

Regular Meeting  
July 6, 2011  
7:00 p.m.

With due call and notice thereof, the July 6, 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, and Thielen and Clerk Haag. Absent: Councilor Bethel. Also present were Public Works Director Rademacher, Police Chief Junker, and others. Mayor Korman presided.

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

The consent agenda was unanimously approved on a motion by Thielen, seconded by Reetz. Items on the consent agenda included: Approve Minutes of June 8, 2011 Regular meeting, Adopt Donation Resolution #2011-18, Approve purchase of \$100,000 CD – GE Capital Financial at 1.8%, maturity 6/10/15

Cheryl Thielen, of Thrivent Financial, had provided a written request at the June 8<sup>th</sup> regular meeting for reimbursement in the amount of \$2000 for a loss she had incurred at her rented office on November 25, 2010, and action had been tabled and Clerk Haag was to contact other cities of similar size to request what action they would take in a similar situation. The city's insurance adjuster had denied payment of the insurance claim submitted by Ms. Thielen. Haag provided responses from four different cities, three responding they would not provide reimbursement, and one indicating they had in the past, but regret the action and would not do it again. After discussion and review, a motion was made by Reetz to deny the payment of the \$2000 reimbursement requested. Motion was seconded by Thielen, and carried unanimously.

A petition for vacation of a portion of Brooks Street North, between Central Avenue East and Cossairt Avenue East was submitted by Frank Eder on behalf of ISD #463. Resolution #2011-19, A Resolution Setting a Public Hearing on a Vacation Commenced by a Petition of a Majority of Abutting Landowners, setting a hearing for 7:30 p.m. on August 4, 2011, was introduced and moved for adoption by Thielen, seconded by Gabrelcik. Voting in favor were Gabrelcik, Reetz, Korman, and Thielen; against: none, whereby Resolution #2011-19 was duly adopted. ISD #463 Business Manager Nick Thielen and Head Building/Grounds Engineer Ralph Lambert were present to review plans for an addition to the EV-W Elementary School building and request the Council consider selling a tract of land that lies north of the existing elementary school. Thielen explained the initial elementary school addition design was to add a wing to the east side of the building, approximately midway on the building, but after additional review it is apparent the district could save money and space by moving the east wing to the north end of the building. During review, it became apparent there is a property line issue, since an addition on the north end would encroach on the existing property line, plus it also became apparent the existing temporary classroom buildings do not currently meet the 25-foot setback required by the City's zoning ordinance. Drawings of the proposed addition were provided and showed if the school was able to purchase a strip of land 50' wide to the north of their current property line it would allow them to complete the addition and meet the 25-foot setback. In reviewing the location, it was estimated that an east/west line of 375' would allow the tract to be somewhat

squared with existing property lines, but the school would have a better idea once they completed survey information on the area. Clerk Haag reported she had contacted City Attorney Adam Ripple regarding the proposal, and he indicated the Council could authorize the sale of the tract of land to the School District without advertising, since the school is another government entity, but that Planning & Zoning should review the proposal, and the Council should determine the sale of the property would not have any adverse effect on the city or its wastewater irrigation operations. He also advised the price of the land could be determined based on current land values, or the city could choose to sell the property for far less than current land values since it would be used for a public purpose. In addition, he recommended the School District bear the expense of the land transfer, and Business Manager Thielen indicated that would not be a problem. Haag reported she had also consulted Public Works Director Rademacher regarding whether the tract of land was needed by the City to meet their land requirements under the MPCA wastewater permit and he indicated it was not needed for irrigation or for acreage requirement. Business Manager Thielen reported the school would move forward with survey work on the property if the Council indicated there would be a possibility of consideration of the land transfer. After review, the Council consensus was they were favorable to the idea of a land transfer and would refer the issue to Planning and Zoning for review.

