

**MINUTES
CITY OF DELANO
City Council/Economic Development Authority
Tuesday, August 17, 2010
7:00 PM**

1. CALL TO ORDER

Mayor McDonald called the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, August 17, 2010 to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

2. ROLL CALL AND APPROVAL OF AGENDA

Members Present: Joe McDonald, Mayor
Holly Schrupp, Council Member
Brad Hotchkiss, Council Member
Larry Bartels, Council Member
Betsy Stolfa, Council Member

Members Absent: None

Also Present: Phil Kern, City Administrator
Rowdy Schmidt, Wenck Associates LLC
Ernie Eden, Public Works Director
Marlene E. Kittock, City Clerk/AV Technician
Wendy Biel, Recorder

Phil Kern requested the additional item 13(A) Authorize termination of the Janitorial Services Agreement with Procure and execute an agreement with Carlson Building Services LLC. Motion Number (M-10-173) Motion by Betsy Stolfa, seconded by Brad Hotchkiss to approve the Agenda for the Delano City Council/Economic Development Authority meeting of Tuesday, August 17, 2010 as submitted with the additional item 13(A). Motion Carried.

3. MINUTES

A. Minutes from the Special Joint Workshop with the Delano Fire Relief Association of Tuesday, May 25, 2010.

B. Summary minutes from the Special Joint Workshop with the Delano Fire Relief Association of Tuesday, May 25, 2010 for publication in the Delano Herald Journal.

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- C. **Minutes from the Special Workshop of Tuesday, June 1, 2010.**
- D. **Summary minutes from the Special Workshop of Tuesday, June 1, 2010 for publication in the Delano Herald Journal.**

Motion Number (M-10-174) Motion by Brad Hotchkiss, seconded by Holly Schrupp to approve the Minutes 3A, 3B, 3C and 3D as submitted. Motion Carried.

4. SPEAKERS, PRESENTATIONS AND AWARDS

5. CONSENT ITEMS

The items listed for consideration will be enacted by one motion unless the Mayor, a member of the Council, City Staff or a person in attendance requests an item be removed from the Agenda.

EDA

CITY

- A. **Motion to authorize Millsop Associates to complete monitoring services for the Daily Grinde.**

Phil Kern informed Council that Millsop Associates had submitted their contract for Council's review; Staff's recommendation is for Mark Johnson, City Attorney, to draft the City's Standard Contract in lieu of tonight's attachment. Staff feels that maintaining consistency and upholding City standards for all awarded contracts is the principal reason for utilizing the City's Standard Contract.

Motion Number (M-10-175) Motion by Betsy Stolfa, seconded by Larry Bartels to authorize Millsop Associates to complete monitoring services for the Daily Grinde pending the modification to the City's Standard Contract as recommended by Staff. Motion Carried.

- 6. **CITY STRATEGY No. 1: Provide high quality infrastructure and services in a planned fiscally responsible manner.**
 - A. **Consider Paul Jaunich's request for permission to install a 90-foot long, 16" storm sewer along the south lot property line.**

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Rowdy Schmidt, Wenck Associates Inc., reviewed the request by Paul Jaunich to install a 90-foot long, 16” storm sewer along the south lot property line. Schmidt continued by explaining the following conditions: (1) all work required will be paid for by the property owner(s) making the request, (2) all work will be completed per City standards and requirements, (3) a 27-inch manhole will include a solid cover and not receive runoff from 5th Street, and (4) the area over the pipe (i.e. the boulevard) will be filled and shaped to keep storm water in 5th Street and will prevent overflow into the backyard area.

Council wanted to clarify that affected property owner(s) were aware of these recommendations and were in agreement with Staff; Schmidt conferred that Mr. Jaunich was in agreement with these recommendations. Schmidt reminded Council that Mr. Jaunich is also in agreement of the funds for this project will be at the home owner(s) expense.

Motion Number (M-10-176) Motion by Holly Schrupp, seconded by Betsy Stolfa to approve the request to install a 90-foot long, 16-inch storm sewer along the south lot property line. Motion Carried.

7. CITY STRATEGY No. 2: Ensure the City’s financial stability.

No discussion or motion was made.

8. CITY STRATEGY No. 3: Manage high quality growth consistent with the City’s Comprehensive Plan.

A. Conduct a public hearing to consider Annexation by Ordinance at the request of the property owner (LBJ Enterprises LLC) according to State Statute, Section 414.033.

1. Approve ORDINANCE annexing certain property abutting the City of Delano.

Alan Brixius asked Council to consider the application for Annexation by Ordinance. Brixius gave a brief update from LBJ Enterprises LLC most recent request to temporarily suspend approval of their project due to current economics. He recommended Council approve the annexation and forward this onto the State for final approval. This would make the property zoned appropriately when the project would be re-submitted for approval.

