

**DANUBE CITY COUNCIL
Regular Council Meeting
Wednesday, May 10, 2017 7:00 PM
Danube City Council Chambers**

A regular meeting of the Danube City Council was conducted on May 10, 2017 at 7:00 p.m. with Mayor Alex presiding.

The following Councilmembers were present: Sharon Krogman, Cathy Malvin, Dave Maurice and Phil Standfuss

Councilmembers absent: None

Others Present: Julie Krueger, Randal Krueger, Jim Siewert, Nicole Siewert, Public Works Director Dan Kaufenberg, Police Chief Les Schneider, City Clerk-Treasurer Dotty Schnobrich, and media.

Approval of Agenda

Councilmember Standfuss moved and Councilmember Maurice seconded a motion to approve the Agenda with the additions of Building Permit – Jaclyn Miller – Deck under Consent Agenda, Ditch Assessment under Old/Unfinished Business, League of MN Cities – Waiver on Tort Liability and Clean Up Day under New Business. The motion carried unanimously.

Approval of Consent Agenda

Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve the consent agenda as listed below. The motion carried unanimously.

Consent Agenda – *please see notes to agenda items below*

The following items are considered routine or non-controversial by the Council and will be approved with one motion. There will be no separate discussion of these items unless a council member, city staff or citizen so requests, in which case the item (s) will be removed from the consent agenda and be considered in its normal sequence on the agenda.

- Minutes of Regular Meeting of April 12, 2017
- Minutes of Board of Appeals Meeting of April 12, 2017
- Building Permit – Heather Wittman – Fence
- Building Permit – Jaclyn Miller - Deck

Open Forum

Julie and Randal Krueger – Handicap Park Equipment – Julie wanted to start a conversation with the Councilmembers are what they can do or where they can start to work on getting some handicap equipment down at the park. Randal commented that the equipment that is down there is worn and not up to ADA standards, along with it being dirty and garbage, weeds and sticks are throughout the sand. Julie and Randal are willing to go and talk with Redwood and Renville about the new equipment they put in to see what the cost is and if they got any grants for the

equipment. They would also look at setting up a Go Fund Me page for the project. The Councilmembers were in favor of them doing it if they are willing to do the leg work and come back with more information for the Councilmembers at a future meeting.

Employee Report – Public Works Director

In the council packets, Councilmembers received a monthly report for Public Works Director Dan Kaufenberg. The report is below

- **Street Sweeper** – The price for the 2005 Elgin Pelican SE is still \$52,500 after all repairs have been done. Dan has included a copy of the work that will be done to the machine. Dan can't go any further on this until a decision is made by the council. Dan does however have a potential buyer for the old sweeper. Will need a selling price. So far we have around \$600.00 into old sweeper in inspections and transport.

Dan informed the Councilmembers that he has a street sweeper on hold for a month and it can't sit on hold anymore and Dan needs a decision about the sweeper. Councilmember Maurice commented that he got a response from the person selling a street sweeper on Craigslist and that it was still available. Councilmember Maurice said he sent an email back inquiring on some of the vitals like is it a diesel and where it is located but has not gotten a response back from him yet. The Councilmembers agreed that they would like to wait a little while to see if they hear back from the guy about the other street sweeper because of the price difference. The Councilmembers discussed the old street sweeper and selling it. Dan will talk with the party interested in the old street sweeper and told Dan to go ahead and try and get \$3,000-\$4,000 for the old street sweeper.

- **Lift Station** – Dan has contacted Lauritsen Septic to come and clean out Lift Station again. Should be here next week sometime.
- **OSHA** – One of the items noted by our OSHA instructor was that we don't have any eye wash stations in our well houses. Since there are chemicals in there OSHA recommends them. Dan has found some that will meet OSHA criteria for around \$150.00. Dan is looking at buying three. Two for the well houses and one for the shop. Also he said that we must keep all our flammable products in a fire proof cabinet. A 90 gallon cabinet costs around \$1000.00.

