

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF CALEDONIA, MINNESOTA  
Monday, October 25, 2010

CALL TO ORDER. Following due call and notice thereof, Member Fisch called the meeting to order at 6:05 p.m. in the Council Room, City Hall.

ROLL CALL. Members present: Mayor Robert H. Burns (6:45 p.m.); Council Members: Robert Lemke, Tom Murphy, and Paul Fisch. Members absent: Randi Vick. Consultants and City staff present: City Clerk/Administrator Jennifer Feely, City Accountant Stephanie Mann, City Police Chief Kurt Zehnder, City Police Sergeant Jim Stemper, and City Attorney Tim Murphy. Visitors present: Argus Reporter Charlie Warner and Matt Blocker.

AGENDA APPROVAL. The following item was added to the agenda for discussion: Day after Thanksgiving Day Request. A motion was made by Member Murphy, seconded by Member Lemke to approve the agenda with the addition of the above-mentioned item. Voting in Favor: Member Murphy, Member Lemke, and Member Fisch. Voting Against: None. The motion was declared carried.

CONSENT AGENDA. A motion was made by Member Lemke, seconded by Member Murphy to approve the consent agenda item, listed below. All members present voted in favor and the motion was declared carried.

A. MINUTES OF PAST MEETINGS. To approve the minutes of the Regular Meeting held Monday, October 11, 2010, as presented.

VISITORS AND COMMUNICATIONS.

A. MONTE EASTVOLD, NORTHLAND SECURITIES. Monte Eastvold with Northland Securities was present to discuss with the Council the issuance of \$765,000 in General Obligation Refunding Bonds to be dated November 1, 2010 and to mature February 1, 2012-2017. Eastvold reviewed the debt service comparison of the old and new debt service schedule, showing a total savings in interest payments of \$37,155.16. A motion was made by Member Murphy, seconded by Member Lemke to approve awarding the sale of \$765,000 in General Obligation Refunding Bonds, Series 2010A; Fixing Their Form and Specifications; Directing Their Execution and Delivery; And Providing For Their Payment. Voting in Favor: Member Murphy, Member Lemke, and Member Fisch. Voting Against: None. Absent: Mayor Burns and Member Vick. The motion was declared carried.

B. CITY ATTORNEY TIM MURPHY: REVIEW INVESTIGATION REPORT. Mayor Burns recessed the meeting at 6:50 p.m. pursuant to Minnesota Statutes 13D.05, Subdivision 2(a)(2) to review active investigative data with regard to allegations of misconduct made by a complainant against Chief of Police Kurt Zehnder and Officer Tim Irwin. The meeting was reopened at 7:30 p.m. Mayor Burns summarized the closed session by stating that from the investigator's point of view, there was no evidence of misconduct by Chief of Police Zehnder or Police Officer Irwin with respect to the formal complaint filed by a citizen. Mayor Burns went on to conclude that based upon the investigator's findings, no action would be taken at this time. Citizen Matt Blocker then addressed the Council and asked what the next step in the process was. Mayor Burns stated that as per the investigator's findings, no action would be taken at this time with respect to the misconduct alleged in the complaint. Blocker responded by stating that he was not happy with the investigator's findings and that he would be back with sworn affidavits from other citizens as everything in his complaint against Chief of Police Zehnder and Officer Irwin was true. Blocker went on to put forth various allegations against Chief Zehnder's on and off duty conduct. Mayor Burns stated that an actionable complaint is necessary for the City to take any action. Blocker stated that if nothing is going to be done about Chief Zehnder's conduct, then he will be putting his house up for sale.

C. POLICE DEPARTMENT SCHEDULING DISCUSSION: POLICE CHIEF KURT ZEHNDER AND SERGEANT JIM STEMPEL. Police Chief Zehnder and Sergeant Stemper were present to discuss six sample scheduling options with the Council in an effort to address concerns raised by the Council regarding overlap and call time. Mayor Burns explained that the overlap on Tuesdays and Wednesdays during the second and fourth weeks of the month need to be addressed as Fridays and Saturdays seem to be the times when more coverage is needed. Stemper explained that the sample schedules showed 10 hour shifts for police officers and 8 hour shifts for the police chief. Stemper stated that moving away from 10 hour shifts would mean that officers would have their weekends interrupted. Stemper went on to stress that productive cops are happy cops. Zehnder added that burn out is another factor as being a police officer is a high stress job. Member Murphy stated that the chances for burnout seems far more likely when

officers work more than 10 hours versus working 8 hour shifts. Stemper stated that currently officers work the following schedule: six days on; four days off; two days on; and 2 days off. It was further explained that the reason to avoid switching this schedule is that currently its Fridays and Saturdays for the weekend versus officers having Tuesdays and Wednesdays off. The consensus of the Council was to plug in 160 part-time hours into the 2011 budget versus 200 part-time hours as doing so results in a cost savings of approximately \$10,000. Member Fisch asked Stemper and Zehnder if they have tried to make an 8 hour shift work. Stemper stated that they have not tried implementing an 8 hour shift schedule as doing so would not be desirable for the police officers.

