

OFFICIAL CITY COUNCIL PROCEEDINGS  
REGULAR SESSION  
NOVEMBER 19, 2018

A regular session of the Granite Falls City Council was called to order by Mayor Smiglewski at 7:00 p.m., Monday, November 19<sup>th</sup>, in the Council Chambers of City Hall. Council Members present: DuWayne Galow, Sarina Otaibi, Steve Nordaune, Joe Fagnano and Scott Peterson. Staff present: City Manager Crystal Johnson, Finance Director Neal Carstensen and City Clerk Joan Taylor. Also in attendance were Councilman-Elect Brad Peterson and Advocate Tribune News Reporter Kyle Klausung.

CONSENT AGENDA: M/S/P NORDAUNE/PETERSON TO APPROVE THE CONSENT AGENDA AS FOLLOWS: Minutes, Bills, Finance Report, Police Chiefs Report, Public Works Report, Correspondence and Meetings & Events. Motion carried unanimously.

REPORTS: The EDA Board and Hospital Board reports were acknowledged at this time.

APPOINTMENTS: M/S GALOW/NORDAUNE TO APPOINT MAYOR SMIGLEWSKI AS THE CITY'S REPRESENTATIVE ON THE HIGHWAY 23 COALITION BOARD. Motion carried unanimously.

ASSESSMENTS: Nordaune introduced the following resolution and moved its adoption certifying assessments for collection of delinquent utility and/or maintenance charges incurred by the city.

RESOLUTION NO. 18-148

RESOLUTION CERTIFYING ASSESSMENTS  
FOR DELINQUENT CHARGES

WHEREAS, Chapter 50, Section 50.05, Subd. A, Chapter 70, Section 70.25, Subd. C and Chapter 95, Section 95.043, Subd. D of the City Code authorizes special assessing delinquent bills incurred by the city when maintaining private property; and

WHEREAS, the following property owners are delinquent for utility charges, maintenance charges and for reassessment charges for the respective properties listed.

**Proposed Delinquent Utility Assessments**

Yellow Medicine County	Parcel Number	Service	Amount (not to exceed)	Payments	Final Assessment
Anderson, Janean	34-422-0803	Utilities	\$ 3,344.75	\$830.00	\$ 2,514.75
Anderson, Mark	34-300-3310	Utilities	\$788.43	\$	\$ 788.43
Bennett, Kurtis	34-300-3316	Utilities	\$1,000.00	\$	\$1,000.00
Busenbark, Darryl Estate	34-400-2903	Utilities	\$729.46	\$	\$ 729.46

Butzin, Dustin & Megan	34-400-4104	Utilities	\$1,209.29	\$478.91	\$ 730.38
Chapa, Thomas	34-300-2812	Utilities	\$806.51	\$	\$ 806.51
Chapa, Thomas	34-300-2811	Utilities	\$ 300.87	\$	\$ 300.87
Chaparro-Larsen, Juan	34-410-1801	Utilities	\$5,532.53		\$5,532.53
Cobb Jr., Jeff	34-410-1109	Utilities	\$1,256.24	\$800.00	\$ 456.24
Enstad, Preston	34-300-2004	Utilities	\$ 942.54	\$	\$ 942.54
Flutz, William	34-411-1005	Utilities	\$5,190.31	\$	\$5,190.31
Grimes, Renee	34-410-1907	Utilities	\$1,898.98	\$	\$1,898.98
Hildahl, Joann	34-411-1701	Utilities	\$1,443.37	\$	\$1,443.37
JS Ventures	34-300-2116	Utilities	\$1,606.83	\$	\$1,606.83
Lightly, Rick	34-300-2012	Utilities	\$866.44	\$	\$ 866.44
Lufkins, Maurice	34-301-2620	Utilities	\$2,400.41	\$	\$2,400.41
Manor, Joey	34-400-2806	Utilities	\$1,724.83	\$	\$1,724.83
Mead, Jennifer	34-400-0404	Utilities	\$1,888.11	\$	\$1,888.11
Montgomery, Tamara	34-410-1110	Utilities	\$1,152.57	\$	\$1,152.57
Olson, Ellie	34-400-2909	Utilities	\$1,576.43	\$200.00	\$1,376.43
Reed, Mark	34-300-3302	Utilities	\$1,826.83	\$	\$1,826.83
Reeves, Robert	34-400-2505	Utilities	\$746.61	\$	\$ 746.61
Wollin, Kimberly	34-450-0009	Utilities	\$1,321.30	\$	\$1,321.30
<b>TOTAL</b>			<b>\$43,264.01</b>		<b>\$37,244.73</b>

