

**DANUBE CITY COUNCIL
Regular Council Meeting
Wednesday, July 12, 2017 7:00 PM
Danube City Council Chambers**

A regular meeting of the Danube City Council was conducted on July 12, 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: Calvin Lueck, Suzie Lueck, Dan Keltgen from LightBeam, City Clerk-Treasurer Dotty Schnobrich, and media.

Approval of Agenda

Councilmember Maurice moved and Councilmember Malvin seconded a motion to approve the Agenda with the additions of Building Permit – Little Lambs under Consent Agenda. The motion carried unanimously.

Approval of Consent Agenda

Councilmember Standfuss moved and Councilmember Maurice 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 June 14, 2017
- Building Permit – Cathy Malvin – Fence
- Building Permit – Little Lambs – Shed

New Business

Dan Keltgen – LightBeam – Dan Keltgen provided a lease agreement to the Councilmembers in their packets for LightBeam Internet to come to town. Councilmember Maurice voiced that the League of MN Cities had some concerns on the contract and asked for some changes to be made to the contract before signing along with having the City Attorney review it. The Councilmembers discussed the Leagues suggestions and asked Dan to edit the lease to include the things the League suggested and send it back for the Councilmembers to review along with the City Attorney.

Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve the lease with LightBeam Internet with the changes asked for with the term limit of five (5) years

with the information of more specific of what will be on the water tower and once approved by Aaron Walton the City Attorney. The motion carried unanimously.

Open Forum

Historical Society – Suzie Lueck – Suzie informed the Councilmembers that the Historical Society is looking at doing some landscaping, possibly building a shed, and depending on what happens to the water tower might affect what they can and can't do over there. The Historical Society would like to get permission to do some improvements. They have removed trees and ground the stumps. The Councilmembers have no concerns about the landscaping they are doing and think the grounds are very well kept. Further discussion was held with Suzie about the old water tower which was originally under New Business which will be stated below this topic. Suzie said once they know more about the shed that they will come back and report on it to the Councilmembers.

New Business

Water Tower – Existing Water Tower – Cathy Malvin – Suzie Lueck asked what was going to happen to the old water tower. Councilmember Maurice informed Suzie that as of right now there is a company that will come and do the demolition within thirty (30) days after the new water tower is online and up and running. Councilmember Malvin if there was a way to preserve the old water tower. The Historical Society is interested in the historical purposes of it. Councilmember Maurice stated that the City already looked into if the City could give away the land to the Historical Society and the League said no the City could not give it away. Mayor Alex stated that without the water tower there he thought it would be an idea extra parking for their events. Suzie agreed and she also thought that too. Schneider reported that Sullivan's will be working on the water tower around July 17th. Cal Lueck voiced that he heard some chattering during Fun Days about keeping the old water. Mayor Alex commented that there are issues of it deteriorating faster once it is no longer being used and railings are bad along with the liability issue. Councilmember Malvin asked how much of that stuff would have to be left up there if it is for historical purposes only. Suzie added you could take the cat walk and ladder down. Mayor Alex added the roof is bad and that would have to come off also. Cal Lueck asked how much is it going to cost to tear it down. Councilmember Maurice answered \$28,000.00 to take it down, remove the base and put up a fire hydrant. Councilmember Maurice also stated that to barely refurbish the water tower was \$190,000 and to make it usable for water was over \$390,000. Mayor Alex added to get by OSHA to have it standing there was the \$190,000 to get the liability away from there. Councilmember Maurice spoke on the lead paint that is on the current water tower. Councilmember Krogman asked is there any way to put the tower on the ground. Councilmember Malvin is very much in backing in keeping the old water tower but understands the City is liable and has so many funds and what can we do if anything. Dotty reported that she spoke with Lee about the concern of keeping it and neither Lee or Dotty could find something stating that if it was a historical that it wouldn't have to be compliant with OSHA standards. Dotty did find on the OSHA website a list that tells you about structures and equipment and penalties for not up keeping according to their standards. Mayor Alex said that to keep the old water tower when there are other issues that need to be addressed like roads. Councilmember Malvin stated that she thought it was at least worth the discussion because it does sit on a historical site and by the Councilmembers discussing the concerns of residents it makes it easier to tell the public that it was looked into and discussed. Councilmember Krogman asked if the Historical Society would be interested in building a replica of the old water tower. Suzie

commented that's an idea. Councilmember Maurice asked if signs should be put up saying Danube on the north and south on County Road #1. The Councilmembers decided not to put up signs.

