

OFFICIAL CITY COUNCIL PROCEEDINGS  
REGULAR SESSION  
MARCH 1, 2010

A regular session of the Granite Falls City Council was called to order by Mayor David Smiglewski at 7:30 p.m., Monday, March 1<sup>st</sup>, in the Council Chambers of City Hall. Council Members present: DuWayne Galow, Bill Miller, Steve Nordaune, Steve Schaub, Joe Fagnano and Scott Peterson. Staff present: City Manager Bill Lavin, Finance Director Darcy Mulvihill and City Clerk Joan Taylor. Advocate Tribune News Editor Scott Tedrick was also in attendance.

MINUTES: M/S MILLER/NORDAUNE TO APPROVE THE MINUTES OF THE FEBRUARY 16<sup>TH</sup> REGULAR MEETING & CLOSED MEETING. Motion carried unanimously.

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

REPORTS: The following reports were acknowledged at this time: Building Inspector, Kilowatt Community Center Board, Utilities Commission and Public Works.

BUILDING INSPECTION: Council reviewed correspondence received from Darin Haslip requesting renewal of the contract with 101 Development Resources, Inc. for building inspection services to the city for 2010. Following discussion Galow introduced a resolution and moved its adoption renewing the contract with 101 Development Resources, Inc. at the same terms and conditions for 2009.

RESOLUTION NO. 10-28

RESOLUTION RENEWING CONTRACT FOR  
BUILDING INSPECTION SERVICES – 2010

WHEREAS, pursuant to Resolution No. 09-27 adopted at the March 2, 2009 meeting council accepted a proposal from 101 Development Resources, Inc. to provide building inspector services for the city in 2009; and

WHEREAS, 101 Development Resources, Inc. has requested renewal of said contract pursuant to the renewal option in the above-referenced contract at the same amount.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, renewing the Building Inspector Services Contract for the 2010 with 101 Development Resources, Inc. as per the terms and conditions contained in the 2009 contract

Adopted by the City Council this 1<sup>st</sup> day of March, 2010.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Schaub, the resolution was adopted unanimously.

FIREMEN'S RELIEF FUND: Fagnano introduced the following resolution and moved its adoption approving amendments to the Bylaws of the Granite Falls Fire Department Fire Relief Fund as follows:

#### ARTICLE III – GENERAL DEFINITIONS

Section 3.1 ~~Surviving spouse. The term "surviving spouse" means any person who was the dependent spouse of a deceased active member or retired former member living with the member at the time of the death of the active member or retired former member for at least one year prior to the date on which the member terminated active service and membership.~~ "Surviving spouse" means the spouse of a deceased member who was legally married to the member at the time of death.

Section 3.6 Year of Active Service. For purposes of computing benefits or service pensions payable, a year of service shall be defined as a period of 12 full months of active service (insert the following language) from entry date in The Granite Falls Firemen's Relief Association.

#### ARTICLE V – DUES

Section 5.1 Each member of the Association shall pay annual dues of ~~\$15.00~~ \$20.00 payable on or before the date of the annual meeting of each year. New members shall pay upon entry into the Association. The Dues shall be placed in the General Fund.

#### ARTICLE X – BENEFITS

Section 10.2 To be eligible to receive a service pension a member must meet all of the following requirements:

- 1) Be at least 50 years of age,
- 2) Have retired from the Granite Falls Fire Department,

- ~~3) Have completed at least 5 years of active service with such department before retirement, and~~
- 4) Have been a member of the Association in good standing at least 10 years prior to such retirement.

ARTICLE XIII – DEFERRED PENSION STATUS – (Insert) INTEREST

~~Section 13.1 The Association shall add interest to the deferred benefit amount at a rate equal to the actual time weighted total rate of return investment performance of the special fund as reported by the State Auditor's Office under Section 356.219, up to five percent, compounded annually, and applied consistently for all deferred service pensioners.~~ The deferred service pension is payable when the former member reaches age 50 and makes a valid written application. The relief association pays interest on fully vested and partially vested deferred service pensions during the period of deferral. The Board of Trustees determines the rate of interest, up to five percent, compounded annually. Interest is payable following the date on which the municipality has approved the deferred service pension interest rate established by the Board of Trustees. The deferred service pension benefit is governed by state and federal law, the Articles of Incorporation, and the Bylaws applicable on the date on which the member separated from active service with the fire department and active membership in the Association.

