

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF CALEDONIA, MINNESOTA  
Monday, December 27, 2010

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: Robert Lemke, Tom Murphy, Randi Vick and Paul Fisch. Members absent: None. Consultants and City staff present: City Clerk/Administrator Jennifer Feely. Visitors present: Argus Reporter Charlie Warner and Matt Blocker.

AGENDA APPROVAL. The following item was added to the agenda for discussion: Review of Liquor Store Compliance Findings. A motion was made by Mayor Burns, seconded by Member Vick to approve the agenda with the addition of the above-mentioned item. All those present voted in favor and the motion was declared carried.

A. MINUTES OF PAST MEETINGS. A motion was made by Member Fisch, seconded by Member Vick to approve the Regular City Council Minutes of December 13, 2010. All members present voted in favor and the motion was declared carried.

B. APPLICATION FOR EXEMPT PERMIT: HOUSTON COUNTY 4-H. A motion was made by Member Fisch, seconded by Member Vick to approve an exempt permit for the Houston County 4-H on February 20, 2011. All members present voted in favor and the motion was declared carried.

C. APPLICATION FOR EXEMPT PERMIT: CALEDONIA ROD AND GUN CLUB. A motion was made by Member Fisch, seconded by Member Vick to approve an exempt permit for the Caledonia Rod and Gun Club on February 19, 2011. All members present voted in favor and the motion was declared carried.

VISITORS AND COMMUNICATIONS.

A. TAX RATE COMPARISON SHEET. Attached with the agenda was a tax rate comparison sheet. Discussion ensued.

B. REQUEST FOR ADDITIONAL POLICE HOURS TO WRAP UP CONSIGNMENT CASE. Sergeant Jim Stemper was present to request the Council's consideration in bringing in Part-Time Police Officer Nate Pearson for (2) 10-hour shifts or (3) 8-hour shifts to call the owners of the unclaimed e-bay consignment items to arrange a time for them to pick up their property or consent to giving their items to Next to Nice consignment. Stemper shared that the e-bay consignment items were currently being housed in the Police Department garage and collecting dust. A motion was made by Mayor Burns, seconded by Member Murphy to approve bringing in a part-time officer to wrap up the e-bay consignment case so long as it does not exceed 24 hours. All members voted in favor and the motion was declared carried.

C. REVIEW FINDINGS OF LIQUOR LICENSE COMPLIANCE CHECKS. Caledonia Police Sergeant Jim Stemper and Police Officer Allan Johnson were present to review the findings of the recent liquor license compliance checks, which were performed as a result of the City receiving an MIPH grant to do so. Johnson noted that the compliance checks were conducted on December 14, 2010. It was noted that Alco was not included in the checks as it was closed during the time that the checks were completed, however, it will be included in the second round of checks. According to Johnson, out of the nine establishments that were checked, four failed. The four establishments that failed the compliance checks included the following: Elsie's Bar and Grill, Starlite Bowling, American Legion, and Kraus Oil – Country Store. Mayor Burns inquired as to the recourse available. Johnson replied that the reports have been sent to the Houston County Attorney's Office for processing and that it is a gross misdemeanor to furnish alcohol to persons under 21 years of age. Mayor Burns asked if the licenses are immediately revoked. Johnson noted that it is best to wait until the reports have been processed to see how they are handled in court. Stemper noted that no action is necessary until a recommendation is received from the Houston County Attorney's Office as to how each should be handled. Member Fisch asked City Clerk/Administrator Feely to send a copy of the City's ordinance that deals with alcohol to all license holders for their future reference as a courtesy. Member Murphy asked if any officers have trained licensees on the repercussions of selling to minors. Stemper stated that a training was recently provided to Elsie's Bar and Grill at no cost. Johnson shared that information is provided to businesses that inquire about free training. Member Fisch asked if the liquor license checks were mandatory. Johnson replied that each jurisdiction is responsible for monitoring the sale of alcohol and tobacco. No action was taken.

D. COMMUNICATIONS.

1. A letter from the League of Minnesota Cities Insurance Trust was attached with the agenda to notify cities of the property/casualty dividend report.

OLD BUSINESS.

A. LIQUOR STORE BURGLARY CLAIM. City Clerk/Administrator Feely reported that a question arose at the December 13, 2010 City Council meeting regarding whether the City filed a claim and received payment from the League of Minnesota Cities Insurance Trust (LMCIT) for the loss associated with the 2009 theft from the City's liquor store. Feely reported that the City received a payment on November 10, 2009 from LMCIT in the amount of \$1,759.06 after the \$1,000 deductible was applied. No action was taken.

