

**MINUTES**  
**CITY OF DELANO**  
**City Council/Economic Development Authority**  
**Tuesday, August 3, 2010**  
**8:00 PM**

**1. CALL TO ORDER**

Mayor McDonald called the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, August 3, 2010 to order at 8:00 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  
Mark Johnson, City Attorney  
Vince Vander Top, City Engineer  
Ernie Eden, Public Works Director  
Marlene E. Kittock, City Clerk/AV Technician  
Luke Fischer, Assistant to the City Administrator  
Wendy Biel, Recorder

Mayor McDonald reminded residents of tonight's National Night Out festivities at the Delano Fire Department; a night held throughout communities for neighbors to meet neighbors as a positive way to prevent crime and promoting spirit within the community.

**Motion Number (M-10-167) Phil Kern requested the additional item 6(C) Discuss Delano Village Hall Parapet Improvements change order. Motion by Betsy Stolfa, seconded by Holly Schrupp to approve the Agenda for the Delano City Council/Economic Development Authority meeting of Tuesday, August 3, 2010 as submitted with the additional item 6 (C). Motion Carried.**

**3. MINUTES**

**4. SPEAKERS, PRESENTATIONS AND AWARDS**

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Mayor McDonald displayed the plaque given by the American Cancer Society - Relay for Life of Delano to the City of Delano for being a proud supporter; the City of Delano has supported Relay for Life of Delano since 2005.

**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. Review the City of Delano's selected Financial Reports and the Liquor Store Income Statement for the Quarter ended June 30, 2010.**

**Motion Number (M-10-168) Motion by Holly Schrupp, seconded by Betsy Stolfa to approve Consent Item 5A as submitted. Motion Carried.**

- 6. CITY STRATEGY No. 1: Provide high quality infrastructure and services in a planned fiscally responsible manner.**

- A. Consider 325 – 5th Street Drainage Proposal**

Vince Vander Top reviewed the request from Paul Jaunich to install a 16" pipe at the rear of his property in order to place fill over the pipe and create more of a gradual slope from his property to the adjoining property. The properties to the west of Mr. Jaunich's drain to the southwest corner of his lot; the drainage then continues along his south lot line to an existing culvert that takes the water to a wetland to the east and north of 5th Street.

The drainage in this area has been an on-going issue primarily due to minimum percent of grades and in 2006; Council had initially reviewed this situation. Soon after, a proposal was submitted at a cost of \$31,000.00. After further discussion, Council chose not to continue due to (1) the proposal's cost, and (2) it was recommended that a more beneficial solution would be to lower the culvert to the northeast corner of St. Peter Avenue to allow more fall along this system. However lowering this particular culvert conflicted with a sanitary sewer, increasing the cost of the submitted proposal significantly. Council chose to arrange this project when street reconstruction would be scheduled for this area; Vander Top projects this area would be in line for street reconstruction in 2017.

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This summer Mr. Jaunich approached Staff requesting to install a 16" pipe along the rear lot line of his property and then placing fill over the pipe. This proposal includes continuing the storm sewer up to the retaining wall which would enable the existing swale to be filled in greatly improving the aesthetics of this property and neighboring yards. From an engineering stand-point, Vander Top feels this improvement would have no significant improvement the drainage issue and should still be addressed by ways of the street reconstruction project projected for 2017. However, this improvement would significantly improve the aesthetics of this area and the cost would be solely funded by Mr. Jaunich himself.

Brad Hotchkiss questioned whether all residents within 300 feet had been or needed to be notified. Vander Top felt it was not legally necessary because there is no need for a Condition Use Permit; nevertheless, anytime there are property improvements, it would be beneficial to notify residents so that there could be no reprisal issues. Council felt that any negative potential perception definitely warrants further discussion.

Council will re-examine Mr. Jaunich's request at the regular scheduled Council meeting on Tuesday, August 17, 2010. Staff will notify adjacent property owners of 325 – 5th Street South and along the storm sewer and drainage ditch area of this discussion at the next Council meeting.

