

REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, May 11, 2009

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, Peggy Perry, Robert Lemke (6:02 p.m.) and Tom Murphy. Members absent: None. Consultants and City staff present: Randy Shefelbine, Mike Gerardy and Robert L. Nelson. Visitors present: Troy and Emily Schroeder, Brad King and Charlie Warner, Report.

CONSENT AGENDA: Following brief discussion and review, a motion was made by Member Vick, seconded by Member Perry, to approve the Consent Agenda items, 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, April 27, 2009, as presented.

VISITORS AND COMMUNICATIONS

A. ADMINISTRATIVE COORDINATOR ITEMS

1. PUBLIC HEARING – DAYCARE CENTER: Mayor Burns recessed the regular meeting and opened a public hearing to entertain testimony on a proposal to construct a daycare facility in a Highway Business, B-2, Limited Industrial District. This request requires a Conditional Use Permit for location in the Highway Business District. Ms. Schroeder explained that her proposed location at 519 Old Highway Drive is intended to be a 6,000 square foot building for the purpose of having a daycare center for which she hopes to acquire 24 clients of various age ranges. She plans 6 full time or full time equivalent staff positions and has submitted plans for 24 parking spaces on the premises. She explained further concerning her proposed business operation and fencing in a portion of the property to safe guard the children. Mayor Burns addressed an issue of storm water control after periods of intense rain. He alluded to the drainage ditch at the south end of this property flooding over the banks and the possibility or probability of debris snagging up or doing damage to a fence she would erect in the south portion of the property. When there was no further testimony, Mayor Burns closed the public hearing at 6:10 p.m.
2. ZONING APPLICATION – EMILY SCHROEDER: At this time the City Council considered the question of approval for a Conditional Use Permit to have the daycare center located in a Highway Business District. Following brief discussion, a motion was made by Mayor Burns, seconded by Member Vick, to approve the Conditional Use Permit and permit to construct the proposed daycare center. All members voted in favor and the motion was declared carried.
3. ZONING APPLICATION – CHRIS FRANK: Mike Gerardy, Administrative Coordinator, presented the application on behalf of Mr. Frank, who was not present, informing the Council of the proposal to construct an 8' x 20' porch with an overhead roof, not to be enclosed, but located 12' from the front yard property line, requiring an 18' setback variance on the north (front) property line. Following brief discussion, a motion was made by Mayor Burns, seconded by Member Lemke, to approve the zoning application and grant the 18' setback variance. All members voted in favor and the motion was declared carried.
4. WOOD BURNERS AND FIRE PITS: Mr. Gerardy informed the Council that he had received a number of complaints concerning both wood burning furnaces located in outdoor utility sheds and campground style burners for persons' recreational use. Both types of burners receive complaints due to smoke. Adjoining or nearby property owners complained that they are unable to open windows in their homes due to smoke filling in the premises. The discussion focused on setting standards for the wood burning furnaces which may heat the dwelling and furnish hot water. The proposed restriction was to prohibit burning in those during the warm period of the year when adjoining neighbors may have windows open. The proposed treatment for the campfire, recreational type burners was to prohibit them within the city limits and encourage their use in rural campgrounds and settings made for such type burners. Mr. Gerardy distributed copies of a city ordinance from another municipality in Houston County which

restricted some of these types' burners. No formal action was taken by the Council at this time.

5. EAB DATA: Mr. Gerardy informed the Council of the most recent discussion held on the Emerald Ash Borer (EAB) and its discovering in nearby areas, just across the Mississippi River into Wisconsin. He informed the Council that the Minnesota Department of Natural Resources is placing a quarantine on shipments or transportation of wood, especially firewood which is the primary means by which the insect is transported from one local to another. Mr. Gerardy said the DNR is planning to hold instructional classes at the Caledonia Four Seasons Community Center on June 3rd from 6:00 to 8:00 p.m.
6. SEAL COAT QUOTES: Mr. Gerardy informed the Council that Scott Construction Company had agreed to extend its quote for seal coat application from May 15 – June 30. Mr. Gerardy had asked Scott Construction to hold its quote for a longer time for the City to learn whether or not the state legislator was going to further reduce local government aid distributions to the City.
7. CITY TENNIS COURT USE: Mr. Gerardy informed the Council that he was in the process of ordering signs for the tennis court which would state NO SKATEBOARDING. He informed the Council that the street department staff had hauled out all the homemade ramps, etc. which were taken up to the tennis court site.

