

REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, September 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.

OATH OF OFFICE. Mayor Burns administered the Oath of Office to newly appointed Councilmember Paul Fisch.

ROLL CALL. Members present: Mayor Robert H. Burns; Council Members: Randi Vick, Robert Lemke, Tom Murphy, and Paul Fisch. Members absent: None. Consultants and City staff present: City Clerk/Administrator Jennifer Feely, Administrative Coordinator Mike Gerardy, City Accountant Stephanie Mann, City Electrician Matt Blocker, and City Police Chief Kurt Zehnder. Visitors present: Argus Reporter Charlie Warner.

AGENDA APPROVAL. The following items were added to the agenda for discussion: Garbage and Recycling Rate Increase; Ball Park Lights; South Street Project Update. 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 Vick, seconded by Mayor Burns to approve the consent agenda item, listed below. Voting in Favor: Burns, Vick, Lemke, and Murphy. Abstaining: Fisch. The motion was declared carried.

A. MINUTES OF PAST MEETINGS. To approve the minutes of the Regular Meeting held Monday, September 13, 2010, as presented.

VISITORS AND COMMUNICATIONS.

A. HIGH SCHOOL ATHLETIC DIRECTOR DAVE MEYER: BALL PARK LIGHTING REQUEST. Caledonia High School Athletic Director Dave Meyer was present to request the Council's consideration in waiving the charges incurred as a result of using the ball park lights for track meets. Discussion ensued. Mayor Burns stated that he would like more time to study Tri-County's charges and suggested the issue be tabled. Member Murphy noted that if the City waives the charges for the School District, the same would have to be done for other users. No action was taken.

B. CITY ELECTRICIAN MATT BLOCKER. City Electrician Matt Blocker was present to provide the Council with a report on the completion of the 2010 Electrical Project. Blocker then shared with the Council a piece of 1999 electric cable that was recently discovered to have a substantial hole in it and noted that the cable would be sent in to be tested as staff was unable to determine the exact cause, however, Blocker guessed it may have been hit by lightning. Blocker then went on to share bids received for horizontal boring to feed new power lines to the Houston County Justice Center. A motion was made by Mayor Burns, seconded by Member Vick to use Tunnel Rats to install new wiring at the Houston County Criminal Justice Center. All members present voted in favor and the motion was carried.

C. ACE COMMUNICATIONS. Brian Jerviss with ACE Communications was present to discuss ACE Communications desire to put together an agreement in which the City would allow ACE Communications to install a Wi-Fi antenna and related equipment on the water tower adjacent to City Hall in an effort to have the capability to offer DSL service to rural Caledonia

residents. Jerviss noted that a survey was conducted a while back in which 500 rural residents indicated that they would be interested in obtaining DSL service. Member Fisch referenced the City's agreement with Verizon Wireless as an example of how the rental fee might be calculated. The consensus of the Council was that more information was needed before a decision would be made. No action was taken.

D. POLICE CHIEF KURT ZEHNDER. City Police Chief Zehnder requested to be present to share with the Council his idea to put a portable stop sign on highway 44 during school hours so as to ensure pedestrian safety. City Clerk/Administrator Feely shared an email received from Mn/DOT concerning the placement of a portable stop sign on highway 44. The response from Mn/DOT was that such a practice was prohibited on state highways as portable stop signs are only for emergency or temporary traffic control zone purposes. Zehnder stated he was unhappy with Mn/DOT's response as he parks his squad car on highway 44 and has seen that people are not abiding by the posted speed limit. Zehnder went on to note that he has counted at least 115 vehicles in 15 minutes. Zehnder also shared with Council that a stop light is needed and that he recently spent 16 hours researching grants available only to find out that there are no such monies to access for stop lights. Discussion ensued. The consensus was for City Clerk/Administrator Feely to draft a letter to Mn/DOT and local political representatives and present to the Council at the upcoming meeting. Zehnder went on to discuss his intentions to look into purchasing a 4WD pickup versus another squad car. Zehnder noted that the idea would be to send pickups to the Street Department after they have been used by the Police Department. Zehnder asked if he should obtain specs for the Dodge, Ford, and Chevy models. The consensus was for Zehnder to explore all options available. Discussion ensued concerning establishing a capital outlay fund versus certificates of indebtedness.

