

REGULAR MEETING OF THE CITY COUNCIL  
CITY OF CALEDONIA, MINNESOTA  
Monday, March 9, 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 and Tom Murphy. Members absent: Robert Lemke. Consultants and City staff present: Mike Gerardy, Matt Blocker, Chuck Gavin, Matt Hoscheit, Randy Shefelbine, Chad Heuser, James Stemper, Tom Nigon and Chuck Gustafson and Robert L. Nelson. Visitors present: Ron Hagen, Steve Buttell and Charlie Warner, Report.

CONSENT AGENDA: Following brief discussion, a motion was made by Mayor Burns, 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, February 23, 2009, as presented.

VISITORS AND COMMUNICATIONS

A. ZONING APPLICATION – HAGEN: Ron Hagen and Mike Gerardy explained to the Council a Zoning Application proposing to construct a 30' x 40' attached garage at 729 South Winnebago Street. Based upon the size of the parcel, this requires a 300 square foot area variance on the garage size, being that the proposed garage is 1,200 square feet and the maximum size permissible for this size parcel is 900 square feet. Following extensive discussion about the layout of the property and proposed building changes, which include removal of an old garage and a back porch on the building, Mayor Burns explained that he would agree with a somewhat smaller garage, such as 30' x 36', but not the size proposed by Mr. Hagen. Following discussion, a motion was made by Mayor Burns, seconded by Member Murphy, to approve a 30' x 36' garage, granting a variance of 180 square feet. Members voting in favor: Burns and Murphy. Opposed: Vick and Perry. The motion was declared failed.

B. ADMINISTRATIVE COORDINATOR TOPICS

1. WARRIOR SIGN: Steve Buttell and Mr. Gerardy explained to the Council the agreed upon location per council committee for the warrior sign to be placed and showed pictures and a general illustration of the layout. The recommendation was to place the sign in a strip of land owned by the City nearby the Kwik Trip Sign on a diamond shape parcel between the City Street and state highway right-of-way. It will be a two sided sign so it may be read from either northbound or southbound traffic. The sign will be 8 ft. wide and 10-12 ft. high. Following discussion, a motion was made by Mayor Burns, seconded by Member Perry, to approve the sign and its location. All members present voted in favor and the motion was declared carried.
2. SPRAGUE WOODS TREES: Mr. Gerardy informed the Council that some old, larger, trees and plants are suffocating the smaller vegetated growth. This is resulting in losses of a variety of plants and trees and the recommended cure is to take forestation measures to selectively remove large trees and plants that the younger varieties will prosper. Mention was made that Caledonia Green donated the Sprague Woods to the City of Caledonia with the intent that the woods was to remain as closely as possible in its usual and customary natural state. In order to assure the successful growth of the multiple varieties of plants and trees in the woodland area, this forestation process is necessary. Following discussion, a motion was made by Mayor Burns, seconded by Member Vick, to approve the forestation plan for the Sprague Woods to assure preservation of the multiple species growing there. All members present voted in favor and the motion was declared carried.
3. ZONING ORDINANCE – AMENDMENTS: Mr. Gerardy offered an amendment to the zoning ordinance recommending a change to Section 153.093, Conditional Uses by adding paragraph (B) Government Buildings. This amendment was recommended initially by City Attorney Murphy. Further, to amend Section 153.307, design and maintenance of off-street parking areas, by deleting paragraph (E) a parking space shall not be less than 300 square feet per vehicle of standing and maneuvering area. (Ord. 164, past 9-14-1982) Mr. Gerardy asked if there were any endorsements or oppositions to these proposed changes which will

be advertised for a public hearing and brought back to a future council meeting on March 30, 2009.

