

OFFICIAL CITY COUNCIL PROCEEDINGS
REGULAR SESSION
APRIL 19, 2010

A regular session of the Granite Falls City Council was called to order by Mayor David Smiglewski at 7:30 p.m., Monday, April 19th in the Council Chambers of City Hall. Council Members present: DuWayne Galow, Bill Lavin, Steve Nordaune, Steve Schaub, Joe Fagnano and Scott Peterson. Staff present: City Manager, Finance Director Darcy Mulvihill and City Clerk Joan Taylor. Others in attendance: Water Plant Superintendent Mike Enstad, EDA Director Dennis VanHoof, City Attorney Greg Holmstrom, Utilities Commission Members Keith Koerlin and Tom Cherveney, Karen Cavett from Bonestroo and Advocate Tribune News Editor Scott Tedrick.

MINUTES: M/S MILLER/NORDAUNE TO APPROVE THE MINUTES OF THE APRIL 5TH REGULAR MEETING. Motion carried unanimously.

BILLS: M/S NORDAUNE/SCHAUB TO APPROVE BILLS PRESENTED FOR PAYMENT. Motion carried unanimously.

WATER TREATMENT PLANT: Karen Cavett from Bonestroo was in attendance to provide council with a detailed illustration of the proposed Water Treatment Plant.

ORDINANCES: Council reviewed with City Attorney Holmstrom two separate ordinances relating to unfinished landscaping as well as projects for which building permits have been issued but are not completed in a timely manner.

Following discussion concerning the landscaping ordinance, M/S MILLER/NORDAUNE TO HAVE THE FIRST READING OF AN ORDINANCE OF THE CITY OF GRANITE FALLS, MINNESOTA, , AMENDING CITY CODE CHAPTER 9 ENTITLED "LAND USE REGULATIONS (ZONING) BY AMENDING ORDINANCE 9.51, SECTION 9.51, SPECIAL REGULATIONS, SUBDIVISION 4, LANDSCAPING, AND ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 9.99, WHICH, AMONG OTHER THINGS, CONTAINS PENALTY PROVISIONS. Motion carried unanimously.

Following discussion concerning the completion of work ordinance, M/S NORDAUNE/SCHAUB TO HAVE THE FIRST READING OF AN ORDINANCE OF THE CITY OF GRANITE FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 4 ENTITLED "CONSTRUCTION LICENSING, PERMITS AND REGULATIONS, SECTION 4.21, ADDITIONAL CONSTRUCTION STANDARDS, BY ADDING SECTION 4.24, COMPLETION OF WORK, AND ADOPTING BY REFERENCE CITY CODE CHAPTER 1 AND SECTION 4.99, WHICH, AMONG OTHER THINGS, CONTAINS PENALTY PROVISIONS. Motion carried unanimously.

MEDIACOM: Council reviewed with City Attorney Holmstrom the correspondence received from Moss & Barnett concerning the Petition for Effective Competition filed by Mediacom with the FCC. Following discussion Schaub introduced a resolution and moved it adoption accepting the proposal received from Moss & Barnett to submit an opposition to the Petition filed by Mediacom.

RESOLUTION NO. 10-48

RESOLUTION ACCEPTING PROPOSAL OF
MOSS & BARNETT

WHEREAS, Moss & Barnett has submitted a proposal to assist the city in submitting an opposition to a Petition for Effective Competition filed with the FCC by Mediacom in the amount not to exceed \$2,500.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, accepting the proposal of Moss & Barnett to submit an opposition on behalf of the city to Mediacom's Petition for Effective Competition contingent upon the FCC posting a Public Notice of this action.

Adopted by the City Council this 19th day of April, 2010.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Peterson, the resolution was adopted unanimously.

REPORTS: The Airport Commission report and EDA Board report were acknowledged at this time.

SOUTHWEST INITIATIVE FOUNDATION: Following discussion regarding action taken by the EDA Board at its April 12th meeting, Galow introduced a resolution and moved its adoption approving a donation to the Southwest Initiative Foundation in the amount of \$1,250 which matches the amount approved by the EDA Board.