RESOLUTION NO. 10-29

RESOLUTION APPROVING AMENDMENT TO BYLAWS OF  
GRANITE FALLS VOLUNTEER FIRE DEPARTMENT RELIEF  
ASSOCIATION

WHEREAS, a Constitution and Bylaws of the Granite Falls Volunteer Fire Department, Granite Falls, Minnesota, were established in 1889; and

WHEREAS, the Granite Falls Volunteer Fire Department has recommended that amendments be made to the Fire Department Relief Association's Bylaws as follows:

ARTICLE III – GENERAL DEFINITIONS

Section 3.1 ~~Surviving spouse. The term "surviving spouse" means any person who was the dependent spouse of a deceased active member or retired former member living with the member at the time of the death of the active member or retired former member for at least one year prior to the date on which the member terminated active service and membership.~~ "Surviving spouse" means the spouse of a deceased member who was legally married to the member at the time of death.

Section 3.6 Year of Active Service. For purposes of computing benefits or service pensions payable, a year of service shall be

defined as a period of 12 full months of active service (insert the following language) from entry date in The Granite Falls Firemen's Relief Association.

#### ARTICLE V – DUES

Section 5.1 Each member of the Association shall pay annual dues of ~~\$15.00~~ \$20.00 payable on or before the date of the annual meeting of each year. New members shall pay upon entry into the Association. The Dues shall be placed in the General Fund.

#### ARTICLE X – BENEFITS

Section 10.2 To be eligible to receive a service pension a member must meet all of the following requirements:

- 5) Be at least 50 years of age,
- 6) Have retired from the Granite Falls Fire Department,
- ~~7) Have completed at least 5 years of active service with such department before retirement, and~~
- 8) Have been a member of the Association in good standing at least 10 years prior to such retirement.

#### ARTICLE XIII – DEFERRED PENSION STATUS – (Insert) INTEREST

Section 13.1 ~~The Association shall add interest to the deferred benefit amount at a rate equal to the actual time weighted total rate of return investment performance of the special fund as reported by the State Auditor's Office under Section 356.219, up to five percent, compounded annually, and applied consistently for all deferred service pensioners. The deferred service pension is payable when the former member reaches age 50 and makes a valid written application. The relief association pays interest on fully vested and partially vested deferred service pensions during the period of deferral. The Board of Trustees determines the rate of interest, up to five percent, compounded annually. Interest is payable following the date on which the municipality has approved the deferred service pension interest rate established by the Board of Trustees. The deferred service pension benefit is governed by state and federal law, the Articles of Incorporation, and the Bylaws applicable on the date on which the member separated from active service with the fire department and active membership in the Association.~~

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, approving the amendment to the Bylaws of the Granite Falls Volunteer Fire Department Relief Association as stated above.

Adopted by the City Council this 1<sup>st</sup> of March, 2010.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Schaub, the resolution was adopted unanimously.

WWTP: Council reviewed a proposal received from Bonestroo, Inc. to assist the city in submitting a plan to the Minnesota Pollution Control Agency to correct the bypass issues addressed by MPCA following a Compliance Evaluation Inspection of the city's Wastewater Treatment Plant in an amount not to exceed \$10,000. Following discussion Galow introduced a resolution and moved its adoption accepting the proposal received.

RESOLUTION NO. 10-30

RESOLUTION ACCEPTING PROPOSAL OF  
BONESTROO, INC.

WHEREAS, Bonestroo, Inc. has submitted a proposal to assist the city in submitting a plan to the Minnesota Pollution Control Agency to correct the bypass issues addressed by MPCA following a Compliance Evaluation Inspection of the city's Wastewater Treatment Plant in an amount not to exceed \$10,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, accepting the proposal of Bonestroo, Inc. in an amount not to exceed \$10,000 to prepare and submit a plan to MPCA to correct the bypass issues at the Wastewater Treatment Plant.

Adopted by the City Council this 1<sup>st</sup> day of March, 2010.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Peterson, the resolution was adopted unanimously.

WTP: Council discussed a proposal received from Huls Brothers Trucking, Inc. to haul and dispose of 1,000 to 3,000 tons of lime sludge from the lagoons per year at a the rate of \$19 per ton based on a 23-ton load. Also a fuel surcharge may apply after \$4 per gallon. Following discussion Nordaune introduced a resolution and moved its adoption approving the renewal of the 5-year contract with Huls Brothers Trucking, Inc.