4. 2010 ELECTRICAL IMPROVEMENT: Matt Blocker, Tom Nigon and Chuck Gustafson joined in a presentation on the proposed 2010 electrical department infrastructure improvements, particularly in the Foltz Addition on the northwest area of the City and Sunnyside Addition in the southwest area of the City. Mr. Nigon and Mr. Gustafson reaffirmed the Cities intent to have transformers, junction boxes, and the like installed on the front property line, showing photos in a power point presentation of the reasons for not placing them on the rear property lines. Photos showed boxes which were almost invisible and totally in-assessable because of fences, trees and other vegetative plantings surrounding the utilities. Replacement of a transformer in such location would be next to impossible. Mr. Gustafson explained the various advantages to the improvements to be made and the reasons for them. They also introduced a line extension and electric use policy drafted originally in 2003, but never adopted by the Council at that time. Following discussion, the Council concurred by consensus with continuing the 2010 improvement plan as displayed and generally accented to a preliminary future plan for further improvement projects to be organized by PowerPlus Engineering. A motion was then made by Member Perry, seconded by Member Vick, to adopt the line extension and electric use policy as presented. All members present voted in favor and the motion was declared carried.

#### C. POLICE DEPARTMENT

1. RESPONSE TIME ISSUE: Chad Heuser informed the Council that he was concerned about his obligation to move to within a 15 minute response time of the City of Caledonia since he was hired on July 14, 2008. He understood his obligation was to move within one year. Officer Heuser explained that his wife works for the parks department of the City of Winona and is also under a 30 minute response time. He asked the Council if it would be permissible for him to purchase a home in Houston, MN, which he calculated would be reasonably within a 15 minute response time of Caledonia and would also be within a 30 minute response time for his wife at Winona. There was significant discussion about the distance from Caledonia to Houston and the condition of Highway 76, particularly Badger Hill. It was also mentioned that an officer hired a few years ago from Spring Grove was required to relocate to within a 15 minute response time since Spring Grove, 9 miles from Caledonia was considered to be beyond the 15 minute response time. Houston is approximately 12 miles from Caledonia. Following discussion, the Council by general consensus tabled the issue until the meeting of March 23<sup>rd</sup>.
2. POLICE DEPARTMENT STAFFING: Clerk Nelson and Chief Shefelbine that the decision to lay the police department secretary off as of March 31 was not working out with regard to department efficiency. For that and other reasons, they recommended that the secretary be laid off immediately with severance pay continuing through March 31, 2009. Thereafter, a motion was made by Mayor Burns, seconded by Member Vick, to layoff the secretary immediately with severance pay to run through March 31, 2009. All members present voted in favor and the motion was declared carried.
3. OVERTIME ISSUE: Discussion was then taken up on the circumstance of Gary Bubbers, a part-time police officer, working two continuous shifts for a period of 19 hours from January 31 unto February 1, 2009. The issue was centered on whether or not he was to receive straight time pay for two consecutive shifts or to be paid straight time for a 10 hour shift with 9 hours at time and a half for his remaining hours of work. At the time of payroll calculation for that pay period, the calculation was performed at straight time for 19 hours being two consecutive shifts. Chief Shefelbine and Caledonia Police Officer Association President Jim Stemper said Officer Bubbers had performed the duty with the expectation of receiving time and one half payment for all hours beyond a 10 hour shift. They said if the council would agree to this overtime payment they would understand such shifts were not to be assigned in the future. Following discussion, a motion was made by Mayor Burns, seconded by Member Perry, to authorize overtime for Officer Bubbers for 9 hours of that 19 hour shift, but that no future assignments were to be made with predetermined overtime payment such as this shift schedule. All members present voted in favor and the motion was declared carried.

4. RESIGNATION / RETIREMENT: Chief Shefelbine submitted a letter of Resignation / Retirement stating that his last day of duty would be May 31<sup>st</sup> with his retirement to begin June 1, 2009. A motion was made by Mayor Burns, seconded by Member Vick, to accept Chief Shefelbine's resignation, effective June 1, 2009. All members present voted in favor and the motion was declared carried.
  
5. GRANT APPLICATION: Chief Shefelbine informed the Council that the department wanted to write a COPS Grant, explaining the money came from the federal government to hire one or more police officers for a period of 3 to 4 years with the city then having the obligation to continue employment for at least one more year. Also during the 3 or 4 year period to be paid by the federal government, straight time was to be covered with federal funds, overtime and some other benefit payment were to be made by the City. Following discussion, a motion was made by Member Vick, seconded by Member Perry, to authorize the Police Department to submit a COPS Grant Application. All members present voted in favor and the motion was declared carried.

