

OFFICIAL CITY COUNCIL PROCEEDINGS
REGULAR SESSION
MAY 5, 2014

A regular session of the Granite Falls City Council was called to order by Mayor David Smiglewski at 7:30 p.m., Monday, May 5th, in the Council Chambers of City Hall. Council Members present: DuWayne Galow, Sarina Otaibi, Steve Schaub, Joe Fagnano and Scott Peterson. Council Member absent: Steve Nordaune. Staff present: City Manager Bill Lavin, Finance Director Michael Betker and City Clerk Joan Taylor. Also in attendance were Robert Fluto, Cheryl Glaeser from Southwest Minnesota Foundation and Advocate Tribune News Editor Scott Tedrick.

MINUTES: M/S GALOW/SCHAUB TO APPROVE THE MINUTES OF THE APRIL 21ST REGULAR MEETING. Motion carried unanimously by those present.

BILLS: M/S SCHAUB/PETERSON TO APPROVE BILLS PRESENTED FOR PAYMENT. Motion carried unanimously by those present.

ASSESSMENTS: Robert Fluto was in attendance requesting council waive the special assessments on property located at 215 9th Avenue. Following discussion it was the consensus of council for Mr. Fluto to submit a plan and time line for the planned improvements to this property. At that time council will consider entering into a Development Agreement prior to waiving the assessments.

SW INITIATIVE FOUNDATION: Cheryl Glaeser from the Southwest Initiative Foundation was in attendance to give council an overview of the goals and objectives of the foundation.

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

AIRPORT: M/S SCHAUB/GALOW AUTHORIZING THE REMOVAL OF THE FENCE AT THE SOUTH END OF THE RUNWAY FOR AN EVENT SCHEDULED FOR JUNE 6TH. Motion carried unanimously by those present.

CHAMBER OF COMMERCE: M/S GALOW/SCHUAB AUTHORIZING THE USE OF THE SORLIEN PARK PARKING LOT FOR CRAFTERS ON JUNE 18TH. Motion carried unanimously by those present.

DISEASED ELM TREE PROGRAM: Only one bid was received from Brian's Tree Service for the 2014 Diseased Elm Tree Removal Program in the amount of \$15.59 per inch for removal of trees and \$5.49 for additional stump grinding. Fagnano introduced the following resolution and moved its adoption accepting the quote received from Brian's Tree Service in the amount of \$15.59 per inch for the 2014 Diseased Elm Tree Removal Program.

RESOLUTION NO. 14-67

RESOLUTION ACCEPTING QUOTE FOR
REMOVAL OF DISEASED ELM TREES – 2014

WHEREAS, pursuant to Resolution No. 14-52, council called for bids for the removal of diseased Dutch Elm trees for the 2014 growing season; and

WHEREAS, only one quote was received for 2014 diseased elm tree removal.

<u>Contractor</u>	<u>Per-Inch Bid</u>	<u>Additional Stump Grinding Bid</u>
Brian’s Tree Service, Cottonwood	\$15.59	\$5.49

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, accepting the quote received from Brian’s Tree Service in the amount of \$15.59 per diameter inch and \$5.49 per diameter inch for any additional stump grinding on city-owned property for the 2014 Disease Elm Tree Removal Program.

Adopted by the City Council this 5th day of May, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Peterson, the resolution was adopted unanimously by those present.

LIQUID CARBON DIOXIDE: Upon the recommendation of staff, Schaub introduced the following resolution and moved its adoption to reject the one quote received for the purchase and delivery of liquid carbon dioxide for the Water Treatment Plant and to re-solicit for quotes. The new quotes will be due on Thursday, May 15th at 1:00 p.m.

