

**MELROSE CITY COUNCIL  
REGULAR MEETING  
THURSDAY, JANUARY 7, 2010 – 6:00 P.M.**

**AGENDA**

1. Call to Order/Roll Call/Pledge of Allegiance
2. Approval of Agenda
3. Consent Agenda
  - a. Approval of Minutes
  - b. Approval of Purchase Order
  - c. Approval of Investments
  - d. Ambulance Bad Debt Accounts
  - e. Fire Department Bad Debt Accounts
  - f. Donation Resolution:
    - 1) Resolution No. 10-01 – Melrose Fire Relief Association
4. Reports
5. Action Items
  - a. Appointments for the following:
    - 1) Acting Mayor
    - 2) City Attorney
    - 3) Public Utilities Commission
    - 4) Planning and Zoning Commission
    - 5) Melrose Area Development Authority
    - 6) Housing and Redevelopment Authority
    - 7) Assistant Weed Inspector
    - 8) City Forester
    - 9) Animal Control Officer
  - b. Designation of the following:
    - 1) Official Newspaper
    - 2) Grievance Representative
    - 3) Ad Hoc Labor and Personnel Committee Representative
    - 4) Animal Shelter
  - c. Consideration of the following license applications:
    - 1) Tobacco
    - 2) 3.2 % Malt Liquor On Sale
  - d. Resolution No. 10-02, Resolution Designating Official Depository and Supplemental Depositories for City Funds
  - e. Resolution No. 10-03, Resolution Affirming the City of Melrose Support of and Partnership with the 2010 Census

- f. Part-Time Police Officer Resignation
  - g. Commendation Resolution:
    - 1) Resolution No. 10-04 – Christopher Borka
  - h. Proposed Annual Payroll vs. Quarterly
  - i. Ambulance Department Assistant Coordinator Resignation
  - j. Commendation Resolution:
    - 1) Resolution No. 10-05 – Lori Jackels
6. Old Business
- a. LELS Contract
  - b. Five Year Capital Improvement Plan (2010-2014)
7. New Business
- a. Schedule Meetings
  - b. Renaming of Jaycee Park
8. Informational Items
- a. Dues
  - b. LMCIT Dividend
  - c. Utilities Commission Meeting Minutes
9. Adjournment

**MELROSE CITY COUNCIL  
REGULAR MEETING  
THURSDAY, JANUARY 7, 2010 – 6:00 P.M.**

**A.I. #1 CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE**

The Melrose City Council met in a Regular Meeting on Thursday, January 7, 2010 at 6:00 p.m. at the Melrose City Center pursuant to due notice being given thereof. Present were Council Members Joe Finken, Tom Budde, Jenny Mayers and Tony Klasen, Mayor Eric Seanger, City Attorney Scott Dymoke, Assistant City Administrator/Treasurer Karen Thostenson and City Clerk Patricia Haase. Mayor Seanger presided thereat.

The Council then recited the Pledge of Allegiance.

**A.I. #2 APPROVAL OF AGENDA**

A motion was made by Mr. Budde, seconded by Mr. Finken and unanimously carried to approve the agenda as submitted.

**A.I. #3 APPROVAL OF CONSENT AGENDA**

The following items were considered for approval under the Consent Agenda:

- a) The minutes from the Council December 10 Special Joint Meeting with the Utilities Commission, the December 10 Regular Meeting, and the December 21 Special Meeting.
- b) The following purchase order:
  - 1) Emergency Apparatus Maintenance – Labor cost for repairs to the base swivel on the Fire Department Ladder Truck estimated at \$2,500-\$3,000 – Fire Department. This is a 2010 expense. Brindlee Mountain has agreed to pay all the cost for the parts which are estimated at \$12,000-\$15,000.
- c) list of investments for the month of December (see attached list)
- d) The following is a list of ambulance accounts that have been submitted to Revenue Recapture or collections and are recommended to be charged off:

<u>Name</u>	<u>Amount</u>
Wesley Bruner	\$1,750.00
Chastity Atkinson	\$910.00
Blake Cheeley	\$910.00
Jorge Gomez	\$406.50
Dorothy West	\$570.00
<b>TOTAL</b>	<b>\$4,546.50</b>

