

**MELROSE CITY COUNCIL
REGULAR MEETING
THURSDAY, MAY 21, 2015 – 6:00 P.M.**

AGENDA

1. Call to Order/Roll Call/Pledge of Allegiance
2. Approval of Agenda
3. Open Forum
4. Consent Agenda
 - a. Approval of Minutes
 - b. Approval of Bills/Purchase Orders
 - c. Approval of Investments
 - d. Tobacco License
 - e. Donation Resolutions:
 - 1) Resolution No. 2015-20 - Donation from the Melrose Lions
 - 2) Resolution No. 2015-24 - Donation from Melrose VFW Post 7050, the Melrose American Legion Post 101, and the Melrose Lions
 - 3) Resolution No. 2015-25 - Donation from Melrose American Legion Post 101
 - f. Fire Department Hires
5. Public Hearing
 - a. 3.2% Off Sale Malt Liquor License – Adium Oil Company, Inc. DBA Petro Plus #101
 - b. Public Hearing on the Issuance by the City of Melrose of Revenue Refunding Bonds in a Principal Amount Not to Exceed \$10,000,000, for the Benefit of Proliant Dairy
6. Reports
 - a. Police Department Monthly
 - b. Planning and Zoning Commission Meeting
 - c. City Attorney Report
 - d. General Fund First Quarter Financial
7. Action Items
 - a. 3.2 Off Sale Malt Liquor License – Adium Oil Company, Inc. DBA Petro Plus #101
 - b. Resolution No. 2015-21, Resolution Authorizing the Issuance of Refunding Revenue Bonds (Proliant Dairy, Inc. Project), Series 2015 and the Execution of Documents and Other Matters Relating Thereto
 - c. Combining of Polling Places – Resolution No. 2015-22, Approving the City of Melrose and Melrose Township Combining of Polling Places
 - d. Resolution No. 2015-23, Community Support of the Poultry Industry
 - e. Petition for the Vacation of that Part of Undeveloped 1st Street NE Located Between 7th Avenue NE and 8th Avenue NE and the Undeveloped Alleyway in Block 2 all in Borgerdings Addition to Melrose
 - f. Community Festival Licenses
 - * g. Marco Printer Contract

8. Old Business
 - a. Blandin Community Leadership Program
 - b. Pavement Management Plan
 - c. Police Officer Resignation

9. New Business
 - a. Streets/Park Supervisor Retirement

10. Informational Items
 - a. Utilities Commission Meeting Minutes
 - b. Charter Communications Programming
 - c. Minnesota Department of Revenue
 - d. Schools and Conferences
 - e. MADA/COC Meeting Minutes
 - f. Planning and Zoning Commission Meeting Minutes
 - g. Stearns County Notice for Five Year Construction Program
 - h. Blandin Foundation Correspondence
 - * i. Riverfest Poster

11. Adjournment

* Amendments

**MELROSE CITY COUNCIL
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THURSDAY, MAY 21, 2015 – 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, May 21, 2015 at 6:00 p.m. at the Melrose City Center pursuant to due notice being given thereof. Present were Council Members Jenny Mayers, Tony Klasen, Dick Christenson, Josh Thieschafer and Mayor Joe Finken, City Administrator/Treasurer Michael Brethorst and City Clerk Patti Haase. Mayor Finken presided thereat.

The Council then recited the Pledge of Allegiance.

A.I. #2 APPROVAL OF AGENDA

A motion was made by Ms. Mayers, seconded by Mr. Klasen and unanimously carried to approve the agenda as amended.

A.I. #3 OPEN FORUM

Mayor Finken then opened the floor to public comment. Council Member Mayers reminded residents of the Hotrod Cookoff - Kick off to Summer to be held at the Sauk River Park on Saturday, May 30 from noon until 11:00 p.m. There will be live music by Enterprise Band in the afternoon and Solid Silver in the evening. There will be a turkey and rib cook off, silent auction and fireworks later that evening.

Ms. Mayers also stated that residents interested in bringing Turkey Days back to Melrose should contact the Melrose Area Chamber of Commerce, Council Members, or City staff by no later than Thursday, May 28. The Chamber of Commerce, at its next meeting, will be discussing if there is enough interest to bring this event back to Melrose.

