

**DANUBE CITY COUNCIL
Regular Council Meeting
Wednesday, October 12, 2016 6:00 PM
Danube City Council Chambers**

A regular meeting of the Danube City Council was conducted on October 12, 2016 at 6:00 p.m. with Mayor Alex presiding.

The following Councilmembers were present: Sharon Krogman, Dave Maurice, Phil Standfuss and Al Strunc

Councilmembers absent: None

Others Present: Ben Ryan, Jim Krogman, Police Chief Les Schneider, City Clerk-Treasurer Dotty Schnobrich, and media.

Approval of Agenda

Councilmember Strunc moved and Councilmember Maurice seconded a motion to approve the Agenda. The motion carried unanimously.

Approval of Consent Agenda

Councilmember Maurice moved and Councilmember Krogman 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 August 10, 2016
- Bar Dorr Open Friday, November 18, 2016 – Turkey Bingo

Open Forum

Ben Ryan – Ben Ryan spoke with the Councilmembers about the new building down at the park. Ben drew up a floor plan for the Councilmembers to review and discuss. The Councilmembers discussed at length the floor plans and made suggestions on having individual unisex locking bathrooms instead of men's and women's bathrooms, location of the bathroom doors, placement of benches, adding a countertop area, the placement of the generator, increasing the size of the building to 36' x 46' along with other items. Ben Ryan will bring back estimates for the prices on natural gas generators that are fixed and moveable to a future Council meeting. The Councilmembers asked Ben Ryan to contact some engineers and/or architects to get quotes for a artists rendition of the outside of the building and floor plans and to bring back the quotes to a Council meeting for further discussion. Mayor Alex appointed Councilmember Strunc to work with Ben Ryan's as a contact on changes or questions about the new building down at the park. Councilmember Standfuss brought up about grants or funds and if there may be some out there

for the project. Ben Ryan informed the Councilmembers that he did apply for a grant but was denied because the money couldn't be used to purchase a building, so by building a new one was pushing the boundaries of the grant. Councilmember Strunc stated the next step was to get the drawings to see if there is interest, get a cost on building it and then how is it going to be funded.

Jim Krogman – Jim Krogman informed the Councilmembers that he was present to hear the follow up to the last meeting and what happened at the meeting with the Councilmember Strunc and Councilmember Standfuss and the Coop members and see what action the City is going to take to raise the standard of living that they have.

Unfinished Business

HWY 212 By-pass & Turning Lane Update – Lee Elfering Email

The Councilmembers decided to move this item to the beginning of the meeting to accommodate a resident that was present regarding this issue.

Councilmember Strunc informed the Councilmembers that Councilmember Strunc and Councilmember Standfuss met with Craig Hebrink and Calvin Aarons to talk about the concerns and pretty much the Coop's opinion was that they are in charge and it is their street. Councilmember Strunc also stated that the Coop bought their own equipment for dust control and they will do a better job of that and they will clean up after fertilizer spills when they happen. Councilmember Strunc stated that he told them that we felt they shouldn't happen. Councilmember Standfuss informed the Coop of the approximate cost for the turning lane and by-pass lane was \$200,000-\$250,000 and asked if they would be willing to put some money toward it and it was an absolutely no. Councilmember Strunc stated that at one time they had asked for HWY access before the City approved Oak Street, they said they had asked for it but was not given and Councilmember Strunc said at one point they were willing to pay for it but they are not anymore. The Coop wants to continue as they are now. Councilmember Strunc feels this is being stretched out from the original discussion was or thought process that the City should at least put some restrictions in for the truck route and the length of time that is involved. They originally said two (2) weeks in the Spring and four (4) in the Fall, this was brought up again at the special meeting and Craig stated he would pick the dates. Councilmember Strunc thinks a resolution with the time of two (2) weeks in Spring and four (4) weeks in Fall for truck traffic and the rest of the year truck traffic should be out of the question. Mayor Alex asked if that was in the agreement but not saying they get to choose the dates. Doty thought it may have been but there was a condition due to weather in it also. Councilmember Strunc stated the reason for the agreement was they agreed to pay for the upgrade to a 9 ton road and the balance of Oak Street that wasn't being done initially when that part of the road failed they would pay 100% of the cost to bring that up to a 9 ton standard. That was the real reason for the agreement and the agreement was never meant for anything else. Councilmember Strunc thinks that the City should go back to what was the original understanding even though he disagrees with that, that at a minimum they should be confined to two (2) weeks in the Spring and four (4) weeks in the Fall after all that is what they said, that was their words not ours and it has expanded into more than that and I think we should hold them to what was originally said. Councilmember Strunc would like to close the street period but he doesn't know if that is the reasonable thing to do at this point. Councilmember Standfuss thought they would at least go for putting some money towards putting an access in being down the road they will have to put money into Oak Street. Councilmember Standfuss also voiced concerns about vehicles that are using Oak Street should be using HWY 212 instead. Councilmember Strunc stated that he thinks the first part of the resolution should be the time frame in which they have usage, second part would be the dust

