

Regular Meeting
August 3, 2011
7:00 p.m.

With due call and notice thereof, the August 3, 2011 regular meeting of the Eden Valley City Council was called to order at 7:00 p.m. in the Civic Center meeting room. Present were Mayor Korman, Councilors Gabrelcik, Reetz, Bethel, and Thielen and Clerk Haag. Also present were Public Works Director Rademacher, and Police Chief Junker. Mayor Korman presided.

The agenda was unanimously approved on a motion by Bethel, seconded by Gabrelcik.

The consent agenda was unanimously approved on a motion by Reetz, seconded by Thielen. Items on the consent agenda included: Approve Minutes of July 6, 2011 Regular meeting, Adopt Donation Resolution #2011-20, Approve insurance renewal accepting liability coverage limits of \$1,500,000, with City not waiving monetary limits on municipal tort liability established by MN Statutes 644.04

The first item on the agenda was the public hearing for Proposed Modification to the Development Program for Development District No. 3 and the Proposed Modification to the Tax Increment Financing Plan for Tax Increment Financing District No. 3, a Redevelopment District. Clerk Haag reviewed the history of Tax Increment District No. 3, providing information on the original boundaries of the Development District and parcels located in the TIF District. Information was provided on the proposed modifications to the Development District boundaries and to the TIF Plan, including budget modifications. Haag explained the modifications do not change the term of the TIF District, and termination of the District is still estimated to occur on or before December 31, 2012. There were no comments or concerns presented by the public. Mayor Korman then closed the public hearing and Council member Reetz introduced Resolution #2011-21, A Resolution Adopting a Modification to the Redevelopment Program for Development District Number 3 and a Modification to the Tax Increment Financing Plan for Tax Increment Financing District Number 3, and moved its adoption. Motion was seconded by Gabrelcik. Voting in favor were Gabrelcik, Reetz, Korman, Bethel, and Thielen. Against: none, whereby Resolution #2011-21 was duly adopted.

The next item discussed by the Council was the request by Charles and Stacey Thielen, on behalf of the Gaspar family, to have the City take over maintenance and upkeep of the clock in the bank parking lot that had been donated to the community in memory of Elmo and Lorraine Gaspar. After discussion, it was the consensus of the Council to take it over as long as there is an understanding with the Gaspar family that if the clock fails and gets too expensive to repair the City can do something else with it.

Jeff Wendroth, Chad Kuechle and Dennis Nistler of the Eden Valley Fire Relief Association were present to review schedules for reporting year 2011. Dennis Nistler reviewed Schedule SC-11, reporting no required city contribution is needed. After further review, a motion was made by Gabrelcik, seconded by Bethel, and carried unanimously, to approve SC-11 as presented.

Jack Gruenes and Brad Gruenes were present on behalf of John Derichs of Jack's Oil to discuss a license and maintenance agreement. Clerk Haag reported that, as directed at the last regular Council meeting, she had contacted City Attorney Adam Ripple regarding Derichs' request to install lighting on city property. Ripple had confirmed there would definitely be a liability concern for the city to allow private lighting on city property, and that there currently was a liability with even the agreement to allow placing gravel and usage of the city property for access to Derichs' property, but that a simple license and maintenance agreement would take care of any liability issues. Ripple had drafted a sample agreement that could be revised as needed, and Haag reported she had briefly discussed some of the possible revisions with Derichs, including Item #3, Design & Installation, which referred to plans and specs and Item #6, Restoration of Improvements. Item #10, City Costs, was also noted for further discussion. Jack and Brad Gruenes reported John Derichs had reviewed the sample agreement, and did definitely have concerns with the items noted. After discussion, it was suggested #3 be changed to say improvements shall be constructed in accordance with plans approved by City's Director of Public Works, #6 Restoration shall be as directed by City's Director of Public Works, and Item #10, City Costs shall be deleted. Council proposed attorney's fees for the agreement be shared on a 50/50 basis between the City and Derichs. Haag will revise the agreement as proposed and send it to Derichs for review and completion.