- e) The following is a list of Fire Department accounts that have been submitted to collections:

<u>Name</u>		<u>Amount</u>
Paul Bryan	04/11/2009	\$880.00
Tiffany Williams	05/10/2009	\$125.00
<b>TOTAL</b>		<b>\$1,050.00</b>

- f) Donation Resolution:
- 1) Resolution No. 10-01, donation of \$13,000 towards the Fire Department ladder truck from the Melrose Fire Department Relief Association. (See attached resolution)

A motion was made by Ms. Mayers, seconded by Mr. Klasen and unanimously carried to approve the Consent Agenda.

#### **A.I. #4 REPORTS**

None

#### **A.I. #5 ACTION ITEMS**

- a1. A motion was made by Mr. Klasen, seconded by Ms. Mayers and unanimously carried to appoint Mr. Budde as Acting Mayor for 2010.
- a2. Mayor Seanger stated that in 2009, Dymoke Law Office PA was appointed to serve as the City Attorneys for general matters. Correspondence had been received from Dymoke Law Office, PA seeking reappointment for 2010 with the rate of pay to remain at \$100 per hour, with the following items applying:
  - (a) Statements are to be detailed and include the time spent on each item;
  - (b) City Attorney to attend Council meetings with only the first hour of each meeting being charged at the \$100 per hour flat rate and all additional minutes, hours etc. to be non-chargeable;
  - (c) City Attorney to attend Board/Commission, or special meetings upon request with only the first hour of each meeting being charged at the \$100 per hour flat rate and all additional minutes, hours, etc. to be non-chargeable.
  - (d) The hourly rate to be \$100 per hour for general matters;
  - (e) Legal costs for special items to be negotiated with an hourly rate and the total cost not to exceed a set amount. Statements for special items to be submitted monthly;
  - (f) Copies of statements to be submitted to the Council for their review; and
  - (g) The Department Heads, with the exception of the Police Department, are to go through the City Administrator before contacting the City Attorney.

Council Member Budde recommended that the charges for the City Attorney to attend Council meetings at the rate of \$100 per meeting be reviewed. He stated that since the majority of the meetings were less than an hour, these charges should be amended. City Attorney Scott Dymoke was in agreement with adjusting the rate for attending meetings. Mr. Dymoke and Assistant City Administrator/Treasurer Thostenson to negotiate a new rate.

A motion was made by Mr. Finken, seconded by Ms. Mayers and unanimously carried to appoint Dymoke Law Office PA to handle general matters for 2010 with the rate of pay to be \$100 per hour, and that the recommended items apply, with the newly negotiated rate for section (b) to become effective as of January 1, 2010.

- a3. A motion was made by Mr. Budde, seconded by Ms. Mayers and unanimously carried to reappoint Lyle Olmscheid to the Melrose Public Utilities Commission for a three-year term.

Mayor Seanger reappointed Mr. Budde to the City of Melrose Public Utilities Commission for a one-year term. A motion was made by Ms. Mayers, seconded by Mr. Finken and carried to concur with the appointment.

- a4. A motion was made by Mr. Klasen, seconded by Mr. Budde and unanimously carried to reappoint Henry Ahrens and Tim Gillet to the Planning and Zoning Commission for four-year terms.

Mayor Seanger then appointed Mr. Klasen as the Council's representative on the Planning and Zoning Commission for a one-year term. A motion was made by Ms. Mayers, seconded by Mr. Finken and carried to concur with the appointment.

- a5. Mayor Seanger then reappointed Bob Mayers to the Melrose Area Development Authority (MADA) for a six-year term. The Council concurred with the reappointment.

Mayor Seanger also appointed Ms. Mayers as the Council representative on MADA for a one-year term. The Council concurred with this appointment.

- a6. Mayor Seanger reappointed Melvin Roehrl to the Housing and Redevelopment Authority (HRA) for a five-year term. The Council concurred with the reappointment.