B. WATER METER SETUP AT TRAILER PARKS. City Clerk/Administrator Feely reported that a question arose at the December 13, 2010 meeting regarding how the water meter system is set up at the trailer parks in Caledonia. Feely provided an overview of the setup and discussion ensued. Member Murphy and Member Lemke wrapped up discussion by noting that they would visit with the Highland and Eastside Trailer Park owner. No action was taken.

C. FENCE SETTLEMENT OFFER. City Clerk/Administrator Feely shared that Frontier Adjusters claims adjuster Ron Johnson re-submitted an offer of settlement in the amount of \$638.40 for the damage sustained to the City's fence near the WWTP. It was noted that the estimate obtained to restore the fence to its condition prior to being damaged came in at \$912.00. Discussion ensued. Mayor Burns recommended that a letter be sent stating that the City will accept nothing but full restitution for the damages sustained and, if necessary, small claims court will be pursued. The consensus of the Council was for Feely to draft such a letter and send to Frontier Adjusters. No official action was taken.

D. VENDING MACHINE AGREEMENT. City Clerk/Administrator Feely shared that attached with the agenda was a vending machine agreement between Stansfield Vending, Inc. and the City of Caledonia for snack sales during the 2011 park and rec season. It was noted that the City received \$102.76 in commissions for the short time the vending machine was at the park in 2010. Member Lemke stated that he thought the vending machine was a better route to go as it involved less maintenance and hassle by the City. Mayor Burns noted the difficulty encountered in 2010 trying to find someone interested in running the concession stand and agreed that the vending machine was a better option. A motion was made by Member Lemke, seconded by Member Vick to approve the Stansfield Vending Agreement. All members present voted in favor and the motion was declared carried.

#### NEW BUSINESS.

A. 2011 LIQUOR/TOBACCO RENEWAL LICENSES. A motion was made by Member Fisch, seconded by Member Vick to approve the following liquor and tobacco renewal licenses: The Ranch – On-Sale and Sunday Liquor; Good Times Pizza and Bar – On-Sale and Sunday Liquor; Starlite Bowling Center – On-Sale and Sunday Liquor; Elsie’s Bar and Grill – On-Sale and Sunday Liquor; American Legion – Club and Sunday Liquor; Quillin’s IGA – Tobacco; Kraus Oil – Tobacco; and Kwik Trip – Tobacco. All members present voted in favor and the motion was declared carried. Member Fisch requested that City Clerk/Administrator Feely send a courtesy copy of the City’s ordinance dealing with tobacco to all license holders for their future reference.

B. RESOLUTION 11-2010: REIMBURSE AMBULANCE COT EXPENDITURE FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY. City Clerk/Administrator Feely shared that attached with the agenda was a resolution to declare the official intent of the City of Caledonia to reimburse certain expenditures from the proceeds of bonds to be issued by the City. Mayor Burns noted that by approving the resolution, the City would have the option to include the \$4,000 for the ambulance cot that was paid for using liquor store surplus funds and lump into a certificate of indebtedness. It was noted that passing the resolution does not commit the City to issuing a certificate of indebtedness. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Fisch to approve Resolution 11-2010. All members present voted in favor and the motion was declared carried.

C. ARLIN FALCK FOUNDATION AWARDS. City Clerk/Administrator Feely shared that attached with the agenda was a resolution to accept three Arlin Falck Grant Awards to the City. It was noted that Library Director Marla Burns applied for and received \$11,140 for a micro film scanner, Member Randi Vick applied for and received \$2,800 for Music in the Park, and SEMDC EDA Staff Jane Schiltz applied for and received \$10,000 for rehabilitation projects. A motion was made by Member Fisch, seconded by Member Murphy. All members voted in favor and the motion was declared carried.

D. WASTEWATER SYSTEM PLANNING AND MANAGEMENT TRAINING SESSION. City Clerk/Administrator Feely requested permission to attend a Wastewater System Planning and Management Training Session to be held in Byron. The consensus of the Council was for Feely, Mayor Burns, Water/Wastewater Supervisor Tony Klug, and Administrative Coordinator Mike Gerardy to attend the training session. No action was taken.

#### CLERK’S REPORT.

A. EMPLOYEE TIME RECORD. Enclosed with the agenda was the Employee Time Record for Nov.29, 2010-Dec. 12, 2010. Member Vick directed Feely to have Animal Control Officer Mike Gavin submit a monthly summary of the calls he responds to. The consensus of the Council was for Gavin to submit a monthly reporting of his call activity.

B. NEWSLETTER. City Clerk/Administrator Feely noted that attached with the agenda was another newsletter. Feely suggested that the Mayor, Councilmembers, or department heads might like to submit information to be included in an upcoming newsletter.

MISCELLANEOUS ITEMS. None.

ADJOURNMENT. A motion to adjourn was made by Mayor Burns, seconded by Member Vick to adjourn the meeting at 8:30 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, January 10, 2011 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