issue and the third part would be the fertilizer and whatever else is on the streets. Councilmember Strunc stated that 2nd Street East residents were assessed to get that road paved and now they are back to dealing with a dust issue. Mayor Alex asked what did they say about the dust issue, at one time they were going to tar it are they not doing that anymore. Councilmember Strunc said that he didn't think that was part of their plan anymore. Councilmember Maurice stated that he spoke to Craig and Craig said it was still on the plan but they are not going to do anything until they are guaranteed the road is going to be accessible now and in the future. They are not going to spend money on a tar road if at some point they can't use it. Councilmember Krogman stated the tar road doesn't solve the fertilizer issue. The Councilmember Maurice stated it doesn't but it would solve the dust issue. Councilmember Strunc said tar or dust control would solve the issue. Councilmember Maurice said tar is permanent. Councilmember Strunc said that are not suppose to be making dust and this year they didn't treat until May 26th and Craig told them that they bought their own equipment and they will take care of it. Councilmember Standfuss said that they told them to monitor the trucks that are going out of there. If there is fertilizer on the rungs brush it off before let's not cause problems before they get out there. That's the thing we want to be good stewards and they agreed with us and wanted to get a good working relationship with us and that's what we are doing by keeping the conversation open. If after we left that day if they still feel that we are picking on them well so be it we are picking on them we ain't moving, they are going to abide by some rules we have set up here and the trucks that are going through need to be monitored better and he said to that the workers got to tell these trucks when they see them come in and they need to tell them point blank right there they shouldn't be coming up Second Street. What do we do with Second Street? Leave it the way it is? Councilmember Strunc said Les is a full time employee he doesn't work 160 hours a week, that's the down fall of a small one man department with a couple of part timers. It's up to them to control it, this is a small town. If they can't keep those trucks off of Second Street then the only solution left is close off the access of Oak Street, so pretty soon the trucks will figure out that if they come down Second or Oak that they can't get onto the property because there have been barricades set up. At one point they will figure it out to go to the highway. I think at least to start with we got to give them a chance to get truck traffic off of Second Street and confine themselves to 2 weeks and 4 weeks as what they originally said, because that is not what it is today. It seems the whole thing keeps getting pushed out. Mayor Alex asked the Councilmembers what's your wishes so we can get down to the bottom of this, I think Al had a good idea with the two (2) and the four (4). Councilmember Maurice who is going to pick those two (2) and the four (4)? Mayor Alex responded Craig will, I guess I'm okay with that if they just do the two (2) weeks and just the four (4) weeks, I'm okay with that. Councilmember Maurice asked and if we get 2-3 inches of rain or more 9 inches of rain, can't say it can't happen, just did. Councilmember Krogman stated even with that amount of rain it still shouldn't get stretched out into an extremely lengthy amount of time. Councilmember Maurice stated two (2) weeks isn't a extremely length of time. Councilmember Krogman stated you would be amazed at how many trucks go through there. Councilmember Maurice stated what I'm saying is if right in the middle of that two (2) weeks and you get five (5) inches of rain it is going to change on when they get to go out again to put more on. Councilmember Standfuss said he would be willing to let them have the month of May and the month of October. Councilmember Strunc stated then they are going to want to use April. They are the ones that stated two (2) and four (4) weeks. Councilmember Standfuss stated they can get a lot of stuff done in two (2) weeks, in ten (10) days with all that equipment it can be done if they have good weather and get things going. The bulk of it is done, if nothing else there is another access. Councilmember Maurice said there is no doubt they can get a lot done in those ten (10) and thirty (30) days but are those ten (10) days going to be consecutive days or two (2)