Mayor Korman opened the Public Hearing to consider Vacation of a Portion of Brooks Street North. Larry Peterson, Nick Thielen, and Ralph Lambert of ISD #463 were present to answer and questions of concerns. ISD #463 has petitioned for vacation of Brooks Street North between Central Avenue East and Cossairt Avenue East in order to complete an addition to the Secondary School that will extend to the west on a portion of Brooks Street North and the school's parking lot. There is a sewer main that needs to be relocated, and is proposed to be re-routed west on Central Avenue to the alley west of Brooks Street, and then continue down the alley to Stearns Avenue East. Thielen reported they are working with the City's engineering firm, Bolton & Menk, on the sewer main issue. There were no public comments on the proposed vacation at the hearing, and Clerk Haag reported she had received one phone call from a property owner that had received written notification of the hearing, and that property owner could not attend the hearing, but had said they had no opposition to the proposed vacation. Mayor Korman then closed the public hearing. The Council discussed the proposed vacation and potential benefit to public interest, noting vacating the portion of the street would allow expansion of school facilities, which they determined would be a definite benefit, since the existence of the school in the city is of great benefit both economically and socially. The building location is currently land-locked, and there would not be the ability to expand if the street were not vacated. It was determined keeping a school district with the great reputation of ISD #463 is of great importance to the education and vitality of the community, and definitely in the best interest of the public. Resolution #2011-22, a Resolution Vacating a Portion of Street Upon Petition of a Majority of Abutting Landowners, was introduced and moved for adoption by Reetz, seconded by Thielen. Voting in favor were Gabrelcik, Reetz, Korman, Bethel and Thielen. Against: none, whereby Resolution #2011-22 was duly adopted.

The city land north of the elementary school was again discussed. Nick Thielen reported they were looking at needing a 50' strip of land that would run from their east property line to the west line, running 50' north on city property, estimated at .43 acres. This would allow them to

complete the addition planned to the elementary school and provide a 27' setback after construction. The school district would pay legal fees of survey and land transfer if the City agreed to sell the property. A value amount for selling price needs to be determined. Nick reported once the school district gets an o.k. from the Council and the rights to purchase the property they can proceed with the survey and moving forward on their addition plans. Discussion on determining a selling price was held, with Councilor Reetz noting he didn't think the City needed to charge a large amount for the property, since the sale would be helping the District and the area and he would even be in favor of selling the property for \$1. Councilor Bethel suggested the Council think it over and not come to a definite price right now. Nick confirmed the School District did not need a definite price right now, but just confirmation of whether the Council would be in favor of selling the land. Council consensus was the land would be offered for sale and the School District would have rights to purchase the property.

Minutes from the July 2011 Planning & Zoning Commission meeting were not available, but Clerk Haag reported a recommendation to approve a site permit application submitted by Aho Northwest to construct a new home at 535 Willow Avenue had been made by the Planning and Zoning Commission. A motion was made by Bethel, seconded by Gabrelcik, and carried unanimously to approve the recommendation of the Planning & Zoning Commission.

Public Forum: Postmaster Janice Sheets was present and reported the Postal Service is in dire straits and changes will be made locally to try to reduce costs. Rural routes will be going to Watkins and lobby and window hours will be changed in Eden Valley beginning August 27th. Lobby hours are proposed to be 8:00 a.m. to 4:30 p.m. Monday through Friday and 9:00 a.m. to 11:30 a.m. on Saturday. Sheets reported the limited lobby hours will be an inconvenience for a number of people who work out of town and will not have access to their mail after 4:30 p.m. She will be trying to arrange something to keep the lobby open later, but was unsure how successful she would be. She encouraged the Council to spread the word that people should use postal services offered at the window at the local post office to ensure it remains open, since many of the cuts that are being made by the Postal Service are based on income generated locally.

