

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF CALEDONIA, MINNESOTA  
Monday, March 14, 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, Bob Lemke, and Paul Fisch. Members absent: None. Consultants and City staff present: City Clerk/Administrator Jennifer Feely, Administrative Coordinator Mike Gerardy, and City Light Department Employee Matt Blocker. Visitors present: Argus Reporter Charlie Warner.

AGENDA APPROVAL. The following items were added to the agenda for discussion: Auditorium Phone, Liquor Store Employee Wage Increase, and EDA Subordination Request. A motion was made by Mayor Burns, seconded by Member Vick to approve the agenda with the addition of the above-mentioned items. All members present voted in favor and the motion was declared carried.

CONSENT AGENDA. A motion was made by Member Murphy, seconded by Mayor Burns to approve the consent agenda. 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, February 28, 2011, as presented.

B. SOFT DRINK LICENSE APPLICATIONS. To approve the soft drink license applications, as presented.

C. 3.2 BEER LICENSE APPLICATIONS. To approve the 3.2 beer license applications, as presented.

D. BOWLING LICENSE. To approve a bowling license application, as presented.

VISITORS AND COMMUNICATIONS.

A. JEFF COPLEY, RUSHFORD PUBLIC WORKS: MnWARN PRESENTATION. Rushford Public Works Director Jeff Copley was present to provide a presentation about the benefits of joining MnWARN. Mayor Burns inquired as to why Rushford joined MnWARN. Copley replied that Rushford joined MnWARN because of the 2007 floods and the lack of an established network for water and wastewater operators. Copley noted that Rushford became the poster child for MnWARN. Mayor Burns then inquired as to what happens when a duty officer is called. Copley replied that a regional contact will be notified as soon as a duty officer is called. Discussion ensued. The consensus of the Council was to take no action until the next meeting.

B. CHAMBER OF COMMERCE REQUEST. Chamber of Commerce President Karen Ness was present to request the Council's consideration in allowing the Chamber to rent office space at City Hall. Ness noted that the Chamber's existing lease expires at the end of June. City Clerk/Administrator Feely shared that the only office available at City Hall is the EDA desk,

three days a week. Mayor Burns inquired as to the status of concession stand. City staff noted that there is no phone/computer line connected to the building. It was further noted that the building did not have a restroom. The consensus of the Council was to take the matter under advisement.

C. POLICE DEPARTMENT SCHEDULE. Police Chief Kurt Zehnder and Sergeant Jim Stemper were present to discuss various scheduling scenarios with the Council. Member Fisch inquired as to whether the officers had ever tried working an eight hour shift. Stemper stated that he is worried about burn out and that officers don't want their weekend off to occur during the middle of the week and would result in conflicts with personal obligations. Mayor Burns stated that example 3 eliminates gaps in coverage. It was noted that example 3 includes 120 hours of part-time; part-time officers working eight hour shifts, except Officer 113; 14 days of no on-call and 17 days of on-call. Zehnder stated that the police department is within a hundred calls of the Sheriff's department and has been very busy. Member Fisch asked why the Police Chief is now going to be working every other Monday when previously the Council asked him to adjust his schedule so that he was working every Monday. Mayor Burns replied that for now, example 3 reduces call time with a potential savings and offers more coverage. No official action was taken.