B. TEMPORARY COMMANDING OFFICER: Police Chief Randy Shefelbine, introduced discussion again concerning appointment of a temporary commanding officer for the Police Department from the time of his retirement date, June 1 until a new police chief reports for duty, estimated to be approximately July 15th. Clerk Nelson said it was recommended by representatives of the P.O.S.T Board that a temporary commanding officer be named to give direction to officers during periods of time when a chief is not present. Following discussion, a motion was made by Member Vick, seconded by Mayor Burns, upon the recommendation of Police Chief Shefelbine to appoint Jim Stemper as temporary commanding officer as of June 1, 2009 until such time as a new police chief reports for duty. Members voting in favor: Burns, Vick, Perry and Lemke. Opposed: Murphy. The motion was declared carried. (Following the motion, it was clarified by the Council that no wages were addressed in this motion to have the opportunity to discuss the wages with Officer Stemper to see what he would request during this temporary assignment.)

CLAIMS

A. PREPAID CLAIMS: Following review, discussion and deliberation, a motion was made by Mayor Burns, seconded by Member Vick, to approve the Prepaid Claims List for April 2009. All members voted in favor and the motion was declared carried.

Caledonia True Value	Miscellaneous Items	271.36
Sam's Club	Membership Renewal	147.70
Winona Area Amb. Service	Contracted Billing	1,546.00
Affordable Technology Ser.	PD – Tech Services	45.00
Minnesota Revenue	WQ Annual Permit Fee	1,450.00
US Postal Service	Chicken Q Mailing	235.84
G & F Distributing	Beer	253.50
Metro Sales Inc.	Copier Agreement	63.60
Northern Beverage Distribution	Beer	1,315.75
Schott Distributing Co, Inc.	Beer	6,468.25
Spring Grove Soda Pop, Inc.	Beer	316.00
US Postal Service	Chicken Q Mailing	78.56
Alltel	Ambulance – Communication Exp.	62.11
Ashbacher, Randall	Reimbursement – Fuel	97.40
Bank of the West	Federal/FICA/Medicare	5,783.10
Business Financial Planning	Flex Admin. Fees/Cafeteria Plan	840.44
City of Caledonia Emp. Assn.	Association Dues	60.00
Commissioner of Revenue	State Withholding	1,172.83
Finley, Merlyn	Tune Piano	92.00
Franciscan Skemp Healthcare	First Aid Cards	65.00
Minnesota NCPERS Life Ins.	Payday 4-21-09	96.00
MN Benefit Association	payday 4-21-09	126.84
Moe Fencing, Inc.	Fence Repair/Backstop Repair	5,491.00
Orchard Trust Co, LLC	payday 4-21-09	675.00