E. AMBULANCE DEPARTMENT. Kristin Buege was present on behalf of the Caledonia Ambulance to request the Council's consideration in purchasing a new ambulance cot as Ambulance Director Mike Tornstrom was not able to attend the meeting. In an email to the Council, Tornstrom summarized the reasons why the cot request was brought before Council. In December of 2009, Tornstrom had ordered a new cot for the ambulance service with a delivery date of September 15, 2010. The purchase order included an option to cancel at any time for any reason prior to its delivery date if necessary. The reason for the early order was that the Ambulance Department was trying to save money by having the purchase order signed before January 2010 in an effort to avoid 2010 rate increases. Tornstrom did so with the mindset that if the budget was looking good, that a cot could be purchased. Unfortunately, due to a lower call volume than anticipated, the order was cancelled. The cot representative failed to follow up on the cancel order request and the cot arrived at the Ambulance Department on September 15. After numerous phone calls, Tornstrom received a couple offers from the cot representative as sending the cot back would be costly to the manufacturer. The options included the following: (1) Manufacturer would pick up the cot with no financial obligation to the City or (2) Ambulance Department could purchase the cot at a demo price of \$9,410 versus the original price of \$11,225. Tornstrom's recommendation was for the Council to authorize the purchase of the cot at a demo price. He went on to note that the Ambulance Association would be willing to contribute \$3-4,000 to purchase the cot. Discussion ensued amongst the Council. The consensus was to go back to the manufacturer and see if they would be willing to sell the cot a lower price versus having to pay to ship it from Caledonia. Member Murphy noted concerns with the general fund and foreseeable reductions in LGA. Member Fisch inquired as to whether the City could pay half of the cost of the cot in 2010 and the remainder in 2011. Mayor Burns suggested that perhaps a certificate of indebtedness would be an option. The consensus was to have Tornstrom contact the cot representative and revisit at the upcoming meeting. No action was taken.

F. CITY ACCOUNTANT TOPICS.

1. CASH AND INVESTMENT REPORT. City Accountant Stephanie Mann was in attendance to report that as of September 30, 2010, the total cash balance was \$602,871.27 and the total investment balance was \$2,699,900. Discussion ensued.

2. BUDGET WORKSHEET. City Accountant Mann reviewed the budget worksheet which showed the line item detail of revenues and expenditures through September 30, 2010.

G. ADMINISTRATIVE COORDINATOR TOPICS.

1. FORMER ELEMENTARY SCHOOL: MIKE ROGICH. Mike Rogich was present to request the Council's consideration in granting a conditional use permit to operate storage rental units in a transitional business district. The storage units would be run out of the Grove Street building for approximately 2-3 years. Discussion ensued. City Clerk/Administrator Feely questioned whether time limits could be imposed on conditional use permits. City Clerk/Administrator Feely and Administrative Zoning Coordinator Mike Gerardy will research this issue and report back to the Council at the upcoming meeting.

2. STREET DEPARTMENT APRONS BIDS. Administrative Coordinator Mike Gerardy shared with the Council bids received to repair an apron at the Street Department Shop. The bid from Meyer Brothers came in at \$4,610 while the bid from Randy Steele Construction came in at \$3,675. A motion was made by Mayor Burns, seconded by Member Vick to proceed with repairing the Street Department Shop apron using the low bid. Discussion then ensued concerning capital purchases for the street department. All members voted in favor and the motion was declared carried.