Councilmember Standfuss moved and Councilmember Maurice seconded a motion to approve Dan to spend up to \$1,500.00 for three (3) eye wash stations and one (1) 90 gallon fire proof cabinet. The motion carried unanimously.

- **Brush Site** – Dan reported that he burned the brush site the first week of May and it is already full again this week. Part of the problem is there are a lot of non residents taking stuff out there. Dan would like the brush site to go back to locking it back up for the set hours of Tuesdays and Thursdays from 2pm to 6pm and on Saturdays from 10am to 2pm. The Councilmembers agreed that going back to locking up the brush site would be a good idea. Dan will do some fixing up at the brush site to prevent people from dumping the brush all over when it is locked up. Mayor Alex said that Darrell Mattson would be willing to sit out at the brush site during open hours along with unlocking and locking it back up. Mayor Alex assumed that he would do it as a volunteer.
- **Pot Holes** – Councilmember Standfuss told Dan about some pot holes that were in need of being filled. Dan said that he could fill them in if they are not that big. Dan will go look at them and get them taken care of. Dan also informed the Councilmembers that he is going to be getting some quotes for two (2) street patches that need to be done. One area is from a water main break this winter and the other is in front of the new water tower.

Dog Issues

Jim & Nicole Siewert – Nicole spoke with the Councilmembers about some concerns that they have. She is concerned about the communication and about whether or not they can keep their dog. Jim stated that they volunteered their dog to leave town until things settled down. When Nicole came in to the City Office Dotty told Nicole that she couldn't issue a license for both dogs and that maybe she should come to a Council meeting and discuss it with the Councilmembers. Police Chief Schneider stated that he just got a report today that Nicole's dog has now been reported for going after another dog on Monday. Schneider stated that the information will be getting turned over to the City Attorney and he will stop over after the meeting tonight to speak with Jim and Nicole in private regarding the situation. Mayor Alex stated that Schneider needs to do it the legal way and follow our Ordinance. Jim and Nicole commented that there are dogs that run loose and are over at their place taunting their dogs. Mayor Alex stated that when that happens they need to report it to the Police Department, if they don't then the city wouldn't be aware about it happening.

Employee Report – Chief of Police

Chief of Police Les Schneider was present to give his monthly employee and Police Department report. Statistics for April 2017 were slightly higher compared to last year at the same time with 45 calls, 28 reports, 32 traffic stops, 14 citations, 27 mutual assists and 4 home security checks. Additional business discussed:

- *School Building Schedule* – Schneider reported that Tri Valley waxed the floors on May 4th. The Spring play for RCW is May 11th thru the 13th. Little Lambs will be holding a rummage sale on June 24th.
- *2017 Executive Training Institute (April 24-26)* – Schneider reported that some of the items they covered at the training were the St. Cloud mall stabbing, body cameras, POST updates, critical incident responses, mass protests, ambushes, media and the Wetterling investigation.
- *Training Updates* – Schneider reported that he received 6 credits down in Morton during the League of MN Cities training and the Use of Force training was completed for five (5) police officers.
- *Licensing Class D* - Schneider reported that he renewed his Class D license from the Department of Health and is good until April 30, 2020. Dotty is sending in his information for Class D wastewater license to MN Pollution Control.
- *Civil Defense Siren Status* – Schneider reported that the civil defense siren is no longer working and is unable to be fixed. Schneider presented a quote from Federal Signal Corporation for a single phase siren for \$9,075.00 and a quote for Sullivan's Electric for the wiring of \$4,000.00. Schneider did not get a quote from REA yet for a 55 foot pool to put the siren on.

The Councilmembers discussed the siren and verified that it included the controls for the Sheriff's Department to be able to set off the new siren. Councilmember Maurice asked if there were any civil defense grants or public safety grant available. Schneider stated that there were no grants available for OSHA, civil defense grants, matching grant or nothing out there.