weeks going to be consecutive or are they going to be able to hunt and pick the days. Councilmember Strunc said consecutive. Councilmember Maurice stated I'm pretty surprised for the amount of time that you have lived in a farming community that you don't know how this stuff can go. Councilmember Strunc stated I know there could be hold ups, they still have the highway which is what they should have done to start with, it's not like they are clocked in and all progress has to stop, it's not like that at all. Councilmember Standfuss asked Dotty to see the original contract to see what was on it. Councilmember Krogman I think the two (2) weeks in the spring and four (4) weeks in the fall of all the four options of this that's probably a reasonable compromise. Councilmember Standfuss responded to use Oak Street yeah it is but to go north they want to use Oak Street to save a little time. Mayor Alex stated that I guess if they get to pick the two (2) weeks in the spring and they only get five (5) days and it rains I understand that the farmers would want them to come back out later on but at that point they would just have to use the other access, because they picked the days the two (2) weeks and the four (4) weeks. I know that is what Dave is getting at and I can see that happening I mean I worked for a farmer this fall and I sat home for three (3) days here because it rained well same thing with the fertilizer plant I'm sure they didn't haul no fertilizer in those three (3) or four (4) days and if they would have picked this last week as one of their weeks it's all going to come towards the end of October and first week of November now and now they picked October. Councilmember Strunc stated it's not the end of the world if they got to go to the highway in November, your acting like we're shutting down the farm economy by saying two (2) weeks and four (4) weeks, they're the ones that said it, all I'm saying is I think we should a resolution to hold them to that, because that seems reasonable, it was their words not mine. They are not currently not are not holding to it. Dotty stated that it is a construction agreement not a contract. Mayor Alex stated I don't think the world would come to an end if they had to go out the east one but. Councilmember Strunc stated the world wouldn't come to an end if they did that 365 days a year we are just pretending it would; it's not the end of the world. Councilmember Standfuss commented the other issue with the by-pass lane I think I thought about the way it is right now the residents along the street know what you all want and the council has done a lot of meetings with Craig and them to try and resolve this issue correctly, get an access put in and now the DOT with that extra cost and the price tag of \$200,000-\$250,000 to me I didn't think it would be over \$100,000 or less that was my original thing. The council sent us two to go put out the fire or whatever with them two and try to see if they would help us but they want nothing to do with that so the issue right now is to put an end to it because of the cost, but how do you do that, the issue is to come up with the money now, it's at the point now that it's out of our hands it is too costly, next time it they will come up with another thing another something's wrong another thing down the road. Jim Krogman stated that they are pissed off now because the senator and the representative told them they had to allow access so they got their nose smeared in the mud so now they turned it around to the financial side that's the deal. Councilmember Standfuss thinks it should be put to bed for now. Councilmember Strunc said we don't even need to put it to bed I know at the last meeting Maurice wanted to drop it forever but there is no such thing as forever, we don't have to act on it at all it can just lay there and die of lack of action too, doesn't have to be shot it can be starved to death so to speak. Councilmember Maurice stated it won't get tarred unless there is some type of action.

Councilmember Strunc made the motion to approve truck traffic on Oak Street from Second Street to County Road #1 be restricted to two (2) weeks in the spring and four (4) weeks in the fall with the dates to be picked by the CEO of the COOP Country on an annual basis. The Councilmembers discussed the motion about what vehicles could use Oak Street. Dotty clarified on if there was a time in which the CEO would need to notify the City of Danube and the Councilmembers said no so the CEO of the Coop could call the day of or the day before to say

the traffic would be starting. A new motion was made by Councilmember Strunc as stated below.