Printy Quik	Meter Read Cards	119.68
Public Emp. Retirement Assn.	Payday 4-21-09	5,200.86
Gavin, Charles	Reimbursement for Fire Gas	168.38
MN Ambulance Association	Individual Membership	25.00
MN Dept. of Natural Resources	1440 Brush Truck Repairs	139.89
Alltel	Police – Communication Exp.	133.74
Communications Service Inc.	Batter Pack / credit for repair	-155.51
E O Johnson Company	Maintenance Agreement	92.00
Griggs, Cooper & Co.	Liquor / Wine	2,658.56
Jack Neumann Trucking	Freight Expense	47.00
Klug, Anthony	2009 Uniform Allowance	61.53
Mann, Stephanie	Travel Expense	90.60
Meisch Upholstery	Harness Repair	10.00
Northern Beverage Distribution	Beer	2,404.10
Riverland Community College	Training – Fire Dept.	60.00
Schott Distributing Co, LLC	Beer	3,860.05
Shefelbine, Randy	PD – Reimbursement Parking Fee	6.00
Spring Grove Soda Pop, Inc.	Beer & Soft Drinks	83.60
Ziebell's Hiawatha Foods, Inc.	Soda/Mix	55.68
Gavin, Mike	Animal Control	75.00
Houston County Treasurer	Ho Co. Collection Site	3,330.00
Jack Neumann Trucking	Freight Expense	108.00
Johnson Brothers Liquor Co.	Liquor / Wine	1,786.03
Kruse, Jessica	2009 Clothing Allowance	60.00
Link, Donald	Refund for 2 nd Meter	107.33
Phillips Wine & Spirits Co.	Liquor/Wine	1,380.10
SE MN Historic Bluff Country	Tourism	424.70
Sherman Nursery Company	2009 Shade Tree Program	1,115.25
US Postal Service	Utility Billing April	330.62
USA Mobility Wireless	Communication Expense	57.37
Witt's Pharmacy	Ambulance Expense	56.99
Ziebell's Hiawatha Foods, Inc.	Liquor Mix	31.63
Becker, Dylan	Mileage / School Attendance	204.60
Blocker, Matt	Light Dept. – Office Expense	21.02
Buttell's Lighting	Aud – Bulbs	143.46
Caledonia Oil Company	Unleaded Fuel	898.20
Gengler, Zach	Mileage Reim / School Attendance	203.50
Hoscheit, Matt	Reim – FD Supplies	126.22
Johnson, Allan	2009 Uniform Allowance	67.87
Klug, Jason	Reim – FD Certificate Fee's	280.00
MN Dept. of Revenue	Sales/Use Tax	14,402.00
Myhre Construction	Grind/Clean up tree stumps	708.00
Richard's Sanitation	Recycling	6,011.60
US Postal Service	Chicken Q Mailing – Amb.	21.60
VISA	Misc. Items	830.46
Petty Cash	Replenish Petty Cash	77.97
Ace Link Telecommunications	Communication Expense	1,067.58
G & F Distributing	Beer	199.00
Northern Beverage Distribution	Beer	4,241.30
Pepsi Cola Bottling Co.	Liquor Store – Soft Drinks	90.00
Principal Life	Life / Ad&d/ STD	611.50
Schott Distributing Co, LLC	Beer	4,702.30
Spring Grove Soda Pop, Inc.	Beer	64.45
Tri-County Electric Co-op	Electric Energy	85.93
Affordable Technology Services	Office Supplies	411.71
Bailey & City, Brandon	Meter Deposit Refund	128.75
Bank of the West	Federal/FICA/Medicare	7,218.04
Business Financial Planning	Cafeteria Plan	741.44
Caledonia Police Association	Association Dues	85.00
Calibre Press	Registration Fee – C. Heuser	215.00
Cleveland & City, Carly	Meter Deposit Refund	125.54
Commissioner of Revenue	State Withholding	1,370.44
Crystal Canyon	Water / Cooler Rent	48.06
Griggs, Cooper & Co.	Liquor / Wine	2,315.59
Jack Neumann Trucking	Freight Expense	38.00
Olmsted County	PD – Registration Fees	210.00
Olson & City, Danna	Meter Deposit Refund	125.44

Orchard Trust Co., LLC	payday 5-5-09	675.00
Public Emp. Retirement Assn.	payday 5-5-09	5,873.65
Renk & City, Kathy	Meter Deposit Refund	205.24
Richard's & City, Stephen	Meter Deposit Refund	128.75
US Postal Service	Postage Stamps	50.00
Wall & City, Sara	Meter Deposit Refund	126.65
Blue Cross Blue Shield	Emp. Health Insurance	25,808.00
Eric Ellis	Amb. – Purchase 1 used pager	40.00
Kraus Oil Company Inc.	Diesel Fuel	1,057.88
Merchants Bank	ACH Fee May 2009	21.55
Minnesota Energy Resources	Natural Gas	3,694.86
Shefelbine, Randy	PD – Misc. Reimbursement	57.78
Hoscheit, Matt	Reimbursement – FD Supplies	241.63
Northern Beverage Distribution	Beer	841.00
Schott Distributing Co, Inc.	Beer	7,619.55
Spring Grove Soda Pop	Beer & Soft Drinks	246.55
Coulee Region Baseball League	Summer 2009 League Fee	100.00
Coulee Region Softball League	Summer 2009 League Fee	30.00
		<u>30.00</u>
		\$ 145,587.12

B. CLAIMS PAYABLE: Following review, discussion and deliberation, a motion was made by Member Perry, seconded by Member Lemke, to approve and authorize payment of the Claims Payable List for April 2009. All members voted in favor and the motion was declared carried.