RESOLUTION NO. 14-68

RESOLUTION REJECTING QUOTE AND AUTHORIZING
THE RE-SOLICITING FOR THE PURCHASE OF LIQUID CO₂

WHEREAS, pursuant to Resolution No. 14-60 council called for quotes for the purchase and delivery of liquid carbon dioxide for the Water Treatment Plant; and

WHEREAS, quotes were due to be received by 1:00 p.m. Thursday, May 1st with the only quote received from POET Ethanol Products in the amount of \$132 per ton; and

WHEREAS, the city's current contract holder did not receive the bid packet which was sent to them; and

WHEREAS, it being in the best interest of the city it has been recommended to reject this quote and authorize re-soliciting for the purchase and delivery of liquid CO₂.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, rejecting the quote received from POET Ethanol Products and authorizing the city to again call for quotes for the purchase and delivery of liquid CO₂ said bids to be due by Thursday, May 15th at 1:00 p.m.

Adopted by the City Council this 5th day of May, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Galow, the resolution was adopted unanimously by those present.

MAPE: Upon the recommendation of the Wage and Salary Committee, Fagnano introduced the following resolution and moved it adoption to approve a three-year contract with MAPE union employees.

RESOLUTION NO. 14-69

RESOLUTION APPROVING MAPE UNION
CONTRACT PROPOSAL FOR 2014 - 2016

WHEREAS, the Wage and Salary Committee and MAPE have reached an agreement for a three-year contract for the years beginning January 1, 2014 and December 31, 2016; and

WHEREAS, included in the three-year contract, among other items, are the following salary adjustments for the year 2014 – 2.5%, 2.5% in 2015 and 2.5% in 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, approving the three-year contract with the MAPE union employees and authorizing the Mayor and the City Manager to execute said contract.

Adopted by the City Council this 5th day of May, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Schaub, the resolution was adopted unanimously by those present.

CITY CLERK: Galow introduced the following resolution and moved it adoption to approve a three-year contract with the City Clerk.

RESOLUTION NO. 14-70

RESOLUTION APPROVING CITY CLERK CONTRACT FOR 2014 - 2016

WHEREAS, the Wage and Salary Committee and the City Clerk have reached an agreement for a three-year contract for the years beginning January 1, 2014 and December 31, 2016; and

WHEREAS, included in the two-year contract, among other items, are the following salary adjustments for the year 2014 – 2.5%, 2.5% in 2015 and 2.5% in 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, approving the three-year contract with the City Clerk and authorizing the Mayor and the City Manager to execute said contract.

Adopted by the City Council this 5th day of May, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Peterson, the resolution was adopted unanimously by those present.

ASSESSMENTS: Council reviewed correspondence requesting the city waive the assessments on property located at 1701 9th Avenue. Follow discussion it was the consensus of council to contact the interested resident to inquire as to their plans for possible development on this lot.

PEDESTRIAN BRIDGE: Schaub introduced the following resolution and moved its adoption authorizing execution of a State Bonding Agreement relative to the 2010 Bonding Bill which included \$512,000 for rehabilitation of the pedestrian bridge.

RESOLUTION NO. 14-71

RESOLUTION AUTHORIZING EXECUTION OF STATE BONDING AGREEMENT
PEDESTRIAN BRIDGE REHABILITATION PROJECT NO. SP 098-060-002

WHEREAS, in the 2010 State Bonding Bill was \$512,000 for the Pedestrian Bridge Rehabilitation Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, authorizing execution of the State Bonding Agreement SP 098-060-002 for the Pedestrian Bridge Rehabilitation Project.

Adopted by the City Council this 5th day of May, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Galow, the resolution was adopted unanimously by those present.

Following further discussion Galow introduced a resolution calling for bids for the Pedestrian Bridge Rehabilitation Project subject to project authorization.

RESOLUTION NO. 14-72

RESOLUTION CALLING FOR BIDS FOR
PEDESTRIAN BRIDGE REHABILITATION PROJECT
SP 098-060-002

WHEREAS, pursuant to Resolution No. 14-72 council authorized execution of State Bonding Agreement in the amount of \$512,000 to rehabilitate the pedestrian bridge; and

WHEREAS, the city has received approval of the plans and specifications for the rehabilitation project from MnDOT and the State Historic Preservation Office.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, calling for bids for the Pedestrian Bridge Rehabilitation Project SP 098-060-002 subject to project authorization.