Councilmember Strunc moved and Councilmember Standfuss seconded a motion to approve Agronomy truck traffic will be restricted on Oak Street to two (2) weeks in the spring and four (4) weeks in the fall with the dates to be picked by the CEO of the COOP on an annual basis. Mayor Alex, Councilmember Krogman, Councilmember Standfuss and Councilmember Strunc voted in favor and Councilmember Maurice opposed. Motion carried with a vote of four (4) to one (1)

Councilmember Maurice asked the Council we still haven't addressed if the approach off of 212 was dropped, correct. Councilmember Strunc said he wasn't bringing up at this time. Councilmember Maurice wanted to be clear because that is the point of contention of whether it is going to be tarred or not. Councilmember Maurice voiced that if it's not a dropped issue if that's a reason to come back with complaints because of dust. Mayor Alex asked Councilmember Maurice if he thought by the Council dropping the issue of off the HWY that they would tar that road. Councilmember Maurice stated yes. The Councilmembers discussed concerns and thoughts about dropping the HWY 212 access.

Councilmember Standfuss moved and Councilmember Maurice seconded a motion to approve to stop the project on the Hwy 212 turning lane and by-pass lane. Mayor Alex, Councilmember Maurice and Councilmember Standfuss voted in favor; Councilmember Krogman opposed; and Councilmember Strunc abstained from voting. Motion carried with a vote of three (3) to two (2) Mayor Alex stated hopefully the elevator realizes this and works better with the citizens all the way around because if not I don't know what else we can do, I really don't. Councilmember Strunc asked what are we going to do when they put fertilizer on the street again, are we suppose to monitor that and call them. Police Chief Schneider responded that he was told at the last meeting to talk to Coop management about any spills. Mayor Alex stated and now he will only have two (2) weeks and four (4) weeks to do that now on dates that are given, so he knows when it will be open and the rest of the time it should be shut. So he should be able to monitor it a little better because now it is open all the time. Jim Krogman stated a concern that if the response time isn't quick enough that the trucks will turn the fertilizer into powder and the ventilation will suck in the powder into their house.

Employee Report – Chief of Police

Chief of Police Les Schneider was present to give his monthly employee and Police Department report. Statistics for September 2016 were slightly lower to last year at the same time with 41 calls, 22 reports, 24 traffic stops, 7 citations, 18 mutual assists and 6 home security checks. Additional business discussed:

- School Building Update – Schneider reported that volleyball was done at the end of September and the schedule is starting to fill up with youth sports through March. A window was broke out on the door down at the school. Councilmember will talk to Nationwide about the window getting fixed. The responsible party will be paying for the window to be fixed. Schneider completed the drills this week for Tri-Valley. The Councilmembers discussed the scoreboards down at the school and some lights that need to be looked at. Mayor Alex will to Sullivan's about the scoreboards.
- 2011 Squad Car Update – Schneider reported that a new engine was put in the squad car for a cost of \$8,424.37. Of the \$8,424.37 for the motor the City is responsible for \$2,500.00 (which is the deductible) and the insurance paid the remainder of the bill. The

new engine has a three (3) year warranty. The squad car was out of commission for about one and half months while the new motor was being installed.

- 2003 Squad Care Repairs – Schneider reported that the car was used during the month and a half when the other squad car was down getting a new motor. Schneider informed the Councilmembers that power steering fluid was coming out and it is down at Danube Auto Works getting worked on. Danube Auto Works is replacing the rack and pinion.
- Police State Aid Received (\$8,268.81) – Schneider reported that the City of Danube received the police state aid of \$8,268.81 which is up from last year by \$293.20.
- First Response Training (September 29) – Schneider reported that the First Response had their training on September 29, 2016.
- First Response Contract Renewal – Schneider reported that he renewed the contract with Ridgewater College for the First Responders training. The City will be billed after each class instead of paying it in full for the year.