A.I. #4 APPROVAL OF CONSENT AGENDA

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

- a. the minutes from the Council's April 16 Local Board of Appeal and Equalization Meeting, the April 16 Special Joint Meeting with the Commission, and the April 16 Regular Meeting Minutes
- b. list of bills in the amount of \$209,982.54. (See attached list)
- c. list of investments for the month of April. (See attached list)
- d. The Council to give consideration to approval of the following tobacco license:
 - 1) Adium Oil Company, Inc. – DBA Petro Plus #101
Minnesota law requires cities to obtain proof that all license holders provide workers' comp insurance for their employees. Also, the City must obtain licensees' social security numbers, and Minnesota and federal tax identification numbers for the Department of Revenue's use. Staff has received the signed application, all required documentation and the \$75 license fee. The license is effective beginning May 22, 2015.

- e. 1) Donation Resolution 2015-20, donation in the amount of \$100 from the Melrose Lions towards the Melrose Ambulance Department.
- 2) Donation Resolution 2015-24, donation in the amount of \$400 from Melrose VFW Post 7050, \$1,000 from the Melrose American Legion Post 101, and \$500 from the Melrose Lions towards the Tri-Cap bus service.
- 3) Donation Resolution 2015-25, donation in the amount of \$1,000 from the Melrose American Legion Post 101 toward the Riverfest celebration.
- f. Fire Chief Jeremy Kraemer is requesting Council approval to hire Randy Bergquist, Jeff Eggert, Matt McDonald, Brett Moening, and Angel Vargas. The oral interviews and physical fitness tests have been completed. Hiring of Mr. Bergquist, Mr. Eggert, Mr. McDonald, Mr. Moening, and Mr. Vargas are contingent upon successful background investigations and passing pre-employment physicals. With these new hires, the Department will be at 30 members.

A motion was made by Mr. Thieschafer, seconded by Mr. Christenson and unanimously carried to approve the Consent Agenda.

A.I. #5 PUBLIC HEARING

- a. Mayor Finken then opened the Public Hearing at 6:08 p.m. The Council held a Public Hearing to consider the request for Adium Oil Company, Inc. DBA Petro Plus #101 request for a 3.2% Off Sale Malt Liquor License. A public hearing is required as per City Code Chapter 113 Liquor Regulations.

City Administrator Brethorst presented the Affidavit of Publication of the Hearing Notice which was published in the April 29, 2015 edition of the Melrose Beacon.

There being no public input, the Public Hearing was closed at 6:09 p.m.

- b. The Council next held a Public Hearing for the purpose of gathering input and taking testimony relating to the Proposed Issuance by the City of Melrose of Revenue Refunding Bonds in a Principal Amount Not to Exceed \$10,000,000, for the Benefit of Proliant Dairy, Inc.

City Administrator Brethorst presented the Affidavit of Publication of the Hearing Notice which was published in the May 6, 2015 edition of the Melrose Beacon.

The Public Hearing was opened at 6:09 p.m. Rhonda Skoby with Dorsey & Whitney LLP commented that the bonds shall be special limited obligations of the City payable solely from and secured by a pledge of the trust estate under the Indenture, including the City's interest in the Loan Agreement and the Note, in the manner provided in the Indenture. The bonds do not constitute an indebtedness, liability, general or moral obligation of the City of Melrose and the City will be indemnified for any costs incurred.

There being no further questions or comments, the Public Hearing was closed at 6:11 p.m.

A.I. #6 REPORTS

- a. Police Chief Craig Maus presented the Police Department's April report. He noted there were 350 calls for service during that month compared to 164 for April 2015. A total of 17 citations were written for the month of April. The April case numbers reflect housing code ordinance violations. The year-to-date number of calls is 1028 compared to 669 in 2014. For the month of April 2015, the Department received 18 agency assist calls.
- b. Planning and Development Director Walz and Council/Commission Member Klasen reported on the Commission's May 11 Regular Meeting.
- c. City Attorney Scott Dymoke reported on projects he has been working on for the City:
 - Reviewed and revised proposed power line relocation agreement between the Melrose Public Utilities Commission, Black Oak Wind LLC, and Northern States Power Company. Met with City Administrator to review proposed revisions to the agreement.
- d. City Administrator/Treasurer Brethorst presented the General Fund Financial First Quarter Report. Administrator Brethorst noted that the General Fund revenue is at 2% and the expenditures are at 16%. Revenues are low because the first half of property tax revenue is not received until June. Also the first half of LGA is not received until July. Property tax and LGA together make up 73.5% of the revenue budget.