Clerk Haag reported Charles & Stacy Thielen would like a response from the Council on whether or not the City will accept the clock, erected in the bank parking lot in memory of Elmo Gaspar, as well as future maintenance and repairs of the clock. If the City will not accept it, they will have to find another alternative, or the clock may have to be removed. Councilor Thielen was in favor of the City accepting the clock and issues of maintenance on the clock were discussed. Public Works Director Rademacher reported an electrician had fixed the clock this morning, and suggested the Council take a look at the clock and talk to the electrician to see what he thinks future maintenance issues may be. Since the Thielen's have been waiting for an answer, it was suggested the Council be ready to make a final decision at the next regular meeting, and Haag was asked to contact the Thielens in the meantime and let them know an answer would be coming then.

Public Works Rademacher reported a request was received from John Derichs of Jack's Oil to place 4 to 6 of his light poles on city property south of Derichs' property. A map showing the location of the property, with the City's property indicated as "Tract B" and some of Derichs property indicated as "Tract A" on the map was provided to the Council. Rademacher reported Derichs would be responsible for installing and maintaining the lights and would also be responsible for any eruption of the water main in that area as well. Rademacher further reported the Council had previously given Derichs permission to drive on the property, place gravel there, and park there, and that Derichs also invites truckers to park there. The Council questioned if Derichs had given permission to truckers to park on "Tract B" as well, and Rademacher clarified he had not given them permission for "Tract B", but only on his own property. Councilor Thielen reported he remembered the Council authorizing Derichs to use the lot for driving purposes, not to park on, and Rademacher reported he had not looked back in the minutes, so he could not say for sure. Mayor Thielen questioned what the potential for liability to the City may be if they allowed Derichs to place his own lights on city property. Councilor Thielen suggested if lighting was needed there, maybe the city could install city owned lights and that would take away the liability. Rademacher reported Derichs had his own lights that he wished to

install. Councilor Reetz suggested the City Attorney be contacted, and if no liability issue, the lighting could be approved. Councilor Thielen suggested Derichs could also look at putting lights on his building that would shine to the south and light up the area. After further discussion, a motion was made by Reetz to approve the lights as requested contingent on an answer by the City Attorney that there would be no liability for the City, and if there would be liability, Mr. Derichs could not install his lights. Motion was seconded by Thielen, and carried unanimously.

Minutes from the June 15, 2011 Planning & Zoning Commission meeting, recommending approval of site permits for Lovey Theis for addition of wood decks and Kevin Nohner for an addition to the entrance of a house, were reviewed by the Council. A motion was made by Gabrelcik, seconded by Reetz, and carried unanimously to approve the recommendations of the Planning & Zoning Commission.

Public Forum: Don Euerle was present to discuss the storm water situation by his home and the fill that was placed in a waterway along Highway 55 last year. Mayor Korman reported he had been in contact with both the Eden Valley Sauk River Watershed Board Representative Virgil Rettig and Army Corps of Engineer representative Andy Baudette regarding the issue and Mr. Baudette is working on it and had suggested if documentation of damage to property could be provided it could help to speed up the process of correction. Pictures of Euerle's basement were taken and submitted to Baudette, and Mayor Korman suggested the city contact Baudette and let him know it is an urgent situation that needs to be corrected as soon as possible.

The Clerk presented the bills:

Total Expense: \$ 110,465.47

A motion to pay the bills as presented was made by Reetz seconded by Gabrelcik and carried unanimously.

Clerk Haag provided copies of Certificate of Meeker County Board for parcels of land classified as non-conservation lands, from the list of land forfeited to the State of Minnesota for non-payment of taxes for the years 2007-2010. Parcels included in the certifications were Parcel 24-0086000, address 267 State Street North; Parcel 24-0157000, address 392 Cossairt Avenue West, and Parcel 24-0155000, address 360 Cossairt Avenue West. After review, the classification and sale of the tax forfeited property by Meeker County Board was unanimously approved on a motion by Gabrelcik, seconded by Thielen.