Employee Report – Public Works Director

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

- School – Hartford Steam Boilers were here to inspect the boilers. Everything was good on them. He did note that the piping for the safety relief valves was not there. Dan informed him that it is in the process of being done. Just waiting for scheduling from Chappell Central. The only other thing left on his list was one of the low water cutouts still needs to have a manual reset switch. Dan will be ordering one of these out and installing myself. Tri-Valley is going to be using the gym again. Dan has made a few minor repairs so they can use the space again at their request.
- Wastewater – Northstar Pump was here to inspect the pumps at the lift station. Everything checked out ok. One of the pumps oil was a little milky which means water in it. It might need to be pulled next inspection. Dan just finished up doing a pond discharge. Will be starting transfer next. We had a few days where the lift station pumping totals jumped up for a day and then came back down after a rain. Dan has included the data sheets. Thul Specialties came back and did some corrective work on the manholes they previously repaired. There are still manholes that are leaking but getting better. Dan has repaired a few leaks himself.
- Water – Maguire Iron is starting to weld the pieces for the new tower together. They are hoping to be done in about a month weather permitting. There may be a few times that the street will need to be blocked off when they construct and put up the riser. Dan recently took a trip to Sioux Falls to see the process of building the tower. Dan met Gary from Scandia there and he took him through the process. Quite interesting. Gary really knows his stuff and makes sure that the City is getting what they need. He's the right man for the job
- Bargen Quote – Dotty handed all the Councilmembers a quote from Bargen that Dan got today. Dan contacted Councilmember Maurice about the quote. Councilmember Maurice informed the other Councilmembers that there are two spots over by 5th Street and Oak Street. Dan was going to have air patching done there but they are not gotten back to Dan and the street is alligated pretty bad and the snow plow will destroy it further if something isn't done. Councilmember Maurice also informed the Council we had money allocated for the air patching that we didn't use now because it is too late to do air patching now that could be allocated for these repairs.

Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve hiring Borgen Inc at an estimated cost of \$7,714.35 to patch two (2) areas of street on 5th Street. The motion passed unanimously.

- Mayor Alex spoke with Brian Block, Fire Chief about using the pumper during heavy rains and the fire department said they would not use the pumper to pump water because they don't want to get stuff in the truck or the pump and wreck them. Mayor Alex said the fire department would be willing to help with watching pumps if the need arises and Dan should speak with Brian Block about this to work something out between the fire department and the public works department.
- Councilmember Strunc stated that there is obviously an issue with sump pumps yet going into the sanitary sewer. The Councilmembers reviewed the pump calculations that Dan provided from the heavy rains in August and also for the month of September. Councilmember Strunc thinks that the City needs to relook at the sump pumps in town along with any roofs draining into the sanitary sewer; another issue could be more manholes that need to be rehabbed. The Councilmembers would like Dan to continue supplying the pump calculations at future Council meetings.

Employee Report – City Clerk

- Land Sale Follow-up – Dotty spoke with Jeanette Behr at the League of MN Cities and she informed Dotty that the City cannot give away land but must at least get fair market value for the land in which it no longer wants.
- Property South of Town by the Water Treatment Pond – Dotty had an individual from Renville inquire about possibly hunting out there for geese? They would be looking at a week or two and would contact the City Office to let them know so they could contact Dan and keep him informed on when he will be out there hunting.
The Councilmembers discussed the request and decided that they would not be in favor of someone hunting on City property. Dotty will call the person and inform them of the decision.
- Items Completed – Dotty informed the Councilmembers that the third quarter sales tax has been filed and also the third quarter payroll reports have been filed.
- Employee Evaluation Day – Dotty just wanted to remind the Councilmembers that there is a Special Meeting on Wednesday, October 26, 2016 at 6pm for employee evaluations.
- Election Day – Dotty just reminded the Councilmembers that Election Day is on Tuesday, November 8th the day before the next Council meeting.
- Office Closed - The City Office will be closed on Thursday, October 20, 2016 a for vacation day.
- Water Bills- Dotty informed the Councilmembers about a water bill that went out with a rather large amount due and just wanted them to be aware of it. Dan and Dotty will be keeping an eye on the meter.
The Councilmembers discussed the issue and some of things that could cause a large usage to occur.