D. POLICE ASSOCIATION UNIFORM ALLOWANCE CLARIFICATION. City Clerk/Administrator Feely requested the Council's clarification as to whether off-duty weapons and ammunition qualified for reimbursement under Section 20.5 of the Labor Agreement between the City and the Police Association. Feely stated that each full-time officer is allotted up to \$650 per year for the maintenance and replacement of uniforms and equipment worn on the officer's person or used in the course of duty with the standard issue items being first of priority. Feely went on to explain that a request for reimbursement was received from an officer in the amount of \$475.59 for an off-duty handgun and two boxes of ammunition. Chief Zehnder and Sergeant Stemper were present and stated that the past practice has been to allow officers to purchase off-duty handguns using their uniform allowance. Zehnder stated that off-duty isn't a good description and instead they should be referred to as "backup" weapons. Zehnder noted that it is very important to have backup weapons and cited a situation in which one of his officer's was down and how he responded as backup by picking up another officer's backup weapon. Feely then asked about record keeping and how many backup weapons the City would like to reimburse per officer as according to the accounts payable records, it appeared that some officers have been reimbursed for multiple backup weapons. Member Murphy inquired as to whether the guns then belong to the officers or the City. Zehnder replied that since the guns are reimbursed through the uniform allowance, they belong to the officers. Feely asked if it is the City's practice to outfit officers with weapons and ammunition. Zehnder replied that it is not the City's practice unless they use their uniform allowance. Feely stated that she wanted clarification as the language in the agreement is vague and would like to see better recordkeeping of when guns are purchased and reimbursed by the City. The consensus of the Council was to reimburse the claim, as submitted, through the uniform allowance.

E. LIGHT DEPARTMENT: HYDRO EXCAVATOR. City Light Department employee Matt Blocker was present to request the Council's authorization to have Administrative Coordinator Gerardy bid on a hydro excavator at an auction to be held on March 19. A motion was made by Mayor Burns, seconded by Member Fisch to spend up to \$20,000.00 at the March 19 auction for the purpose of acquiring a used hydro excavator. All members present voted in favor and the motion was declared carried.

F. LIGHT DEPARTMENT: BALLPARK ELECTRICAL WORK. City Light Department employee Blocker was present to discuss an estimate received from PowerPlus Engineering to

complete electrical work at the ballpark. It was noted that the estimate came in at \$18,090. Mayor Burns inquired as to whether the City could buy the bulk of the materials and have the local electrician do the labor. Blocker replied that the City can get most of the materials. Member Murphy inquired as to how this work is different from what PowerPlus is already bidding out. Blocker replied that after the meter, it becomes a safety issue and he is not able to legally perform such labor. Blocker noted that he will be attending the bid opening on March 22 in La Crosse and that PowerPlus Engineering would be present at the March 28 meeting to review the bids received with the Council. A motion was made by Mayor Burns, seconded by Member Lemke to acquire materials and obtain quotes for electrical labor. All those present voted in favor and the motion was declared carried.

#### G. ADMINISTRATIVE COORDINATOR TOPICS.

1. PUBLIC HEARING: INTERIM USE PERMIT (IUP) REQUEST. A public hearing was held to consider a request from Mike Rogich to obtain an IUP in an effort to rent out cold storage space at 311 West Main Street. Rogich explained that he planned to convert several sections of the former Caledonia Elementary School into cold storage rental. The cold storage units would run along Ramsey Street and Grove Street. Mayor Burns inquired as to whether there would be electricity in the cold storage units. Rogich replied that there would not be electricity. Gerardy noted that the IUP would be good for two years. Discussion ensued. Hearing no comments or concerns from the public, a motion was made by Mayor Burns, seconded by Member Lemke. All those present voted in favor and the motion was declared carried.

2. NORTH PINE STREET LIFT STATION. Administrative Coordinator Gerardy shared that he spoke with the board at St. John's Lutheran Church and School about obtaining a 50'x50' easement to put in a new lift station at the corner of McKinley and Pine Street. The consensus of the Council is that extending a sewer line through private property to construct a new lift station would be much more costly than locating the new lift station at McKinley and Pine Street. No official action was taken as Gerardy reported that St. John's is still looking into the request and will be in contact shortly.

3. EAST GRANT STREET FEASIBILITY REPORT. A copy of the East Grant Street Feasibility Report was distributed and discussed. A public hearing was scheduled for Tuesday, April 12, 2011 at 6:30 p.m. No official action was taken.

