

OFFICIAL CITY COUNCIL PROCEEDINGS
REGULAR SESSION
OCTOBER 6, 2014

A regular session of the Granite Falls City Council was called to order by Mayor David Smiglewski at 7:30 p.m., Monday, October 6th, in the Council Chambers of City Hall. Council Members present: Sarina Otaibi, Steve Nordaune, Steve Schaub and Joe Fagnano. Council Members absent: DuWayne Galow and Scott Peterson. Staff present: City Manager Bill Lavin and City Clerk Joan Taylor. Also in attendance was Brian Grogan from Moss & Barnett.

MINUTES: M/S NORDAUNE/SCHAUB TO APPROVE THE MINUTES OF THE SEPTEMBER 15th REGULAR MEETING. Motion carried unanimously by those present.

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

MEDIACOM: Brian Grogan from Moss & Barnett was in attendance to update council with respect to the renewal process for the cable franchise with Mediacom. Following discussion and upon the recommendation of Mr. Grogan, Nordaune introduced a resolution and moved its adoption extending the previous franchise agreement through March 31, 2015 to allow sufficient time to complete the renewal negotiations.

RESOLUTION NO. 14-151

**GRANTING MEDIACOM MINNESOTA LLC
A FRANCHISE EXTENSION TO MARCH 31, 2015**

WHEREAS, on or about October 26, 1999, the City of Granite Falls, Minnesota ("City") passed and adopted a Cable Television Franchise Ordinance granting a fifteen (15) year franchise ("Franchise") to Triax Midwest Associates, L.P. ("Triax"); and

WHEREAS, the Franchise was accepted by Triax on October 29, 1999 and is currently held by Mediacom Minnesota LLC ("Mediacom"); and

WHEREAS, the initial term of the Franchise will expire on or about October 29, 2014; and

WHEREAS, both the City and Mediacom desire to extend the term of the Franchise to facilitate renewal negotiations under state and federal law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Granite Falls, Minnesota hereby resolves as follows:

1. The Franchise is hereby amended by extending the term of the Franchise from October 30, 2014 through and including March 31, 2015 unless earlier renewed by the parties.
2. Except as specifically modified hereby, the Franchise shall remain in full force and effect.
3. The City and Mediacom hereby agree that neither waives any rights either may have under the Franchise or applicable law.
4. This Resolution shall become effective upon the occurrence of both of the following conditions: (1) the Resolution being

passed and adopted by the Granite Falls City Council; and (2) Mediacom's acceptance of this Resolution.

Adopted by the City Council of Granite Falls, Minnesota, this 6th day of October, 2014.

CITY OF GRANITE FALLS, MINNESOTA

David Smiglewski
Mayor

ATTEST:
City Clerk

ACCEPTANCE

Mediacom Minnesota LLC hereby accepts the terms, provisions and recitals of the City of Granite Falls Resolution No. _____.

DATED: _____, 2014

MEDIACOM MINNESOTA LLC

By:

Its: _____

Sworn to before me this _____ day of _____, 2014.

Notary Public

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

REPORTS: The following reports were acknowledged at this time: Building Inspection, Finance, Fire Department, Kilowatt Community Center Board, Pubic Works, Utilities Commission and Planning Commission.

XCEL ENERGY: Upon the recommendation of the Utilities Commission Nordaune introduced the following resolution and moved its adoption authorizing execution of the Interconnection & Interchange Agreement with Xcel Energy.

RESOLUTION NO. 14-152

**RESOLUTION AUTHORIZING EXECUTION OF
SERVICE AGREEMENT FOR TRANSMISSION TO LOAD INTERCONNECTION
SERVICE**

WHEREAS, the 1992 Energy Policy Act requires that agreements that included the physical connection of transmission as well as the actual cost of

transmission be updated whereby the agreement covering the physical connection is separate; and

WHEREAS, the Utilities Commission is recommending council authorize execution of an Agreement for Transmission to Load Interconnection Service between the city and Northern States Power Company.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, authorizing execution of the Service Agreement for Transmission to Load Interconnection Service with Northern State Power Company.

Adopted by the City Council this 6th day of October, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

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

UTILITY BILLING: Upon the recommendation of the Utilities Commission Nordaune introduced the following resolution and moved its adoption approving the new form of the utility billing statement.