A.I. # 7 ACTION ITEMS

- a. The Council gave consideration to the request of Adium Oil Company, Inc. DBA Petro Plus #101 for a 3.2% Off Sale Malt Liquor License. A background investigation has been conducted by the Melrose Police Department and nothing was found that would prohibit issuing of the license.

A motion was made by Mr. Christenson, seconded by Mr. Thieschafer and unanimously carried to approve issuing the 3.2% Off Sale Malt Liquor License to Adium Oil Company Inc. DBA Petro Plus #101.

- b. Mayor Finken noted that earlier this evening, the Council held a Public Hearing for the Issuance of Refunding Revenue Bonds (Proliant Dairy, Inc. Project), Series 2015, and the Execution of Documents and Other Matters Relating Thereto. The bonds will be limited obligations of the City, and the principal of the interest on the bonds will be payable solely from the revenues pledged to the payment thereof. No holder of any bonds will ever have the right to compel any exercise of the taxing powers of the City to pay the bonds or the interest thereon, nor to enforce payment against any property of the City, except for the payment to be made by the corporation to the City and pledged to the payment for the bonds.

Ms. Mayers introduced Resolution No. 2015-21, Resolution Authorizing the Issuance of Refunding Revenue Bonds (Proliant Dairy, Inc. Project), Series 2015 and the Execution of Documents and Other Matters Relating Thereto. The motion was seconded by Mr. Klasen with a roll call vote recorded as follows:

FOR: Council Members Mayers, Klasen, Christenson, Thieschafer, and Mayor Finken

AGAINST: None

- c. Mayor Finken stated that Melrose Township is requesting the City give consideration to combining polling places. Due to statutory requirements, the Melrose Township polling place does not meet the standards; therefore, the Township is requesting that the City give consideration allowing them to use the Melrose City Center as their polling place. The Township would continue to hire their own election judges; however, as a cost savings measure, the City and Township may look into using one M100 (ballot counter)

A motion was made by Mr. Thieschafer, seconded by Mr. Christenson and unanimously carried adopting Resolution No. 2015-22, Resolution Approving the City of Melrose and Melrose Township Combining of Polling Places.

- d. Mayor Finken noted that the Melrose Area Development Authority (MADA), at its April 30 meeting, discussed the impact to the poultry industry caused by the Avian flu. MADA felt it was important that the City show its support to the industry as it is an essential part of the community.

Ms. Mayers introduced Resolution No. 2015-23, Community Support of the Poultry Industry. The motion was seconded by Mr. Klasen with a roll call vote recorded as follows:

FOR: Council Members Mayers, Klasen, Christenson, Thieschafer, and Mayor Finken

AGAINST: None

- e. Mayor Finken stated that the City has received from Empire Memorials, Inc. a Petition for the Vacation of that Part of Undeveloped 1st Street NE Located in Borgerdings Addition to Melrose Between 7th Avenue NE and 8th Avenue NE and the Alley Located in Block 2 in Borgerdings Addition to Melrose in the City of Melrose, Stearns County, Minnesota. The road right-of-way vacation action request was suggested to Empire Memorials, Inc. by City staff to help facilitate the exchange of identically sized parcels of property to facilitate the installation of the disc golf course. The vacation of the alleyway recognizes that although not developed or vacated, likely unknowingly the property owner constructed its manufacturing structure over it many years ago.

A motion was made by Mr. Christenson, seconded by Mr. Thieschafer and unanimously carried accepting the petition and scheduling a public hearing on the requested vacation of the undeveloped road right-of-way and the undeveloped alleyway for Thursday, June 18 at 6:00 p.m.

- f. The Council next gave consideration to approval of a Community Festival License Application – Public Property for The Dam Bar for the Working Together for a Cure Car Show and Fundraising Event to be held Saturday, May 30, 2015 at the Sauk River Park. Per City Code, the application has been reviewed and signed off by the City Administrator and Police Chief. This event must comply with City Code Chapter 113.23 (C) which deals with Community Festivals – Public Property. Approval is contingent upon the City Clerk receiving all required documentation.

A motion was made by Ms. Mayers, seconded by Mr. Christenson and unanimously carried approving the Community Festival License – Public Property to the Dam Bar for Saturday, May 30 at the Sauk River Park contingent upon complying with City Code Chapter 113.23 (D).

- g. The Council next gave consideration to approving a multi-year agreement with Marco for a Managed Account Program for its copiers. The City currently leases three printers and has maintenance on four. This new proposed copier agreement would consolidate the other copier agreements the City has with Marco into one agreement.