#### H. COMMUNICATIONS.

1. CHAMBER BOWLING BASH. Attached with agenda was a letter from the Caledonia Chamber of Commerce regarding its upcoming Bowling Bash event and April 13 meeting at the Four Season's Center.

#### CLAIMS

A. PREPAID CLAIMS. Following review, discussion and deliberation, a motion was made by Member Fisch, seconded by Member Vick, to approve Prepaid Claims List for February 2011. All members present voted in favor and the motion was declared carried.

Bank of Zumbrota	GO Sewer Revenue Note	3,054.00
Bolduan, Joyce	Ambulance – Refund Overpayment	1,140.15
Metro Sales	PD – Copier Agreement	54.93
Tri-State Ambulance	Intercept Fee	500.00
Becker & Stemper Electric	Liquor Store	676.58
Clear Image Solutions, Inc.	Library – Digital Microform	11,040.00
Gopher State One-Call	3 Location Notifications	7.35

Schott Distributing Co, Inc.	Liquor Store Inventory	1,836.55
Spring Grove Soda Pop, Inc.	Liquor Store Inventory	229.55
Better Homes & Gardens Books	Library – Book	33.04
Betz & City, Mitch	Meter Deposit Refund	96.09
Business Financial Planning	Cafeteria Plan	396.91
City of Caledonia Emp. Assn.	Association Dues	70.00
Collins Brothers, Inc.	Liquor Store Inventory	105.68
Commissioner of Revenue	State Withholding	1,308.90
ING Institutional Plan Services	Payday 2-22-11	580.00
Jack Neumann Trucking	Liquor – Freight Expense	45.00
Merchants Bank	Federal/FICA/Medicare	6,399.56
Minnesota NCPERS Life Ins.	Payday 2-22-11	80.00
MN Benefit Association	Payday 2-22-11	96.41
Paustis & Sons Wine Company	Liquor Store Inventory	242.50
Public Emp. Retirement Assn.	PERA Payday 2-22-11	5,579.21
Tri-State Ambulance, Inc.	Intercept Fee	250.00
Verizon Wireless	Ambulance – Communication Expense	60.44
Wirtz Beverage Minnesota	Liquor Store Inventory	2,236.63
Ziebell's Hiawatha Foods, Inc.	Liquor Store – Inventory	32.88
Austin & City, Andrew	Meter Deposit Refund	125.93
Becker & Stemper Electric	Fire Dept	105.41
Buttell's Lighting	Street – Bubles	320.62
Caledonia Conv. & Tourism	Tourism	691.60
Cole & City, Emily	Meter Deposit Refund	125.21
Cordes & City, Lorene	Meter Deposit Refund	126.13
Heaney & City, Jodi	Meter Deposit Refund	125.58
Heisler & City, Andy	Meter Deposit Refund	201.59
Hometown Liquor	Increase Change Fund	100.00
Johnson, Allan	Meal Reimbursement	8.32
Kraus Oil Company	Unleaded	1,324.00
League of MN Cities	Registration Fee's	80.00
MN State Fire Chiefs Assn.	FD 2011 Dues	225.00
Olson & City, Richard	Meter Deposit Refund	126.01
Pearson & Nathan	Meal Reimbursement	8.32
Post Board	License Renew – Heuser & Johnson	180.00
Rice & City, Joanne	Meter Deposit Refund	126.13
Temple & City, Miranda	Meter Deposit Refund	201.80
Tostrud & Temp	2010 Audit Partial Billing	450.00
USA Mobility Wireless	Communication Expense	45.40
Verizon Wireless	Police – Communication Expense	106.25
Caledonia Oil Company	Diesel	1,578.75
Jack Neumann Trucking	Liquor – Freight Expense	86.00
Johnson Brothers Liquor Co.	Liquor Store Inventory	1,898.32
MN Dept. of Revenue	Sales / Use Tax	16,251.00
MN Pollution Control Agency	Registration Fee	300.00
Phillips Wine & Spirits	Liquor Store Inventory	704.50
Schott Distributing Co, Inc.	Liquor Store Inventory	6,622.45
Temple & City, Miranda	Meter Deposit Refund	-201.80
US Postal Service	Utility Billing	387.40
Ace Link Telecommunications	Communication Expense	1,158.41
Commissioner of Revenue	State Withholding	202.20
Gavin, Mike	Animal Control – Rent/Misc.	75.00