RESOLUTION NO. 10-31

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT FOR LIME SLUDGE DISPOSAL

WHEREAS, Huls Bros Trucking, Inc. has proposed a five-year contract to excavate (with the use of the city's loader), haul and legally dispose of 1,000 to 3,000 tons of lime sludge per year at the rate of \$19 per ton with the rate based upon 23-ton loads and a fuel surcharge which may apply after \$4 per gallon.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, authorizing the Mayor and City Manager to execute the 5-year contract with Huls Bros Trucking, Inc. for the excavation (with the use of the city's loader), hauling and legally disposing of approximately 1,000 to 3,000 tons of lime sludge per year at the rate of \$19 per ton with the rate based upon 23-ton loads and a fuel surcharge to apply after \$4 per gallon.

Adopted by the city Council this 1<sup>st</sup> day of March, 2010.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Miller, the resolution was adopted unanimously.

LINE CLEARING: The following bids were received to complete the 2010 Utility Line Clearing Project.

<u>Company</u>	<u>Bid</u>
MN Valley Tree Service	\$50,000
Jacobsen Tree Experts	\$39,990

Miller introduced the following resolution and moved its adoption accepting the bid received from Jacobsen Tree Experts in the amount of \$39,990 to complete the 2010 Utility Line Clearing Project.

RESOLUTION NO. 10-32

RESOLUTION ACCEPTING BID FOR 2010  
UTILITY LINE CLEARING PROJECT

WHEREAS, pursuant to Resolution No. 10-17 council called for bids for the 2010 Utility Line Clearing Project; and

WHEREAS, the following bids were received at 2:00 p.m. on February 23<sup>rd</sup>:

Minnesota Valley Tree Service	\$50,000
Jacobsen Tree Experts	\$39,990

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, accepting the bid received from Jacobsen Tree Experts in the amount of \$39,990 for the 2010 Utility Line Clearing Project.

Adopted by the City Council this 1<sup>st</sup> day of March, 2010.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Nordaune, the resolution was adopted unanimously.

HIGHWAYS 212 & 5: At the request of the Minnesota Transportation Alliance Galow introduced the following resolution and moved its adoption supporting funding for Highways 212 and 5.

RESOLUTION NO. 10-33

RESOLUTION IN SUPPORT OF FUNDING  
FOR HIGHWAYS 212 AND 5

**WHEREAS** Highway 212 is a major US highway serving the southwest portion of the state and has been in need of expansion to improve safety and freight movement for decades;

**WHEREAS** forty-one communities and local chambers of commerce have passed resolutions supporting improvements to Highway 212 to expand the capacity of this highway and the Board of Commissioners of every county along the corridor has passed such a resolution;

**WHEREAS** the current highway poses serious safety problems as it switches from a four lane facility west of Chaska to a two-lane highway, then switches back to a four lane highway around Cologne and back to a two-lane highway from Cologne to Norwood Young America and would be much safer and much better able to handle present and projected traffic flows if it were a continuous four-lane highway through this area;

**WHEREAS** Congress and the State of Minnesota have recognized the need to expand this critical trade link to the Twin Cities Metropolitan Area and have previously provided funding through the ISTEA Transportation Authorization bill, TEA-21 Authorization bill, the 2002 Transportation Appropriations bill, the 2003 Transportation Appropriations bill, the 2004 Transportation Appropriations bill and SAFETEA-LU;

**WHEREAS** Highway 5 is the primary east-west route connecting the communities of Chanhassen, Victoria, Waconia and Norwood Young America to the metropolitan area;

**WHEREAS** Highway 5 provides access to important destinations such as the Ridgeview Medical Center in Waconia and the University of Minnesota's Landscape Arboretum;

**WHEREAS** the crash rate on Highway 5 is 20 percentage points higher than the statewide average while the fatality rate for these crashes is over 70 percentage points higher than the statewide average;

**WHEREAS**, the improvement of critical transportation infrastructure will not only create immediate construction jobs but will support increased economic development in our state;

**NOW, THEREFORE, BE IT RESOLVED** that the City of Granite Falls strongly supports the inclusion of funding to improve and expand US Highway 212 and Highway 5 in the FY2011 Transportation and HUD Appropriations bill and in the next Surface Transportation Authorization Act which will succeed SAFETEA-LU.