CLAIMS

A. PREPAID CLAIMS: Following review, discussion and deliberation, a motion was made by Member Perry, seconded by Member Murphy, to approve the Prepaid Claims list for February 2009. All members present voted in favor and the motion was declared carried.

Affordable Technology Sol.	Technician Services	22.50
Blue Cross Blue Shield	Health Insurance	25,874.00
Johnson, Allan	2009 Uniform Allowance	123.50
Minnesota Energy Resources	Natural Gas	10,902.26
St. Joseph Equipment, Inc.	Repairs on Plow	2,661.02
Personal Touch Monogramming	2009 Uniform Allowances	157.62
Schott Distributing Co, Inc.	Beer	3,703.15
Spring Grove Soda Pop, Inc.	Beer & Soft Drinks	109.60
Tostrud & Temp, S.C.	2008 Audit – Partial Billing	425.00
Affordable Technology Sol.	Computer & Install – Clerk	2,126.24
Amaril Uniform Company	Safety Uniforms	408.64
Betz, Mark	2009 Uniform Allowance	61.53
Caledonia True Value	Miscellaneous	203.79
E O Johnson Company	Clerk's Coy Machine	188.95
EMS Regulatory Board	Training Program Approval	100.00
Extreme Beverage, LLC	Liquor Store – Soft Drinks	67.00
Jack Neumann Trucking	Freight Expense	160.50
Johnson Brothers Liquor Co.	Liquor / Wine	3,943.82
Laser Product Technologies	Print Cart.	82.50
League of MN Cities	Claim – Michelsen	443.94
Metro Sales Inc.	PD Copier Agreement	62.85
Murphy, Thomas	Council – travel expense	147.14
Northern Beverage Distribution	Beer	2,051.70
Phillips Wine & Spirits Co.	Liquor / Wine	826.68
Tri-State Ambulance Inc.	Intercept Fee's	500.00
Schwartz, Dan	2009 Uniform Allowance	21.18
Alltel	Communication Expense	61.81
G & F Distributing	Beer	248.00
Schott Distributing Co., Inc.	Beer	2,820.45
Spring Grove Soda Pop, Inc.	Beer	144.25
Bank of the West	Federal/FICA/Medicare	6,757.61
Alltel	Communication Expense	133.72
Business Financial Planning	Cafeteria Plan	741.44
Caledonia Oil Company	Diesel & Unleaded	2,016.12
City of Caledonia Emp. Assn.	Association Dues – February	75.00
Commissioner of Revenue	State Withholding	1,187.01
Gavin, Mike	Animal Control	75.00
Houston County Treasurer	Houston Co. Collection Site	3,330.00
Minnesota NCPERS Life Ins.	Payday 2-24-09	96.00
MN Benefit Association	payday 2-24-09	126.84
North Central EMS Coop.	2009 Membership Dues – Amb.	75.00
Orchard Trust Co, LLC.	Payday 2-24-09	695.00
Public Emp. Retirement Assn.	Payday 2-24-09	5,283.08