RESOLUTION NO. 10-49

RESOLUTION APPROVING DONATION

TO SOUTHWEST INITIATIVE FOUNDATION

WHEREAS, the EDA Board at its April 12th meeting authorized a donation to the Southwest Initiative Foundation in the amount of \$1,250 contingent upon the city matching that amount.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, approving a donation of \$1,250 for calendar year 2010 to the Southwest Initiative Foundation.

Adopted by the City Council this 19th day of April, 2010.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Fagnano, the resolution was adopted by the following vote:
Aye: Galow Nordaune, Smiglewski, Schaub and Fagnano. Nay: Miller and Peterson.

REPORTS: The following reports were acknowledged at this time: Finance, Fire Department, Police Chief and Granite Falls Historical Society.

LIONS CLUB: M/S MILLER/SCHAUB TO APPROVE A TEMPORARY ON-SALE 3.2 BEER LICENSE TO THE GRANITE FALLS LIONS CLUB FOR WESTERN FEST. Motion carried unanimously.

SPCP: As the Environmental Protection Agency regulations require the city to update its petroleum Spill Prevention Control & Countermeasures Plan every five years, council called for proposals to complete this update. The following quotes have been received.

Short, Elliott, Hendrickson	\$6,500
HDR	\$8,605

Following discussion Nordaune introduced a resolution and moved its adoption accepting the proposal received from SEH in the amount of \$6,500.

RESOLUTION NO. 10-50

RESOLUTION ACCEPTING PROPOSAL FOR UPDATE OF SPILL PREVENTION CONTROL & COUNTERMEASURES PLAN

WHEREAS, pursuant to Resolution No. 10-46 council authorized soliciting proposals to update the city's Petroleum Spill Prevention Control & Countermeasure Plan as required by the Environmental Protection Agency; and

WHEREAS, the following quotes were received to update this plan

Short, Elliott, Hendrickson	\$6,500
HDR	\$8,605

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, accepting the proposal received from Short, Elliott, Hendrickson in the amount of \$6,500 to update the city's Petroleum Spill Prevention Control & Countermeasure Plan.

Adopted by the City Council this 19th day of April, 2010.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Galow, the resolution was adopted unanimously.

HANGAR LEASE AGREEMENT: Upon the recommendation of the Airport Commission, Schaub introduced the following resolution and moved its adoption extending the current lease between the city and Fagen, Inc. for the use of 14,820 sq. ft. in the area designed at Site E on the Airport Terminal Area Plan map in the amount of \$.10 per sq. ft, for a total annual amount of \$1,482 until December 31, 2010 at which time the Lease will be renewed for an additional two (2) years to expire consistent with the other Lease Agreements.

RESOLUTION NO. 10-51

**RESOLUTION RENEWING
HANGAR SPACE LEASE AGREEMENTS
SITE E**

WHEREAS, pursuant to Resolution No. 07-74 the city entered into a renewal of the Hangar Space Lease Agreement for the term of three (3) years with Fagen Inc., Lessee, for the use of 14,820 square feet in the area designated for airplane hangars as Site E of the Airport Terminal Area Plan Map in an amount of ten

(\$.10) cents per square foot, excluding apron area, for a total of \$1,482 annually; and

WHEREAS, the contract has now expired and the Airport Commission has recommended that the city extend this Lease until December 31, 2010 and then renew the Hangar Space Lease with Fagen, Inc. for an additional two (2) years for the use of 14,820 square feet in the area designated at Site E which would then expire consistent with the other Lease Agreements on December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, authorizing the mayor and city manager to execute an extension and renewal of the Hangar Space Lease Agreement with Fagen Inc., Lessee, for the use of 14,820 square feet in the area designated for airplane hangars as Site E on the Airport Terminal Area Plan Map in an amount of ten (\$.10) cents per square foot, excluding apron area, for a total of \$1,482 annually to run from April 17, 2010 through December 31, 2012.

Adopted by the City Council this 19th day of April, 2010.

David Smiglewski
 Mayor

ATTEST:

Joan M. Taylor
 City Clerk

With second by Peterson, the resolution was adopted unanimously.

LIQUID CO₂: Galow introduced the following resolution and moved its adoption calling for quotes for the purchase and delivery of liquid carbon dioxide for the Water Treatment Plant.