Adopted by the City Council this 1<sup>st</sup> day of March, 2010.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Fagnano, the resolution was adopted unanimously.



FLOOD MITIGATION: Council was advised that the next Flood Mitigation Task Force meeting has been set for Thursday, March 25<sup>th</sup> here at City Hall.

SPRING FLOOD FORECAST: Staff advised council that a public informational meeting concerning the spring flood forecast has been scheduled for Thursday, March 11<sup>th</sup> at 7:00 p.m. at the Kilowatt Community Center.

HIGHWAY 212 CONCRETE REHABILITATION: Council reviewed an email received from Nathan Pederson from the Department of Transportation advising the city that bids have been received for the Highway 212 concrete rehabilitation project and work is expected to being after the 4<sup>th</sup> of July holiday and should be completed by the middle of August.

RIVERVIEW TASK FORCE: Council reviewed cost estimates and preliminary drawings prepared by TSP Architects concerning the possible refurbishment of the first floor in Riverview Apartments to accommodate a senior center. Their next step is to obtain input from various senior citizen organizations concerning this concept.

2010 LEGISLATIVE SESSION: Council reviewed an update from State Representative Lyle Koenen relative to the 2010 Legislative Session.

BOARDS & COMMISSIONS: The names of Tasha Feldman and Jackie Torvik were submitted for consideration for appointment to the Kilowatt Community Center Board.

SOUTHWEST INITIATIVE FOUNDATION: Council again discussed the request for a contribution from the city to the Southwest Initiative Foundation for 2010. It was the consensus of council that more information was needed prior to making any contribution commitment.

ADJOURN: M/S/P MILLER/SCHAUB to adjourn at 8:14 p.m.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

BILLS PAID:

AMERICAN ENGINEERING TESTING	VACATE STREET	11,431.88
BONESTROO & ASSOCIATES	NEW WATER PLANT WORK	188,736.05
CITIZEN'S STATE BANK	NSP B. PFAFF	154.00
CNH CAPITAL	SNOW BLOWER REPAIRS	0.00