Councilmember Standfuss moved and Councilmember Krogman seconded a motion to approve Les to purchase the \$9,075.00 siren from Federal Signal Corporation, \$4,000.00

wiring from Sullivan's Electric and the costs relating to the pole for installation from the REA. The motion carried unanimously.

- Firearms Instructor Recertification – Schneider reported that every five (5) years Marcel needs to get recertified for him to teach the Use of Force training for the Danube Police Officers. Schneider explained that the City of Danube doesn't pay for Marcel to attend the class they only pay for the cost of the class that he attends.
Councilmember Maurice moved and Councilmember Malvin seconded a motion to approve paying for Marcel's firearms instructor recertification for \$500.00 to Ballistic Defense LLC. The motion carried unanimously.
- MCPA Twins Card Program – Schneider reported that he received the MN Twins cards and will be handing them out to the kids around town.
- First Response Information – Schneider reported that the First Responders will be having training on May 25, 2017. This will be the First Responders meeting, annual meeting and training because the February meeting got changed.

Employee Report – City Clerk

- Transfer Funds into Checking – Dotty reported that until a decision is made about a new street sweeper she will be unable to address the transferring of funds. If a special meeting happens she will include the financing with that meeting.
- Janice Westby Water Bill Follow Up – Dotty spoke to Janice after the last Council meeting about the Council's decision that she would be responsible for the water bill and Janice informed Dotty it was her water softener that was having the issue and now has been fixed. She was not happy that other residents' were informed of things to check right away and got them fixed while her water usage continued to build up until I stopped her on the street one day.
- Completed Items – Informed the City of Olivia that we would not be doing any seal coating this year and thanked them for including us in the option. Post cards for smoke testing were mailed out yesterday.
- Vacant Lot – Attorney Email – The City may sell the land if the Council determines that the City does not need the land. It sounds like they already made this determination. Next, the City is not required to use any particular process, such as bidding. The city may request bids, or list the property, or use some other method to get a buyer. The land may NOT be sold to an elected official. The city should attempt to get fair market value for the lot, which is simply the maximum amount that a buyer will pay on the market (or through bids).

I might suggest City ask for bids for the Council to consider, rather than the Council trying to figure out an asking price.

In any advertisement or listing, you should specify that the City will provide a "Quit Claim Deed" to the property. That basically means that the buyer will take the property as is, with no warranties of title or anything else.

Attached are a couple forms that I would want completed once a buyer and price are decided on. Then I will have the information that I need to prepare the closing paperwork. You might also want to have the buyer pay the closing costs.

Please let me know if you have any questions.

Aaron D. Walton, Esq.

The Councilmembers discussed the land and decided to put up two for sale signs on the lot along with posting it on the bulletin board and website.

- Outstanding Checks – Dotty informed the Councilmembers that she got the addresses needed to clear up most of the old outstanding checks so new checks were issued to those people.
- Office Closed – The Danube City Office will be closed on Monday, May 29, 2017 for Memorial Day.

School Building Updates - None

Community Center Updates

Councilmember Malvin reported that the a/c has been fixed in the Community Center and that it is very cold in the Community Center. Councilmember Malvin would like to see the a/c get changed if there is nothing going on in the Community Center to not waste money. Councilmember Krogman will get a hold of Les Schneider and Thomas Grosklags to have him go adjust the a/c so it is not so cold in there. Councilmember Krogman and Councilmember Malvin will be meeting with Thomas Grosklags about some items.

Unfinished Business

Water Tower – Funding – There was no new issues to discuss on the water tower funding but to continue to carry this item forward on each agenda until further notice.

Water Tower Update –
May 4, 2017

File No. 160002E-0071

Honorable Mayor and City Council

City of Danube

400 Main St. PO Box 397

Danube, MN 56230

RE: 50,000 GALLON WATER TOWER

PARTIAL PAY ESTIMATE #6

Dear Council Members:

Please find attached Partial Pay Estimate No. 6 for the above-referenced project. As you are aware, the Contractor for the project is Maguire Iron. The total amount earned by the Contractor on this partial pay estimate is \$394,874.00. Subtracting 5% retainage of \$19,743.70 and previous payments of \$354,230.30, the amount due the Contractor is \$20,900.00.