Motion Number (M-10-177) Motion by Larry Bartels, seconded by Betsy Stolfa to conduct a public hearing to consider Annexation by Ordinance at the request of the

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property owner (LBJ Enterprises LLC) according to the State Statute, Section 414.033. Motion carried.

Mayor McDonald called for comments three times, none was heard.

Motion Number (M-10-178) Motion by Brad Hotchkiss, seconded by Holly Schrupp to close the public hearing. Motion Carried.

Motion Number (M-10-179) Motion by Betsy Stolfa, seconded by Holly Schrupp to approve the applicants Annexation by Ordinance according to State Statute, Section 414.033.

- B. A public hearing is scheduled to take public comment on consider a request from LBJ Enterprises LLC dba Industrial Louvers Inc. to: 1) petition for annexation 2) rezone the property located adjacent to 511 South 7th Street R-A Rural/Agricultural to I-2 General Industrial District 3) Site Plan Review as regulated by Section 51.02, Subd. F of the Delano Zoning Code in accordance with the City's Zoning and Land Use Code Chapter 51, and 4) an Administrative subdivision to consolidate two lots into one in accordance to the City's subdivision ordinance O-03-05, Section 6, for the properties legally described as:**

Franklin PID Number 208-200-132116
Delano PID Number 107-500-132102

- 1. Approve ORDINANCE amending the Delano Zoning Map of the City of Delano, MN.**
- 2. Approve RESOLUTION approving a subdivision that combines parcels described in Exhibit A into one lot located at 511 – 7th Street S within the City of Delano, MN.**
- 3. Approve RESOLUTION approving the site and building plans for the expansion of Industrial Louvers located at 511 – 7th Street S within the City of Delano, MN.**

Brixius repeated that due to applicant's request to delay their project, Staff's recommendation is to approve an extension of their application and the included ordinance and resolution requests. Brixius continued by recommending Council consider extending the traditional one year extension to a three year extension for this specific project.

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Motion Number (M-10-180) Motion by Larry Bartels, seconded by Betsy Stolfa to table the public hearing for the additional ordinance and resolutions, also approving the extension for applicant to reapply to three years as recommended by Staff. Motion Carried.

- 9. CITY STRATEGY No. 4: Ensure a well-trained and productive workforce to meet the changes of the City.**

No discussion or motion was made.

- 10. CITY STRATEGY No. 5: Increase accountability by measuring and evaluating service delivery.**

No discussion or motion was made.

- 11. CITY STRATEGY No. 6: Continue to improve the City's downtown.**

No discussion or motion was made.

- 12. CITY STRATEGY No. 7: Encourage communication and ideas with residents and business owners.**

No discussion or motion was made.

- 13. OTHER BUSINESS**

- A. Authorize termination of the Janitorial Services Agreement with Procure and execute an agreement with Carlson Building Services LLC.**

Phil Kern introduced the termination proposal with Procure and re-issue of the janitorial service agreement with Carlson Building Services, LLC. Kern gave a brief recap of the change in contract services as of January 2010. However in the months following, Procure has not fully executed their contractual commitment. Staff has repeatedly documented the less than standard services, spoken with Procure Representatives, and has not seen sufficient improvement. Kern continued noting that there is a 30-day clause where notice can be given by either party cancelling the contract. Staff recommends giving Procure 30-day notice and re-instating an agreement with Carlson Building Services LLC.

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Motion Number (M-10-181) Motion by Larry Bartels, second by Mayor McDonald to terminate the janitorial services agreement with Procure, utilizing the 30-day notice clause, and execute a janitorial service agreement with Carlson Building Services LLC through December 2011. Motion Carried.

14. COMMUNICATIONS AND ANNOUNCEMENTS

No discussion or motion was made.

15. CLAIMS

A. City Claims

Motion Number (M-10-182) Motion by Holly Schrupp, seconded by Betsy Stolfa to approve the City Claims submitted totaling \$166,865.09. Motion Carried.

B. Delano EDA/Crow River Villa Apartments claims list from July 2010.

No discussion or motion was made.

16. ADJOURNMENT

Motion Number (M-10-182) Motion by Brad Hotchkiss, seconded by Betsy Stolfa to adjourn the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, August 17, 2010. Motion Carried.

There being no further business to discuss the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, August 17, 2010 was adjourned at 7:50 PM.

Joe McDonald, Mayor

Marlene E. Kittock, City Clerk

Attest:

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Wendy Biel, Recorder