Employee Report – Public Works Director

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

- Water Tower – All the final grading and seeding has been done at new tower site. Dan is still working with Sullivan's on figuring out the controls for the tower. They have been in contact with the company making sure that they have a complete understanding of it before they try to install it. That is all we are waiting on before we can put new tower online and take the old one offline.
- Storm Drain – Chris Knight is scheduled to come back and dig up to repair storm drain line for the manhole on Railroad Ave by the elevator. Hoping this will be done this week sometime.
The Councilmembers discussed the water that was pooling down by the elevator where the storm drain collapsed.
- Streets – Dan has Caldwell Asphalt scheduled to do some areas that need repair. We are waiting to fix storm drain on Railroad Ave by elevator before they come to do repairs as that is one of them. Dan has also contacted Midwest Asphalt to do some more air patching like they have done previously. Dan scheduled them for 3 days at \$2800.00 per day. That is what has been done in the past and they weren't here last year.
- Wastewater – The lift station has been averaging 36,000 gal/day which is where it should be. The last rainfalls have only brought it up 10,000 gallons for one day and then back down to normal. Dan has been working on getting the areas fixed that were leaking during the smoke testing. Still waiting to hear from TDS about their building roof. A secondary pond discharge was completed in June with no problems.
- Pickup – The pickup has an exhaust leak that needs to get fixed. Dan thinks a couple manifold bolts are broke.
- School – Dan will be draining the boilers for cleaning so they can be inspected for insurance.
- Vacation – Dan will be taking vacation July 28th- Aug 7th.

Employee Report – Chief of Police

Chief of Police Les Schneider was present to give a two month monthly employee and Police Department report. Statistics for May 2017 were slightly higher compared to last year at the same time with 61 calls, 42 reports, 43 traffic stops, 18 citations, 31 mutual assists and 3 home security checks. Statistics for June 2017 were higher compared to last year at the same time with 70 calls, 47 reports, 28 traffic stops, 12 citations, 43 mutual assists and 2 home security checks. Additional business discussed:

- School Building Updates – Schneider reported that the gym floor got scratched during the Little Lambs rummage sale. Schneider shared pictures of the scratches with the Councilmembers. Mayor Alex said he would go down to the school and look at the floors and see if he can fix them. Johnny Craft from Wabasso looked at a classroom to use to take pictures for the school furniture they make.