Affordable Technology Solution	Tech Services	45.00
Airgas North Central	Oxygen/Acetylene	79.24
Alltel	Fire Dept. – Communication Exp.	71.96
American Safety Utility Corp.	Light – Tool	370.51
Artic Glacier Inc.	Ice	183.30
Baker & Taylor Books	Library Books	501.86
Blocker, Matt	Reimbursement for Ear Muffs	40.08
Bob's Lock & Safe, Inc.	Door Lock Repair – Liquor	109.50
Bonanza Grain, Inc.	Crush Rock/Dirt	739.16
Bound Tree Medical, LLC	Ambulance Supplies	305.81
Caledonia Lumber Inc.	Street – Tool	7.56
Caledonia Oil Co.	Squad Car Maintenance	83.46
Caledonia Wheel Alignment	#1440 Maintenance – Fire	286.89
Carquest Auto Parts	Shop Tool, Safety Glasses	99.30
Clarey's Safety Equipment	Air Pack Parts	41.75
Communications Service	Battery Charger, Pager Repair	426.50
Curt & Candy's Hardware Hank	Miscellaneous Items	118.24
Dalco	Foam Gun	59.83
Davy Laboratories	Lab	1,641.08
ECM Publishers, Inc.	Advertisements	575.98
Farmers Coop Elevator	Chemicals	177.00
First Supply	Repair Part	38.58
Gopher State One-Call	73 Location Notifications	105.85
Grainger	Masks for Disease Control	142.31
Green Power Equipment	Air Filter, Etc.	76.15
In the Swim	Pool – Chemicals	1,312.94
Jack Neumann Trucking	Liquor – Freight	83.00
Johnson Brothers Liquor Co.	Liquor / Wine	2,257.98
Ken's Small Engine	Parts, Labor, Oil Mix	80.68
Kwik Trip Stores	PD – Gas	25.00
Lab Safety Supply, Inc.	Marking Paint	127.52
Lackore Electric Motor Repair	Drill/No Fix	20.00
Mathy Construction Co.	Cold Mix	503.83
Med Alliance Group, Inc.	Cpap System SZ 5 Med Adult	364.44
Menard's	Building Repairs	453.96
Midwest Tape	Library – DVD(s)	50.38
Mississippi Welders Supply Co.	Oxygen	134.00
Phillips Wine & Spirits Co.	Liquor / Wine	700.74
RESCO	Light – Inventory	3,994.29
Richard's Sanitation	Refuse Disposal	140.40
Rippe, Hammell & Murphy	General Matters, Prosecution Matters	2,745.00
Ronco Engineering Sales, Inc.	Lifting Sling – Light	54.50
Sandry Fire Supply, LLC	Equipment	361.68

Schilling Supply Company	Towels & Tissue	254.63
Schulze Plumbing & Heating	Toilet Repairs – Pool	74.60
SE Libraries Cooperating	Auto Fees May 2009	417.42
South Central College	Safety & Health Training	825.50
Synergy Graphics Inc.	Zoning Permit Books	55.86
Tri-County Electric Co-op	Electric Energy	124,219.24
Tunnel Rats, Inc.	Labor – Meyer County Building	3,940.00
United Auto Supply, Inc.	Miscellaneous Items	256.47
WWTP MPCA PFA Loan Fund	PFA Loan Fund	3,500.00
Zarnoth Brush Works, Inc.	Street Equipment – Broom Refill	208.74
Zep Manufacturing Company	Chemicals, Trash Bags	557.43
		<u>\$ 154,047.13</u>