<b>Chippewa County</b>	Parcel Number	Service	Amount (not to exceed)	Payments	Final Assessment
Blue, Darla	40-150-1655	Utilities	\$1,841.02	\$	\$1,841.02
Ellingboe, Brad	40-934-3390	Utilities	\$3,235.85	\$951.00	\$2,284.85
Olson, Angela	40-095-0280	Utilities	\$1,383.45	\$	\$1,383.45
Ray, Gary	40-020-0110	Utilities	\$ 481.58	\$	\$ 481.58
<b>TOTAL</b>			<b>\$6,941.90</b>		<b>\$5,990.90</b>

**Proposed Miscellaneous Assessments**

<b>Yellow Medicine County</b>	Parcel Number	Service	Amount (not to exceed)
Chaparro-Larsen, Juan	34-410-1801	Sanitation Service	\$ 146.21
Pederson, John	34-300-2802	Tree Removal	\$ 530.25
Monzon, Molly	34-033-3010	Sanitation Service	\$ 40.00
Eldridge, Mark	34-300-3716	Lawn Mowing	\$ 150.00
Reinke, Barb	34-300-2018	Water Meters & Connectors	\$ 315.38
Mead, Jennifer	34-400-0404	Utilities	\$ 1,888.11
<b>TOTAL</b>			<b>\$ 3,069.95</b>

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS,

Adopted by the City Council this 19<sup>th</sup> day of November, 2018.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Otaibi, the resolution was adopted unanimously.

TRANSIT DRUG & ALCOHOL POLICY: Nordaune introduced the following resolution and moved its adoption amending the Drug & Alcohol Testing Policy for Commercial Drivers as required by the United States Department of Transportation.

RESOLUTION NO. 18-149

RESOLUTION AMENDING DRUG & ALCOHOL TESTING POLICY  
FOR COMMERCIAL DRIVERS

WHEREAS, the City of Granite Falls has a vital interest in maintaining safe, healthful and efficient working conditions for employees and recognizes that individuals who are impaired because of drugs and/or alcohol jeopardize the safety and health of other workers as well as themselves; and

WHEREAS, in response to regulations issued by the United States Department of Transportation it has requested the city update its Drug & Alcohol Testing Policy for all transit drivers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, amending its Drug & Alcohol Testing Policy as required by the United States Department of Transportation.

Adopted by the City Council this 19<sup>th</sup> day of November, 2018.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Peterson, the resolution was adopted unanimously.

ELECTRICAL RATES: Upon the recommendation of the Utilities Commission, Galow introduced the following resolution and moved its adoption calling for a public hearing concerning potential electrical rate increases as listed below.

		<u>2018</u>	<u>2019</u>
Residential:	Availability Charge	\$11.00	\$13.50
	Energy Per kWh	\$0.096	\$0.106
	Energy Charge Plus PCA	\$0.115	\$0.115
Commercial, Single Phase:	Availability Charge	\$15.00	\$18.00
	Energy Per kWh	\$0.110	\$0.112
	Energy Charge Plus PCA	\$0.119	0.121
Commercial, Three Phase:	Availability Charge	\$48.00	\$50.00
	Demand Charge per kWh	\$14.90	\$15.25