- Civil Defense Siren Update – Schneider reported that on May 11th the siren was ordered and he was told 6-8 weeks and it showed up 7 weeks from when he ordered it. The pole that was ordered showed up damaged and it is being sent back and he is waiting for a new pole to show up. Sullivans will wire everything on the ground and then the pole will be set up once it is completely assembled. Schneider thought once the water tower is done around July 17th that Sullivan's would start on the siren right after and it should be done by July 31st. Schneider said Terry will come and let him in if the siren needs to be sounded. The Councilmembers would like to see the siren done as soon as possible.
- Fun Days Summary – Schneider reported that the crowd was small but it was also the busiest that he can recall. He had only three (3) officers on for Fun Days. Schneider received multiple complaints on the dance set up. Councilmember Malvin reported that she talked to Hallie about the dance set up and that she was extremely upset and that it was a poor deal. Anyone under 21 were not allowed up to the stage because the snow fence went all the way across the street and only those above 21 were allowed past the snow fence and they were putting wrist bands on those above 21. Schneider also reported that he had fireworks for eight (8) days straight. He went around and shut them down by 10:30pm. Councilmember Standfuss voiced concerns about what is legal for fireworks in Minnesota and why did they occur for eight (8) days straight. Schneider also thanked Renville County and the City of Olivia for letting us use their picnic tables and barricades. Councilmember Standfuss also commented about the golf carts that were being used on Fun Days. Schneider informed the Councilmembers that the officers on duty did watch for younger ones driving golf carts and asking them to park the cart.
- Vicious Dog Cases – Schneider reported that he met with Mayor Alex and Councilmember Krogman and informed them citations were issued to the dog owners on May 11th and he found out last week that the citation was stuck in the automated system at the State. The IT department and they walked Schneider through the issues to get the citations through. Schneider reported that Ordinance #74 is not recognized by the State and that is why it was stuck in the system. Councilmember Maurice asked about confirmation on tickets that are issued. Schneider informed the Councilmembers that when he submits a speeding ticket it immediately states success or fail but he doesn't get notified when the court case is instead the County gets a hold of the City Attorney. The citations that are issued for violation of City Ordinances doesn't inform Schneider if it is success or fail because the State isn't recognizing Danube's City Ordinances. Councilmember stated that Schneider will have to set up some kind of system to check on citations that he isn't getting the notification of success or fail to verify that they are going through in the future. Councilmember Malvin asked how many dogs are in the town of Danube. Dotty reported at the highest she has seen is about 50 and this year it is only at 39. Schneider said that he has a list and will go around and try to get more dog owners to come and register their dogs with the City.
- Blighted Property Updates – Schneider provided the Councilmembers a list of blighted properties and the issues each one had. Schneider also gave an update about the different properties in Danube what ones have made improvements and some of the things other property owners have in the works in the near future. The Councilmembers discussed some of the properties they had concerns on and asked that Schneider to deal with it by sending a letter so that way it is official.

- Mosquito Spraying – Schneider reported asked what the thoughts were on continuing on spraying for mosquitoes. The Councilmembers discussed the issue and asked Schneider to spray on Monday nights as necessary until the next Council meeting in August.
- Annual Radar Certification (Aug 9) – Schneider reported that the radar certification is on August 9th.
- POST Board Training Reimbursement – Schneider reported that he just got the form from the State to fill out for reimbursement for July 1, 2016 to June 30, 2017 for the police department.
- Part-time Officers' Status – Schneider reported that Marcel let his license expire because the City didn't pay him to attend the instructor's training. Marcel is no longer working for the City of Danube Police Department. Marc Brandt is going through a back ground check for another police department and Schneider reported that if he gets hired he will no longer be with the City of Danube Police Department. Marc has worked for the City for about 15 months.
- Squad Car Update – Schneider reported that the air conditioner has not been working and had Danube Auto Works check on it and it turns out that it was in the wiring from the flood damage that was done last year. Schneider contacted Diane at the League of MN Cities and they asked for an estimate and mechanics statement explaining that the issue in the wiring is related to the flood damage that occurred last summer.
- First Response Information – Schneider reported that defibrillator was purchased and the cost was covered by the Danube Lions Club and the Danube Area Donation Society (firemen).
- Waste Water License – Schneider reported that he received his license and it is valid until June 1, 2020.

Employee Report – City Clerk

- Vacant Lot - Update – Dotty hasn't had anyone contact her regarding the property since the last City Council meeting.
- CCFE Water Use – Dotty was asked to bring to this Council meeting the readings for the CCFE warehouse and plant for information purposes only.

Outside Meter	1,381,000 gallons (FYI no sewer is charged on this account)
Warehouse	184,550 gallons
Fertilizer Plant	360 gallons
- CD Rates – Edward Jones – Dotty spoke with John at Edward Jones and below is a list of current CDs and rates.

