

**DANUBE CITY COUNCIL**  
**Regular Council Meeting**  
**Wednesday, November 9, 2016 6:00 PM**  
**Danube City Council Chambers**

A regular meeting of the Danube City Council was conducted on November 9, 2016 at 7:00 p.m. with Mayor Alex presiding.

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

Councilmembers absent: Al Strunc

Others Present: Cathy Malvin, Amy Garza, Bruce Maurice, Shane Malvin, 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 addition of Shane Malvin under Open Forum as item 4.3. 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 October 12, 2016
- Minutes of Special Meeting of October 26, 2016 – Employee Evaluations
- Minutes of Special Meeting of November 2, 2016 – Ongoing Developments with Oak Street, the Coop and the Contract Between the City and the Coop

**Open Forum**

Amy Garza – Utility Bill – Amy Garza spoke with the Councilmembers about her water bill that she received. Amy felt that the usage didn't seem correct. Amy brought her prior utility bills to show her past usage. Dan Kaufenberg had just recently read their meter again it is showing once again a high usage. Dan suggested watching the meter for a month by reading both the inside meter and outside meter to check to see they both were reading the same to verify if the outside meter is broken. The Councilmembers decided to charge the Garza's for an average for now and if the meter is reading correct they will be charged the difference. Amy also asked to waive the late fee due to the Council meeting happening after the due date. The Councilmembers agreed to waive the late fee and only charge them the current amount due on the average.

Jessica Gonzalez – Utility Bill – Jessica was not present for the meeting.

Shane Malvin – Fire Department – Shane Malvin asked the Councilmembers for permission to approve training for the Fire Department in the amount of \$5,800.00. The training includes 7 different training classes. The Fire Department can also turn this in for reimbursement like they did last year with the training.

*Councilmember Maurice moved and Councilmember Krogman seconded a motion to approve the \$5,800.00 fees for the Fire Department for training. The motion passed unanimously.*

### **Employee Report – Chief of Police**

Chief of Police Les Schneider was present to give his monthly employee and Police Department report. Statistics for October 2016 were higher to last year at the same time with 58 calls, 34 reports, 37 traffic stops, 14 citations, 36 mutual assists and 4 home security checks. Additional business discussed:

- School Building Update – Schneider reported the window on the door has been repaired and the bill has been sent to the family responsible to pay. Tri-Valley's last student day was November 4, 2016. Schedule for the gym is filling up. Jr. High basketball started October 31<sup>st</sup> and the Fall play is November 14<sup>th</sup>-19<sup>th</sup>.
- High School Football Game Assist – Schneider reported that the first responders and police department assisted at 4 games at home.
- 2003 Squad Care Repairs – Schneider reported that the squad car has been fixed for a cost of \$2,192.26. The front strut needed to be replaced so Schneider had Danube Auto Works do the repairs. Schneider found out about that when he originally took the squad car in for the power steering leaking.
- City Attorney Bill Summary – Schneider reported that the City Attorney bill for his department should stay low now that summer is over.
- Fire Prevention Week Assist (10-13) – Schneider reported that the fire prevention week was October 13<sup>th</sup>. They split the kids into 3 groups. One group went to Danube Historical Society, grades 3<sup>rd</sup> & 5<sup>th</sup>. Second group went to Renville, grades kindergarten and 2<sup>nd</sup>. The third group went to Sacred Heart, grades 1<sup>st</sup> & 4<sup>th</sup>.
- Health Insurance Plan Options – Schneider asked the Councilmembers to discuss the insurance quotes that were received. Mayor Alex told Les that the health insurance quotes were on the agenda under New Business and he would like to leave it there.

### **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 – The safety relief valve needs to be replaced on boiler #2. It has a slow leak to it and doesn't close off all the way. Dan has contacted Chappell Central about ordering one and installing it when they do the piping for the relief valves. This is an item that is a must have for the boilers so Dan just went ahead and ordered it. Boiler #1 has a magnetic valve that is making noise. They are going to look at that also when they are here. So far the classrooms seem to be heating fine. Dan hasn't had a chance to check all of them yet but we aren't using any water. Dan is still doing some investigating on the roof drain piping. Dan hopes to have an estimate for the next council mtg.