DANA F. COLE & CO LLP	FLEX BENEFITS	1,651.66
EFTPS	FED WHOLDING TAX	25,340.25
HOLMSTROM & KVAM	LOAN TO SAWMILL	82,911.25
KOTEK/NICOLLE	KCC CLASSES	160.00
MERCURY PAYMENT SYSTEMS	LIQUOR CC FEE	646.79
MN DEPT OF REVENUE	SALES/USE TAX	24,099.89
MN DNR WATERS	DNR WATER REPORT	711.10
MN DPT OF ADMINISTRATION	*FY* CITYHALL	283.78
MN RURAL WATER ASSN	GATZ REGISTRATION	175.00
NATIONAL PROCESSING CO	KCC CREDIT CARD FEE	120.36
PERA	PERA	17,339.96
POSTMASTER	REFILL POSTAGE	1,221.72
VANCO SERVICES	PROGRAM FEE	35.60
VISA	CUTTING EDGES	947.43
WELLS FARGO BANK NA	AIRPORT CC FEE	41.94
YME AFTER PROM	2010 DONATION	100.00
A & B BUSINESS	KCC COPIER COUNT	303.64
ADOLPH KEIFER	KCC GOGGLES	70.00
ALPHA WIRELESS	BUCKET/DIGGER SPEAKERS	590.53
ARNESON DISTRIBUTING INC.	BEER	319.50
ARTIC GLACIER INC	ICE	86.30
AUTO OWNERS INSURANCE	HYDRO FLOOD INS	2,714.00
BAUER/SHANNON & CYNTHIA	DEPOSIT REFUND	31.90
BENSON LAUNDRY	RUGS/CITY HALL	50.40
BEST BUSINESS PRODUCTS	CANON COPIER COUNT	500.19
BEVERAGE WHOLESALERS INC	WINE INV	150.00
BORDER STATES ELECTRIC SUPPLY	ELECTRICAL CLEANERS	298.91
CENTRAL MN MUNICIPAL POWER	*FY*CAPX 2020 4TH QTR 09	4,413.45
CENTURYLINK	KCC PHONE	189.19
COALITION OF GREATER MN CITIES	ACTION DAY SMIG	90.00
COLLECTION BUREAU	COLLECTION FEE	18.31
COMPUTERS & BEYOND	KCC REFURB COMPUTER	302.45
CONVENTION & VISITORS BUREAU	JAN RECVD IN MARCH	410.19
CRIME STOPPERS OF MN	LAW ENFORCEMENT PROGRAM	150.00
DAHLAGER/NATHAN	ENERGY STAR REBATE	200.00
DAVIS TYPEWRITER CO	PD SUPPLIES	51.64
ENESTVEDT/LYNN	ENERGY STAR REBATE	50.00
FLAGHOUSE INC	KCC SHARPSHOOTER	52.32
G & K SERVICES	KCC RUGS/TOWELS/MISC	191.78
GILLOT/JADE	METER SCHOOL MILEAGE	99.00
GRANITE FALLS/CITY OF	PRINC PD LOAN	705.33
GRANITE FLUID POWER INC	SEAL KIT #27	152.79
GRAYMONT CAPITAL INC	WWTP LIME	1,429.73
HACH COMPANY	WWTP FILTER PAPER	47.55
HOERNEMANN/PAUL	CABLE SERVICE	255.00
IN SEASON MECHANICAL	ACTUATOR-KCC	161.77
JOHNSON BROS WHOLESALE LIQUOR	LIQUOR/WINE	7,025.68
KNUTSON/ERIC	PICKUP COMP @ MARSHALL	30.00
KRANITZ/FRANK	WORK @ SENIOR CITZ CENTR	325.00
LEXISNEXIS RISK SOLUTIONS INC	TRANSIT	160.00
LIGHT FUND	KCC	23,966.94
LOCHER BROTHERS	BEER INV	5,867.27
MACQUEEN EQUIPMENT INC.	SWEEPER REPAIRS	1,013.00
MADISON BOTTLING CO.	BEER/SODA	8,149.10
MARTIN MARIETTA AGGREGATES	JEFFERSON WATER BREAK	276.28
MCCORMICK/SHARA	REIMB MEDICA CREDIT	20.00
MINNESOTA LIFE	RETIREE'S LIFE INS	4.40
MN AWWA	REG J.RILEY	30.00
MN DEPT OF COMMERCE	4TH QTR 2010 ASSESSMENT	523.30
MN DPT OF PUBLIC SAFETY	HAZ MATL FEE	100.00
MN NCPERS LIFE INS	PERA LIFE INS	96.00
MN VALLEY TESTING LAB, INC.	WATER PLANT/TESTING	30.00
NISSEN/SHANE	DEPOSIT REFUND	40.05
OFFICE PEEPS	INK	6.37
OTABI/SARINA	DEPOSIT REFUND	51.55
PHILLIPS WINE & SPIRITS CO.	LIQUOR/WINE	3,146.78
PREFERRED CONTROLS INC	HIGHLAND PARK TOWER	534.00
QUILL CORPORATION	COPIER PAPER	89.34
RECREATION SUPPLY COMPANY	KCC PVC VALVE	442.66
RODEBERG & BERRYMAN, INC.	FLOOD WORK LEVEE 1	13,512.41
RUETHER BROS LLC	#27 PARTS FOR REPAIRS	346.87

SAFETY-KLEEN CORP.	HAZ MATL HANDLING	215.02
SAND/KRIS	BLDG MAINT	350.00
SCHWAN'S SALES ENT.	KCC RESALE	39.97
SMIGLEWSKI/DAVID	MILEAGE/MEAL CGMC MTG	142.00
SOUTHWEST WHOLESALE CO	KCC COFFEE	44.15
STANLEY CONSULTANTS INC	FLOOD WORK	416.17
STRAND BOOK STORE	BOOKS	74.45
SUNSOURCE	#2 REPAIRS	276.71
SW-WC SERVICE COOPERATIVES	GRP HEALTH INSURANCE	30,282.00
SYNERGY GRAPHICS INC	MINUTE BOOK	206.27
UNIVAR USA INC	SODA ASH	5,864.40
UPS	ELECTRICAL SHIPPING	54.55
VIKING COCA-COLA BOTTLING CO.	SODA	67.35
WATER CONSERVATION SERVICE INC	LOCATE LEAKS	1,630.00
WBM WINE & SPIRITS	LIQUOR	3,311.55
WILLIE'S KORNER STORE	BAGS	140.26
YELLOW MEDICINE EAST	KNAPPER	21,011.45
2XL CORPORATION	GYM WIPES KCC	127.15