- a7. Mayor Seanger reappointed Streets/Parks Supervisor Mark Maus as the Assistant Weed Inspector for 2010. The Council concurred with this appointment.

- a8. Mayor Seanger reappointed Streets/Parks Supervisor Maus as the City Forester for 2010. The Council concurred with this appointment.

- a9. Mayor Seanger appointed the Melrose Police Department as the City Animal Control Officer for 2010. The Council concurred with this appointment.

- b1. A motion was made by Mr. Finken, seconded by Mr. Budde and unanimously carried designating the Melrose Beacon as the City's official newspaper for 2010 with the Sauk Centre Herald as a secondary source.

- b2. Mayor Seanger reported Personnel Policy #32 – Grievance Procedure states that the Appointing Authority shall appoint a Grievance Representative, and the Council and Utilities Commission have agreed to make this appointment on an annual basis. Mayor Seanger noted that the Utilities Commission will designate their Grievance Representative for 2010 at their January 11 Regular Meeting. For 2009, Joe Finken was the Council representative and Utilities Commission Member Lyle Olmscheid was the Commission representative.

A motion was made by Mr. Klasen, seconded by Mr. Budde and carried to reappoint Mr. Finken to serve as the Council Grievance Representative for 2010.

- b3. Consideration was also given to appointing two members to the Ad Hoc Labor & Personnel Committee for future labor discussions. Mayor Seanger noted that the Utilities Commission will designate their Committee representative for 2010 at their January 11 Regular Meeting. In 2009, Mayor Seanger and Jenny Mayers served as the Council representatives, and Lyle Olmscheid was the Commission representative for the Committee. Mayor Seanger stated he would again like to serve on the Committee.

A motion was then made by Mr. Budde, seconded by Mr. Finken and unanimously carried to reappoint Mayor Seanger and Ms. Mayers to serve as Council representatives on the Ad Hoc Labor & Personnel Committee for 2010.

- b4. Consideration was next given to the designation of an Animal Shelter for 2010. A motion was made by Ms. Mayers, seconded by Mr. Klasen and unanimously carried to designate the Minnesota Veterinary Associates, Inc. as the Animal Shelter for 2010.

- c1. Next presented were the tobacco license applications, along with the necessary fees, proof of workers' compensation insurance coverage for employees, required licensees' social security numbers, and Minnesota and federal tax identification numbers. The signed applications were received and the fee of \$50 per application was paid for all applications.

A motion was made by Mr. Budde, seconded by Ms. Mayers and unanimously carried to approve the following tobacco license applications:

1. Ernie's Family Foods
2. S.A.V.E. Foods
3. Melrose Motor, Inc.
4. Casey's General Store
5. Total Express of Melrose, Inc.
6. SPIRITZ Liquor, Inc.

These licenses to be effective January 1, 2010.

- c2. Consideration was given to approval of the following 3.2% On Sale Malt Liquor Licenses:

1. John Dough's Pizza, Inc.

The signed application was received and the \$100 per application fee was paid. There are no delinquent taxes on the property as verified by the County's website. Also, On and Off Sale 3.2% Malt Liquor License holders must provide a certificate of insurance as to their liquor liability coverage or a signed notarized statement that states that their sales are less than \$25,000 per year for On Sale 3.2% malt liquor and \$50,000 for Off Sale 3.2% Malt Liquor, along with proof of workers compensation insurance for their employees, the licensees' social security number, and Minnesota and federal tax ID numbers for the Department of Revenue's use. A certification for each 3.2% malt liquor license must be submitted to the state. The licenses are effective March 1, 2010.

A motion was made by Mr. Finken, seconded by Ms. Mayers and unanimously carried to approve the 3.2% On Sale Malt Liquor License for John Dough's Pizza, Inc.

- d. Mayor Seanger submitted proposed Resolution No. 10-02, Resolution Designating Official Depository and Supplemental Depositories for City Funds. This resolution designates the depositories of City funds for 2010 and includes: US Bank–Melrose, Central Minnesota Federal Credit Union, and Freeport State Bank–Melrose. The Assistant City Administrator/Treasurer was also given the authority to name additional depositories for the deposit of funds in 2009. Mayor Seanger recommended the Council again grant the Assistant City Administrator/Treasurer the authority to name the depositories.