School Building Updates

Councilmember Strunc informed the Councilmembers that Tri-Valley is getting ready to lock up for the year and they are happy with everything.

Community Center Updates

Councilmember Maurice informed the Councilmembers that they have had a few issues with the Community Center Custodian. Councilmember Maurice spoke with the custodian and asked him to clean the Community Center again from front to back and to inform him of when it has been completed so that Councilmember Maurice and Councilmember Krogman could meet with him to review the Community Center together. Upon the review they found the Community Center was satisfactory and they asked him to keep it that way. Councilmember Krogman said that she would be willing to talk with the custodian if another issues arises so Councilmember Maurice was not the only one dealing with the issues.

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 – Lee Elfering & Gary Meyer – The Councilmembers received in there packets an email from Lee Elfering and Gary Meyer which is broke into two (2) sections below.

Lee Elfering Email – Partial Pay Estimate #3

Partial Pay Estimate #3.

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 #3

Dear Council Members:

Please find attached Partial Pay Estimate No. 3 for the above-referenced project. As you are aware, the Contractor for the project is Maquire Iron. The total amount earned by the Contractor on this partial pay estimate is \$274,725.00. Subtracting 5% retainage of \$13,736.25 and previous payments of \$218,072.50 and adding material on hand of \$33,250.00, the amount due the Contractor is \$76,166.25.

This pay estimate includes costs for some of the steel delivery, welding, and fabrication. We are still leaving the material on hand as on the previous payment documents and would anticipate removing that item when all the steel has been delivered. 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. 3 in the amount of \$76,166.25.

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 #3.

Councilmember Strunc moved and Councilmember Maurice seconded a motion to approve the Mayor to sign the Partial Pay Estimate #3 of \$76,166.25 from Maguire Iron for the water tower project. The motion passed unanimously.

Gary Meyer, Scandia Consulting Inspector Emails

September 28, 2016

Everyone

Dan was on site in Sioux Falls to join me for the paint shop inspection. We also toured the fabrication shop to see the process. Standard tests were performed such as ambient conditions, clean air and dry film thickness. The recycled steel grit was tested for oil contamination. The crew was getting an excellent near white blast and the steel was primed the same day. No problems were discovered. This week the steel will be arriving on site. No definite date yet when the steel crew will arrive.

Gary

October 6, 2016

Everyone

The steel crew began assembly on the base cone yesterday. The base plates were set in place with just a little bit of adjustment. This is probably the trickiest part. I checked individual plates with ultra sound for specified thickness. There were some minor welding and electrical issues which were corrected on site by contacting the engineer and the foundation crew. The welding is going well as this is a very experienced crew. Today the crew will continue seal welding then take a week off. More steel has arrived on site.

Gary

Financial Reports

The Councilmembers reviewed the claims list from September 13, 2016 thru October 10, 2016. *Councilmember Standfuss moved and Councilmember Krogman seconded a motion to approve the bills as submitted in the amount of \$138,605.39 (checks) and \$212,395.73 (electronic fund transfers).* The motion carried unanimously.

The Councilmembers reviewed the Receipts List from September 7, 2016 thru October 7, 2016.

The Councilmembers reviewed the Actual verses Budget Comparison for 2016.

The Councilmembers reviewed the Bank Reconciliations for September 2016.

Dotty asked the Councilmembers that with all the bills being paid that she would like permission to transfer funds from Hometown Bank to Minnwest Bank to cover these expenses as needed. The Councilmembers discussed the issue and gave permission to Dotty to transfer funds at her discretion to cover the bills as needed.

New Business – None

Future Business – None

Correspondence

Minnesota Department of Health Letter
Excel Energy Letter

Adjournment

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 8:17 p.m.

Respectfully submitted: Dotty Schnobrich, City Clerk

Gene Alex, Mayor

Dotty Schnobrich, City Clerk