RESOLUTION NO. 10-52

RESOLUTION SOLICITING QUOTES FOR
 PURCHASE OF LIQUID CARBON DIOXIDE

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, soliciting quotes for the purchase and delivery of liquid carbon dioxide, with quotes to be received no later than 2:00 p.m., Thursday, April 29th to be considered by council at its May 3rd meeting.

Adopted by the City Council this 19th day of April, 2010.

David Smiglewski
Mayor

ATTEST:
Joan M. Taylor
City Clerk

With second by Nordaune, the resolution was adopted unanimously.

KCC: As the existing Participating Club Agreement will expire, Nordaune introduced the following resolution and moved its adoption authorizing execution of a Participating Club Agreement regarding the HealthPartner's Frequent Fitness Program.

RESOLUTION NO. 10-53

RESOLUTION AUTHORIZING EXECUTION OF
PARTICIPATING CLUB AGREEMENT
KCC

WHEREAS, pursuant to Resolution No. 05-17 a contract was entered into through Blue Cross/Blue Shield that provided for a fitness credit/reimbursement for members who utilized the Kilowatt Community Center; and

WHEREAS, the contract will expire on April 30, 2010 and HealthPartners, Inc. has proposed renewal of this contract with no substantive changes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, authorizing execution of the Participating Club Agreement between the city and HealthPartners, Inc. to provide for fitness credit/reimbursement for members utilizing the Kilowatt Community Center.

Adopted by the City Council this 19th day of April, 2010.

David Smiglewski
Mayor

ATTEST:
Joan M. Taylor
City Clerk

With second by Peterson, the resolution was adopted unanimously.

FIRE DEPARTMENT: Council reviewed a request received from the Fire Department for authorization to submit a grant application for assistance from the Federal Emergency Management Agency in order to replace the high pressure breathing air tanks and refilling system apparatus in an approximate amount of \$34,845 and a washer and dryer cabinet in the amount of \$14,288. Following discussion, Nordaune introduced a resolution and moved its adoption authorizing the Fire Department to submit the 2010 FEMA grant application.

RESOLUTION NO. 10-54

RESOLUTION AUTHORIZING SUBMITTAL
OF 2010 FEMA GRANT APPLICATION
FIRE DEPARTMENT

WHEREAS, the Granite Falls Volunteer Fire Department is in the process of completing a grant application for assistance from the Federal Emergency Management Agency in order to replace the high pressure breathing air tanks and refilling system apparatus in an approximate amount of \$37,024 and a washer & dryer cabinet in an amount of \$14,288; and

WHEREAS, should the FEMA grant be approved, the local match of 5% will be approximately \$2,565.60.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, approving submittal of the grant application to the Federal Emergency Management Agency for assistance to the city in the purchase of the above described Fire Department equipment for a total grant application amount of approximately \$51,312.

Adopted by the City Council this 19th day of April, 2010.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Schaub, the resolution was adopted unanimously.

FERC: Council reviewed two Preliminary Permit Applications as submitted by Nelson Energy LLC to the Federal Energy Regulatory Commission. Also council discussed correspondence received from a concerned citizen regarding traffic traveling on 8th Avenue. It was the consensus of council to

have the Police Chief look at this situation and report back to council at the May 3rd meeting.

FLOOD MITIGATION: Council reviewed updates regarding the KK Berge Building, levee improvements and the downtown pumping station.

2010 FLOOD RECOVERY: Council was advised that the President has declared certain counties in Minnesota as disaster areas and the city now is waiting to receive word from FEMA concerning restoration costs associated with the 2010 spring flood.

CITY-WIDE CLEAN UP: Council was advised that based upon a meeting held on Wednesday, April 14th with West Central Sanitation, Olson/Velde Sanitation, Police Chief Blue and Public Works Director Krogstad this year's Spring Cleanup is designated for Friday, May 14th from 8:00 a.m. until completion. The refuse haulers will pick up the following materials on that Friday (note normal refuse pick up will continue on the normal days):

- Debris and demo will be picked up at \$9.60 per cubic yard which is the cost for disposal.
- Appliances and household furnishings will be picked up at cost.
- Bagged leaves and grass clippings will be picked up free of charge.
- Velde Sanitation and West Central Sanitation have indicated they will dispose of junked vehicles free of charge providing they can be provided with a clear title to the vehicle.

The city crew will again collect brush and branches from boulevards and alleyway at 7:30 a.m. on Tuesday mornings throughout the month of May.