RESOLUTION NO. 14-153

RESOLUTION APPROVING NEW FORM FOR
UTILITY BILLS

WHEREAS, the Utilities Commission is recommending council approve the new form for utility billing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, approving the new form for utility billing as proposed.

Adopted by the City Council this 6th day of October, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

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

Also upon the recommendation of the Utilities Commission Schaub introduced the following resolution and moved its adoption adopting a Utility Deposit Policy whereby the city would hold a customer's utility deposit for two years and on the 25th month the deposit would be credited to the customer's account.

RESOLUTION NO. 14-154

RESOLUTION ADOPTING UTILITY DEPOSIT POLICY

WHEREAS, the Utilities Commission is recommending council approve a Utility Deposit Policy whereby the city would hold a customer's utility deposit for two years and on the 25th month the deposit would be credited to the customer's account.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, approving the Utility Deposit Policy as proposed.

Adopted by the City Council this 6th day of October, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

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

XCEL ENERGY: Nordaune introduced the following resolution and moved its adoption authorizing execution of a Temporary Site Lease Agreement which would allow Xcel Energy to use a portion of the vacant lot between Richter Field and the Transit Garage for storage of vehicles, equipment and materials from September 22nd to December 31, 2014 at a lease price of \$3,000. Xcel Energy also understands that equipment will be moved if necessary to accommodate the city's snow removal process.

RESOLUTION NO. 14-155

RESOLUTION AUTHORIZING EXECUTION OF
TEMPORARY SITE LEASE AGREEMENT WITH
NORTHER STATES POWER COMPANY DBA XCEL ENERGY

WHEREAS, Xcel Energy has requested a Temporary Lease Agreement with the city for lease of certain real estate described as the west half of the City

of Granite Falls maintenance lot located at Recreation Drive and Prentice Street;
and

WHEREAS, the Lease Agreement shall begin September 22, 2014 and run through December 31, 2014, for the consideration of \$3,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, authorizing execution of a Temporary Lease Agreement for the above described property for a period beginning September 22nd through December 31, 2014 for the sum of \$3,000 with the understanding that equipment will be moved if necessary to accommodate the city's snow removal process.

Adopted by the City Council this 6th day of October, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

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

GRANITE FALLS DAM: Following discussion Nordaune introduced a resolution accepting the proposal received from BARR Engineering to provide engineering services to complete the Movement Monitoring Survey as required by FERC at a cost not to exceed \$5,000.

RESOLUTION NO. 14-156

RESOLUTION ACCEPTING PROPOSAL FOR ENGINEERING SERVICES
BARR ENGINEERING CO.

WHEREAS, a proposal has been submitted by Barr Engineering Co. in an amount not to exceed \$5,000 to provide engineering services required to complete the Movement Monitory Survey for the dam which FERC requires every five years.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, accepting the proposal received from Barr Engineering Co. in an amount not to exceed \$5,000 to provide engineering services to complete the Movement Monitoring Survey.

Adopted by the City Council this 6th day of May, 2013.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

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

SCADA SYSTEM: The following quotes were received to purchase and install a power inverter that will keep the SCADA System online during power outages.

Behlman Electronics	\$10,780
CG Automation Solutions	\$20,424

Following discussion and upon the recommendation of Electrical Superintendent Reznechek, Nordaune introduced a resolution waiving calling for quotes and accepting the quote received from Behlman Electronics in the amount of \$10,780 to purchase this equipment.

RESOLUTION NO. 14-157

RESOLUTION WAIVING CALLING FOR QUOTES AND ACCEPTING QUOTE
FOR POWER INVERTER FOR THE SCADA SYSTEM

WHEREAS, the following quotes were received to purchase and install a power inverter that will keep the SCADA System online during power outages;
and

Behlman Electronics	\$10,780
CG Automation Solutions	\$20,424

WHEREAS, it being in the best interest of the city to expedite the installation of the power inverter, it has been recommended that council waive calling for quotes and accept the quote from Behlman Electronics in the amount of \$10,780 to purchase this equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, waiving calling for quotes and accepting the quote from Behlman Electronics in the amount of \$10,780 to purchase and install the power inverter for the SCADA System. Financing for this purchase will come from the Light Fund Capital Improvements Budget.