The Clerk presented the bills:

Total Expense: \$ 292,869.24

Concern was raised by Mayor Korman over a bill from Rinke Noonan for legal services related to union negotiations. The City had been billed \$498 for a meeting Attorney Jerry VonKorf had with Union Rep Shannon Schroeder. Korman reported the meeting had not been authorized by the Council and he had spoken with VonKorf about the meeting, and informed him the City would not be paying any charges related to the meeting. Clerk Haag is to contact City Attorney John Kolb regarding the charge of \$498. A motion was made by Bethel to approve the bills as presented, with the exception of \$498 to Rinke Noonan, and with the exception of the bill from Thielen Machine & Welding. Motion was seconded by Gabrelcik and carried unanimously. A motion was made by Bethel to pay the bill from Thielen Machine & Welding. Motion was seconded by Reetz, and carried, with Thielen abstaining.

Clerk Haag provided copies of correspondence from Minnesota Department of Health reporting the results of lead/copper monitoring that is required by the Safe Drinking Water Act, showing the city's water system has not exceeded the action level for lead and copper.

Schedules for upcoming Board of Review Training sessions offered by the State were provided to the Council to allow them to schedule the training session that will work for them.

Budget and actual information for General Fund and Enterprise Funds through July were provided to the Council for review. Haag suggested the Council and staff meet for a 2012 budget workshop before the September meeting, and suggested a special meeting be scheduled for August 24th, at 7:00 p.m. to discuss union negotiations and hold a 2012 budget workshop. Haag requested permission to attend the MNGFOA conference in September and have lodging expense covered, and request was granted.

Haag also reported the City had received a check for \$18,892.42 from Resource Training & Solutions, representing a refund as a result of the city's very favorable group health claims experience for the plan year ending December 31, 2010. Rob Cavanna, Executive Director, asked to also convey congratulations to the City Council.

Police Chief Junker provided the June report from the Police Department and reported the new officer helping out part-time is working out well.

Public Works Director Rademacher reported he has been quite busy as Emergency Management Director with the threatening weather this summer and wished to express his appreciation to the Police Department and Fire Department & Rescue Squad for their assistance.

Rademacher provided bids for the street improvements on Logeais Street and Park Avenue East. Combined bid from Caldwell Asphalt & Thielen Excavating to complete the job was \$45,880.00; bid from Mid Minnesota Hot Mix was \$57,581.00, and bid from Voss was \$45,224.91.

Rademacher recommended bid from Caldwell and Thielen be accepted, based on experience. After review, a motion was made by Thielen to complete the project and award the bid to Thielen Excavating and Caldwell Asphalt. Motion was seconded by Bethel, and carried unanimously.

Rademacher reported inflow and infiltration in sewer lines is still high, with one day alone seeing over 1 million gallons entering treatment ponds, while 100,000 gallons of water was pumped at the wells. Discussion was held on dealing with sump pumps illegally discharging into the sewer system. Rademacher reported the City of Paynesville had hired Bolton & Menk to inspect homes to check sump pump connections. It was suggested Rademacher put a notice in the paper reminding residents of the city's ordinance prohibiting sump pumps from discharging into the sanitary sewer system, and it was also suggest flyers be distributed door to door during the next water meter reading event.

Rademacher reported the Highway 22 project is still in MNDOT's review/planning department.

Mayor Korman reported an 18" culvert has been installed where the waterway was filled in along Highway 55 near the Laundromat.

Korman also provided an update on union negotiations, reporting 3 of the 4 groups have tentative agreements, with the Patrol Officer requesting to meet with the Council to further discuss his contract.

Next meeting dates will be August 24th special meeting if the date works for Union Rep

Schroeder, or August 31st for an alternate date, with regular Council meeting scheduled for September 7, 2011.

As there was no further business, the meeting was adjourned on a motion by Reetz, seconded by Gabrelcik.