RESOLUTION NO. 18-150

RESOLUTION CALLING HEARING ON  
PROPOSED ELECTRICAL RATE ADJUSTMENT

WHEREAS, upon review of the rate study completed by Missouri River Energy Services, it has been determined that the current electrical rates are not paying for the city’s rising operating costs and monthly power cost adjustments; and

WHEREAS, Missouri River Energy Services has recommended the following increase in electrical rates:

		<u>2018</u>	<u>2019</u>
Residential:	Availability Charge	\$11.00	\$13.50
	Energy Per kWh	\$0.096	\$0.106
	Energy Charge Plus PCA	\$0.115	\$0.115
Commercial, Single Phase:	Availability Charge	\$15.00	\$18.00
	Energy Per kWh	\$0.110	\$0.112
	Energy Charge Plus PCA	\$0.119	0.121
Commercial, Three Phase:	Availability Charge	\$48.00	\$50.00
	Demand Charge per kWh	\$14.90	\$15.25

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, calling for a public hearing to be held at 7:30 p.m. Monday, December 17, 2018, to solicit public input relative to the increase in electrical rates beginning with the utility bills due March 15, 2019.

Adopted by the City Council this 19<sup>th</sup> day of November, 2018.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Nordaune, the resolution was adopted unanimously.

CITY POLICIES: Nordaune introduced the following resolution and moved its adoption adopting non-commercial drivers Drug & Alcohol Testing & Drug-Free Workplace Policy and a Respectful Workplace/Sexual Harassment Policy.

RESOLUTION NO. 18-151

ADOPTING CITY EMPLOYEE POLICIES

WHEREAS, the Wage & Salary Committee is requesting council adopt a non-commercial drivers Drug & Alcohol Testing and Drug-Free Workplace Policy and a Respectful Workplace/Sexual Harassment Policy.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, adopting the two city policies as requested.

Adopted by the City Council this 19<sup>th</sup> day of November, 2018.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Peterson, the resolution was adopted unanimously.

SCPD GRANT: Nordaune introduced the following resolution and moved its adoption authorizing execution of the SCPD Grant contract between the city and the Department of Employment and Economic Development.

RESOLUTION NO. 18-152

RESOLUTION AUTHORIZING EXECUTION OF SCDP GRANT CONTRACT

WHEREAS, pursuant to Resolution No. 17-89 council authorized execution of a contract with the Upper Minnesota Valley Regional Development Commission to provide services to assist with the preparation of a Small Cities Grant application; and

WHEREAS, on February 5, 2018, a public hearing was held regarding submittal of a Small Cities Grant application; and

WHEREAS, as part of the grant application pursuant to Resolution No. 18-15 council adopted the Citizen Participation Plan; and

WHEREAS, the city has been notified that its grant application has been approved in the amount of \$625,888.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, authorizing execution of the SCDP Grant Contract between the Department of Employment and Economic Development and the city.

Adopted by the City Council this 19<sup>th</sup> day of November, 2018.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

With second by Galow, the resolution was adopted unanimously.

ORDINANCE: M/S NORDAUNE/FAGNANO TO HAVE THE SECOND READING AND SUBSEQUENT ADOPTION OF A RESOLUTION AMENDING CITY CODE CHAPTER 155.57.

ORDINANCE NO. 192, SECOND SERIES

AN ORDINANCE OF THE CITY OF GRANITE FALLS, MINNESOTA, AMENDING CITY CODE CHAPTER 155 "ZONING CODE", BY AMENDING SECTION 155.57 "VARIANCES" AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER ONE, SECTION 10.99 WHICH AMONG OTHER THINGS, CONTAIN PENALTY PROVISIONS.

The City Council of the City of Granite Falls, Minnesota, does ordain as follows:

Ordinance 155.57, "VARIANCES" is hereby amended to read as follows:

**SECTION 1. BOARD OF APPEALS AND ADJUSTMENTS**

**SUBD. 1.** The Planning Commission shall be the Board of Appeals and Adjustments for this city, and as provided by Minn. Stat. Sec. 462.354, subd. 2 shall have the powers granted under Minn. Stat. Sec. 462.357, subd. 6, as they may be amended from time to time.

