

OFFICIAL CITY COUNCIL PROCEEDINGS
REGULAR SESSION
DECEMBER 2, 2019

A regular session of the Granite Falls City Council was called to order by Mayor Smiglewski at 7:00 p.m., Monday, December 2nd, in the Council Chambers of City Hall. Council Members present: DuWayne Galow, Sharon PaziZea, Steve Nordaune, Brad Peterson, Joe Fagnano and Scott Peterson. Staff present: City Manager Crystal Johnson, Finance Director Neal Carstensen and City Clerk Joan Taylor. Also in attendance were Tom Kooiman, LaVonne Koenen, Greg Meyer and Advocate Tribune News Editor Kyle Klausung.

CONSENT AGENDA: M/S/P NORDAUNE/GALOW TO APPROVE THE CONSENT AGENDA AS FOLLOWS: Minutes, Bills, Correspondence and Meetings & Events.

REPORT: The following reports were acknowledged at this time, Airport Commission, Kilowatt Community Center Board and Utilities Commission.

2020 CITY LICENSES: M/S NORDAUNE/B. PETERSON TO APPROVE THE 2020 CITY LICENSES. Motion carried unanimously.

HOSPITAL: Hospital CEO Tom Kooiman and the LaVonne Koenen, Chair of the Hospital Board were in attendance to review with council the final Lease and Agreement between the city and Avera Granite Falls and the Purchase Agreement with Dale F. Vos. Following discussion, Nordaune introduced a resolution and moved its adoption authorizing the execution of the Lease and Agreement between the city and Avera Granite Falls and to also authorize execution of the Purchase Agreement with Dale F. Vos.

RESOLUTION NO. 19-183

**RESOLUTION AUTHORIZING EXECUTION OF THE
ATTACHED LEASE AND AGREEMENT AND PURCHASE AGREEMENT**

The City of Granite Falls (the "City"), exercising its authority under Minnesota Statutes sections 144.581 and 447.47, hereby adopts the following resolutions:

WHEREAS, following many month of analysis, public input and consultation with health care industry leaders and experts, the City has determined that the lease and transfer of its health care system assets and operations to Avera Health ("Avera") is likely to (among other benefits): (i) preserve and enhance health care services and jobs in Granite Falls and the surrounding area by maintaining the mission of the health care system with similar local services; (ii) secure the financial stability of the health care system in Granite Falls; (iii) bring new technologies and data analytics to Granite Falls to improve patient satisfaction, quality and cost-effectiveness of care delivery in Granite Falls; (iv) promote planning and investment in Granite Falls' health care

facility infrastructure; and (v) preserve local representation in health care system decision making; and

WHEREAS, for these reasons the City has determined that it is in the best interest of the residents of Granite Falls and the surrounding communities for the City to lease and transfer the operation and assets of its health care system to Avera Granite Falls (“AGF”), a Minnesota nonprofit corporation wholly controlled by Avera Marshall, a Minnesota nonprofit corporation and subsidiary of Avera; and

WHEREAS, the City has taken careful measures to ensure that AGF and Avera will be bound by contractual, governance and other legal restrictions to operate the health care system in a manner consistent with tax-exempt charitable purposes, including, but not limited to, enhancing the health of people who live in the City of Granite Falls and surrounding communities without expectation of pecuniary profit, provide charitable care and other community benefits; and

WHEREAS, the City has also been in negotiations with Dale F. Vos regarding its option to purchase certain land to potentially be used as a future site for a new hospital in Granite Falls;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, that the attached Lease and Agreement, together with its exhibits and attachments, between the City of Granite Falls and Avera Granite Falls effective as of the Effective Date defined therein (the “Lease”) is approved, and

RESOLVED FURTHER, that the Mayor of Granite Falls, or his designee, and the City Manager of Granite Falls, or her designee, are hereby directed and authorized to execute the Lease in substantially the form attached hereto, and to take further action and execute such other documents as may be necessary or expedient to consummate the transaction described in the Lease, and

RESOLVED FURTHER, that the attached Purchase Agreement, together with its exhibits and attachments, between the City of Granite Falls and Dale F. Vos effective as of the date defined therein (the “Purchase Agreement”) is approved, and

RESOLVED FURTHER, that the Mayor of Granite Falls, or his designee, and the City Manager of Granite Falls, or her designee, are hereby directed and authorized to execute the Purchase Agreement in substantially the form attached hereto, and to take further action and execute such other documents as may be necessary or expedient to consummate the transaction described in the Purchase Agreement.

Adopted by the City Council this 2nd day of December, 2019.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Fagnano, the resolution was adopted unanimously.

