

**City of Stewartville
City Council Regular Meeting Minutes
Stewartville City Hall
September 13, 2011**

I. PLEDGE OF ALLEGIANCE

II. CALL TO ORDER – ROLL CALL –Mayor King called the meeting to order on September 13, 2011 at 7:00 pm. Present: King, RHanson, JHanson, Miller-Beach (arrived at 7:10) and Stensrud. Also Present: City Administrator Schimmel, Public Works Director Stevens, Finance Director Neubauer, Fire Chief Wolf and City Clerk Roeder.

III. APPROVAL OF AGENDA –

Motion by JHanson, second by Stensrud to approve the agenda. Unanimously approved.

IV. APPROVAL OF COUNCIL MEETING MINUTES

Motion by JHanson, second by Stensrud to approve the August 23rd minutes as amended. Unanimously approved.

Motion by JHanson, second by RHanson to approve the Sept 6th minutes as amended. Unanimously approved.

V. FINANCE AND BUDGET

A. Accounts Payable –

Motion by JHanson to approve the AP Listing, except the EDA grants to the American Legion and Podein Power Equipment. Mayor King called for a second to the motion. Motion failed due to lack of second.

Motion by RHanson, second by Stensrud to approve the AP Listing as submitted. Voting in favor: RHanson, Stensrud, Miller-Beach and King. Voting against: JHanson. Motion carried.

VI. ORDINANCES/RESOLUTIONS

A. Proposed 2012 Tax Levy – On Sept. 6th Council directed staff to prepare the proposed levy based on the amended preliminary 2012 budget of \$5,461,892. This amounts to a proposed levy of \$1,918,123 – a decrease of \$49,948 from the 2011 certified levy of \$1,953,071. Neubauer requested the adoption of a Resolution to approve the 2011 Proposed Tax Levy Collectible in 2012 and to set a Truth in Taxation Hearing for December 6th at 7:00pm.

Mayor King asked Council to rethink the decision made on Sept. 6th regarding the levy limit. He stated that since we have no firm numbers from the State he would like the levy to stay the same as 2011. He noted that Council can decrease the budget in December if needed.

Motion by King, second by RHanson to adopt Resolution 2011-18, A Resolution Approving the 2011 Proposed Tax Levy Collectible in 2012, keeping the levy flat at the amount of \$1,953,071.

JHanson stated that at the budget meeting it was voted on by all five members to keep the taxes flat. Miller-Beach arrived at this time and Council reviewed their discussion.

Voting in favor: King, RHanson and Stensrud. Voting against: JHanson and Miller-Beach.
Motion carried.

Motion by RHanson, second by JHanson to set the Truth in Taxation Hearing for December 6, 2011 at 7:00pm. Unanimously approved.

B. 2011 CIP Bond – Northland Securities has prepared the documentation for the issuance of the proposed \$118,000 G.O. Improvement Bond. This is a special assessment bond for the improvements made in the 2011 CIP (1st Ave. SE). The overall project is estimated at \$710,858. Revenue sources are: G.O. Bond \$118,000; Water Funds \$126,324; Sewer Funds \$128,251 and MSA Funds \$338,283.

Motion by RHanson, second by Stensrud to approve Resolution 2011-19, Authorizing Issuance of G.O. Bonds for 2011 CIP. Voting in favor: RHanson, Stensrud, Miller-Beach and King.
Voting against: JHanson. Motion carried.

C. TIF Dist. #2 Modifications – In order for the City to take full advantage of tax increment receipts from Redevelopment District #2, the TIF Plan needed to be modified. Neubauer requested a hearing to be set for October 11, 2011.

Motion by JHanson, second by Miller-Beach to call a Public Hearing on the Proposed Adoption of a Modification to the TIF plan relating to Redevelopment District #2 within Municipal Development District #1. Unanimously approved.

D. Heartland Express/Grisim Bus Inc. Drug & Alcohol Policy – The U.S. Dept of Transportation, FTA requires Grisim Bus Inc. to have a Drug and Alcohol policy for transit drivers that they employ. Since the City of Stewartville owns the transit system and contracts with a 3rd Party, we are responsible in making sure that they have a Drug & Alcohol policy according to FTA standards. In 2011 the law changed to reflect language on Result of a Negative Drug Test.

Motion by RHanson, second by Miller-Beach to approve Resolution 2011-21, Adopting the Federal Transit Administration Regulations on Drug and Alcohol Misuse. Unanimously approved.

VII. PRESENTATION/PUBLIC HEARING

VIII. MOTIONS AND GENERAL BUSINESS

A. Variance Request – Joe Cox 615 2nd St. SW is seeking a variance from the 1,200 sq ft maximum as per Section 1350.03 A.1 Accessory Uses. Cox is proposing to build a 32x60 garage. The Planning & Zoning Commission is recommending approval based on the Findings of Facts.

Motion by Stensrud, second by RHanson to approve the variance request as requested.
Unanimously approved.