Adopted by the City Council this 5th day of May, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Peterson, the resolution was adopted unanimously by those present.

ORDINANCE: Following discussion M/S SCHAUB/OTAIBI TO HAVE THE SECOND READING OF AN ORDINANCE OF THE CITY OF GRANITE FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 5.

ORDINANCE NO. 167, 2nd SERIES

AN ORDINANCE OF THE CITY OF GRANITE FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 5 ENTITLED "ALCOHOLIC BEVERAGES LICENSING AND REGULATION" BY AMENDING SECTION 5.01 "DEFINITIONS", BY ADDING SUBD.5.1 "BREWER TAP ROOM LICENSE," AND SUBD. 7.2 "CRAFT BREW LICENSE" AND BY ADOPTING SECTION 5.22 "CRAFT BREW LICENSE" AND BY ADOPTING SECTION "BREWER TAPROOM LICENSE".

The City of Granite Falls does ordain as follows:

Section I.

A. Section 5.01 Definitions, is hereby amended to add the following:

Subd. 5.1 **Brewer Taproom License.** Means a license authorizing the on-sale of malt liquor produced by a brewer for consumption on the premises of or adjacent to one (1) brewer location owned by the brewer.

Subd. 7.1. **Craft Brew License.** Means a license authorizing the off-sale of malt liquor produced by a brewer for consumption off the premises of the brewer location.

B. Section 5.22 Craft Brew License and Section 5.23 Brewer Taproom License are

hereby Adopted to read as follows:

Sec. 5.22. **Craft Brew License.** Brewer off-sale intoxicating liquor licenses, with the approval of the Commissioner of Public Safety, may be issued to a brewer that is a licensee under Section 5.23 (Brewer Taproom License) below, or that produces fewer than 3,500 barrels of malt liquor in a year and otherwise meets the criteria established at Minn.

Stat. § 340A.301 subd. 6(d) and 7(b), as it may be amended from time to time. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the city. Malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. All malt liquor sold under this license shall be packaged in the manner required by Minn. Stat. § 340A.301, subd. 7 as it may be amended from time to time. Sales under this license may not exceed 500 barrels per year. If a brewer licensed under this section possesses a license under Section 5.23 (Brewer Tap Room License) below, the brewer's total retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels.

Sec. 5.23. Brewer Tap Room License. Brew pub on-sale intoxicating liquor or on-sale 3.2 percent malt liquor licenses, with the approval of the Commissioner of Public Safety, may be issued to brewers who meet the criteria established at Minn. Stat. § 340A.301 subd. 6(d) and 7(b), as it may be amended from time to time. Sales under this license at on-sale may not exceed 3,500 barrels per year. If a brew pub licensed under this section possesses a license for off-sale under Section 5.22 (Craft Brew License) above, the brew pub's total combined retail sales at on sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels. Nothing in this section shall preclude the holder of a Brewer Taproom License from also holding a license to operate a restaurant at the taproom location.

Section 2.

City Code Chapter 1 entitled "General Provisions and Definitions Applicable to the Entire City Code, Including Penalty for Violation" and Section 5.99 are hereby adopted in their entirety by reference as though repeated verbatim herein.

Section 3.

This ordinance is to become effective from and after its passage and publication according to law.

Adopted by the City Council of the City of Granite Falls, Minnesota, this 5th day of May, 2014 by a unanimous vote of the Council of those present.

ATTEST:

Joan M. Taylor, City Clerk

David Smiglewski, Mayor

This Ordinance published in the Granite Falls-Clarkfield Advocate Tribune on the 7th day of May, 2014.

Motion carried unanimously by those present.

M/S SCHAUB/GALOW TO HAVE THE SECOND READING OF AN ORDINANCE OF THE CITY OF GRANITE FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 9.