6 month - 1.25% APY; 12 month - 1.40%APY; 2 year - 1.70% APY

This item will be addressed later in the meeting when the financials are discussed.
- Codification – Dotty met with City Attorney Aaron Walton on Thursday, July 6, 2017 to go through some of the process for the City of Danube to get the codification process started. Attached are the Table of Contents of Ordinances for the City of Danube and a Table of Contents for the MN Basic Code of Ordinances. Aaron would like the City Council and the employees to review the lists and make a list of Ordinances that the City of Danube would like to keep. Dotty will talk with Dan and Les about their input for any Ordinances. Also Aaron would the City of Danube like to use the MN State Building Code? If you do then you cannot use your current building inspectors but instead hire one that is licensed in the State of Minnesota. Dotty spoke with Brian Block and he will review Ordinance #73 & #97 and see if he wants to keep the wording the way it is or if it

can be changed to the basic MN code. Les Schneider will review Ordinance #74, #84 and #104 for the same purposes.

The Councilmembers discussed the request and asked that they have more time to review all the ordinances and discuss them at a future meeting. The Councilmembers also discussed whether or not the City of Danube would like to use the MN State Building Code. If the City chooses to use the MN State Building Code means that you have to hire someone who is licensed to do the inspections like the City of Olivia has.

Councilmember Standfuss moved and Councilmember Malvin seconded a motion to not use the City of Danube's building codes and not the MN State Building Code. The motion carried unanimously.

- *Budget Preparation* – Every year two (2) Councilmembers met with Dotty to start the budget preparation for the City Council to review at the September meeting and Dotty would like to schedule a date to start this project with those that are willing to do it this year
Councilmember Maurice and Councilmember Standfuss will meet with Dotty on August 21st to start the budget work. August 28th is a backup day if the 21st doesn't work.
- *Completed Items* – The 2nd Quarter Payroll Reports and Sales Tax Report has been filed.
- *Office Closed* – The Danube City Office will be closed on an upcoming Thursday (still waiting on furniture to arrive). Dotty would like to take vacation from Wednesday, July 26th until Tuesday, August 1st.

School Building Updates

Mayor Alex will speak with Al Strunc about the sinks down at the school and see if they got them fixed and cleaned out. Mayor Alex will also speak with Al Strunc about the room rent for Little Lambs because Brad Nere told Dotty that Al told them they wouldn't have to pay until January because they put in an air conditioner.

Community Center Updates

Mayor Alex reported that the microwave at the Community Center is not working properly. Councilmember Krogman will go over and look at the microwave. Councilmember Krogman brought up a concern that in the back of the Community Center there is a spot that looks like it was hit and needs to be repaired. Councilmember Malvin mentioned that it was backed into and Randy when he was the custodian had patched it and over time it fell apart. Councilmember Krogman also mentioned that the weeds over by the Community Center need to be sprayed. Councilmember Maurice will talk to Dan about patching the exterior and spraying the weeds.

Unfinished Business

Water Tower – Funding – There was no new issues to discuss on the water tower funding and the Councilmembers feel it is not necessary to carry the item forward.

Water Tower Update –

Lee Elfering Email - Here is the tower partial payment and substantial completion document. I don't have signed ones from the Contractor yet, but I will forward them as soon as I have them. I have also included our billings through the end of June.

I will forward you the email quote that I received from David Webb with GCS so that you have it, but as the memo indicates we are getting more done for less money.

July 6, 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 #8 & SUBSTANTIAL COMPLETION DOCUMENT

Dear Council Members:

Please find attached Partial Pay Estimate No. 8 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 \$469,374.00. Subtracting \$2,500.00 of retainage and previous payments of \$443,530.30, the amount due the Contractor is \$23,343.70.

This pay estimate includes payment for all work required under the Maguire Iron contract including restoration of the site. The water tower is ready to be put into service as soon as the controls have been completed under a separate contract. With Maguire's work completed we are recommending that the City execute the substantial completion document for their work, which will start the clock on the two year warranty period. We are recommending that the City hold \$2,500.00 until satisfactory grass growth occurs on the site. 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. 8 in the amount of \$23,343.70.

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

Sincerely,

ELFERING & ASSOCIATES

Lee Elfering, P.E.