Under this updated agreement, the Police Department would keep its current copier / scanner / fax machine for another 45 months. The Administration Office would keep the color copier / scanner for 45 months and then replace the seven year old copier in the copy room. Also, the allotment of color copies would increase from 600 to 1300 copies per month.

With this consolidated agreement, the monthly costs would go from \$871.25 average per month down to \$716.00 per month. This would equal \$155.25 a month savings, or \$1,863 annually, for a total estimated savings of \$6,975 over the life of the agreement.

A motion was made by Ms. Mayers, seconded by Mr. Thieschafer and unanimously carried authorizing staff to enter into a multi-year agreement with Marco for a Managed Account Program for its copiers.

A.I. #8 OLD BUSINESS

- a. Mayor Finken stated that the City application has been approved for participation in the Blandin Community Leadership Program. The dates for the retreat and workshops are:

Retreat: February 8-12

Workshops: April 5, June 14, and August 23

The recruitment phase of the program will begin in late July.

- b. Mayor Finken stated that at the March 19 meeting, it was the consensus of the Council to solicit a quote for a Pavement Management Plan. WSB and WSN were both consulted on the matter. An initial quote was received in the amount of \$25, 221.

After discussion with both WSN & WSB, the City's Engineer, a second quote was received that better matched the needs of the City from both engineers.

The primary difference is that WSB would use an approved rating system for the roads and upload the data to the City's data bases. WSN would provide a clean product as well; however, we would not get a point system for the roads.

These new proposal will focus on historical observation and records with less emphasis on detailed as-built and focus on current conditions. Additional emphasis was placed on project estimates and forecasting projects. Based on the differences between the proposal and the relationship with WSB, it is recommended to go with WSB for the \$19,514.

WSN Quote: \$17,000

WSB Quote: \$19,514

After further discussion it was the consensus of the Council to table action on this item and brought back before the Council at its June meeting. Staff to contact other communities that contract with WSB & Associates for a Pavement Management Plan.

- c. Mayor Finken noted that Police Officer John Hiltunen has submitted his letter of resignation effective August 14, 2015. City staff has posted for a full-time Police Officer on the MN Post Board, City website, City facebook page, LMC website, and Melrose Beacon. Application deadline is May 20.

A.I. #9 NEW BUSINESS

- a. Mayor Finken stated that Streets/Parks Supervisor Mark Maus has submitted his letter of retirement for August 28, 2015. Mr. Maus began his employment with the City on November 4, 1974 and has served the City for 41 years.

As recommended by the 2010 Staffing Study and as directed by the Council and Utilities Commission, staff has conducted a full review of the Streets/Parks Supervisor position and recommended a one-for-one replacement of this position. Staff also recommends a change to the job description to include: Provides support as needed to the Utilities.

Also as directed by the Council and Commission, and as stated in City Personnel Policy, because this is a Supervisory position, the vacancy will be posted both internally and externally.

A motion was made by Mr. Thieschafer, seconded by Ms. Mayers and unanimously carried approving the one-for-one replacement, updating the job description as presented and posting for a Streets/Parks Supervisor.

A.I. #10 INFORMATIONAL ITEMS

The following informational items were discussed:

- a. The minutes from the Utilities Commission's April 13 Regular Meeting and the April 29 Special Meeting.
- b. On or after June 23, 2015, WGN America and WGN America HD will migrate from Basic to Charter Select Expanded Basic. Charter also announced that more additions will be added to the channel line-up in June.
- c. The Minnesota Department of Revenue has presented the City a Certificate of Appreciation for allowing the use Melrose City Center as a volunteer tax preparation site.
- d. The following is a list of upcoming schools and conferences:
 - 1) LMC Annual Conference – June 23-26- Attending: Mayor Joe Finken and City Administrator Michael Brethorst
 - 2) Minnesota Roadway Maintenance Training & Demo - May 13. Attending: Streets/Parks Worker Gary Middendorf
- e. The MADA/COC's April 30 Regular Meeting minutes.
- f. The Planning and Zoning Commission's April 13 Regular Meeting minutes and the May 11 Regular Meeting minutes.
- g. Stearns County Notice for Five Year Construction Program.
- h. Correspondence from Blandin Foundation – Blandin Community Leadership Program.

A.I. #11 ADJOURNMENT

A motion was made by Mr. Klasen, seconded by Ms. Mayers and unanimously carried that the meeting be adjourned at 7:20 p.m.

PATRICIA HAASE – CITY CLERK