on sewer back up claims. Discussion ensued. The consensus is to look into pricing for televising each year to complete televising the City every 5 years. A question then arose as to whether the City has to fix problems it discovers while televising. No official action was taken.

4. LETTER FROM SNO GOPHERS. Attached with the agenda was a letter from the Caledonia Sno Gophers regarding their annual appreciation dinner.

OLD BUSINESS.

None.

NEW BUSINESS.

A. REVIEW PERSONNEL COMMITTEE'S SUMMARY OF CITY CLERK/ADMINISTRATOR'S PERFORMANCE EVALUATION. City Clerk/Administrator Feely shared that attached with the agenda was the following: (1) City Clerk/Administrator Evaluation Form; (2) Projects and Tasks List; and (3) Salary Inquiry Responses from Cities Selected by Personnel Committee. Mayor Burns stated that the Personnel Committee recently reviewed the projects and tasks list presented and discussed establishing priorities and delegating work with Clerk/Administrator Feely. Mayor Burns noted that Feely has done an exceptional job since she began working for the City on March 29, 2010. Member Murphy stated that the one thing that the Personnel Committee has concerns about is that Feely will burn out because sometimes she tries to take on too many things. Member Murphy stated that Feely needs to work on delegating some things to other staff. Member Fisch stated that he would have liked to see a list of things that Feely thinks she can improve upon. Feely replied that she can put together such a list. Feely then inquired as to when discussion would take place concerning a salary increase. The consensus of the Council was that discussion concerning a salary increase would take place at a later date.

B. CALEDONIA CARE AND REHAB REQUEST. City Clerk/Administrator Feely shared that attached with the agenda was a request from Diane Lager with Caledonia Care and Rehab's Safety Committee to secure a key to the American Legion Shelter on a permanent basis. It was explained in the request that Caledonia Care and Rehab was in the process of updating their emergency preparedness procedures and was attempting to secure a location, such as the American Legion Shelter, that is within close proximity to the facility that can be used for emergency shelter. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Vick, to approve allowing Caledonia Care and Rehab to secure a key to the American Legion Shelter on an ongoing basis so long as a \$20.00 deposit fee is paid. All members present voted in favor and the motion was declared carried.

C. AMBULANCE DIRECTOR CONFERENCE REQUEST. City Clerk/Administrator Feely shared that Ambulance Director Mike Tornstrom was requesting permission to attend a

Hot Topics Ambulance Conference, November 14-15, at the Kalahari Resort, Wisconsin Dells. It was noted that the cost to attend the conference was \$209.00, in addition to two nights of lodging at a cost of \$90.00, plus tax, each night. Discussion ensued. A motion was made by Member Fisch, seconded by Member Murphy, to approve sending Ambulance Director Mike Tornstrom to the Hot Topics Ambulance Conference at an approximate cost of \$400.00. All members present voted in favor and the motion was declared carried.

D. CITY HALL OFFICE REQUEST. City Clerk/Administrator Feely shared that office staff has requested that City Hall be closed the day after Thanksgiving. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Lemke, to close City Hall on November 25 so long as staff uses vacation leave as it is not a paid holiday. Discussion then ensued regarding Friday, December 23 and Monday, December 26. A motion was made by Member Fisch, seconded by Mayor Burns, to close City Hall for non-union employees on December 23 as union employees receive this day off as a paid holiday. All members present voted in favor and the motion was declared carried.

CLERK'S REPORT.

A. EMPLOYEE TIME RECORD. Attached with the agenda were the Employee Time Records for October 3, 2011 – October 16, 2011.

B. UPCOMING COMMUNITY POOL STEERING COMMITTEE MEETING. City Clerk/Administrator Feely shared that Crescendo Consulting will be present at the upcoming Community Pool Steering Committee Meeting that is scheduled for Thursday, October 27, from 6:30 p.m.-7:30 p.m., in the basement of the City Auditorium, for the purpose of conducting a one-time, pre-study committee. It was noted that the pre-study committee will review the proposed case statement summary and generate a list of individuals to be interviewed in an effort to gauge financial support of the proposed pool improvement project.

C. MNDOT MUNICIPAL AGREEMENT SOLICITATION PROGRAM SUBMITTAL PAPERWORK. City Clerk/Administrator Feely stated that attached with the agenda was a copy of the paperwork submitted to MnDOT in conjunction with the 2014-2015 Municipal Solicitation Program for a proposed shared use path extension along the east side of TH 44. Feely stated that the City will likely find out if it will receive funding for this project on or around November 18, 2011.

D. DISCHARGE MONITORING REPORT. Attached with the agenda was a discharge monitoring report showing an average Nitrogen Level of 4.69 mg/L.

E. REVIEW OF COLD WEATHER RULE. City Clerk/Administrator Feely shared that the Cold Weather Rule went into effect October 15 and runs through April 15.

F. ARLIN FALCK GRANT APPLICATION. City Clerk/Administrator Feely shared that she will be submitting a grant application to the Arlin Falck Foundation in an effort to obtain funding to assist with the proposed trail extension project.

MISCELLANEOUS ITEMS.

None.

CLOSED SESSION. The regular meeting was closed at 9:40 p.m. as permitted by Minnesota Statutes, section 13D.03, to discuss the City's labor negotiation strategy related to the City's negotiations with its Employee Association and its Police Association. The regular meeting was re-opened at 10:50 p.m.

ADJOURNMENT. A motion to adjourn was made by Mayor Burns, seconded by Member Lemke, at 10:55 p.m. All members present voted in favor and the motion was declared carried.

Jennifer Feely
City Clerk/Administrator

Robert H. Burns
Mayor