**SECTION 2. VARIANCES**

**SUBD. 1.** Pursuant to Minn. Stat. Sec. 462.357, subd. 6, as it may be amended from time to time, the Planning Commission, acting as a Board of Appeals and Adjustments, may issue variances from the provisions of this zoning code. A variance is a modification or variation of the provisions of this

**SUBD. 2.**

A. Variances shall only be permitted

- i. when they are in harmony with the general purposes and intent of the ordinance and
- ii. when the variances are consistent with the comprehensive plan.

B. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.

**SUBD. 3.** "Practical difficulties," as used in connection with the granting of a variance, means that

- i. the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- ii. the plight of the landowner is due to circumstances unique to the property not created by the landowner; and
- iii. the variance, if granted, will not alter the essential character of the locality.
- iv. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

**SUBD. 4.** Variances shall be granted for earth sheltered construction as defined in section 216C.06, subdivision 14, when in harmony with the ordinance. The board of appeals and adjustments may not permit as a variance any use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located. The board may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.

**SECTION 3.** In a flood way or flood fringed districts, no variance shall permit a lower degree of flood protection than the regulatory flood protection elevation for that particular area, or permit standards lower than those required by State law.

**SECTION 4.** City Code Chapter 10, General Code Construction; General Penalty, including Penalty Provisions, are hereby adopted in its entirety by reference as though repeated verbatim herein.

**Section 5.** This ordinance 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 19<sup>th</sup> day of November, 2018, by a unanimous vote of the council.

ATTEST:

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Joan M. Taylor, City Clerk

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David Smiglewski, Mayor

Ordinance published in the Granite Falls-Clarkfield Advocate Tribune on the 21<sup>st</sup> day of November, 2018.

Motion carried unanimously. The Ordinance will become effective upon publication.

2018 STREET/UTILITY IMPROVEMENT: Council was updated regarding the 2018 Street and Utility Improvements and Barber Circle/Daniels Drive.

MEMORIAL PARK: Council also received an update regarding Memorial Park Improvements.

BRIDGE LIGHTING PROJECT: The lighting installation is now complete and training will be held on Tuesday. Staff will begin planning the kick-off event.

KCC: The water slide is now in but some work needs to be completed before it can be opened.

ADJOURN: M/S/P NORDAUNE/PETERSON TO ADJOURN at 7:29 p.m.

David Smiglewski  
Mayor

ATTEST:

Joan M. Taylor  
City Clerk

**BILLS PAID:**

Total ADVOCATE-TRIBUNE:	2,316.75
Total ALMICH'S MARKET:	138.48
Total AMERICAN WELDING & GAS INC:	82.69
Total ANDERSON, CHRIS:	191.53
Total ANDERSON, TED:	535.87
Total ARTIC GLACIER INC:	66.52
Total AUS, NANCY:	100.00
Total AUTOMATIC SYSTEMS CO:	2,135.30
Total BEVERAGE WHOLESALERS:	594.08
Total BOLTON & MENK INC:	3,500.00
Total BORDER STATES ELECTRIC SUPPLY:	4,787.62
Total BREAKTHRU BEVERAGE:	4,325.40
Total CARLOS CREEK WINERY:	468.00
Total CARL'S BAKERY:	41.30
Total CENTRAL MN MUNICIPAL POWER:	108,163.75
Total CENTURYLINK:	1,885.02
Total CHAPPELL CENTRAL:	310.00
Total CINTAS:	181.70
Total CITIZENS ALLIANCE BANK:	5,352.85
Total CNH CAPITAL:	834.10
Total COOKE CO., J.P.:	57.70
Total CORE & MAIN:	56.41
Total COUNTRYSIDE PUBLIC HEALTH:	1,152.00
Total DAVE'S ELECTRIC MOTOR CO:	112.51
Total DELL MARKETING LP:	908.32