Attest:

Mona Haag, Clerk/Treasurer

Peter Korman, Mayor

CITY OF EDEN VALLEY

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Page 1

*Check Summary Register©

August 2011

Name	Check Date	Check Amt	
10100 STATE BANK IN EV			
Paid Chk# 005061	AMERIPRIDE SERVICES	8/4/2011	\$120.48 Uniform rental
Paid Chk# 005062	SUSAN ANDERSON	8/4/2011	\$667.47 Insurance
Paid Chk# 005063	ARENS ELECTRIC	8/4/2011	\$241.21 Repairs
Paid Chk# 005064	JUANITA ARENS	8/4/2011	\$400.00 Service
Paid Chk# 005065	AT&T UNIVERSAL CARD	8/4/2011	\$1.00 Services
Paid Chk# 005066	BANYON DATA SYSTEMS	8/4/2011	\$780.60 Services
Paid Chk# 005067	BCBS/RESOURCE TRAINING	8/4/2011	\$6,010.00 Insurance
Paid Chk# 005068	BENUSA CONTRACT SALES & S	8/4/2011	\$966.15 Supplies
Paid Chk# 005069	PEGGY BETHEL	8/4/2011	\$250.00 Services
Paid Chk# 005070	BOLTON & MENK, INC	8/4/2011	\$595.00 Engineering
Paid Chk# 005071	BUSINESS FORMS & ACCOUNTU	8/4/2011	\$260.53 Supplies
Paid Chk# 005072	CUF	8/4/2011	\$106.53 Insurance
Paid Chk# 005073	CALDWELL ASPHALT CO.	8/4/2011	\$9,000.00 Sealcoat
Paid Chk# 005074	CAR QUEST	8/4/2011	\$18.23 Supplies
Paid Chk# 005075	CREATIVE PRODUCT SOURCE	8/4/2011	\$89.23 Supplies
Paid Chk# 005076	DIVERSICOM	8/4/2011	\$1,177.21 Phone service
Paid Chk# 005077	DPC INDUSTRIES, INC.	8/4/2011	\$1,347.23 Supplies
Paid Chk# 005078	EDEN VALLEY LUMBER CO	8/4/2011	\$351.95 Supplies
Paid Chk# 005079	ERKENS WATER SOFTENER SE	8/4/2011	\$66.53 Supplies
Paid Chk# 005080	ERTL HARDWARE	8/4/2011	\$69.78 Supplies
Paid Chk# 005081	FRAUENSHUH & SPOONER, P.A.	8/4/2011	\$267.20 Legal services
Paid Chk# 005082	GENERAL RENTAL CENTER	8/4/2011	\$105.81 Rental
Paid Chk# 005083	GOPHER STATE ONE-CALL	8/4/2011	\$21.75 Services
Paid Chk# 005084	HEARTLAND SECURITY	8/4/2011	\$189.96 Services
Paid Chk# 005085	HENRYS WATERWORKS	8/4/2011	\$981.93 Supplies
Paid Chk# 005086	IIMC	8/4/2011	\$135.00 Dues
Paid Chk# 005087	JACK'S OIL DISTRIBUTING INC	8/4/2011	\$269.25 Fuel
Paid Chk# 005088	JIM NEUMAN SMALL ENGINE RE	8/4/2011	\$75.71 Repairs
Paid Chk# 005089	KEEPRS, INC.	8/4/2011	\$33.11 Supplies
Paid Chk# 005090	KELLYS HEATING AND AC	8/4/2011	\$2,241.00 Repairs
Paid Chk# 005091	GREG KUMMET	8/4/2011	\$30.00 Repairs
Paid Chk# 005092	LMCIT	8/4/2011	\$110.00 Insurance
Paid Chk# 005093	MEEKER COUNTY ATTORNEY	8/4/2011	\$52.50 Legal
Paid Chk# 005094	MEEKER COUNTY SHERIFF	8/4/2011	\$26.60 Services
Paid Chk# 005095	MINI BIFF LLC	8/4/2011	\$237.08 Rental
Paid Chk# 005096	MINNESOTA COPY SYSTEMS	8/4/2011	\$26.27 Copier
Paid Chk# 005097	MN GFOA	8/4/2011	\$225.00 Registration
Paid Chk# 005098	MN PFA	8/4/2011	\$196,588.71 Loan payments
Paid Chk# 005099	MOSER ELECTRIC	8/4/2011	\$340.48 Repairs
Paid Chk# 005100	MR. HEATING & AC, LLC	8/4/2011	\$1,741.25 AC
Paid Chk# 005101	440600 NCPERS MINNESOTA	8/4/2011	\$32.00 Insurance
Paid Chk# 005102	PELKEY REFRIGERATION	8/4/2011	\$675.73 Repairs
Paid Chk# 005103	BOB PESCHON	8/4/2011	\$200.00 Services
Paid Chk# 005104	REINER IRRIGATION	8/4/2011	\$189.13 Repairs
Paid Chk# 005105	RINKE NOONAN	8/4/2011	\$46.50 Legal
Paid Chk# 005106	RON'S SOFT WATER	8/4/2011	\$60.00 Repairs