Haag reported she had contacted City Engineer Chuck DeWolf about the tree located on the Deborah Krone property at 244 Jeanne Avenue. Last year Ms. Krone had reported the tree was damaged during construction of the city street and utility project. DeWolf reported the tree will be replaced and Haag had contacted Ms. Krone and it appeared she was satisfied with the decision.

Since there is currently a State government shut-down, the training for City Council Board of Review duties has been cancelled and will be re-scheduled once the State offices are back in business.

Haag reported she had been contacted by representatives of State Bank in Eden Valley regarding property they now own at 451 Coleman Avenue East. There are two parcels of property there and the Bank is exploring the idea of possibly splitting one of the parcels, and perhaps selling

the property as either 1, 2, or 3 buildable lots. Currently the plat shows Bell Street extended to the parcel on the north, which would allow access there, and the Bank was questioning the process of developing Bell Street to that parcel, since Bell Street currently ends at Coleman Avenue and does not extend to the north as shown on the plat. Haag suggested the Council may want to explore the idea of possibly vacating the extension of Bell Street, and retain a utility easement on it, rather than develop it, since the cost of development and future maintenance of the street could be an issue and it would not benefit the public, since it would be a dead-end street that would just access the parcel to the North. Haag reported in past issues there have been times when it was discovered that a platted street had not been officially dedicated as a street, but instead was listed as city property, and in those cases the City sold the property, since vacation was not an option, so if the Council so desired, she would contact the County to determine if the platted street extension was dedicated as a street. Haag had also advised the Bank representative to contact Stearns County to determine if the parcels were buildable, or if there were wetland issues that needed to be addressed regarding development of the property. Council consensus was to have Haag contact the County to determine if the platted street extension had been dedicated as a street, and to refer the issue of possible vacation of the street or sale of the property to Planning & Zoning for their review.

Police Chief Junker reported Valley Daze had gone well, but was a very busy time for the Police Department. Junker will be taking some vacation time and requested Peterka be allowed to pick up 2 extra shifts in the pay period while Junker is gone. Consensus of the Council was favorable to this request. Junker reported new part-time officer Trevor Berger had worked Valley Daze and was doing well. The Council requested Officer Berger be invited to a meeting to allow the Council to meet him, and Junker will arrange this.

Public Works Director Rademacher provided two bids for boring water lines on Smith Street South to extend water service to the east side of Smith Street south of Park Avenue. Ron's Excavating submitted a bid of \$9100, and C & L Excavating submitted a bid of \$8865. A motion was made by Reetz to award the bid to C & L Excavating. Motion was seconded by Gabrelcik and carried unanimously. Rademacher reported on various issues in the Public Works Department, including the fact that inflow and infiltration is very high throughout the city sanitary sewer system due to all the rain this year.

Next regular Council meeting and public hearings for TIF amendment and Street Vacation are scheduled for August 3, 2011.

Mayor Korman announced the Council would consider going into closed session to discuss union negotiations, and entertained a motion to close the meeting by Gabrelcik. Motion was seconded by Reetz, the Council went into closed session, and all present, with the exception of the City Council left the meeting.

Attest:

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Mona Haag, Clerk/Treasurer

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Peter Korman, Mayor

A recording of the closed session was made, and will be held in a locked file at the Eden Valley City Hall for the statutory period of time. Mayor Peter Korman will hold the combination to the locked file. The closed session was held.

The meeting went back into open session. A motion to adjourn the meeting was made by Reetz, seconded by Gabrelcik, and carried.