This clean up program will also be coordinated with the Police Department's yearly tagging of cars, junk and hazardous materials.

Also council was advised that Olson Sanitation and Velde Sanitation have merged to form Olson Velde Sanitation. As the initial refuse hauling license was issued to Velde Sanitation M/S MILLER/GALOW TO REISSUE THE 2010 LICENSE TO OLSON VELDE SANITATION. Motion carried unanimously.

MN RIVER TRAIL: Council reviewed a letter received from Stoneberg, Giles and Stroup advising the city that they will continue to provide pro bono legal services concerning the Minnesota River Trail; however, it was the

consensus of council to table the matter of surveying services until a later time.

2010 LEGISLATIVE SESSION: Staff advised council that a list of potential cost savings or new revenue sources will be available for discussions at the May 3rd meeting.

ADJOURN: M/S/P MILLER/NORDAUNE TO ADJOURN at 8:54 p.m.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

BILLS PAID:

ACS	SOFTWARE SUPPORT	1,554.64
ADVOCATE-TRIBUNE	LEGALS	828.25
ALLTEL	HOSPITAL CELLS	1,860.61
ALPHA WIRELESS	FIRE DEPT BATTERY	33.56
AMERICAN WELDING SUPPLIES	SHOP WELDING SUPPLIES	98.65
ARNESON DISTRIBUTING INC.	BEER	265.50
ARTIC GLACIER INC	ICE	52.84
ASSURANT EMPLOYEE BENEFITS	LONGTERM DISABILITY INS	256.10
AUS/JOHN	SHRUB REMOVAL	1,225.00
AUS/NANCY	BOARDING	40.00
BAKER & TAYLOR BOOKS	BOOKS	121.47
BALFANY CONSTRUCTION	JOHNSON'S GDOOR REPAIR	189.00
BELLBOY CORPORATION	LIQUOR	1,064.90
BENSON LAUNDRY	RUGS/CITY HALL	50.40
BOND TRUST SERVICES CORP	HOSPITAL REFUNDING PRINC	116,659.38
BORDER STATES ELECTRIC SUPPLY	WIRE	1,029.92
CENEX CREDIT CARD	WWTP PUMPS	33.64
CENTRAL MN MUNICIPAL POWER	PURCHASE POWER	82,956.82
CENTURYLINK	CITYHALL	1,526.75
CHAPPELL CENTRAL	DUCT CLEAN @ SENIOR CITZ	523.69
CITIZENS STATE BANK	INT PHASE II	5,749.79
DAKOTA SUPPLY GROUP	ELECTRICAL TOOLS	459.24
DAN'S SHOP INC	JD MOWER/CM 274 FILTERS	13.43
DANA F. COLE & CO LLP	ADMIN FEE	113.16
DAVE'S ELECTRIC MOTOR CO	AIRPORT COOLER RENTAL	63.57
DAVIS TYPEWRITER CO	PD OFFICE SUPPLIES	84.97
DEMCO	DVD LABELS/LIBRARY	80.53
DEPARTMENT OF ENERGY	PURCHASE POWER	26,590.07
FARMERS UNION OIL CO.	FIRE DEPT FUEL	83.97
FIELDSTONE	WINE	123.84
FRANK MADDEN & ASSOCIATES	PROFESSIONAL SERVICES	110.50
G & K SERVICES	KCC/RUGS/TOWELS	253.16
GALE	BOOKS	19.50
GERLACH/GEORGE	RECYCLE FRIG	60.00
GRANITE FALLS BANK	INT PHASE III	4,118.94
GRANITE TRUE VALUE	INSECT CONTROL	5.87
GRAYMONT CAPITAL INC	LIME	4,579.65
GREAT PLAINS GAS CO.	KCC	5,338.41
HACH COMPANY	WWTP SUPPLIES	110.23
HOERNEMANN/PAUL	CABLE SERVICE	255.00
HOLMSTROM & KVAM	EDA OUR FILE	525.00
JOHNSON BROS WHOLESALE LIQUOR	LIQUOR	4,462.14
JUST LIKE NEW UPHOLSTERY	KCC REPAIR CHAIRS	124.33