Houston County Treasurer	Ho. Co. Collection Site	3,342.50
Merchants Bank	Federal/FICA/Medicare	1,256.49
MN Chiefs of Police Assn.	Registration Fee	390.00
Richard's Sanitation	Recycling – Collections	6,048.90
VISA	Domain Name, Renew Boiler License, EMS	272.00
Burns, Robert	Mayor – Travel Expense	55.00
Business Financial Planning	Administrative Fees	190.00
Public Emp. Retirement Assn.	Payday 3-2-11	824.86
US Postal Service	Stamped Env.	3,156.60
G & F Distributing	Liquor Store Inventory	278.00
Houston County Recorder	Recording Fee	-46.00
Schott Distributing Co.	Liquor Store Inventory	1,756.50
Spring Grove Soda Pop, Inc.	Liquor Store Inventory	74.55
Blue Cross Blue Shield of MN	Health Insurance	25,922.00
Business Financial Planning	Cafeteria Plan	396.91
Caledonia Police Assn.	Association Dues	75.00
Commissioner of Revenue	State Withholding	1,597.69
Houston Co. Recorder	Recording Fee – Skauge	46.00
ING Institutional Plan Services	Payday 3-8-11	580.00
Merchants Bank	ACH Fee & Federal/FICA/Medicare	7,418.06
Minnesota Energy Resources	Natural Gas	7,540.62
Principle Life	Life/Ad&d/STD	558.94
Public Emp. Retirement Assn.	Payday 3-8-11	5,917.64
Heuser, Chad	2011 Uniform Allowance	475.59
Tri-County Electric Co-op	Electric Energy	92.67
		<u>\$ 138,538.41</u>

B. CLAIMS PAYABLE. Following review, discussion, and deliberation, a motion was made by Member Fisch, seconded by Mayor Burns, to approve and authorize payment of the Claims Payable for February 2011. All members present voted in favor and the motion was declared carried.

Affordable Technology Sol.	Office Supplies	1,057.18
Airgas North Central	Oxygen/Acetylene	114.63
Alco Discount Store	Photos, Cleaning Supplies	20.98
Baker & Taylor Books	Library – Books	465.05
Banyon Data Systems	Certify Module	422.16
Bonanza Grain, Inc.	Rock for Ice & Mud Control	347.34
Bound Tree Medical	Ambulance – Supplies	999.37
Bubbers Jewelry	Plaque for Turkey	20.00
Buttell's Lighting	Ballasts/Bulbs	333.10
Caledonia Implement Co.	Bulk Steel, Repair Parts	20.60
Caledonia Lumber Co, Inc.	Safety Railing Materials	9.94
Caledonia Oil Company	Car #18 Battery	76.45
Caledonia Ready Mix	Water – Maintenance Materials	48.09
Caledonia True Value	Miscellaneous	306.16
Carquest Auto Parts Store	Safety Glasses, Repair Parts	477.22
Central Parts Warehouse	Salt Spreader	1,000.70
Clarey's Safety Equipment	Flashlights	430.76
Comstock Trucking	Snow Removal Labor	390.00
Crystal Canyon	Drinking Water	12.62
Curt & Candy's Hardware Hank	Miscellaneous, Snow Shovels	185.63