B. Outdoor Events Application – Ryan Brown representing the Driftskippers appeared before Council to get approval to conduct a Radar Run to be held in conjunction with the Fun Run on January 14, 2012 at Bear Cave Park. Brown stated that they would be working with the Sheriff's Dept and DNR on this event and have the City listed as "additional insured".

Motion by Stensrud, second by RHanson to approve the request, subject to proper insurance. Unanimously approved.

C. 2012-2013 Law Enforcement Contract – The 2012 contract is \$135, 285 up \$10,348 from 2011 and the 2013 contract will be \$365,943, which is an increase of \$10,658 from 2012. The COPS contract for 2012 is \$93,571 up \$2,725 from 2011 and 2013 will be \$96,379, which is an increase of \$2,808 from 2012. The Finance Committee is recommending approval of these contracts.

Motion by JHanson, second by RHanson to approve the 2012/13 Law Enforcement Services Agreements between the City of Stewartville and Olmsted County. Unanimously approved.

D. Board and Commission Term Limits – In 2002, the City Council implemented term limits and meeting requirements for Boards and Commissions. Meeting requirements are 75% of meetings within the year and with term limits being held to two. Roeder reported that we have heard comments from our volunteer's that they would like to continue to see projects thru or have an interest in serving our community and would like to continue on a board/commission.

Motion by RHanson, second by Stensrud to continue with the meeting requirements and eliminate the term limits. Voting in favor: RHanson, Stensrud, Miller-Beach and King. Voting against: JHanson. Motion carried.

E. Heartland Express Bus Bids – Neubauer requested that a special meeting be set to review the Bids for the 2012-2013 operating contract for the Heartland Express. Bids are due on September 29th with the contract to be awarded at the October 11th meeting.

Motion by Miller-Beach, second by JHanson to set a special meeting for October 4th at 7:00 to review the bids. Unanimously approved.

F. Set Sp Mtg for Proposed 2nd Ave. SW Project - SEH Engineer, Mike Kraemer will be presenting the plans & specs for the Proposed 2nd Ave. SW project on Sept 28th. If Council approves the Plans & Spec we will advertise for bids, which will be due on Oct 14th. Staff is requesting a special meeting be set for Oct 18th to consider the bids and award the contract for the project.

JHanson stated that she hoped that if a meeting was scheduled it wouldn't make the Council feel more obligated to approve the project. She stated she was concerned about doing the project this fall. King stated that the path would need to be completed this year in order to keep the \$50,000 SHIP grant.

Schimmel stated that the goal is to complete the path this year. He stated that the School District has requested we hold off on construction until the soccer season is over, noting this would give us a good month to work on the path. He stated that road work would begin in the spring.

Motion by Stensrud, second by Miller-Beach to set a special meeting for October 18th at 5:30pm. Unanimously approved.

G. Proposed Fire Hall Renovation – The EOC Task Force directed staff to contact Chuck Willihnganz, Olmsted County Inspector, and he has indicated that registered designed plans and specs will be needed for the currently proposed Fire Hall renovation/expansion project to move

forward. The proposed building concepts can be used as a starting point for these registered designed plans and specs.

Staff also contacted Senator Nelson and Representative Benson to find out, if plans are completed before the Bonding Committee recommends financial assistance for the Fire Hall facility to the State Legislature, would our chances of obtaining this assistance be in jeopardy.

The Task Force is requesting permission to proceed with RFP's for Registered Designed Services to develop the plans for the Fire Hall renovation and expansion if it is determined State bonding assistance would not be jeopardized if these plans are completed.

JHanson stated that when the EDA and Task Force started talking about the Fire Hall renovation, it was talked about taking it to the public for a vote. She stated that the Council hasn't talked about the project at the table.

Stensrud stated that no decision has been made by the Task Force, they are only asking to move forward with plans.

JHanson stated that she has a problem with going with State Bonding assistance. It was her opinion that Council hasn't tried to prioritize and be careful with our budget.

RHanson stated that the City needs to have plans so we can be shovel ready if we want to qualify for State Bonding dollars. He stated that we need to take advantage of grants.

Stensrud agreed that if the State makes the money available we should take advantage of it.

Miller-Beach questioned staff on whether we have heard back from Senator Nelson or Rep. Benson.

Schimmel gave background on the process, commenting that City Council took a recommendation for renovation from the Fire Department because of structural deficiencies. They also looked at the needs of the Fire Department in making it more of an Emergency Operation Center that would benefit the School District if an incident would occur at the schools and could be a supplemental emergency incident command center for Olmsted County. It would also serve as an additional support facility in case of a plane crash for the Rochester Airport since we are the closest entity that can help support them.