Dated: \_\_\_\_\_

Respectfully Submitted,

\_\_\_\_\_  
Peter J. Korman, Mayor

CITY OF EDEN VALLEY

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\*Check Summary Register©

July 2011

Name	Check Date	Check Amt	
<b>10100 STATE BANK IN EV</b>			
Paid Chk# 004957 RITA ANDERSON	7/7/2011	\$60.00	P&Z - 2nd qtr.
Paid Chk# 004958 MARK BERG	7/7/2011	\$60.00	P&Z 2nd Qtr
Paid Chk# 004959 HAROLD BETHEL	7/7/2011	\$30.00	P&Z - 2nd Qtr
Paid Chk# 004960 AMERIPRIDE SERVICES	7/7/2011	\$120.48	Uniform rental
Paid Chk# 004961 SUSAN ANDERSON	7/7/2011	\$670.97	Insurance
Paid Chk# 004962 JUANITA ARENS	7/7/2011	\$400.00	Services
Paid Chk# 004963 ARNOLDS OF KIMBALL	7/7/2011	\$545.42	Supplies
Paid Chk# 004964 AT&T UNIVERSAL CARD	7/7/2011	\$222.10	Supplies & services
Paid Chk# 004965 BCBS/RESOURCE TRAINING	7/7/2011	\$6,010.00	Insurance
Paid Chk# 004966 PEGGY BETHEL	7/7/2011	\$250.00	Services
Paid Chk# 004967 BOND TRUST SERVICES	7/7/2011	\$3,332.50	Interest on 2007 GO Bond
Paid Chk# 004968 CUF	7/7/2011	\$106.53	Insurance
Paid Chk# 004969 CAR QUEST	7/7/2011	\$81.00	Supplies
Paid Chk# 004970 CITY OF WATKINS	7/7/2011	\$863.34	Bill's hours
Paid Chk# 004971 DIVERSICOM	7/7/2011	\$1,178.56	Phone service
Paid Chk# 004972 EDEN VALLEY LUMBER CO	7/7/2011	\$196.74	Supplies
Paid Chk# 004973 ERTL HARDWARE	7/7/2011	\$47.76	Supplies
Paid Chk# 004974 GENERATOR POWER SYSTEMS	7/7/2011	\$3,350.00	Maint/Rep
Paid Chk# 004975 GOPHER STATE ONE-CALL	7/7/2011	\$24.65	Service
Paid Chk# 004976 HACH COMPANY	7/7/2011	\$137.86	Supplies
Paid Chk# 004977 HD SUPPLY WATERWORKS	7/7/2011	\$84.48	Supplies
Paid Chk# 004978 HEARTLAND SECURITY	7/7/2011	\$63.32	Services
Paid Chk# 004979 HYDRO ENGINEERING	7/7/2011	\$237.50	Maint/Rep
Paid Chk# 004980 JACK'S OIL DISTRIBUTING INC	7/7/2011	\$80.16	Rental
Paid Chk# 004981 JOURNAL PATRIOT	7/7/2011	\$135.94	Adv & printing
Paid Chk# 004982 KELLYS HEATING AND AC	7/7/2011	\$2,772.00	Maint contract
Paid Chk# 004983 KRAMER ELECTRIC	7/7/2011	\$251.02	Maint/Rep
Paid Chk# 004984 LANDSCAPE STRUCTURES INC	7/7/2011	\$2,156.74	Supplies
Paid Chk# 004985 LMCIT	7/7/2011	\$11,835.00	Work Comp Insurance
Paid Chk# 004986 MARC	7/7/2011	\$63.83	Supplies
Paid Chk# 004987 MEEKER COUNTY AUDITOR	7/7/2011	\$900.00	Dispatch fees
Paid Chk# 004988 MEEKER COUNTY COURT SERVI	7/7/2011	\$140.00	STS Services
Paid Chk# 004989 MEEKER COUNTY SHERIFF	7/7/2011	\$40.00	Services
Paid Chk# 004990 MIES OUTLAND	7/7/2011	\$23.25	Supplies
Paid Chk# 004991 MIKES BAIT	7/7/2011	\$19.23	Supplies
Paid Chk# 004992 MIKE'S STANDARD	7/7/2011	\$1,621.60	Gas
Paid Chk# 004993 MINNESOTA COPY SYSTEMS	7/7/2011	\$58.95	
Paid Chk# 004994 MOSER ELECTRIC	7/7/2011	\$50.00	Repairs
Paid Chk# 004995 MR. HEATING & AC, LLC	7/7/2011	\$1,447.90	Repairs
Paid Chk# 004996 BOB PESCHON	7/7/2011	\$200.00	Services
Paid Chk# 004997 BRIAN PETERKA	7/7/2011	\$61.92	Antivirus software
Paid Chk# 004998 PRECAST SYSTEMS	7/7/2011	\$9,575.00	EV sign
Paid Chk# 004999 PROMOTIONAL RESOURCES EN	7/7/2011	\$1,780.00	Supplies
Paid Chk# 005000 JAMES RADEMACHER	7/7/2011	\$112.50	Rental
Paid Chk# 005001 RIDGEWATER COLLEGE	7/7/2011	\$1,200.00	Training
Paid Chk# 005002 RINKE NOONAN	7/7/2011	\$1,258.30	Legal