3. FIRE BARN HEATERS. Administrative Coordinator Gerardy shared various options available to replace the broken steam line to the fire barn. A motion was made by Mayor Burns, seconded by Member Lemke to utilize Winona Mechanical to fix and maintain the existing steam lines. Voting in Favor: Burns, Lemke, Vick, and Fisch. Voting Against: Murphy. The motion was declared carried.

4. HOUSTON COUNTY JUSTICE CENTER: ENCROACHMENT RESPONSES. Administrative Coordinator Gerardy presented Council with a letter from Knutson Construction concerning the request from the City for more information regarding the exhaust fan and decibel level. The response from Knutson Construction noted that the fan would be approximately 28 feet from the air well and that the decibel level of noise from the fan would be less than the 55 decibel limit as stipulated in the City's ordinance. The consensus was to accept the responses.

5. SKID LOADER UPGRADE. Administrative Coordinator Gerardy shared that City Electrician Matt Blocker emphasized a need to upgrade the City's skid loader as doing so would allow more electric equipment to be moved.

6. SOUTH STREET PROJECT UPDATE. Administrative Coordinator Gerardy provided an update with respect to the South Street Sewer Project. Discussion ensued.

H. COMMUNICATIONS.

1. None.

OLD BUSINESS

A. INVESTMENT POLICY. City Clerk/Administrator Feely presented the Council with a revised Investment Policy that included language requiring two signatures on all investment

transactions. Feely noted that she sent the policy to the City's auditors for their review and feedback. Per an email received from the City's auditors, the policy looks fine as is. A motion was made by Mayor Burns, seconded by Member Lemke. Voting in Favor: Burns, Lemke, Vick, and Murphy. Abstaining: Fisch. The motion was declared carried.

B. AMBULANCE CITY/TOWN SUBSIDY CONTRACT. A motion was made by Mayor Burns, seconded by Member Vick to approve the Ambulance City/Town Subsidy Contract with Caledonia Township. All members present voted in favor and the motion was declared carried.

C. CITY/COUNTY SOLID WASTE ORDINANCE. Houston County Environmental Services Coordinator Rick Frank was present to discuss the proposed City/County Solid Waste Ordinances. Frank noted that the comment period for the draft ordinances would be open through September 30. Discussion ensued. No action was taken.

NEW BUSINESS.

A. DRAFT SEWER USE AND USER CHARGE ORDINANCE. City Clerk/Administrator Feely presented Council with Mike Davy's draft Sewer Use and User Charge Ordinance and noted that she marked each section as "new", "same", or "similar". Council reviewed each section of the proposed ordinance. The consensus was to proceed with the equivalent meter multipliers as listed in Section 53.065. No action was taken as City Clerk/Administrator Feely will pass along the concerns and/or questions identified to Davy prior to the upcoming meeting at which time Davy will be present to discuss the ordinance in more detail.

B. CONCILIATION COURT TO COLLECT DAMAGES. City Clerk/Administrator Feely presented Council with a completed Statement of Claim and Summons to file in Conciliation Court in hopes of recovering approximately \$3,000 in damages that the City sustained due to a vehicle driving into a City fence and electrical box. A motion was made by Member Fisch, seconded by Member Vick to approve filing a claim in conciliation court as well as filing an affidavit of restitution. All members present voted in favor and the motion was declared carried.

C. INSURANCE COVERAGE FOR CITY OWNED FENCES AND ELECTRICAL BOXES. Due to the lengthiness of the meeting, the consensus was to revisit the issue of insuring various fences and electrical boxes at an upcoming meeting. No action was taken.

D. CARPET CLEANING REQUEST FOR LIQUOR STORE. A motion was made by Mayor Burns, seconded by Member Vick to approve hiring Lappin's, LLC, to clean the carpet and tile floors at the Liquor Store at an estimated cost of \$410.70. All members present voted in favor and the motion was declared carried. City Clerk/Administrator Feely noted that this amount is half of what the City has paid previously to clean the carpets at the Liquor Store.