D. QUOTES OBTAINED FOR NEW POLICE VEHICLE. Sergeant Stemper and Chief Zehnder shared the following three quotes obtained from the State Bid to purchase a new vehicle for the police department: (1) \$27,777.02 quote from Nelson Auto Center for a new 2011 Dodge Ram 1500, 4WD, Crew Cab SLT; (2) \$27,995.34 quote from Nelson Auto Center for a new 2011 GMC Sierra 1500, 4WD, Crew Cab SB; and (3) \$28,994.27 quote from Nelson Auto Center for a new 2011 Ford F-150, 4WD, Crew Cab. Stemper noted that since there was no state bid available for a Chevrolet Silverado, he spoke with Chuck Ellingson in Caledonia to obtain an informal, verbal quote totaling approximately \$28-\$29,000. Discussion ensued concerning the amount in which it would cost to outfit a new police vehicle. The consensus was that \$36,000 would cover the cost of a new vehicle and necessary equipment outfitting. No formal action was taken on this item.

E. CITY ACCOUNTANT TOPICS.

1. CASH AND INVESTMENT REPORT. City Accountant Stephanie Mann was in attendance to report that as of October 31, 2010, the total cash balance was \$706,510.10 and the total investment balance was \$2,701,900. Discussion ensued.
2. BUDGET WORKSHEET. City Accountant Mann reviewed the budget worksheet which showed the line item detail of revenues and expenditures through October 31, 2010. Discussion ensued.
3. LONG TERM DEBT SCHEDULE. City Accountant Mann reviewed the long term debt schedule. Discussion ensued.
4. 2011 BUDGET. City Accountant Mann distributed the first draft of the 2011 budget. The consensus of the Council was to review the draft 2011 budget at the upcoming Special City Council meeting to be held on November 3 at 7:00 p.m. Member Murphy shared that per his conversation with Senator Sharon Ropes, the City could expect to receive a reduction in Local Government Aid anywhere from 10-30%, meaning a possible reduction of \$300,000 in aid for 2011.

F. ADMINISTRATIVE COORDINATOR TOPICS.

1. ZONING APPLICATION: 428 SOUTH DECORAH STREET. A zoning application was submitted by Jeanne Buros, 428 South Decorah Street, proposing to construct a 6'x13' addition to the existing porch on the front of her home. The proposed addition would be located approximately 15'6" from the east (front) property line. The proposal required consideration of a 14'6" setback variance from the east (front) property line. Hearing no comments from the public, a motion was made by Mayor Burns, seconded by Member Lemke. All members present voted in favor and the motion was declared carried.
2. SOUTH STREET PROJECT UPDATE. In a letter to the Council, Administrative Coordinator Gerardy included recent pictures that were taken of the sanitary sewer main on South Street which showed that the existing sewer main must have been installed by tunneling through rock formations. Additionally, to fill this void to prevent any cave-ins, the tunnel part was not part of the pipe to be fixed and a slurry was mixed and run in the tunnel to seal it up. Gerardy went on to note that the location at 124 E South Street was the first spot repair on the west side of the South Marshall Street and is now fixed and being back filled to grade. The second and final spot repair will begin on October 25 and finished early the next week.
3. BOILER STEAM LINES UPDATE. In a letter to the Council, Administrative Coordinator Gerardy noted that the boiler steam line work between the auditorium and firebarn began on October 20 and would likely be finished by October 27.

G. COMMUNICATIONS.

1. A letter from the Bluff and Valley Balloon Rally Committee was enclosed with the agenda.
2. A 2010 Winter Wonderland Annual Parade Entry Form was enclosed with the agenda. The consensus of the Council was for City Clerk/Administrator Feely to fill out and submit the entry form as there was an interest for the Council and Clerk/Administrator to walk in the parade.

OLD BUSINESS. None.

NEW BUSINESS.

A. SOUTH STREET SEWER PROJECT: CHANGE ORDER NO. 1. Enclosed with the agenda was Change Order No.1 for the South Street Sewer Project. Winona Mechanical requested an additional 14 days for the substantial completion of the project and cited wet weather as the reason for the request. A motion was made by Member Lemke, seconded by Member Murphy to approve the change order. All members present voted in favor and the motion was declared carried.

B. AUDITORIUM RENTAL REQUEST. City Clerk/Administrator Feely shared that a request was received to waive auditorium rental charges for the time it was used to hold a bone marrow drive. Feely shared that since the Council packets were sent out, an anonymous individual paid the auditorium rental charge for the time it was used during the bone marrow drive. Member Fisch requested that Feely research the existing auditorium charges in comparison to utility charges incurred and staff time spent cleaning the facility and report back findings at an upcoming meeting in an effort to determine if the rates need to be increased. No action was taken.

C. NEW SIGNAGE FOR CITY LIQUOR STORE. City Clerk/Administrator Feely shared Liquor Store Manager Patty Gavin's request to purchase two new signs for the exterior of the liquor store. The consensus of the Council was to refer the matter back to the committee for further review before taking any action. Members Lemke and Murphy indicated that they would like to review the sign request information with Gavin before taking any action.