CITY OF EDEN VALLEY

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Page 2

*Check Summary Register©

August 2011

Name	Check Date	Check Amt	
Paid Chk# 005107 S & T OFFICE PRODUCTS	8/4/2011	\$731.07	Supplies
Paid Chk# 005108 SCHAEFERS AUTO ELECTRIC	8/4/2011	\$138.94	Repairs
Paid Chk# 005109 SELECT ACCOUNT	8/4/2011	\$937.10	Flex
Paid Chk# 005110 THIELEN MACHINE & WELDING,	8/4/2011	\$168.25	Repairs
Paid Chk# 005111 TOSHIBA FINANCIAL SERVICES	8/4/2011	\$134.72	Copier lease
Paid Chk# 005112 UTILITY CONSULTANTS, INC.	8/4/2011	\$1,302.00	Testing
Paid Chk# 005113 VALLEY DAZE COMMITTEE	8/4/2011	\$300.00	Parade services - 40&8
Paid Chk# 005114 VALLEY QUICK STOP	8/4/2011	\$1,048.34	Gas
Paid Chk# 005115 VMG	8/4/2011	\$53.20	Supplies
Paid Chk# 005116 XCEL ENERGY	8/4/2011	\$3,957.37	Electric
Total Checks		\$236,192.09	

FILTER: None

CHECK#	TO:	FOR:	AMOUNT
39628	Kelly's Heating & AC	AC unit	2145.00
396280	City Utilities	Water/sewer	999.26
39629	PERA	PERA	1286.23
EFT	ING	MN DCP	50.00
39630	Lumber One	Supplies	92.28
39631	MN Revenue	Sales tax	474.00
EFT	IRS	Payroll taxes	4062.70
39632	PERA	PERA	1237.58
EFT	ING	MN DCP	50.00
JE201122	EV-W Treatment	July usage	9585.00
5017-			
5047	Fire & Rescue	Clothing allowance	2415.00
5048	AT & T Universal	Supplies	396.67
5049	Center Point Energy	Natural gas	412.40
5050	D. Ervasti Sales Co.	Maint/repair	3751.85
5051	Eden Place Apts. Of EV	TIF Developer pymt	2189.01
5052	Laddco LLC	TIF Interest pymt	4541.05
5053	Meeker Cooperative	Electric	664.00
5054	MN Revenue	State withholding	636.12
5055	Rambow	Supplies	960.00
5056	Select Account	Flex & ins.	45.86
5057	T-Mobile	Phone service	136.81
5058	Union Security Insurance	Insurance	361.65
5059	West Central Sanitation	Services	157.32
5060	Xcel Energy	Electric	2005.27
21291-			
21321	Fire & Rescue	Salaries	5555.73
21322-			
21329	Payroll	Salaries	6041.53
21330-			
21337	Payroll	Salaries	5926.83
Total This Page			\$56179.15
GRAND TOTAL			\$292371.24