

REGULAR MEETING OF THE CITY COUNCIL
CITY OF CALEDONIA, MINNESOTA
Monday, April 27, 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, Robert Lemke and Tom Murphy. Members absent: None. Consultants and City staff present: Jane Schiltz, Randy Shefelbine, Stephanie Mann, Mike Gerardy and Robert L. Nelson. Visitors present: Emily Schroeder, Mark Schiltz and Charlie Warner, Report.

CONSENT AGENDA: Following brief discussion, a motion was made by Member Vick, seconded by Member Merry, to approve the Consent Agenda items, listed below. All members voted in favor and the motion was declared carried.

A. MINUTES OF PAST MEETINGS: To approve the minutes of the Regular Meeting held Monday, April 13 and Special Meeting held Monday, April 20, 2009, as presented.

VISITORS AND COMMUNICATIONS

A. EDA PUBLIC HEARING: At this time Mayor Burns recessed the Regular Meeting and opened a Public Hearing to heard testimony on an application for Tax Abatement to develop and construct a daycare center at the intersection of Old Highway Drive and Bissen Street. Clerk Nelson and Jane Schiltz, EDA Director, reported that the advertisement had been made of tonight's hearing and the amount in question, after clarification, was not to exceed \$11,100 in tax abatement rebates over a 10 year period beginning August 1, 2010 and ending February 1, 2020. The proposal is to rebate the first six years of tax payments for the City of Caledonia at a rate of 75%, then rebate the remaining 4 years of the agreement at a rate of 50%. Emily Schroeder, petitioner, reviewed some of the characteristics of the proposed daycare center. When there was no further testimony to be given, Mayor Burns closed the Public Hearing at 6:16 p.m.

B. TAX ABATEMENT PROJECT: Following discussion of the tax abatement project for a daycare center, a motion was made by Mayor Burns, seconded by Member Vick, to approve an Economic Development Tax Abatement for an amount not to exceed \$11,100 for the period of years described in the public hearing and contingent above establishment of five fulltime positions and two part time positions to equate to a fulltime equivalent position within two years after the date of agreement. Members voting in favor: Burns, Vick, Perry, Lemke and Murphy. Opposed: None. The motion was declared carried.

C. ADMINISTRATIVE COORDINATOR TOPICS

1. CRIMINAL JUSTICE CENTER: Mark Schiltz, Jail Administrator and Project Manager, reviewed the results of a recent meeting between county commissioners and the architectural staff and city council members and staff. He summarized that the plan sketched at the mediation session was unachievable because there was insufficient room on the eastside of the existing courthouse to construct the criminal justice center with a design that accommodated minimal staffing of the facility. The building would take up the space currently occupied by the Veteran's Memorial. Veteran's Organizations from Caledonia and surrounding communities said they would prefer the memorial not be disturbed. In fact, they requested an open space of 25 feet around the memorial to accommodate attendees during various memorial and remembrance events. The County had then petitioned the City Council to indicate whether or not the Council would determine a proposal for a new configuration with an L spaced building extending northward east of the existing jail/sheriff's office to be compliant with the spirit of the mediation agreement. Member Murphy and Member Perry indicated their expectation that a decrease in the square footage would have resulted in a decrease of the footprint size. Mr. Schiltz reviewed the layout of the proposed structure with 40 cells on the first story with one half the cells being on top of the others. The first story also accommodated the laundry and food service, the sally port and the receiving and booking area for inmates as well as the indoor recreation area. The second floor was designed to contain one courtroom and hearing room along with office space for the county attorney, victim services and court administration. There was continued discussion on means to achieve a reduction of the footprint. The council did indicate that it would be willing to consider the L spaced building and possible setback variances along Pine Street, acknowledging that the building had to be moved away (eastward) from the Veteran's Memorial.

2. **SKATEBOARDING ON CITY PROPERTY:** Mr. Gerardy explained a condition up at the tennis court along Grant Street wherein homemade ramps and jumps were constructed by persons using the tennis court as a skateboard park. Mr. Gerardy explained that he contacted the police, asking them to patrol the area and notify the users that skateboarding was not permitted and that the homemade ramps should be removed from the property. Mr. Gerardy also contacted the City's insurance carrier and obtained a document showing the high rates of insurance for allowing or encouraging a skateboard park to exist. He reported that the users had been informed that if they had not removed the materials from the tennis court by a designated date, the City would collect them, haul them away and destroy them.
3. **ZONING APPLICATION FEES:** Mr. Gerardy explained that the Council previously set a Zoning Application Fee at \$50.00 upon his recommendation. Because of the difficulty of handling that fee with numerous reimbursements to zoning applicants, the clerk's office staff was requesting that the fee be lowered to the least expensive zoning application items which would eliminate giving refunds. Following discussion, a motion was made by Mayor Burns, seconded by Member Perry, to change the application fee from \$50.00 to \$40.00, which is the amount of the least expensive zoning item for which a charge is made. All members voted in favor and the motion was declared carried.
4. **CATCH BASIN REPAIR:** Mr. Gerardy informed the Council that there are a few catch basins suffering collapse of surrounding road surfaces because the sub-grade has been washed away, leaving a hole next to the iron catch basin. Even though the city has reduced line item budgets in several respects because of the Local Government Aid decrease, Mr. Gerardy presented this as a safety concern and requested authorization to repair those catch basins which present a safety danger to pedestrians and bicyclists. Following discussion, a motion was made by Mayor Burns, seconded by Member Perry, to authorize repair of those hazardous catch basins. All members voted in favor and the motion was declared carried.
5. **ZONING APPLICATION – PETERS:** Mr. Gerardy reviewed a zoning application from Jason Peters, 124 North McPhail Avenue, proposing to construct an addition onto an existing garage. The proposed addition required a 22' setback variance on the south (rear) property line. Following discussion, a motion was made by Mayor Burns, seconded by Member Lemke, to approve the zoning application and grant a 22' setback variance on the south property line. All members voted in favor and the motion was declared carried.