D. REHIRING CITY RETIREE. A motion was made by Mayor Burns, seconded by Member Lemke to hire DeWayne "Tank" Schroeder to help train the new Water/Wastewater Operator in hauling sludge and to plow snow at an hourly rate of \$10. All members present voted in favor and the motion was declared carried.

E. MEAL REIMBURSEMENT POLICY. City Clerk/Administrator Feely stated that in response to the recent dialogue concerning the need to establish specific dollar amounts in which meals are to be reimbursed, the following proposed language was presented for Council review and approval: If employees are required to travel outside of the area in performance of their duties as a City employee, they will receive a maximum reimbursement of \$27 per day for expenses associated with meals according to the schedule as follows: \$7-breakfast; \$9-lunch; and \$11-dinner. Employees shall not be allowed to substitute the total daily maximum reimbursement amount for any one particular meal. Feely noted that upon approval, a memo would be sent to all staff informing them of the meal reimbursement policy. A motion was made by Member Murphy, seconded by Member Lemke to approve the meal reimbursement policy. All members present voted in favor and the motion was declared carried.

F. DAY AFTER THANKSGIVING REQUEST. City Clerk/Administrator Feely shared a request received to close City Hall the day after Thanksgiving. Feely went on to note that the past practice the previous two years has been to allow City staff to take vacation the day after Thanksgiving. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Fisch to allow City employees to make use of vacation hours to close the office the day after Thanksgiving. Voting in Favor: Burns, Fisch, and Lemke. Voting Against: Murphy. Absent: Vick. Mayor Burns noted that the City Liquor Store would remain open the day after Thanksgiving.

CLERK'S REPORT.

A. EMPLOYEE TIME RECORD. Enclosed with the agenda was the Employee Time Record for October 4-October 17, 2010.

B. EFFECTIVE MANAGEMENT PROGRAM FLYER. City Clerk/Administrator Feely requested Council's consideration in reviewing a flyer received concerning a comprehensive development program for managers and administrators. Feely went on to cite various

administrators that would be participating in the program. After much discussion, the consensus was to forgo participation in such a program at this time.

C. Mn/DOT UPDATE. City Clerk/Administrator Feely shared with the Council that she spoke with Nancy Klema, Traffic Engineer with Mn/DOT, concerning implementing traffic control devices at the intersection of Highway 44 and Esch Drive in an effort to increase pedestrian safety to and from the Caledonia Middle and High School. Feely was prompted to contact Mn/DOT in response to the recent dialogue at a Council meeting in which the consensus was that something needs to be done to improve pedestrian safety at that particular intersection. Feely noted that Mn/DOT would like more information with respect to traffic counts, pedestrian counts, peak times when pedestrians are crossing that intersection, and the number of tickets issued by law enforcement for speed violations on Highway 44. Mayor Burns noted that the City should conduct a rough traffic count. No action was taken.

ADJOURNMENT. A motion to adjourn was made by Mayor Burns, seconded by Member Fisch at 10:05 p.m. All members present voted in favor and the motion was declared carried. The next regularly scheduled meeting of the City Council is scheduled for Monday, November 8, 2010 at 6:00 p.m. in the Council Room, City Hall.

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Robert H. Burns  
Mayor

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Jennifer Feely  
City Clerk/Administrator

SPECIAL MEETING OF THE CITY COUNCIL  
CITY OF CALEDONIA, MINNESOTA  
Wednesday, November 3, 2010

CALL TO ORDER. Following due call and notice thereof, Mayor Burns called the special meeting to order at 7:00 p.m. in the Council Room, City Hall.

ROLL CALL. Members present: Mayor Robert H. Burns; Council Members: Randi Vick, Robert Lemke (7:25 p.m. Due to Ambulance Call), Member Fisch, and Tom Murphy. Members absent: None. Consultants and City staff present: City Clerk/Administrator Jennifer Feely, Administrative Coordinator Mike Gerardy, and City Accountant Stephanie Mann. Visitors present: None.

BUSINESS ITEMS.

A. ZONING APPLICATION: MYLES ESCH. A zoning application was submitted by Myles Esch with Esch Builders, 146 Bissen Street, to construct a 36'x40' commercial building. The proposal required consideration of a 20' setback variance from the north (front) property line and a 23' setback variance from the west (side) property line. Hearing no comments from the public, a motion was made by Mayor Burns, seconded by Member Fisch to approve the zoning request. All members present voted in favor and the motion was declared carried.

B. 2011 BUDGET REVIEW. City Clerk/Administrator Feely, City Accountant Mann, and the Council reviewed projected expenditures included with the 2011 budget. Discussion ensued. No formal action was taken as Mann will input the various changes discussed and present a revised budget at the upcoming November 8 meeting.

ADJOURNMENT. A motion to adjourn was made at 10:15 p.m. by Member Vick, seconded by Mayor Burns. All members voted in favor and the motion was declared carried. The next regularly scheduled meeting of the City Council is scheduled for Monday, November 8, 2010 at 6:00 p.m. in the Council Room, City Hall.

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Robert H. Burns  
Mayor

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Jennifer Feely  
City Clerk/Administrator