D S Electric Supply	Light – Inventory	425.73
Dairyland Power Cooperative	Labor – Wild Turkey Substation	1,480.00
Dalco	Air Fresheners	78.55
Davy Engineering	Rehab Report	12,689.44
Davy Laboratories	Lab	2,691.48
Dept. of Public Safety	CJDN Remote Access	540.00
ECM Publishers, Inc.	Advertisements	888.10
Expert T. Billing	Ambulance – Contracted Billing	816.75
Fastenal Co.	Light – Misc.	88.19
Franciscan Skemp Healthcare	HCP & Instructor Cards	150.00
Gopher State One Call	3 Location Notifications	4.35
Green Power Equipment	Misc.	110.22
H & L Mesabi	Truck 004 Plow Parts	445.43
Hoskins Electric	Change Ballast – Liquor Store	82.72
Innovative Office Solutions	Tabletop Folder	768.22
Jack Neumann Trucking	Liquor – Freight Expense	75.00
Johnson Brothers Liquor Co.	Liquor Store Inventory	4,286.41
LaCrosse Truck Center, Inc.	Fuel Filters	60.85
Mayville Repair	Computer Parts	334.27
Menards	Shop Bags, Padlock	33.40
Michael's Truck Equipment	004 Plow Parts	487.67
Midwest Tape	Library DVD's	157.93
Minnesota Dept. of Commerce	4 <sup>th</sup> Quarter Fiscal	409.45
MN Department of Health	Water Service Connection Fee	1,809.00
MN Revenue	2010 Annual Permit Fee	1,450.00
Mississippi Welders Supply	Oxygen	177.17
MN State Fire Chiefs Assn.	Web Ad SCBA Bids	85.00
Municipal Emergency Services	FD – Uniforms	88.98
P & H Services	2 Mobile Units	76.62
Philips Wine & Spirits Co.	Liquor Store Inventory	2,375.78
PowerPlus Engineering	Engineering Expense	15,496.89
Richard's Sanitation	Refuse Disposal	161.60
Rippe, Hammell & Murphy	Prosecution Matters	6,623.00
Ronco Engineering Sales	Street – Repair Part	411.45
Sandry Fire Supply, LLC	FD – Thermal Imager Cable	119.23
Schilling Supply Company	Liquor – Vac Bags	8.89
Schulze Plumbing & Heating	Main Break, Replace Toilet	626.45
SE Libraries Cooperating	Library	84.89
St. Mary Auto Body Shop	Tow's	42.75
Stuart Irby	Light – Testing Hoses	76.49
T & R Service	Light – Disposal Fee	12,119.00
Tri-County Electric	Electric Energy	156,430.48
United Auto Supply	Misc.	302.65
United Laboratories	Cleaning Supplies	377.12
United Parcel Service	Light – UPS Fee	40.90
Verizon Wireless	Communication Expense	53.47
Vernon Library Supplies	Patron Counter	167.85
WWTP MPCA PFA Loan	Loan Payment	3,500.00
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		\$ 236,547.80

OLD BUSINESS.

A. AMERICAN LEGION REQUEST. City Clerk/Administrator Feely shared that American Legion Commander Dave Klinski recently inquired as to how much the City would charge for the Legion to use its Auditorium to host a Single Shot Air Rifle League. Discussion ensued. The consensus of the Council is to charge a rental fee of \$25 per event that is held at the City Auditorium.

B. WWTP FENCE INCIDENT. City Clerk/Administrator Feely shared that a response was received from Frontier Adjusters regarding the incident in which their insured accidentally hit and damaged a City-owned fence near the Wastewater Treatment Plant. It was noted that Frontier Adjusters resubmitted their previous offer of \$638.40, which was approximately \$275.00 less than the estimate obtained to restore the fence to its condition prior to being hit. Discussion ensued. A motion was made by Member Vick, seconded by Member Murphy to file a claim in conciliation court. All members present voted in favor and the motion was declared carried.