Adopted by the City Council this 6th day of October, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

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

TRANSIT SYSTEM: As the transit system now has new phone it has been recommended that the old transit radios be declared excess property and offered for sale. Following discussion Schaub introduced a resolution declaring this equipment as excess and authorizing its sale.

RESOLUTION NO. 14-158

RESOLUTION DECLARING CITY OWNED PROPERTY AS SURPLUS
AND AUTHORIZING THE SALE OF SAME

WHEREAS, the City Code authorizes that excess personal property, when no longer needed for a municipal purpose, shall be declared surplus and disposed of in the manner stated therein; and

WHEREAS, the city has determined that the old transit radios are no longer needed and should be declared surplus property and advertised for sale.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, declaring the old transit radios as surplus property and authorizing the sale of this equipment.

Adopted by the City Council this 6th day of October, 2014.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

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

ORDINANCE: Following discussion M/S SCHAUB/NORDAUNE TO HAVE THE FIRST READING OF AN ORDINANCE ADOPTING ORDINANCE 95.081 ENTITLED "REPEAT NUISANCE

SERVICE CALLS" AND BY ADOPTING BY REFERENCE CITY CODE TITLE 1, GENERAL PROVISIONS, AND CHAPTER 10, GENERAL CODE CONSTRUCTION; GENERAL PENALTY. Motion passed unanimously by those present.

SANITARY SEWER LIFT STATION: Council reviewed an update received from Daryl Kirschenman relative to lift station construction.

WATER TREATMENT PLANT DEMO: Council was reminded that closing on the Rural Development loan will take place on November 13th.

TURBINE REPLACEMENT PROJECT: Council discussed the update relative to the Turbine Replacement Project.

LIBRARY/SENIOR CENTER: Council was advised that the bids will be opened relative to the replacement of the HVAC system in the Library/Senior Center at 3:00 p.m. on October 23rd.

2014 STREET & UTILITY IMPROVEMENTS: Council also reviewed an update relative to the 2014 Street & Utility Improvement Projects.

GAMBLING PERMIT: A gambling license application was acknowledged at this time for the Lion Club to hold its calendar sales. This application was acknowledged with no waiting period.

ADJOURN: M/S/P NORDAUNE/SCHAUB TO ADJOURN at 8:35 p.m.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

BILLS PAID:

Total 2XL CORPORATION:	119.93
Total ADVOCATE-TRIBUNE:	1,037.49
Total ALMICH'S MARKET:	16.55
Total AMERICAN SAFETY UTILITY CORP.:	442.55
Total ARNESON DISTRIBUTING INC.:	259.00
Total ARTIC GLACIER INC:	292.20
Total BENTAAS, JUSTIN:	621.31
Total BETKER, MIKE:	98.22
Total BEVERAGE WHOLESALERS INC:	149.10
Total BOLTON & MENK INC:	1,422.00
Total BORDER STATES ELECTRIC SUPPLY:	4,035.63
Total BRINDLEE MOUNTAIN FIRE APPARATUS LLC:	3,135.00
Total BRODERSON, MEGAN:	34.83
Total CANTU, TONJA:	261.00
Total CENEX CREDIT CARD:	14.52
Total CENTURYLINK:	2,129.32
Total CENTURYLINK-PHOENIX:	16.14
Total CHIPPEWA COUNTY:	14,534.61
Total CITIZENS ALLIANCE BANK:	1,318.43
Total CNH CAPITAL:	197.25
Total COCARD:	73.87
Total COLLECTION BUREAU:	100.00
Total CONVENTION & VISITORS BUREAU:	3,300.13
Total DAKOTA SUPPLY GROUP:	1,962.38
Total DAN'S SHOP INC:	33.57
Total DAVE'S ELECTRIC MOTOR CO:	137.28
Total DAVIS TYPEWRITER CO:	7.42