City Engineer

The Councilmembers reviewed the Partial Pay Estimate #8.

Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve the Mayor to sign and payment for the Partial Pay Estimate #8 of \$23,343.00 from Maguire Iron for the water tower project. The motion passed unanimously.

Councilmember Maurice moved and Councilmember Malvin seconded a motion to approve the Mayor to sign the substantial completion with Maguire Iron for the work for the water tower. The motion passed unanimously.

Water Tower – Existing Water Tower – Follow Up – Email from Lee Elfering –

I spoke to General Construction Services and as I indicated before the demolition quote they provided does include the installation of a hydrant and I verified that with them. They indicated that they would not hold their bid price to complete the work next year. Their material pricing will likely change in that amount of time and they are concerned that the requirements for demolition of a tower and lead paint requirements could change within that time as well.

Having a back-up is a sound practice in a lot of things, but I would not recommend it in regards to water towers for a very long period. The City doesn't go through a lot of water especially in the winter and to use them both we would need to either run the towers at a very low level or we would have limited water circulation in the system since the storage would be twice as large as it

normally is. Either way I think it would likely cause freezing issues in the old tower since it doesn't have a circulation pump.

If we just leave the old tower up and off-line for possible use if something goes bad on the new tower then you would need to disinfect and test it before we could put it back in service.

Let me know if you would like a formal memo in regards to this issue for Council or I could attend a Council meeting to discuss it as well.

Thanks,

Lee Elfering

City Engineer

The Councilmembers reviewed the information and decided not to do anything on it until the water tower is filled and tested. Dotty will send Lee an email asking when is the best time to approve General Construction for the old water tower removal.

Building Official – Shane Malvin Follow Up – Mayor Alex reported that he did talk to Shane Malvin and that Shane would like to go on the next building permit inspection to see the process.

Ditch Assessment – Mayor Alex and Councilmember Maurice went and met with Larry and they explained that they divided up those assessments between different properties. They asked if that amount will be the same next year, but Larry was unaware. Mayor Alex stated that the City needs to know the amount prior to the budget being submitted so the City can budget accordingly. Larry said that they would try to get a figure out before then. Councilmember Maurice stated that he also stated this was the final payment on the previous ditch determination of who pays for what and this will clean it up, but he couldn't guarantee that there wouldn't be large sums of money in the future but he didn't think there would be, kind of a onetime cleanup bill. The one thing they couldn't explain why it was the some places got charged and others didn't.

Financial Reports

The Councilmembers reviewed the claims list from June 15, 2017 thru July 11, 2017.

Councilmember Standfuss moved and Councilmember Krogman seconded a motion to approve the bills as submitted in the amount of \$62,661.55 (checks) and \$12,351.21 (electronic fund transfers). The motion carried unanimously.

The Councilmembers reviewed the Receipts List from June 7, 2017 thru July 7, 2017.

The Councilmembers reviewed the Actual verses Budget Comparison for 2017.

The Councilmembers reviewed the Bank Reconciliations for June 2017.

CD Rates – Edward Jones – Dotty spoke with John at Edward Jones and below is a list of current CDs and rates.

6 month - 1.25% APY; 12 month - 1.40%APY; 2 year - 1.70% APY

Councilmember Standfuss moved and Councilmember Krogman seconded a motion to approve investing in three (3) \$100,000.00 CDs for six (6) months at the current interest rate at Edward Jones. The motion carried unanimously.

Dotty is to contact Edward Jones about rates for CDs for the next Council meeting so the Councilmembers can discuss putting some funds into a CD to get better interest.

New Business – These items were covered earlier in the meeting

Future Business - None

Correspondence

Walton Law Group – 2018 City Attorney Rates

There being no further business before the council, Councilmember Malvin moved and Councilmember Maurice seconded a motion to adjourn the meeting. With all members voting in favor, the meeting was adjourned at 9:24 p.m.

Respectfully submitted: Dotty Schnobrich, City Clerk

Gene Alex, Mayor

Dotty Schnobrich, City Clerk