#### NEW BUSINESS.

A. UTILITY BILLING POLICY AND AGREEMENTS. City Clerk/Administrator Feely shared that attached with the agenda was the following: (1) Utility Customer Policies and Procedures; (2) Services Agreement – Owner; and (3) Occupant/Tenant Application for Service. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Lemke to approve the utility billing policy and related agreements. All members present voted in favor and the motion was declared carried.

B. POLICE CHIEF CONFERENCE REQUEST. City Clerk/Administrator Feely shared that a request was received from Police Chief Kurt Zehnder to attend the Executive Training Institute, April 4-7, in St. Cloud. Discussion ensued. A motion was made by Member Fisch, seconded by Mayor Burns to approve the request so long as the City was not responsible for paying for lodging on Sunday evening or any additional fees associated with miscellaneous functions. All members present voted in favor and the motion was declared carried.

C. BULK WATER HOOK-UP FEE. Mayor Burns requested that this item be tabled to an upcoming meeting. No action was taken.

D. JOINT POWERS AGREEMENT WITH BUREAU OF CRIMINAL APPREHENSION. City Clerk/Administrator Feely shared that Police Chief Zehnder dropped off a Joint Powers Agreement with the Bureau of Criminal Apprehension. Discussion ensued. The consensus of the Council was to obtain more information and revisit at the upcoming meeting. No action was taken.

E. AUDITORIUM TELEPHONE. City Clerk/Administrator Feely shared that Member Murphy inquired as to whether a phone was required in the City Auditorium. Feely noted that she could not locate any statutory requirement that indicated that cities need to provide telephone access in community centers or public buildings. By eliminating the telephone line, the City could realize a cost savings of \$40 per month or \$500 per year. A motion was made by Member Murphy, seconded by Mayor Burns to disconnect the telephone service at the City Auditorium. All members present voted in favor and the motion was declared carried.

F. PART-TIME LIQUOR STORE CLERK WAGE INCREASE. City Clerk/Administrator Feely shared that Katie Schmitz was hired on December 20, 2010 as a part-time Liquor Store Clerk at \$7.25 per hour and was nearing the completion of her first three months as an employee of the City. A request was received to increase her wage by \$1.00 per hour as has been the past practice with the other part-time clerks. A motion was made by Mayor Burns, seconded by

Member Murphy to approve the wage increase. All members present voted in favor and the motion was declared carried.

G. EDA SUBORDINATION REQUEST. City Clerk/Administrator Feely shared that the Caledonia EDA recently received a loan subordination request from Caledonia Oil. It was noted that in an effort to consolidate their existing debt and obtain a debt consolidation loan, Caledonia Oil was asking the City to subordinate its debt payback position to a lower priority. The purpose of the debt consolidation loan was to provide Caledonia Oil with improved cash flow and overall lower interest rate. Discussion ensued. A motion was made by Mayor Burns, seconded by Member Murphy, to approve the EDA's recommendation to grant the Caledonia Oil subordination request. Voting in Favor: Burns, Vick, Murphy and Fisch. Voting Against: None. Abstaining: Lemke. The motion was declared carried.

#### CLERK'S REPORT.

A. EMPLOYEE TIME RECORD. Attached with the agenda was the Employee Time Record for Feb. 21, 2011 - Mar. 6, 2011. Discussion ensued regarding why the City needs to pay to send a part-time police officer to training at the City's expense. The consensus of the Council is that training needs to be pre-approved.

B. POLICE OFFICER ACTIVITY LIST. Attached with the agenda was the Police Officer Activity List for February 2011.

C. ANIMAL CONTROL ACTIVITY LIST. Attached with the agenda was the Animal Control Activity List for the months of January and February 2011.

D. FRIDAY FAX FROM THE LEAGUE OF MINNESOTA CITIES. Attached with the agenda was a Friday Fax from the League of Minnesota Cities.

#### MISCELLANEOUS.

None.

ADJOURNMENT. A motion to adjourn was made at 10:45 p.m. by Member Lemke, seconded by Member Fisch. 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, March 28, 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