OLD BUSINESS

A. **WAGE REIMBURSEMENT:** Regarding the introduction at the last Council Meeting of a question concerning wage reimbursement to Pat Lemke for loss hours at her primary job due to having a court appearance occasioned by her service on the Caledonia Ambulance crew, Clerk Nelson informed the Council that the League of MN Cities Human Resources Department advised that the City should reimburse her regular wage rate. Nelson commented that the League did not have any model ordinances or examples of policies from other cities for such circumstances, but recommended that the reimbursement be made. Following brief discussion, a motion was made by Mayor Burns, seconded by Member Vick, to pay Patricia Lemke for her lost hours to a subpoena to appear in court after having received documentation, via a pay stub or similar document of the amount of her regular hourly rate. Members voting in favor: Burns, Vick, Perry and Murphy. Abstaining: Lemke. Opposed: None. The motion was declared carried.

(Member Perry left the meeting)

B.

C. **POLICE CHIEF INTERVIEWS:** Clerk Nelson informed the Council that interviews had been confirmed for Tuesday, Wednesday, May 12 and 13. The Tuesday evening meeting of the Council would be begin at 6:30 giving time to review the scoring procedures and answering questions before the first interview was to begin at 7:00 p.m. The second evenings meeting would begin at 6:45 p.m. Nelson informed the Council there are three interviews to be conducted on Tuesday evening and four on Wednesday evening. He said two police chiefs from other communities, Kent Russell from Goodview and Matt Schultz from Preston would be assisting with the interviews.

NEW BUSINESS

A. **AMBULANCE STAFF:** Clerk Nelson reported that Mike Tornstrom, Ambulance Director, requested appointment of Sandy Kinneberg and Maria Drenckhahn as First Responders for the Caledonia Ambulance Service. Mr. Tornstrom said Ms. Kinneberg would not be assigned standby until she turned 18 years of age in July. Following brief discussion, a motion was made by Mayor Burns, seconded by Member Murphy, to appoint Maria Drenckhahn as a First Responder, but to table appointment of Sandy Kinneberg until July when she achieves her 18th birthday. All members present voted in favor and the motion was declared carried.

B. **EMS WEEK:** Clerk Nelson referred to Addendum #8 which was a flyer from KIFL / KVGO Radio Stations proposing to do a promotion for Emergency Management Services from May 16 – 21, doing 30 second ads for fees of \$7.00 to \$8.00 per ad depending upon the total package. Seven ads would cost \$8.00 each, ten ads \$7.50 each and fifteen ads \$7.00 each. Nelson asked the Council if they would choose to participate at all or, if so, would they prefer to do an ad in a local newspaper rather than the radio station from another community. Following discussion, no motion was made with regard to the advertisement.

C. **CREDIT CARD LIMIT:** Clerk Nelson reported that department heads have been using the city credit card more frequently and occasionally a number of orders are placed at the same time, causing a concern that the orders may exceed the \$3,000 maximum limit on the card. He asked that the Council authorize increasing the limit to \$5,000. Mayor Burns objected to the increase, contending that with the loss of local government aid all departments are to reduce

spending and increasing the limit would constitute an invitation to increase spending. Following discussion, no action was taken by the Council.

D. **ELECTRICAL WHOLESALE RATES:** Clerk Nelson reviewed the notice from Tri-County Electric for an increase in electrical wholesale rates, effective May 1, 2009. Nelson commented that the overall rate increase for the wholesale cities was 10%. Since Tri-County Electric Cooperative did not explicitly state the absolute percent of increase for the City of Caledonia, Nelson said it may be necessary to contact PowerPlus Engineering for a determination on the increases to be applied to the City rates. At this time the Council tabled a decision on rate increase to the next Council Meeting.

E. **SHORT TERM DISABILITY INSURANCE:** Clerk Nelson reported having received a new agreement for employee short term disability. The previous agreement had a clause for benefits to be reduced from the standard \$100 per week in the event that employees were being paid sick leave benefits from the City. This newly drafted agreement excludes that clause such that all future employees, eligible to receive short term disability benefits, shall receive \$100 per week even while being paid sick leave benefits by the City. There is no increase in cost for this change. Following discussion, a motion was made by Mayor Burns, seconded by Member Lemke, to approve the revised short term disability agreement. All members present voted in favor and the motion was declared carried.