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\*Check Summary Register©

July 2011

Name	Check Date	Check Amt	
Paid Chk# 005003 SAMS CLUB	7/7/2011	\$105.00	Membership 3412330894742
Paid Chk# 005004 SELECT ACCOUNT	7/7/2011	\$314.51	Flex
Paid Chk# 005005 SERVOCAL INSTRUMENTS INC.	7/7/2011	\$390.00	Maint/Rep
Paid Chk# 005006 SHERRIES SIGNS	7/7/2011	\$165.65	Supplies
Paid Chk# 005007 TESSMER MEATS	7/7/2011	\$169.26	Supplies
Paid Chk# 005008 TOM'S CARPET KINGDOM	7/7/2011	\$4,413.00	Maint/Rep
Paid Chk# 005009 TOSHIBA FINANCIAL SERVICES	7/7/2011	\$134.72	Copier lease
Paid Chk# 005010 TOTAL LAWN CARE	7/7/2011	\$171.00	Services
Paid Chk# 005011 US BANK	7/7/2011	\$5,416.25	Acct. 33526800 Int on 2003 Bon
Paid Chk# 005012 UTILITY CONSULTANTS, INC.	7/7/2011	\$180.50	Testing
Paid Chk# 005013 VALLEY QUICK STOP	7/7/2011	\$195.63	Gas
Paid Chk# 005014 VMG	7/7/2011	\$254.96	Supplies
Paid Chk# 005015 XCEL ENERGY	7/7/2011	\$3,937.57	Electric
Paid Chk# 005016 ZIEGLER INC.	7/7/2011	\$175.05	Supplies
<b>Total Checks</b>		<b>\$69,879.65</b>	

FILTER: None

<u>CHECK#</u>	<u>TO:</u>	<u>FOR:</u>	<u>AMOUNT</u>
39621	Geyer	Rental	107.38
39622	Bob DeMorett	Rent deposit refund	25.88
39623	PERA	PERA	1272.33
ACH	ING	MN DCP	50.00
39624	USPS	Stamps	175.00
39625	PERA	PERA DCP	148.00
39626	MN Revenue	State withholding	660.78
EFT	IRS	Payroll taxes	3428.78
JE2011	EV-W Treatment	June usage	9229.50
39627	PERA	PERA	1348.66
ACH	ING	MN DCP	50.00
4946	AT & T Universal	Supplies	189.98
4947	Center Point Energy	Natural gas	491.24
4948	Jugs Sports Inc.	Supplies	310.90
4949	Meeker Cooperative	Electric	538.00
4950	MN NCPERS Life	Insurance	32.00
4951	Select Account	Flex	245.74
4952	T-Mobile	Phone service	146.74
4953	Union Security Insurance	Insurance	361.65
4954	USPS	Box rent	98.00
4955	Valley Daze	Services	7500.00
4956	West Central Sanitation	Services	154.69
21270-			
21277	Payroll	Salaries	6139.34
21278-			
21282	Council	Salaries	1384.53
21283-			
21290	Payroll	Salaries	6496.70
	Subtotal		40585.82
	Grand Total All Bills		\$ 110465.47