Council also reviewed the Memorandum of Understanding between the city and Granite Falls Municipal Hospital and Manor relative to Section 340b of the Public Health Services Act. Following this discussion, Nordaune introduced a resolution authorizing execution of the Memorandum of Understanding subject to review of proper designation of entity status.

RESOLUTION NO. 19-184

RESOLUTION AUTHORIZING EXECUTION OF
MEMORANDUM OF UNDERSTANDING

WHEREAS, on January 1, 2020 Granite Falls Municipal Hospital and Manor will be acquired by Avera Marshall, a Minnesota nonprofit corporation and will be renamed Avera Granite Falls; and

WHEREAS, after the acquisition, Avera Granite Falls desires to continue to participate in the drug discount program established under Section 340b of the Public Health Services Act (the "340b Program") and

WHEREAS, to participate in the 340b Program Avera Granite Falls must enter into an agreement with a unit of the Minnesota government pursuant to which Avera Granite Falls commits to provide health care services to low-income individuals who are neither entitled to benefits under Title XVIII of the Social Security Act nor eligible for assistance under the State plan of Title XIX under this Act.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF GRANITE FALLS, MINNESOTA, authorizing execution of the Memorandum of Understanding between the City of Granite Falls and Granite Falls Municipal Hospital and Manor subject to review of proper designation of entity status.

Adopted by the City Council this 2nd day of December, 2019.

David Smiglewski
Mayor

ATTEST:

Joan M. Taylor
City Clerk

With second by Fagnano, the resolution was adopted unanimously.

ORDINANCE: Council discussed the 2nd reading of an ordinance vacating 14th Avenue between 7th Street and 9th Street and 8th from Highway 212 to 14th Avenue. Following discussion concerning 8th Avenue it was decided to remove 8th Avenue from the street vacation ordinance. At this time M/S NORDAUNE/GALOW TO HAVE THE SECOND READING AND SUBSEQUENT ADOPTION OF AN ORDINANCE AMENDING CITY CODE SECTION ENTITLED TABLE OF SPECIAL ORDINANCES III. ORDINANCE NO. 198, 2ND SERIES

AN ORDINANCE OF THE CITY OF GRANITE FALLS, MINNESOTA, AMENDING CITY CODE SECTION ENTITLED TABLE OF SPECIAL ORDINANCES III, VACATIONS, BY VACATING PORTIONS OF 14TH AVENUE AND BY ADOPTING BY REFERENCE CITY CODE CHAPTER 10, GENERAL CODE CONSTRUCTION AND PENALTIES.

The City of Granite Falls does ordain as follows:

That the city council, taking note of the fact that the owners of property abutting a certain portion of the street hereinafter designated, being desirous of the vacation of said portion of said street hereinafter designated; and it being beneficial to the development of the abutting noted properties; and the portion of said street proposed for vacation either not being used for thru traffic or necessary for the same; the portion of the street for which vacation is desired being situated in Yellow Medicine County, Minnesota, described as follows:

That portion of 14th Avenue lying between the West boundary of 7th Street and the East boundary of 9th Street as the same are now platted.

subject to all existing utility improvements, appurtenances and easements of record, together with full unlimited access thereto being reserved by the City and any and all holders of any easement rights, its employees, representatives, contractors and/or assigns and any and all holders of any easement rights, for maintenance, operation, removal, improvement and repair of all existing utilities located within the portion of the street to be vacated and provided any activities, structures thereon or usage or interference by adjacent property owners with respect thereto shall be at the sold risk and expense of said adjacent property owners, to include but not be limited to, costs incurred by the City, its employees, representatives, contractors and/or assigns and easement holders of record in maintaining their respective rights to maintain utilities and other improvements and/or activities within said vacated portion of said street.

Section 2.

That a hearing on the aforesaid vacation was conducted on the 18th day of November, 2019; that the City Charter requires that vacations of streets or alleys be completed by ordinance.

IT IS NOW HEREBY ORDERED AND DECLARED that the above described portion of street be declared vacated and discontinued subject to the aforesaid terms and conditions with respect to reservation of utility rights by the City and the obligations of adjacent property owners with respect to addressing any possible interference with said utilities.

Section 2. City Code Chapter 10, General Code Construction; General Penalty, Including Penalty Provisions, is hereby adopted in its entirety by reference as thought verbatim herein.

Section 3. 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 2nd day of December, 2019, 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 12th day of December, 2019.

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

MEMORIAL PARK: Staff updated council regarding Phases I, II and III of the Memorial Park Improvements.

TRAIL: A meeting of the residents will be held on December 5th to discuss the two options for a trail from County Road 5 to Oak Street. Also, the bridge inspection has been completed and the bridge is determined to be in good shape for pedestrian traffic.