*Councilmember Standfuss moved and Councilmember Maurice seconded a motion to approve Dan up to \$2,000.00 for the valves from Chappell Central. The motion passed unanimously.*

- Water – The bowl has been put on the tower and they will be wrapping up soon they thought. Amazing how fast they can erect a water tower. The wells averaged 35,000 gal/day for the month of October.
- Wastewater – The Lift station averaged 56,000 gal/day for the month of October. Still about 10-15,000 gal/day higher than average.
- Pickup – The pickup is need of new tires before winter. The ones on there have almost no tread left. I priced some at Danube auto and other places and they all seem to be about \$700.00 for four tires and installation. Would like to order four tires through Danube Auto.

*Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve the purchase of four tires and installation for \$700.00 from Danube Auto Works. The motion passed unanimously.*

- Skidloader – Dan recently had the skidloader over to Kibble Equipment for an electrical issue. While it was there Dan had them look it over and they found a front engine oil seal is leaking. The estimated cost to get this replaced is \$900.00. Would like to get this done as soon as possible before winter hits hard.

*Councilmember Maurice moved and Councilmember Krogman seconded a motion to approve the front engine oil seal skidloader repair for \$900.00 from Kibble Equipment. The motion passed unanimously.*

- Vacation – Dan will be planning on using Vacation time Dec 27-29 and Jan 10-12.
- The Councilmembers discussed the pump calculations for the wastewater and ask that Dan get some quotes to smoke test the lines for the December Council meeting.

### **Employee Report – City Clerk**

- Bathrooms Down at the Hockey Rink – Ben Ryan asked Dotty if she could ask the City Council if they would be willing to once again pay for portable toilets down at the hockey rink for this winter. The amount the City paid last year for the rental was \$213.57.  
*Councilmember Standfuss moved and Councilmember Krogman seconded a motion to approve paying Vosika for the portable toilets down at the hockey rink this winter. The motion passed unanimously.*
- 2017 Assessments – Dotty needs approval to turn in these two items to be assessed on the properties. The Councilmembers reviewed the two properties.  
*Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve turning in the two (2) properties to be assessed to Marc Iverson on their 2017 property taxes. The motion passed unanimously.*
- Snow Removal Contracts – Dotty mailed out the snow removal contracts to Bob Kopel and James Nyquist on November 7, 2016.
- Safety Meeting – The next OSHA safety meeting will be held in Hector on Wednesday, November 30, 2016 and it will cover the year end review. The meeting doesn't start till 1pm and depending on how late it goes the office may be closed for the rest of the day on the 30<sup>th</sup>.
- Office Closed – The City Office will be closed on Thursday, November 24, 2016 for Thanksgiving.

- West Central Sanitation Bill – Asking for permission to pay the bill of \$1,336.27. Not in the claims list.  
*Councilmember Standfuss moved and Councilmember Krogman seconded a motion to pay the West Central Sanitation Bill of \$1,336.27. The motion passed unanimously.*
- Community Garden – On November 8, 2016 Dotty asked residents as they came into vote about interest in a community garden, Dotty had 12 people sign up with interest. The Councilmembers asked that the Community Garden be brought back for the February meeting for further discussion.
- Vacuum – City Office and Community Center – Dotty would like permission to purchase 2 vacuums, one for the City Office and the other for the Community Center. She found a Hoover wind tunnel for \$149.99.  
*Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve the purchase of two (2) vacuums for \$149.99 each one for the City Office and one for the Community Center. The motion passed unanimously.*
- Election Results – Beginning January 1, 2017 Mayor – Gene Alex Sr for the term of two (2) years; Councilmembers – Phillip Standfuss and Cathy Malvin for the term of four (4) years. The Councilmembers reviewed the election results and signed the canvassing board sheet.

**School Building Updates**

Mayor Alex reported that Sullivan’s won’t be able to put up the scoreboards until they have time, they are currently very busy.

**Community Center Updates**

Councilmember Maurice informed the Councilmembers that the dishwasher was leaking and he will speak with Thomas about what could be the problem with it. Mayor Alex reported that he would be getting together with Thomas to work on the floors to spruce them up again.