KDMA-AM, KKRC-FM, KMGM-FM	KCC RADIO ADS	280.00
KEEPRS	VERHELST NEW UNIFORM	746.46
KOTEK/NICOLLE	YOGA CLASS KCC	80.00
KRANITZ/FRANK	WORK @ SENIOR CITZ CENTR	325.00
LAB SAFETY SUPPLY INC	KCC SIGN	83.94
LEE/DAVID	METER READINGS	1,024.00
LEE'S AUTO & DIESEL	06 BUS CHANGE TIRES	141.50
LEGISLATIVE ASSOCIATES INC	PROFESSIONAL SERVICES	2,475.00
LIBRARY STORE/THE	LIBRARY SUPPLIES	35.09
LOCHER BROTHERS	BEER	5,245.46
MACQUEEN EQUIPMENT INC.	SWEEPER REPAIRS	349.58
MADISON BOTTLING CO.	BEER	12,319.65
MAY/JODI	ENERGY STAR REBATE	50.00
MCLAUGHLIN & SCHULZ, INC.	COLD MIX	808.49
MEDIACOM	FIRE DEPT INTERNET	47.95
MINNESOTA VALLEY TECH. INC	MISC COMP WORK	45.00
MN DEPT OF REVENUE	STORM PERMIT FEE/AIRPORT	425.00
MN VALLEY COOPERATIVE	PUMPHOUSE UTILITIES	1,385.14
MN VALLEY TESTING LAB, INC.	WATER PLANT TESTING	30.00
MONTE FIRESTONE	6 TIRES BOTH BUSES	557.89
NORTH CENTRAL LABORATORIES	WWTP SUPPLIES	155.12
OFFICE PEEPS	CASTERS FOR EDA CHAIR	163.50
PHILLIPS WINE & SPIRITS CO.	LIQUOR	1,312.79
PRENTICE PLACE COMMONS ASSN	ASSC DUES	134.42
QUALITY WINE SPIRITS CO.	LIQUOR INV	1,971.20
REGIONAL DEVELOP. COMMISSION	FLOOD ADMIN SERVICES	16,099.75
RETROFIT RECYCLING	BULB RECYLING	115.45
RILEY/JOSEPH	MILEAGE FOR TRAINING	40.00
RJS SOFTWARE SYSTEMS	MAINT AGREEMENT	3,542.63
RODEBERG & BERRYMAN, INC.	2010 FLOOD COSTS	9,791.50
SAND/KRIS	BLDG MAINT	350.00
SAWMILL/THE	BASEBALL FIELD	3,222.89
SCHWAN'S SALES ENT.	KCC ICE CREAM/RESALE	49.96
SHRED-IT OMAHA	SHREDDING 2 TREES SAVED	40.00
SIOUX VALLEY WIRELESS	WEB/EMAIL HOSTINGS	15.98
SOMMERVOLD/BEV	ENERGY STAR REBATE	25.00
SOUTHWEST MN FOUNDATION	2010 DONATION	2,500.00
STAR TRIBUNE	SUBSCRIPTION	171.60
STRAND BOOK STORE	BOOKS	162.32
SUPER AMERICA	BUS DIESEL	408.14
T.A. LAURITSEN SEPTIC & DRAIN	RBS ROTO & JET WORK	235.00
TROY'S ELECTRIC COMPANY	ELEC PANEL PUMP ROOM	756.10
UNIVAR USA INC	SODA ASH	5,864.40
UPS	FIRE DEPT PAGER SHIPPING	13.04
US BANK	PRINC 02 ELEC REV	202,620.00
VIKING COCA-COLA BOTTLING CO.	SODA	113.90
VINOCOPIA INC	WINE	720.00
VISA	KCC NEW ROOF VENT	928.08
WBM WINE & SPIRITS	LIQUOR	1,004.47
WEST CENTRAL SANITATION	LIQUOR STORE	363.31
WESTERN FEST	2010 DONATION	250.00
WILLIE'S KORNER STORE	BAGS	204.87
WINTER/ANGELA	ENERGY STAR REBATE	50.00
YELLOW MEDICINE CO HWY DEPT	DIKE ROAD DUST CONTROL	480.00
YELLOW MEDICINE CO. AUDITOR	SP ASSESS FEE	371.00
101 DEVELOPMENT RESOURCES INC	1ST QTR BLDG OFFICIAL	4,376.37