BEEKEEPING: Following numerous inquiries, council discussed the possibility of amending the city ordinance concerning beekeeping within the city limits.

ADJOURN: M/S/P NORDAUNE/S. PETERSON TO ADJOURN at 7:51 p.m.

David Smiglewski
Mayor

Attest:

Joan M. Taylor
City Clerk

BILLS PAID:

Total 2XL CORPORATION:	123.28
Total ADVOCATE-TRIBUNE:	500.00
Total ALMICH'S MARKET:	280.52
Total BACKES TECHNOLOGY SERVICES INC:	170.00
Total BEVERAGE WHOLESALERS:	140.99
Total BISBEE PLUMBING & HEATING:	80.00
Total BORDER STATES ELECTRIC SUPPLY:	14,661.89
Total BREAKTHRU BEVERAGE:	3,366.00
Total CARLOS CREEK WINERY:	342.00
Total CENEX CREDIT CARD:	62.59
Total CENTURLINK:	150.15
Total CHAPPELL CENTRAL:	1,604.20
Total CHIPPEWA COUNTY:	129.30
Total CINTAS:	149.90
Total CNH CAPITAL:	12.34
Total COALITION OF GREATER MN CITIES:	525.00
Total COCARD:	64.25
Total COLLECTION BUREAU:	50.00
Total DAVE'S ELECTRIC MOTOR CO LLC:	92.28
Total DC SIGNS:	125.00
Total DERK'S WINDOWS:	160.00
Total DUININCK BROS. INC.:	75,630.13
Total GOPHER STATE ONE-CALL:	29.70
Total GRAINGER INC, WW:	240.40
Total GRANITE FALLS AMBULANCE:	7,500.00
Total GRANITE HARDWARE:	1,459.63
Total GRAYMONT CAPITAL INC:	4,638.94
Total HAWKINS INC:	2,396.47
Total HEARTLAND PAYMENT SYSTEMS:	218.35
Total HILLYARD-HUTCHINSON:	194.45
Total HOERNEMANN, PAUL:	50.00
Total JIM'S CLOTHING & SPORTING GOOD:	306.00
Total JOHNSON BROS WHOLESALE LIQUOR:	5,299.49
Total JOHNSON, SUSIE:	425.00
Total LIGHT FUND:	33,852.31
Total LOCATORS & SUPPLIES:	94.33
Total LOCHER BROTHERS:	8,929.15
Total MADISON BOTTLING CO.:	9,258.05
Total MARCO TECHNOLOGIES LLC:	186.21
Total MEIER ELECTRIC INC:	402.70
Total MINNESOTA VALLEY SERVICES LLC:	14,976.00
Total MINNESOTA VALLEY TECH. INC:	386.04
Total MN DEPT OF REVENUE:	25,328.00
Total MN FIRE SERVICE CERTIFICATION BOARD:	75.00
Total MN VALLEY TESTING LAB INC.:	258.00
Total MONEY MOVERS:	114.25
Total MVTV:	338.75
Total NCPERS GROUP LIFE INS:	48.00
Total OFFICE DEPOT:	1,284.23
Total OFFICE OF MN.IT SERVICES:	65.81
Total PETERSON, BRENDA:	1,180.00
Total PHILLIPS WINE & SPIRITS CO.:	3,034.34
Total POSTMASTER:	933.28
Total PRAIRIE 5 CAC INC.:	2,923.28
Total PRENTICE PLACE COMMONS ASSN:	100.51
Total RECREATION SUPPLY COMPANY:	140.89
Total REGIONAL DEVELOP. COMMISSION:	200.00
Total RODEBERG & BERRYMAN INC.:	8,289.00

Total SAWMILL, THE:	29.94
Total SMITH, LEEANN:	100.76
Total SOUTHERN WINE & SPIRITS OF MN:	3,722.69
Total STATE CHEMICAL SOLUTIONS:	200.00
Total TOMCO 2 SYSTEMS:	1,035.84
Total TROY'S ELECTRIC COMPANY:	345.31
Total UPS:	33.49
Total US BANK:	1,911.26
Total USA BLUEBOOK:	824.95
Total VESSCO INC.:	184.00
Total VIKING COCA-COLA BOTTLING CO.:	136.90
Total VISA:	1,957.07
Total WINE MERCHANTS:	322.00
Total WOODS, KEITH:	250.00
Total XPRESS BILL PAY:	250.25
Total YELLOW MEDICINE CO ABSTRACT & TITLE:	70,973.97
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Grand Totals:	315,854.81
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