Total DEPARTMENT OF ENERGY:	10,607.70
Total DUININCK BROS. INC.:	13,637.62
Total EARL F. ANDERSEN:	148.39
Total EMPIRE PIPE SERVICES:	310.00
Total FARMERS UNION OIL CO.:	6,310.11
Total FASTENAL COMPANY:	89.12
Total FINCH, TOBIAS:	181.12
Total GRANDVIEW VALLEY WINERY:	1,200.00
Total GRANITE FALLS BANK:	4,071.74
Total GRANITE FALLS, CITY OF:	84.25
Total GRANITE TRUE VALUE:	4,856.89
Total GREAT PLAINS GAS CO.:	5,198.46
Total HD SUPPLY FACILITIES MAINT.:	54.99
Total HILLYARD-HUTCHINSON:	133.20
Total HOERNEMANN, PAUL:	255.00
Total HOLMSTROM & KVAM PLLP:	30.00
Total JOHNSON BROS WHOLESALE LIQUOR:	9,566.48
Total KEELER-AUS, RAE ANN:	800.00
Total KISSINGER & FELLMAN P.C.:	145.00
Total LAVIN, WILLIAM P.:	1,339.68
Total LEWIS, DAN:	167.64
Total LIGHT FUND:	254.53
Total LINCOLN PIPESTONE RURAL WATER:	77.38
Total LOCHER BROTHERS:	18,197.45
Total MACQUEEN EMERGENCY GROUP:	46,089.00
Total MADDEN GALANTER HANSON LLP:	232.67
Total MADISON BOTTLING CO.:	10,640.40
Total MARCO TECHNOLOGIES LLC:	780.20
Total MARTIN MARIETTA AGGREGATES:	532.30
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Total MARTIN TRUCKING:	596.60
Total MEDIACOM:	68.01
Total MINNESOTA PUMP WORKS:	851.50
Total MINNESOTA VALLEY TECH. INC:	258.45
Total MN STATE FIRE CHIEFS ASSN:	600.00
Total MN VALLEY COOPERATIVE:	1,279.38
Total MN VALLEY TESTING LAB INC.:	500.00
Total MSCIC:	125.00
Total MUNICIPAL EMERGENCY SERVICES:	368.56
Total NATIVE RESOURCE PRESERVATION LLC:	13,585.00
Total PHILLIPS WINE & SPIRITS CO.:	7,860.03
Total POOLER, RON:	50.00
Total RECREATION BY LEMMIE JONES LLC:	27,750.00
Total RECREATION SUPPLY COMPANY:	840.82
Total SAWMILL, THE:	181.64
Total SCHINDLER ELEVATOR CORP:	1,273.38
Total SCHOOL SPECIALTY:	13,373.31
Total SEH INC:	341.30
Total SHRED-IT USA:	51.39
Total SMIGLEWSKI, DAVID:	208.39
Total SOUTHERN WINE & SPIRITS OF MN:	5,815.78
Total SW-WC SERVICE COOPERATIVES:	38,884.50
Total TALKING WATERS BREWING CO. LLC:	185.00
Total TAYLOR, JOAN:	47.14
Total TIMM, DEREK:	172.50
Total TOSTENSON SEPTIC LLC:	525.00
Total UPS:	49.35
Total USA BLUEBOOK:	268.58
Total VAN DIEST SUPPLY CO:	450.00
Total VIKING COCA-COLA BOTTLING CO.:	185.15
Total WEST CENTRAL ROOFING INC:	41,510.00
Total WEST CENTRAL SANITATION:	624.64
Total WINE MERCHANTS:	250.00

Total WRS IMPORTS: REVEN STEPHENS:	570.00
Total XCEL ENERGY:	1,373.12
Total XEROX CORPORATION:	56.12
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Grand Totals:	435,418.86
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