U.S. Dept. of Education	Garnishment – Evans	171.36
US Postal Service	Utility Billing February 2009	328.54
USA Mobility Wireless	Communication Expense	57.29
Ziebell’s Hiawatha Foods, Inc.	Liquor – Mix	17.50
Hoscheit, Matt	Per Diem NIMS Class	300.00
Presision Office Machines	Typewriter Repair & Supplies	100.00
US Postal Service	Postage Stamps	8.50
Affordable Technology	Liquor Store - Computer System	3,106.89
Buttell’s Lighting	Street – Bulbs	127.80
Kennedy & Graven	Go Certificate of Indebtedness	444.00
MN Dept. of Revenue	Sales / Use Tax	15,152.00
Richard’s Sanitation	Recycling – Collections	5,627.40
Schott Distributing Co, Inc.	Beer	4,396.50
Spring Grove Soda Pop, Inc.	Beer	61.25
VISA	Misc.	270.38
Bank of the West	Federal/FICA/Medicare	1,244.46
Commissioner of Revenue	State Withholding	166.11
Public Emp. Retirement Assn.	Payday 3-2-09	707.18
Ace Link Telecommunications	Communication Expense	1,050.59
Jack Neumann Trucking	Freight Expense	92.00
Johnson Brothers Liquor Co.	Liquor / Wine	1,576.05
Phillips Wine & Spirits Co.	Liquor / Wine	809.39
Schroeder, DeWayne	2009 Uniform Allowance	55.79
Tri-County Electric Co	Electric Energy	91.61
Ziebell’s Hiawatha Foods, Inc.	Liquor Store – Mix	132.98
Affordable Technology Sol.	Tech Services – Clerk’s Office	135.00
Business Financial Planning	Administration Fees	200.00
Franciscan Skemp Healthcare	CPR Cards	60.00
Hokah Fire Department	Mutual Aid Fire Call	180.00
Hoscheit, Matt	Extrication Training	40.00
Merchants Bank	ACH Fee – March	21.34
Northern Beverage Dist.	Beer	2,426.10
Paustis & Sons Wine Co.	Liquor Store – Wine	482.00
Pepsi Cola Bottling Co.	Soft Drinks – Liquor Store	90.00
Principal Life	Life Insurance	675.56
Spring Grove Soda Pop, Inc.	Beer & Soft Drinks	53.60
Tri-State Ambulance, Inc.	Intercept Fee	500.00
United Parcel Service	Ups Fee	107.59
		<u>\$ 120,308.40</u>

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

Acker & City, Jessie	Meter Deposit Refund	128.75
Affordable Technology Sol.	Office Supplies	369.46
Airgas North Central	Oxygen / Acetylene	73.51
Artic Glacier Inc.	Ice	70.24
Baker & Taylor Books	Library Books	506.79
Bound Tree Medical, LLC	Ambulance Supplies	643.44
Caledonia Implement	Fuel Additive	46.26
Caledonia Lumber Co, Inc.	Meter Testing Bench Supplies	810.89
Caledonia Oil Co.	Maintenance – Amb.	109.99
Caledonia Wheel Alignment	Maintenance on Cars	30.00
Clarey’s Safety Equipment, Inc.	Six Res-Q Me Emergency Tools	40.50
Crystal Canyon	Cooler Rent	92.95
Curt & Candy’s Hardware Hank	Mics. Supplies	157.86
D S Electric Supply Inc.	Dust to Dawn Kits	1,675.60
DALCO	Cleaning Supplies	154.92
Davy Engineering	Design Winnebago	480.66
Davy Laboratories	3 Total Coliforms/Labs	2,274.60
ECM Publishers, Inc.	Advertisements	213.50
Ellingson Motors	Car Wash Tickets	100.00
Farmers Insurance & City	Meter Deposit Refund	128.75
G & F Distributing	Beer	21.75
Gopher State One-Call	2 Location Notifications	2.90