Schimmel stated that once the recommendation was given to the City Council, they appointed a Task Force that was made up of council reps, citizens at large and township reps to try to garner a bigger feel for ideas in this matter than just the Fire Department or City Council. The Task Force has worked for a year and half on the needs which has been whittled down from a wish list and three different financing options which still need to be discussed by the Task Force, as well as the City Council. We have not heard back from Senator Nelson and Rep Benson on whether starting construction would jeopardize any funding. The City has applied for a Federal grant that would help with large pieces of the renovation and buy down the total cost. The Task Force feels that it is time to present a project to the public and in order to do this we need to be able to present the cost as well. Schimmel stated that the only way to get this cost is to go out for RFP's. The process would allow an architect, engineer or building construction company to offer to us what the cost to build/design a facility would be. The City would then be in the position to submit final costs to the State Legislature for the Bonding Bill. Schimmel stated that speaking on behalf of staff and the Fire Department, if money is available from the State, we have to take full advantage of these dollars because if Stewartville doesn't some other city will and it would be sad to see an opportunity missed.

Motion by JHanson to put the request on hold until we know whether the townships will continue with the fire contracts with the City and that we owe it to the voters to bring this to them to see if they are interested in spending this kind of money and raising taxes. Mayor King called for a second. Motion failed due to lack of second.

Motion by RHanson, second by Miller-Beach to prepare and solicit RFP's for Registered Designed Services for the Fire Hall renovation and expansion. Voting in favor: RHanson, Miller-Beach, Stensrud and King. Voting against: JHanson. Motion carried.

H. Council Workshop – CIP Program – Staff is requesting a workshop as a follow-up to the CIP Infrastructure Planning Workbook that was presented at the last meeting. The workshop would be used to discuss future CIP projects.

Motion by Miller-Beach, second by Hanson to set a workshop for November 1st at 7:00 pm. Unanimously approved.

IX. MAYOR, STAFF AND CONSULTANTS REPORTS

A. Mayor – King commented on the following:

- Sympathy to the family of Victor Montgomery
- Happy 95th Birthday to Coral Carlson
- Happy 90th Birthday to Maxine Taylor
- Happy 60th Birthday to Roger Hanson
- Thank you to Fareway Foods and Pepsi for sponsoring "Support Your Local Hero". Our Fire Dept. received \$1,500 from this fund raiser.
- Morning Lions Fall Festival – This Saturday from 9-4. I will be hosting a scarecrow contest.
- City will be flushing hydrants on Sept. 19th, 20th & 21st.
- Eastwood Bank is sponsoring their annual Flu Shot Clinic on Monday – Sept. 19th from 2-4.
- Council & Staff are invited to Teigen Paper Supply's 9th Annual Customer Appreciation Day on Thursday Sept. 15th at Cook Park in Roch.

B. Administrator– Reported on the new traffic lights. MnDOT has programmed these and will continue to monitor them, noting they can be changed if needed.

C. Finance Director – Reported that the City has applied for a Federal Grant to help with the Fire Department renovations. She also reported that the Historical Society house is eligible for TIF funding.

Motion by Miller-Beach, second by JHanson to meet with the Historical Society on their needs. Unanimously approved.

D. Public Works Director – Reported that work has been completed on the Brin Park trail. Work will begin at the civic center on outside improvements. Reported the SCADA system bids were in the process of being completed.

E. Library Director- No report

- F. Fire Chief- Reported on July/August calls. Reported on Task Force, noting that they have done everything that Council has asked of them. Reported on the Firemen's annual breakfast – Oct 2nd. Fire Prevention Week is Oct 9th – 15th.

X. COMMITTEE, COMMISSIONS AND BOARD REPORTS

- Care Center- No report
- Chamber of Commerce – President Grisim reported that they will be starting a "Shop Locally" campaign.
- City Beautification/Mn Design Team – Getting quotes on banners.
- EDA/HRA - Minutes of Aug 30th
- Emergency Operations Task Force – No report
- Finance- Minutes of Aug 23
- Heartland Express- Aug. Ridership
- Library- No report
- Park Board- No report
- Personnel- No report
- Public Safety/Safety Committee – Deputy Satzke reported on August calls. Noted that school is in session and to please drive carefully. RSG – minutes of Aug 18th.
- Planning & Zoning – No report
- Public Works- No report
- RAEDI- No report
- ROCOG- No report
- SCCC/STEW19 – No report

XI. COMMUNICATIONS

- A. Yaggy Colby Assoc. – Status Update

XII. RECOGNITION OF GUEST(S) OPEN MIC -

- Greg House – 604 LaPoint Dr. Thanked Public Works for a great job on the Brin Park pathway, noting that this is a very heavily used path. Felt that Councilmembers should follow the same rules as citizens and follow the Data Privacy Rules and not use employees names as was done at the Sept. 6th Budget meeting and risk putting the community in jeopardy.
- Wendy Timm – 710 23rd St. NW. Understands that Council is passionate about not raising taxes but urges them to continue to replenish their reserves. She agrees with House and feels that there were inappropriate comments at the Sept. 6th Budget meeting.
- Josh Kruger – 623 2nd St. SW. Officially now in Stewartville. Working on space for the church.

ADJOURN – Motion by Stensrud, second by Miller-Beach to adjourn. Unanimously approved.

Respectfully submitted,

Cheryl Roeder
City Clerk