AN ORDINANCE OF THE CITY OF GRANITE FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 9, ENTITLED LAND USE REGULATIONS (ZONING), SECTION 9.21, DOWNTOWN COMMERCE, SUBD. 2, PERMITTED USES, AND ADOPTING BY REFERENCE SECTION 9.99 AND CITY CODE CHAPTER 1, WHICH, AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS

The City of Granite Falls does ordain as follows:

Section 1. Section 9.21. C - 2- DOWNTOWN COMMERCE, Subd. 2. Uses Permitted, A - Commercial Establishments, is hereby amended to add Paragraph 9, Brew or Tap Rooms, also known as Brew Pubs, pursuant to Minnesota Statutes §340A.301, Subd. b, and small brewer establishments, also known as "craft brew", and also known as brew on premises stores, pursuant to Minnesota Statutes §340A.301, Subd. 6d.

Section 2. City Code Chapter 1, entitled "General Provisions and Definitions Applicable to the Entire Code, Including Penalty for Violation" are hereby adopted in their entirety, by reference as though repeated verbatim herein.

Section 3. Effective Date. This ordinance shall become effective from and after its passage and publication according to law.

ADOPTED by the City Council of the City of Granite Falls, Minnesota, this 5th day of June, 2014, by a unanimous vote of the council.

ATTEST:

Joan M. Taylor, City Clerk

David Smiglewski, Mayor

Ordinance published in the Granite Falls-Clarkfield Advocate Tribune on the 7th day of May, 2014.

Motion carried unanimously by those present.

FLOOD MITIGATION: Staff advised council that once the weather improves work on the Sanitary Sewer Lift Station Project will begin.

WATER TREATMENT PLANT: Rural Development should approve the plans and specifications for the demolition and restoration of the old Water Treatment Plant site within the next four to six weeks.

TURBINE REPLACEMENT PROJECT: Staff is awaiting an update construction scheduled relative to the Turbine Replacement Project. Barr Engineering has also submitted a down-stream doffer dam plan to the Federal Energy Regulatory Commission for its review and approval.

CHARITABLE GAMBLING: A gambling license application was acknowledged at this time for the Granite Falls Lions Club to hold it's a raffle on behalf of the YME Dance Line. This application was acknowledged with no waiting period.

VOLSTEAD HOUSE: Council reviewed a summary of the site inspection of the Volstead House which was completed by Dene Dwyer and bob Clayborn on Wednesday, April 23rd.

PERSONNEL: Staff advised council that interviews have been completed to fill the police officer's position and a decision for hiring will be made prior to the May 19th meeting. Also interviews for the EDA Director's position will take place on Friday, May 9th.

ADJOURN: M/S/P SCHAUB/PETERSON TO ADJOURN at 8:36 p.m.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

BILLS PAID

Total 2XL CORPORATION:	119.98
Total AFFILIATED MED CENTER:	189.70
Total AIRNAV LLC:	19.00
Total ALVAREZ, JUAN & CHERYL:	42.29
Total ARNESON DISTRIBUTING INC.:	85.50
Total ARTIC GLACIER INC:	36.10
Total BAKER & TAYLOR BOOKS:	31.50
Total BARR ENGINEERING CO.:	10,858.45
Total BENNETT OFFICE TECHNOLOGIES:	4,181.00
Total BERGQUIST, LES:	44.03
Total BEVERAGE WHOLESALERS INC:	137.60
Total BISBEE PLUMBING & HEATING:	14,425.00
Total BORDER STATES ELECTRIC SUPPLY:	863.06
Total CENTURYLINK:	201.40
Total CENTURYLINK-PHOENIX:	16.32
Total CHAMBER OF COMMERCE:	20.00
Total CITIZENS ALLIANCE BANK:	30.00
Total CNH CAPITAL:	203.51
Total COCARD:	118.67
Total CONVENTION & VISITORS BUREAU:	614.15