Green Power Equipment	Generator Repair / Floor Dry	188.42
Griggs, Cooper & Co.	Liquor / Wine	2,363.12
Hawkins, Inc.	Chemicals	2,073.55
Hoskins Electric Co.	Elevator & Door Repair	305.87
Inglett & City, Anna	Meter Deposit Refund	128.75
Jack Neumann Trucking	Freight Expense	40.00
Jacobson / Jambois & City	Meter Deposit Refund	128.70
Lab Safety Supply	Sani-Cloth Brackets	61.94
Lane & City, James	Meter Deposit Refund	125.83
Med Compass	Medicals Exams – Fire Dept.	2,502.50
Menard's	Bulbs, Sump Pump	46.86
Midwest Tape	Library – DVD (s)	332.85
Minnesota Dept. Of Commerce	4 <sup>th</sup> Quarter Fiscal Year	438.42
Minnesota Energy Resources	Natural Gas	9,107.82
Mississippi Welders Supply	Oxygen	42.94
P & H Services	Battery, Radio Battery, 2 Mobile Units	239.38
Pladsen Ford, Inc.	Repairs / Parts	630.44
PowerPlus Engineering, LLC	4 Year Plan	538.15
Reliance Business Forms, LLC	Forms W-2s	260.04
Richard's & City, Linda	Meter Deposit Refund	128.75
Richard's Sanitation	Refuse Disposal – march	140.40
Schilling Supply Company	Bags / Sacks / Copy Paper	362.76
Schmitz Refrigeration & Htg.	Oven Repair	122.00
Schott Distributing Co., Inc.	Beer	2,943.15
SE Libraries Cooperating	Computer & Auto Fees	2,488.44
Servocal Instruments Inc.	Service Flowmeters	300.00
Smart & City, Kathy	Meter Deposit Refund	127.60
St. Mary Auto Body Shop	Tow Grand Prix	42.60
Storey Kenworthy	Office Supplies	94.55
Tri-County Electric	Electric Energy	144,312.19
United Auto Supply, Inc.	Supplies	29.01
Winona Controls	Test RPZ in Mech. Room	86.00
WWTP MPCA PFA Loan Fund	Loan payment	3,500.00
Wynn & City, Josh	Meter Deposit Refund	201.40
Ziebell's Hiawatha Foods, Inc.	Liquor Mix	15.63
		<u>15.63</u>
		\$ 182,740.08

#### OLD BUSINESS

A. **AMBULANCE DEPARTMENT STAFFING:** Member Murphy reviewed the process of interviews for a new ambulance position named outreach coordinator. Following his presentation, he introduced a motion, seconded by Member Perry, to appoint Joannie Schmidt as the Outreach Coordinator for the Ambulance Department, confirming past authorization by the Council to set the wage at \$50.00 per month/\$600 per year. All members present voted in favor and the motion was declared carried.

#### NEW BUSINESS

A. **EMPLOYEE LOSS OF VACATION:** Discussion was held on the incident wherein Joyce Guillaume had lost 49.5 hours of vacation due to at least in part to uncontrollable personal circumstances during the course of the year preceding the vacation write-off. Following discussion, the Council agreed by general consensus to seek the opinion of the Labor Association regarding any possible language introduction which might extend the time period for employees to take vacation under similar circumstances or return of a portion or all vacation hours in this case and request the association inform the City Council of its opinion.

B. **FUNDS TRANSFER:** Clerk Nelson recommended the transfer of \$21,672.44 from fund 352, Debt Reserve, to the EDA checkbook. The purpose of transferring funds would be to clear-up an accounting entry carried for the last several years for lack of performing a transfer in past years to acknowledge repayment of an outstanding loan to Tri-County Electric. Following discussion, a motion was made by Mayor Burns, seconded by Member Vick, to authorize the transfer of \$21,672.44 from fund 352, Debt Reserve. All members present voted in favor and the motion was declared carried.

C. **ZONING ORDINANCE AMENDMENTS:** Copies of several amendments to the zoning ordinance were distributed with the Agenda and at this time the council considered whether or not they wished to move forward with selecting those which were to be incorporated by an amendment of the ordinance or if they needed more time to consider the issue, then choose to order a moratorium on mobile home courts for up to a period of one year, giving the Council

sufficient time to review the zoning ordinance in detail. Following discussion, a motion was made by Mayor Burns, seconded by Member Perry, to place a moratorium on development of mobile home courts for a period of up to one year, but to exempt the current application of Mike Rogich from that moratorium. All members present voted in favor and the motion was declared carried.

D. **SPRING GROVE PROGRAMS:** Mayor Burns and Member Vick explained to the Council a meeting was held with representatives of Spring Grove City Council and administrative staff to inquire whether or not any money savings actions may be taken by cooperation between our two cities for summer recreation programs such as the athletic field, swimming pool, or other types of activities. They explained that Spring Grove would be interested in having Caledonia join the softball/baseball league on the west side of the Mississippi River as opposed to our current membership in the LaCrosse League.