Mr. Klasen introduced Resolution No. 10-02, Resolution Designating Official Depository and Supplemental Depositories for City Funds. (See attached resolution.) Also, for the purpose of being certain that all funds in financial institutions will be insured, the Assistant City Administrator/Treasurer shall have the authority pursuant to Minnesota Statutes 118A.02, Subd. 1, to name depositories for the deposit of funds so as to make certain that all City funds are either insured or collateral has been pledged by the depository as security, as permitted by M.S., Chapter 118A. The motion was seconded by Mr. Finken with a roll call vote recorded as follows:

FOR: Council Members Klasen, Mayers, Finken and Mayor Seanger  
AGAINST: None  
ABSTAIN: Council Member Budde due to conflict of interest

- e. Mayor Seanger reported that the U.S constitution mandates a Census count of all persons residing in the United States every ten years; the next count will take place this year. This count is extremely important to our state as this population data is used to reapportion Congress. Based on recent projections, our state is on the edge of losing a seat in the U.S. House. In addition, approximately \$400 billion in federal dollars is distributed to the states annually based on the results of the census. Minnesota in turn uses this same count to determine how state money is distributed to local governments. Therefore, Mayor Seanger is reminding residents that it is important that **all** residents complete and return the 2010 census.

Mr. Finken introduced Resolution No. 10-03, Resolution Affirming the City of Melrose Support of and Partnership with the 2010 Census. (See attached resolution.) The motion was seconded by Ms. Mayers with a roll call vote recorded as follows:

FOR: Council Members Finken, Mayers, Klasen, Budde, and Mayor Seanger  
AGAINST: None

- f. Mayor Seanger reported that Part-Time Police Officer Chris Borka submitted his resignation effective December 31, 2009.

A motion was made by Mr. Finken, seconded by Mr. Klasen and unanimously carried to accept the resignation of Mr. Borka.

- g. Ms. Mayers introduced Resolution No. 10-04, Resolution commending Chris Borka for his one year and ten months of service on the Melrose Police Department.. (See attached resolution) The motion was seconded by Mr. Budde with a roll call vote recorded as follows:

FOR: Council Members: Mayers, Budde, Klasen, Finken and Mayor Seanger  
AGAINST: None

- h. Mayor Seanger reported that the City currently processes four types of payroll; bi-weekly, monthly, quarterly, and annually. Regular employees are paid bi-weekly, Ambulance Department members are paid monthly, the Mayor, Council, Utilities Commission and Police Reserves are paid quarterly, and all other boards and commissions and Fire Department members are paid annually. Human Resource Technician Diane Gruber is requesting consideration to eliminating the quarterly payroll processing cycle and incorporating it with the annual payroll. This would affect the Mayor, Council, Utilities Commission, and Police Reserves. The Police Reserves quarterly hours are minimal and Sergeant Craig Maus/Police Reserve Coordinator felt that paying annually should be agreeable to the Reserves whose total payroll in 2009 was \$929.26. This would be a cost saving measure in staff time, paper costs, and postage. The Council was not fully in agreement with the annual payroll option and requested that staff research if processing monthly with the Ambulance payroll would be a viable option. Assistant City Administrator Thostenson to consult with Human Resource Technician Gruber to research other options. No action was taken at this time.
- i. Mayor Seanger next reported that Assistant Ambulance Coordinator Lori Jackels has submitted her letter of resignation effective January 31, 2010.

A motion was made by Mr. Klasen seconded by Mr. Budde and unanimously carried to accept the resignation of Ms. Jackels.