This pay estimate includes payment for remobilizing to the site this spring and the start of the painting operations. We have inspected the work performed by Maguire Iron and find it to be in compliance with the plans, specifications, and contract documents. Therefore we would recommend approval of Partial Pay Estimate No. 6 in the amount of \$20,900.00.

If you have any questions regarding this issue please feel free to call.

Sincerely,

ELFERING & ASSOCIATES

Lee Elfering, P.E.

The Councilmembers reviewed the Partial Pay Estimate #6.

Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve the Mayor to sign and payment for the Partial Pay Estimate #6 of \$20,900.00 from Maguire Iron for the water tower project and the payment to Elfering and Associates of \$5,990.00. The motion passed unanimously.

Building Official – Shane Malvin Follow Up – Mayor Alex reported that he didn't get a hold of Shane Malvin but Darrell Mattson said he would be interested in being a building official. The Councilmembers discussed it and were fine with Darrell Mattson becoming a building official and asked that Mayor Alex still try to contact Shane Malvin about being a building official also.

Ditch Assessment – Councilmember Maurice commented at the Local Board of Appeal meeting he asked about the assessments that were on the property tax statements for the ditch assessment on the City property and School property. Dotty apologized but she did speak with Gail over at Marc Iverson's office and Gail did look into to it to verify that both properties should have been assessed and that the amounts were right. Also Dotty inquired about if it was a onetime assessment or not. Gail told Dotty as of right now it is but that could change if the County decides that they need more money in the funds then there could be more assessments next year. Councilmember Maurice still didn't understand why every property in town didn't get assessed for the ditch instead of the City being assessed for it. Both Councilmember Maurice and Standfuss asked why the school property is being charged around \$1,200.00 (estimate) along with \$5,000.00 (estimate). That is still unclear on why both are paying the ditch assessment. Mayor Alex said that he would go over and talk with them to see if he could get some more information about it.

Financial Reports

The Councilmembers reviewed the claims list from April 14, 2017 thru May 9, 2017.

Councilmember Malvin moved and Councilmember Krogman seconded a motion to approve the bills as submitted in the amount of \$50,844.27 (checks) and \$9,429.63 (electronic fund transfers). The motion carried unanimously.

The Councilmembers reviewed the Receipts List from April 11, 2017 thru May 4, 2017.

The Councilmembers reviewed the Actual versus Budget Comparison for 2017.

The Councilmembers reviewed the Bank Reconciliations for April 2017.

New Business

League of MN Cities – Waiver on Tort Liability – The Councilmembers reviewed and discussed the insurance papers from the League of Minnesota Cities.

Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve the renewal of League of Minnesota Insurance waiving the monetary limit on tort liability. The motion carried unanimously.

Clean Up Days – Mayor Alex asked if the City of Danube would be interested in doing a cleanup day in Danube. The Councilmembers discussed doing a cleanup day in Danube when Public Works Director Dan Kaufenberg was present earlier in the meeting and Dan said he would check his schedule and get back to Dotty on if June 5th would work. Later in the meeting the Councilmembers discussed this topic again and Mayor Alex asked if we should contact West Central Sanitation to have garbage trucks on had to help with the clean up. The Councilmembers discussed it and misunderstood what Mayor Alex meant buy a clean day and after the discussion decided that they don't want to do a cleanup day if they have to pay for people to get rid of their garbage by having West Central Sanitation come down with garbage trucks.

Future Business - None

Correspondence

Gardonville Coop Letter
CenturyLink Letter
MN Pollution Control Letter

There being no further business before the council, Councilmember Standfuss moved and Councilmember Krogman seconded a motion to adjourn the meeting. With all members voting in favor, the meeting was adjourned at 8:58 p.m.

Respectfully submitted: Dotty Schnobrich, City Clerk

Gene Alex, Mayor

Dotty Schnobrich, City Clerk