Total DAN'S SHOP INC:	128.61
Total DAVE'S ELECTRIC MOTOR CO:	85.77
Total DAVIS TYPEWRITER CO:	41.52
Total DEPARTMENT OF HUMAN SERVICES:	19,294.82
Total ECONOMART:	209.39
Total FARM & HOME PUBLISHERS LTD:	43.50
Total FARMERS UNION OIL CO.:	10,254.98
Total FELCYN, JAMES:	27.42
Total FERGUSON WATERWORKS SUPPLY:	32.45
Total G & K SERVICES:	170.85
Total GLOBAL EQUIPMENT CO.:	414.64
Total GRANITE FALLS AUTO PARTS:	252.23
Total GRANITE TRUE VALUE:	106.83
Total GRAYMONT CAPITAL INC:	3,933.41
Total HACH COMPANY:	257.97
Total HEARTLAND PAYMENT SYSTEMS:	61.01
Total HERMAN, STEPHANIE:	4.42
Total HOERNEMANN, PAUL:	255.00
Total HOLMSTROM & KVAM:	350.00
Total IRBY:	346.13
Total JOHNSON BROS WHOLESALE LIQUOR:	3,513.30
Total KNUTSON, ERIC:	25.24
Total KOERLIN, KEITH:	199.59
Total KOTEK, NICOLLE:	60.00
Total KRANITZ, FRANK:	325.00
Total LEE'S AUTO & DIESEL:	167.50
Total LIGHT FUND:	23,568.61
Total LINCOLN PIPESTONE RURAL WATER:	33.48
Total LOCHER BROTHERS:	7,851.28
Total MACQUEEN EQUIPMENT INC.:	89.27
Total MADISON BOTTLING CO.:	10,279.60
Total MARCO:	32.02
Total MCOA:	40.00
Total MERCURY PAYMENT SYSTEMS:	1,416.08
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Total MINNESOTA LIFE:	1.14
Total MITLYNG ELECTRIC & REFRIG.:	382.46
Total MN DEPT OF REVENUE:	23,420.00
Total MN DPT OF ADMINISTRATION:	96.13
Total MN DPT OF LABOR & INDUSTRY:	100.00
Total MN MUNICIPAL BEVERAGE ASSOC.:	514.00
Total MN NCPERS-496000:	80.00
Total MN VALLEY TESTING LAB INC.:	748.50
Total MOSS & BARNETT:	1,479.00
Total MVTV:	362.70
Total NIELSEN, BETSY:	80.00
Total OFFICE PEEPS:	133.98
Total PAR PIPING & FABRICATION:	108.69
Total PARKVIEW FORD:	21.24
Total PETERSEN, JODI:	362.50
Total POSTMASTER:	795.42
Total PRAXAIR INC:	1,074.95
Total PROTECTION SYSTEMS INC:	722.48
Total REGIONAL DEVELOP. COMMISSION:	11,026.78
Total RODEBERG & BERRYMAN INC.:	22,609.80
Total SAWMILL, THE:	2.96
Total SHRED-IT SIOUX FALLS:	33.60
Total SMIGLEWSKI, DAVID:	249.75
Total STANTEC CONSULTING SERVICES:	761.50
Total SW-WC SERVICE COOPERATIVES:	30,707.00
Total TRI-STATE PUMP & CONTROL:	6,927.34
Total USA BLUEBOOK:	78.51
Total UTILITIES PLUS ENERGY SERVICES:	7,500.00
Total VANCO SERVICES:	37.90

Official City Council Proceedings, Regular Meeting May 5, 2014

Total VARIETY FOODS LLC:	151.36
Total VESSCO INC.:	1,114.82
Total VIKING COCA-COLA BOTTLING CO.:	77.50
Total WESTERN FEST:	15.00
Total WIDSETH SMITH NOLTING & ASSC.:	6,077.50
Total WILLIE'S KORNER STORE:	273.34
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Grand Totals:	234,237.03
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