D. **POLICE DEPARTMENT:** Police Chief Randy Shefelbine was present to encourage the Council to appoint an acting chief of police following his retirement on May 31. He believes his successor will not be reporting to work by the time he retires and recommends appointing an active police chief to make command decisions until such time as his successor reports for duty. He recommended Officer Jim Stemper to be appointed as the acting police chief. Following discussion, the Council by general consensus opted to take the issue under consideration until the next Council Meeting. Chief Shefelbine recommended that a decision not be postponed too long because it would take a few weeks to train Officer Stemper on activities that are done solely by the Police Chief.

E. **CITY ACCOUNTANT**

1. **CASH AND INVESTMENT BALANCE:** Stephanie Mann, City Accountant, presented the total cash and investments amount as \$2,753,130.84 of which \$295,980.84 was cash. This date is as of March 31, 2009. Investments are comprised of 25 Certificates of Deposit earning interest from 2.1 to 5.75%.
2. **BUDGET WORKSHEETS:** Ms. Mann presented budget worksheets as of March 31, 2009, for the Enterprise Funds. General Government funds were not included since the council just reviewed those at a recent Special Meeting.

OLD BUSINESS

A. **POLICE CHIEF POSITION:** At this time the Council discussed the interview process for selecting a successor to retiring Police Chief Randy Shefelbine. The council chose to have interviews conducted with the full five member body and to have the assistance of a consulting police chief, if possible. The council considered the possibility that their maybe two series of interviews, selecting a small group from among the first round to be interviewed a second time.

B. CLERK – ADMINISTRATORS POSITION: At this time Clerk Nelson reviewed the Clerk – Administrators Job Description with the Council. A number of changes were to be made with the new positions of Accountant and Administrative Coordinator instituted since the drafting of the position description. Following review of the proposed changes, a motion was made by Mayor Burns, seconded by Member Vick, to approve the amended job description. All members voted in favor and the motion was declared carried.

C. COUNCIL COMMITTEE: Regarding discussion of the process to replace the Clerk-Administrator, discussion was held what Council Committee, if any, were to be assigned the task. Since there did not appear to be a standing committee to deal directly with clerk's office issues, Mayor Burns and Member Murphy volunteered to act as that committee.

NEW BUSINESS

A. ELEVATOR ALTERATIONS: Clerk Nelson explained that a state elevator inspector had been to the City several months ago and conducted an inspection of the elevator in the City Hall and wheel chair lift in the City Auditorium, finding a number of issues and items to be corrected. Following that inspection, Mike Gerardy contacted the maintenance contractor for the elevators, asking for a quote to perform those improvements. The quote was returned with a proposal cost of \$799 for the City Hall elevator and \$814 for the Auditorium wheel chair lift. Following brief discussion, a motion was made by Mayor Burns, seconded by Member Vick, to approve the proposal for elevator and wheel chair lift correction in the amounts stated. All members voted in favor and the motion was declared carried.

B. WAGE REIMBURSEMENT REQUEST: Clerk Nelson reported that an Ambulance Attendant, Patricia Lemke, had been subpoenaed to appear in court on April 16, a date she was scheduled to work at Gundersen Lutheran Medical Center. After having scheduled the day off, she was notified at approximately 4:00 p.m. on April 15 that the trial had been rescheduled to June 24. Since Ms. Lemke had already made arrangements to take the day off and another person had been assigned her shift, she is asking the City if it would consider reimbursement of her lost wages. Discussion concluded with a recommendation to check with the League of MN Cities to determine whether or not there was a law or policy which dealt with such reimbursement of wages.

CLERK'S REPORT

A. COMMUNICATIONS

1. CONSUMER CONFIDENCE REPORT: Distributed to the Council was a letter from the Minnesota Department of Health explaining that the City had been sent its annual Consumer Confidence Report (CCR), which must be published before July 1, 2009.
2. CENSUS TRAINING: Enclosed with the Agenda was a letter listing the training dates for those who are interested in the reasons for census taking. The nearest training center to Caledonia are Winona on May 6th and Rochester on May 5th.

B. ANNUAL LMC MEETING. Clerk Nelson reported that the Annual League of MN Cities Meeting was to be held from June 24 – 26 at the St. Paul RiverCenter, registrations for discounted prices should be made before May 8th.

C. EMPLOYEE TIME RECORD: Enclosed with the Agenda was the Employee Time Record for pay period April 6 – 19, 2009.

ADJOURNMENT: There being no further business before the Council, a motion to adjourn was made by Mayor Burns and seconded by Member Perry. All members voted in favor, the motion was declared carried and the meeting then adjourned at 9:16 p.m. The next Regular Meeting of the City Council is scheduled for 6:00 p.m., Monday, May 11, 2009, in the Council Room, City Hall.

Robert H. Burns, Mayor

Robert L. Nelson
City Clerk - Administrator