E. **APPRENTICESHIP PROGRAM:** Clerk Nelson recommended a wage increase, retroactive to January 1, 2009, for Tim Evans, to the amount of \$19.72 per hour which is to satisfy the requirements of the apprenticeship contract held with Mr. Evans to become a Journey Lineman. The amount was determined by multiplying the contract percentage of 79.5 percent to the current 2009 wage for a journey lineman, that being \$24.80. Following discussion, a motion was made by Mayor Burns, seconded by Member Perry, to set an hourly rate of \$19.72 for Tim Evans, retroactive to January 1, 2009. All members present voted in favor and the motion was declared carried.

F. **FIRE DEPARTMENT FEE SCHEDULE:** Chief Chuck Gavin and Assistant Chief Matt Hoscheit were present to inquire if the City Council were interested in establishing a fee for fire department response service to car accidents. The recommended fee was \$400 per hour. The explained that there is a fee charged in the rural area when accidents occur in townships. Following discussion, a motion was made by Mayor Burns, seconded by Member Perry, to authorize establishing a fee of \$400 per hour for fire department response to motor vehicle accidents within the municipal limits. All members present voted in favor and the motion was declared carried.

G. **MUNICIPAL LIQUOR STORE STAFF:** Clerk Nelson informed the Council that Patty Gavin, Liquor Store Manager, reported that the Assistant Manager, Elaine Schoh, had resigned this past Saturday.

#### CLERK'S REPORT

A. **POLICE DEPARTMENT REPORTS:** Enclosed with the Agenda were the Officer Activity List and Officer Activity Summary for February 2009. Discussion while examining these reports included comments that the reports should be modified to be arranged in chronological order or some other more easily understandable order than presently exists.

B. **ACE COMMUNICATIONS:** Enclosed with the Agenda was a notice of channel changes by Ace Communication Group.

C. **DISCHARGE MONITORING REPORT:** Enclosed with the Agenda was the Discharge Monitoring Report for February 2009, showing a Total Monthly Average Nitrogen Level of 7.1 mg/l.

D. **MEDIACOM NOTICE:** At the Council Meeting copies of a notice from Mediacom were distributed to the Council. This notice stated that the TV Guide Network will be removed from the Mediacom lineup effective April 9, 2009.

E. **FEE SCHEDULE:** Distributed at the meeting was a miscellaneous fee schedule for City services.

F. **EMPLOYEE TIME RECORD:** Distributed at the meeting was the Employee Time Record for pay period February 23 – March 8, 2009.

G. **FIRE DEPARTMENT EXPENSES:** Clerk Nelson informed the Council of an e-mail received from Assistant Fire Chief Matt Hoscheit listing a number of recent expenditures necessary for repairs to fire vehicles. None of the expenditures were deemed excessive.

#### MISCELLANEOUS ITEMS

A. **MUSIC IN THE PARK AGREEMENT:** Member Vick presented a contract with Bob Bovee to perform one of the Tuesday evenings in the Music in the Park program for a fee of \$350. A motion was made by Mayor Burns, seconded by Member Vick, to approve and enter

into the agreement with Bob Bovee for a performance in Music in the Park for a fee of \$350. All members voted in favor and the motion was declared carried.

B. MISCELLANEOUS EXPENSES: Member Murphy commented that the city clerk's office purchases a rental agreement for cold water and delivered water which costs the city approximately \$70 per month and stated that the city employees should be responsible for purchasing their own water as they do pop. Further, he recommended the city terminate the practice of having monograms placed on employee shirts at city expense.

C. CITY STAFFING: Comment was made that the city should stay in touch with Mike and Patty Gavin since they plan to move to another state. A replacement will be necessary for Patty as Liquor Store Manager and for Mike as the Animal Control Officer for the City.

ADJOURNMENT: There being no further business before the Council, a motion to adjourn was made by Member Vick and seconded by Member Murphy. All members present voted in favor, the motion was declared carried and the meeting then adjourned at 10:02 p.m. The next Regular Meeting of the City Council is scheduled for 6:00 p.m., Monday, March 23, 2009, in the Council Room, City Hall.

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Robert H. Burns, Mayor

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Robert L. Nelson  
City Clerk - Administrator