Total DEPARTMENT OF ENERGY:	17,919.80
Total DEPARTMENT OF HUMAN SERVICES:	20,578.98
Total EHLERS & ASSOCIATES INC.:	820.00
Total EMERSON, BRIAN:	25.00
Total FARMERS COOP OIL CO OF ECHO:	2,586.49
Total FARMERS UNION OIL CO.:	10,079.84
Total G & K SERVICES:	256.99
Total GOPHER STATE ONE-CALL:	75.40
Total GRANITE FALLS AUTO PARTS:	21.37
Total GRANITE FALLS CONSTRUCTION CO:	152.00
Total GRANITE FALLS, CITY OF:	55.00
Total GREAT PLAINS GAS CO.:	53.44
Total HAWKINS INC:	2,367.78
Total HD SUPPLY FACILITIES MAINT.:	72.76
Total HEARTLAND PAYMENT SYSTEMS:	126.73
Total HILLYARD-HUTCHINSON:	81.40
Total HOERNEMANN, PAUL:	255.00
Total HOLMSTROM & KVAM:	202.75
Total JOHN DEERE FINANCIAL:	78.18
Total JOHNSON BROS WHOLESALE LIQUOR:	7,200.50
Total KIWANIS CLUB:	100.00
Total KNUTSON, MICHELLE:	31.87
Total KORTHUIS JEWELRY & GIFTS:	146.50
Total KOTEK, NICOLLE:	80.00
Total KRANITZ, FRANK:	200.00
Total LAVIN, WILLIAM P.:	203.45
Total LEBLANC, JEREMY:	239.89

Total LEWIS, DAN:	324.11
Total LIGHT FUND:	18,752.48
Total LINCOLN PIPESTONE RURAL WATER:	82.39
Total LOCHER BROTHERS:	16,240.30
Total MADISON BOTTLING CO.:	14,656.44
Total MARCO:	292.12
Total MARTIN TRUCKING:	475.00
Total MEDIACOM:	55.29
Total MERCURY PAYMENT SYSTEMS:	1,591.28
Total MEYER'S REPAIR & TOWING INC:	81.75
Total MINNESOTA LIFE:	1.14
Total MINNESOTA VALLEY SERVICES LLC:	16,031.25
Total MINNESOTA VALLEY TECH. INC:	49.50
Total MN DEPT OF REVENUE:	28,415.00
Total MN DPT OF ADMINISTRATION:	75.24
Total MN MUNICIPAL BEVERAGE ASSOC.:	4,039.41
Total MN NCPERS-496000:	80.00
Total MN VALLEY TESTING LAB INC.:	536.50
Total MOLDES PLMBING HEATING AC INC:	1,539.00
Total MVTV:	362.70
Total NIELSEN, BETSY:	40.00
Total OFFICE DEPOT:	198.00
Total OFFICE PEEPS:	143.26
Total PETERSEN, JODI:	402.50
Total PHILLIPS WINE & SPIRITS CO.:	6,450.96
Total PIERCE MFG:	13,043.74
Total POSTMASTER:	813.78
Total PRAXAIR INC:	1,192.91
Total RECREATION SUPPLY COMPANY:	325.50
Total REIGER, LAINE:	60.00
Total RETROFIT RECYCLING:	208.65
Total RODEBERG & BERRYMAN INC.:	28,829.56
Total RYER PLUMBING & HEATING:	225.26
Total SENTRY SYSTEMS INC:	96.03
Total SHI INTERNATIONAL CORP:	1,419.30
Total SHRED-IT SIOUX FALLS:	35.95

Total SIOUX VALLEY WIRELESS:	19.95
Total SMITH, DENNIS:	343.66
Total SOUTHERN WINE & SPIRITS OF MN:	1,289.02
Total SPECIALTY STORE SERVICES:	93.97
Total SW-WC SERVICE COOPERATIVES:	31,427.50
Total TORVIK, TERRIN:	50.00
Total TOSTENSON SEPTIC LLC:	600.00
Total TROY'S ELECTRIC COMPANY:	1,024.03
Total TSP:	3,380.13
Total UPS:	11.03
Total USA BLUEBOOK:	56.97
Total USC PROPANE:	1,569.87
Total VANCO SERVICES:	37.15
Total VARIETY FOODS LLC:	212.85
Total VERIZON WIRELESS:	3,167.76
Total VIKING COCA-COLA BOTTLING CO.:	324.50
Total VISA:	1,422.64
Total WBM WINE & SPIRITS:	5,845.73
Total WESTERN BOOKS:	719.95
Total WILLIE'S KORNER STORE:	90.07
Total WINE MERCHANTS:	240.00
Total XCEL ENERGY:	1,268.55
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Total YELLOW MEDICINE CO. AUDITOR:	5,678.98
Total ZEP:	154.13
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Grand Totals:	315,955.59
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