CLERK'S REPORT

A. **POLICE DEPARTMENT:** Enclosed with the Agenda was the Officer Activity List and Officer Activity Summary for April 2009.

B. **EMPLOYEE TIME RECORD:** Enclosed with the Agenda was the Employee Time Record for pay period April 20 – May 3, 2009.

C. **DONATION:** Clerk Nelson informed the Council that American Legion Post 191 contributed \$400 toward the City Music in the Park program.

D. **HEALTH INSURANCE:** Clerk Nelson asked Mayor Burns if he wished to have the Winona area agency insurance agent make a presentation to the Council during a June meeting. The agent had come to the Clerk's Office, commenting that he had met Mayor Burns at a Southeast Minnesota League of Municipalities Meeting and had been invited to make a presentation to the Caledonia City Council. Mayor Burns said he complimented the speaker on what an interesting and informative presentation it was, but did not make an invitation to Caledonia. Mayor Burns did recommend that we have a meeting with our city insurance agent, representatives of the employee associations and council committee to review some of the new insurance programs to determine whether they may be suitable for the City of Caledonia.

ADJOURNMENT: There being no further business before the Council, a motion to adjourn was made by Member Vick and seconded by Member Lemke. All members present voted in favor, the motion was declared carried and the meeting then adjourned at 9:12 p.m. The next Regular Meeting of the City Council is scheduled for 6:00 p.m., Tuesday, May 26, 2009, in the Council Room, City Hall, since the ordinary meeting date of the fourth Monday falls on Memorial Day.

Robert H. Burns, Mayor

Robert L. Nelson
City Clerk – Administrator

**SPECIAL MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Tuesday, May 12, 2009**

CALL TO ORDER: Following due call and notice thereof, Mayor Burns called the meeting to order at 6:30 p.m. in the Council Room, City Hall.

ROLL CALL: Members present: Mayor Robert H. Burns; Council Members: Randi Vick, Peggy Perry, Robert Lemke and Tom Murphy. Members absent: None. Consultants and City staff present: Matt Schultz, Kent Russell and Robert L. Nelson. Visitors present: Kurt Zehnder, Michael Cherney and Kenneth Frank.

BUSINESS ITEM: From 6:30 to 7:00 p.m. the Council reviewed the questions to be asked police chief applicants and reviewed the method of scoring. Interviews were scheduled for half hour intervals. These interviews were conducted to select a police chief for the City of Caledonia, the present Chief, Randy Shefelbine, planning to retire June 1, 2009. The final interview for the evening ended at approximately 8:30 p.m., whereupon Mayor Burns recessed the meeting to be continued the next evening for four more interviews.

Robert H. Burns, Mayor

Robert L. Nelson
City Clerk – Administrator

CONTINUED MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Wednesday, May 13, 2009

CALL TO ORDER: Following due call and notice thereof, Mayor Burns called the meeting to order at 6:45 p.m. in the Council Room, City Hall.

ROLL CALL: Members present: Mayor Robert H. Burns; Council Members: Randi Vick, Peggy Perry, Robert Lemke and Tom Murphy. Members absent: None. Consultants and City staff present: Matt Schultz, Kent Russell and Robert L. Nelson. Visitors present: Ronald Page, James Stemper, Allan Johnson and Warren Leeps.

BUSINESS ITEM: The Council briefly reviewed the interview process and scoring system again then started interviews for the position of Police Chief at 7:00 p.m. Following the four interviews, the Council members, consultants and Clerk Nelson summed all scores and determined the rank of applicants. Following discussion, a motion was made by Mayor Burns, seconded by Member Perry, to have background investigations conducted on the top three applicants, being Kurt Zehnder, Ronald Page and Kenneth Frank. 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 and seconded by Member Vick. All members voted in favor, the motion was declared carried and the meeting then adjourned at 9:45 p.m.

Robert H. Burns, Mayor

Robert L. Nelson
City Clerk – Administrator