E. ARLIN FALCK GRANT APPLICATIONS. City Clerk/Administrator Feely noted that the Arlin Falck Foundation would be accepting grants until November 6, 2010 and that various departments would be submitting applications. Feely noted she would be submitting an application on behalf of the proposed pool project. Feely went on to ask for Council's input as to whether or not the City should be submitting applications on behalf of organizations that do not meet the requirements of the grant as they do not have a 501(c) (3) status or are not a unit of government. Such requests have been received from the Dairy Association and the Rod and Gun Club. Discussion ensued. The consensus was to only submit City applications under the City's name.

F. EMPLOYEE ASSOCIATION. City Clerk/Administrator Feely requested the Council make a determination as to whether Sarah Nelson, part-time Liquor Store employee, should

receive a \$0.70 per hour wage increase as the other employees covered under the City's Employee Association Agreement received in 2010 as Nelson recently became eligible to join the Employee Association as per Section 10.51 of the agreement. The consensus was that Nelson should be included in the January 1, 2011 agreement as the current agreement has already been negotiated. No action was taken.

G. **GARBAGE/RECYCLING RATES.** City Clerk/Administrator Feely shared with the Council that since the Solid Waste Contract was in negotiations longer than anticipated, the new garbage and recycling rates were not able to go into effect as stipulated in the agreement. Feely cited the same situation occurred in 2005 when negotiations took longer than expected and, at that time, the consensus of the Council was to increase the upcoming billing to make up the difference. A motion was made by Member Fisch, seconded by Member Vick to make up the garbage and recycling fee by increasing the monthly rate to \$5.95 for the November billing. All members present voted in favor and the motion was declared carried.

CLERK'S REPORT.

A. **EMPLOYEE TIME RECORD.** Enclosed with the agenda was the Employee Time Record for September 6-September 19, 2010.

B. **DISCHARGE MONITORING REPORT.** Enclosed with the agenda was a discharge monitoring report showing an average Nitrogen Level of 6.37 mg/L.

C. **CITY CLERK/ADMINISTRATOR SIX MONTH PERFORMANCE EVALUATION.** When asked by the Council whether City Clerk/Administrator Feely would like the meeting open or closed, Feely requested that the meeting remain open for her six month performance evaluation. Feely presented Council with an outline of projects and tasks that she has either completed or is currently working on since she began working for the City on March 29, 2010. Feely also presented the Council with a copy of her Employment Agreement and the City Clerk/Administrator Position Description and Expectations. Mayor Burns reviewed the duties and responsibilities of the position, desired management capabilities and skills, position priorities, and ongoing position expectations. Mayor Burns then stated that the position priorities have been achieved in the first six months, the position expectations are being met, and the duties and responsibilities are being carried out. Mayor Burns then asked the Council for their input. Member Murphy stated that he was pleased with Feely's work but that he would like to see Feely delegate more tasks, continue working to motivate staff to work hard, and offered ideas on how to deal with difficult people. Member Vick stated that she was pleased with Feely's work but that the Council packets have to get smaller as there isn't enough time to read the materials and the meetings are too long. Vick went on to state that she is pleased with Feely's work and that she appreciates that Feely continually finds ways to include positive comments or provide positive feedback concerning staff. Member Lemke stated that he is pleased with Feely's work but that she needs to cut back on working so many hours so as to avoid burn out. The overall consensus was that Council was pleased with Feely's work as the City's Clerk/Administrator. City Clerk/Administrator Feely thanked the Council for their feedback and noted that she is very impressed by the quality of City staff and that she enjoys working for the Council.

ADJOURNMENT. A motion to adjourn was made by Mayor Burns, seconded by Member Vick at 10:53 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, October 11, 2010 at 6:00 p.m. in the Council Room, City Hall.

Robert H. Burns
Mayor

Jennifer Feely
City Clerk/Administrator