**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 Partial Pay Estimate #4 – Lee Elfering – 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 #4**

November 3, 2016  
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 #4

Dear Council Members:  
Please find attached Partial Pay Estimate No. 4 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 \$367,374.00. Subtracting 5% retainage of \$18,368.70 and previous payments of \$294,238.75, the amount due the Contractor is \$54,766.55.

This pay estimate includes costs for some of the steel delivery, welding, and fabrication. All material on hand that was paid early in the project has been deducted on this payment. The Contractor anticipates raising and setting the water tower bowl on Friday if weather conditions allow. 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. 4 in the amount of \$54,766.55.

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 #4.

*Councilmember Standfuss moved and Councilmember Maurice seconded a motion to approve the Mayor to sign the Partial Pay Estimate #4 of \$54,766.55 from Maguire Iron for the water tower project. The motion passed unanimously.*

*Water Tower Update - Gary Meyer, Scandia Consulting Inspector Emails*

October 20, 2016

Everyone

This week the steel crew is wrapping up the assembly and seal welding on the base cone. Dan was on site with me Tuesday and we did a walk through with Shaun, the steel foreman, to discuss potential problems. Dan offered to close off the street if the crew needed the additional staging area for assembling the pedestal. Shaun decided to install the pedestal in two separate sections with the field crane now on site so it will not be necessary to close out the street. I expressed some concern that there may not be enough room to install all the specified equipment on the roof. Shaun will assemble the roof structure and handrail on the ground before erection so we can verify a good fit. We have about two more weeks of ground work before the bowl can be set in place. It will be completely assembled and seal welded on the ground and lifted in one piece. The wrong mud valve was installed in the shop so the correct one is now on order.

Gary

October 28, 2016

Everyone

As of today the steel crew has the pedestal installed. Normally the two sections are welded together on the ground then hoisted into place as one. The crew has a pretty large field crane and so decided to do it this way. We centered the handrail then set the vent in place to ensure there will be enough room for all the scheduled equipment. The fit is very tight. The welding is excellent. So far I've found no deficiencies. We're still 10 to 14 days out before the bowl can be hoisted into place.

Gary

*Oak Street, Coop and the Contract Between the City and the Coop* – Mayor Alex stated that there was a closed meeting held on this issue and no action was taken at that meeting. Mayor Alex also stated that the advice from the City Attorney Aaron Walton was to rescind the motion restricting the Coop to use of Oak Street. Councilmember Standfuss asked if the Council should table the issue because Councilmember Strunc was not present because that is what the Council

talked about. Mayor Alex said it got tabled at the last meeting because Councilmember Strunc was not present. Councilmember Krogman said he is the one who brought forth the motion. Mayor Alex said our Attorney suggested we act on it, but he didn't ask him about time or how fast but he said we should act on it. Councilmember Maurice made the motion and Mayor Alex seconded the motion below but before the motion was voted on Mayor Alex stated that he was told by the City Attorney that Councilmember Krogman is to abstain from this, from any discussion, deliberation or vote regarding this issue because of a direct conflict of interest of the property owner on an adjacent property, that was his reasoning. Mayor Alex stated I highly suggest we listen to him; he is our lawyer, so I am asking you to abstain from this. Councilmember Krogman stated she has voted on every other thing we have done with the Coop. Mayor Alex said Aaron had asked him quite a while ago to have you abstain from this and he asked him at the last meeting why he hasn't. Mayor Alex stated that he had spoke to Councilmember Krogman before this and asked her to abstain from this but he never got an answer from her. Councilmember Krogman looked at the letter and stated it was a year old and the letter was from the Coop attorney and our attorney looked at this and responded to it said it was okay, he said it could have gone either way. Mayor Alex stated that the reason Aaron is asking us to do that is because of what is in that letter from the Coop's attorney. Councilmember Krogman asked where the letter was from Aaron asking us to do this. Aaron told Mayor Alex after tonight's meeting he wants to talk with him because he wants to know why he hasn't asked Councilmember Krogman to abstain before this and this thing is getting deeper and we want to do it the right way. Mayor Alex told Councilmember Krogman to abstain from not just this but anything in the further actions on this issue including anything in the future including voting and the discussions. Councilmember Krogman feels a precedence was set by her voting on other thing else to this point with the Coop. Councilmember Krogman asked Mayor Alex why the attorney didn't talk to her or send her a letter. Mayor Alex told Councilmember Krogman if she wanted to talk with the attorney she surely can do so. Mayor Alex spoke with Aaron after the meeting on Wednesday November 2<sup>nd</sup> and he told him that he asked Councilmember Krogman outside of the meetings he had asked her to abstain from voting and Aaron told Mayor Alex to ask Councilmember Krogman in a meeting to abstain so it was recorded.