- j. Mr. Finken introduced Resolution No. 10-05, Resolution commending Lori Jackels for her three years and four months of service as the Assistant Coordinator for the Melrose Ambulance Department. (See attached resolution) The motion was seconded by Ms. Mayers with a roll call vote recorded as follows:

FOR: Council Members: Finken, Mayers, Klasen, Budde, and Mayor Seanger  
AGAINST: None

#### **A.I. #6 OLD BUSINESS**

- a. Mayor Seanger reported that the City and LELS representatives met for negotiations on Monday, December 7. The Council, at its December 21, 2009 Special Meeting, approved the three-year contract agreement and adopted Resolution No. 09-075, Resolution Approving Collective Bargaining Agreement By and Between City of Melrose and Law Enforcement Labor Services, Inc. Local No. 320 and Resolution No. 09-076, Resolution Approving Memorandum of Understanding By and Between City of Melrose and Law Enforcement Labor Services, Inc. Local No. 320.

The LELS contract has been signed by the City and Union Representatives and became effective with the first payroll in 2010. The Labor Agreement includes wage increases of 0% for 2010, 1.5% for 2011, and 2.75% for 2012.

- b. Mayor Seanger reported the Council, at its 2010 budget meetings, had reviewed the Five Year Capital Improvement Plan in its entirety and made recommended changes. However, adoption of the final 2010-2014 Five Year Capital Improvement Plan was inadvertently forgotten at the time of the 2010 budget adoption on December 10, 2009.

A motion was made by Mr. Budde, seconded by Mr. Finken and unanimously carried to adopt the Five Year Capital Improvement Plan.

### **A.I. #7 NEW BUSINESS**

- a. Consideration was next given to scheduling the annual meeting with area township and city officials to discuss the proposed 2010 budgets for the Fire and Ambulance Departments. Staff recommended that this meeting be scheduled for Thursday, February 18 at the Fire and Ambulance Station. The 2011 budget information will be presented to the Council at their January 21 meeting. The contracts between the City and area townships and cities require the City to hold this meeting annually. Due to the fact that Council meetings have a start time of 6:00, it was the consensus of the Council that the start time of the meeting with area township and city officials be moved to 7:00 p.m.

A motion was made by Ms. Mayers, seconded by Mr. Budde and unanimously carried to schedule the joint meeting with the contract areas for Thursday, February 18 at 7:00 p.m. at the Fire and Ambulance Station.

Mayor Seanger also reported that the state legislators are scheduled to meet with the Council at 5:30 p.m. on Thursday, January 21. It was the consensus of the Council that a half hour would not be ample time to discuss current issues with state legislators, therefore, the start time of the regular meeting was changed to 6:30 p.m. that same evening.

- b. Mayor Seanger stated that the Melrose Lions have made a commitment to donate over \$30,000 for playground equipment at the park north of the Hospital, currently called the Jaycee Park. Because of this significant donation and the Lions continued interest in providing park improvements in the City and since there is no longer a Jaycee organization in the community, the Lions request that the name be changed to include both organizations. It was suggested by members of the Melrose Lions that perhaps the park be renamed to the Melrose Lions and Jaycee Community Park. Since currently there is not an active Jaycee organization within the City of Melrose, Council members were receptive to the request.

A motion was made by Mr. Budde, seconded by Mr. Finken and unanimously carried approving the renaming of Jaycee Park to Melrose Lions and Jaycee Community Park.

### **A.I. #8 INFORMATIONAL ITEMS**

The following informational items were then reviewed:

- a. The following are the dues paid to various organizations:
  1. Resource Training and Solutions – split between Utility Fund and General Fund - \$156
  2. Minnesota State Fire Department Association – Fire Department - \$216
  3. Minnesota Chiefs of Police Association – Police Department - \$180
  4. Renewal of Sister City International – General Fund - \$150
  5. Melrose Area Chamber of Commerce – General Fund - \$60
- b. The City has received a check for a 2009 property/casualty dividend in the amount of \$16,551 from the League of Minnesota Cities Insurance Trust (LMCIT). The City's share of the dividend is determined by premiums paid, years in the program, etc. The dividend is split – \$5,719 General and \$10,832 Utilities.
- c. Utilities Commission's December 14 Regular Meeting minutes.

### **A.I. #9 ADJOURNMENT**

A motion was made by Mr. Finken, seconded by Mr. Budde and unanimously carried that the meeting be adjourned at 6:25 p.m.

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PATRICIA HAASE – CITY CLERK