*Councilmember Maurice moved and Mayor Alex seconded a motion to rescind the previous motion of restricting the time of use the Coop had for use of Oak Street of the two (2) weeks in the Spring and four (4) weeks in the Fall.* Mayor Alex and Councilmember Maurice voted in favor and Councilmember Standfuss opposed, Councilmember Krogman was told to abstain from the vote by Mayor Alex. Motion carried with a vote of two (2) to one (1).

Councilmember Standfuss stated that Mayor Alex should speak with Aaron to get a letter sent to Councilmember Krogman regarding this, so it is taken off the Mayor's shoulder as to why she was told to abstain. Mayor Alex commented that the other motion that was made at the October meeting (regarding the 212 access) didn't need to be rescinded because that motion was not breaking the contract so the lawyer said there was no need to take action on that motion. Councilmember Standfuss would like more monitoring on the road to make sure the Coop does what they said they would do regarding the dust and fertilizer.

### **Financial Reports**

The Councilmembers reviewed the claims list from October 14, 2016 thru November 07, 2016.

*Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve the bills as submitted in the amount of \$78,287.18 (checks) and \$8,613.81 (electronic fund transfers).* The motion carried unanimously.

The Councilmembers reviewed the Receipts List from October 11, 2016 thru November 7, 2016.  
The Councilmembers reviewed the Actual versus Budget Comparison for 2016.  
The Councilmembers reviewed the Bank Reconciliations for October 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**

*Health Insurance Quotes* – The Councilmembers reviewed the information Dotty prepared regarding the surrounding cities health insurance benefits and quotes from two (2) insurance companies. Mayor Alex also went out got an insurance quote from his insurance provider. The Councilmembers discussed the insurance and decided that they would pay 100% of the employees' health insurance only no family at this time. The Councilmembers asked Dotty to get together with Dan and Les to review the plans and narrow down the selection and email the choices to the Councilmembers for a special meeting on Tuesday, November 22, 2016 to decide on a health insurance plan.

*City of Danube Auditor for 2016 – Dennis E. Oberloh, LTD & CliftonLarsonAllen – Councilmember Maurice moved and Councilmember Standfuss seconded a motion to accept the audit proposal from Dennis E. Oberloh, LTD with the condition the audit is not to exceed \$4,800.00 for the year 2016.* The motion carried unanimously.

### **Closed Meeting – Confidential Letter**

Mayor asked the Danube residents present if they had any comments or questions before he asked for a closed meeting. Cathy Malvin asked why they were closing the meeting. Councilmember Maurice explained to Cathy at times certain things require the meetings to be closed due to employee confidentiality, privacy laws, etc.

At 8:38 p.m. *Councilmember Krogman moved and Councilmember Standfuss seconded a motion to close the meeting due to employee confidentiality.* The motion carried unanimously.

At 8:48 p.m. *Councilmember Maurice moved and Councilmember Standfuss seconded a motion to approve reopening the meeting.* The motion carried unanimously.

There was no further discussion by the Councilmembers on the letter that was discussed.

### **New Business**

Dotty spoke with the Councilmembers regarding a high water bill that was issued by the City and how to handle the payment agreement time frame. The Councilmembers discussed the concern and decided that they would give a deadline of December 19, 2016 for that water bill to get paid in full if they do a payment agreement with the City. If the resident has any concerns or issues with the deadline they are welcome to come speak with the Councilmembers at the December meeting.

**Future Business** – None

**Correspondence**

MUNIFACTS  
Minnesota Department of Health Letter

**Adjournment**

*There being no further business before the council, Councilmember Standfuss moved and Councilmember Maurice seconded a motion to adjourn the meeting. With all members voting in favor, the meeting was adjourned at 9:04 p.m.*

Respectfully submitted: Dotty Schnobrich, City Clerk

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Gene Alex, Mayor

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Dotty Schnobrich, City Clerk