**B. Review TH12 Punch List**

Vince Vander Top reviewed the punch list submitted to Rick Beckes, Project Supervisor MnDOT/St. Cloud Construction, on June 24, 2010 listing the remaining items for phases 1 and 2 of the TH12 Improvement Projects. Mr. Beckes response from July 29, 2010 was also reviewed by Council. Vander Top highlighted a few items for Council to consider: (1) restoration of property at 323 Kelsey Street, (2) the spalling (i.e. concrete which breaks up, or becomes pitted) of concrete sidewalks in some areas and (3) various drainage issues.

Council agreed that these are significant issues and should be addressed and corrected as requested. Council also noted two stop light issues: (1) at the intersections of Highway 12 and Bridge Avenue (traffic traveling north and south on Bridge Avenue) and (2) at the intersection of Highway 12 and Tiger Drive (traffic turning north onto Tiger Drive). Council encouraged Staff's persistence with Rick Beckes and MnDOT regarding the punch list items and to include the additional items stated this evening.

**C. Discuss Delano Village Hall Parapet Improvements**

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Luke Fischer reminded Council that on July 20, 2010 the Building Restoration Company (BRC) had been awarded the contract to reconstruct the parapet at the Delano Village Hall. At that time, Council also requested a reduction in bid change order due to the proposed cost of site clean-up, dumpster usage and pedestrian protection/re-trafficking.

Staff received two proposals, one by American Masonry and one by BRC. In reviewing the two proposals for Council, Fischer noted that BRC requested a two week extension, while American Masonry needed only one additional day to complete the original project. Phil Kern explained the BRC's longer extension is partly due to a delayed start in the original project and should not affect Council's decision.

Council reviewed the significance of a two week delay, understanding the initial project start date delay. Council also spoke of the change order items and supported Staff's recommendation to approve the amended contract originally awarded to BRC and accept BRC's \$400 reduction in overall costs and their completion date of September 9, 2010.

**Motion Number (M-10-169) Motion by Brad Hotchkiss, seconded by Larry Bartels to award the change order of a \$400.00 reduction in cost for pedestrian protection/re-trafficking to the Building Restoration Company and a completion date of September 9, 2010.**

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

There was no discussion or motion made.

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

There was no discussion or motion made.

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

There was no discussion or motion made.

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

There was no discussion or motion made.

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

There was no discussion or motion made.

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

- A. Minutes from Delano Water, Light and Power Commission meeting from June 21, 2010.**
- B. Minutes from Delano Water, Light and Power Commission meeting from July 13, 2010.**

There was no discussion or motion made.

**13. OTHER BUSINESS**

- A. Attorney/ Client Privilege: Discuss Shrode Eminent Domain Matter.**

**Motion Number (M-10-170) Motion by Brad Hotchkiss, seconded by Holly Schrupp to enter into Closed Session to discuss Shrode Eminent Domain matter. Motion Carried.**

**Motion Number (M-10-171) Motion by Brad Hotchkiss, seconded by Holly Schrupp to exit out of Closed Session. Motion Carried.**

**14. COMMUNICATIONS AND ANNOUNCEMENTS**

**15. CLAIMS**

- A. City Claims.**

**Motion Number (10-170) Motion by Larry Bartels, second by Holly Schrupp to approve the City Claims in the amount of \$1,049,820.09. Motion carried.**

**16. ADJOURNMENT**

**Motion Number (M-10-172) Motion by Betsy Stolfa, seconded by Brad Hotchkiss to adjourn the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, August 3, 2010. Motion Carried.**

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There being no further business to discuss the regular meeting of the Delano City Council/  
Economic Development Authority of Tuesday, August 3, 2010 was adjourned at 9:45 PM.

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Joe McDonald, Mayor

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Marlene E. Kittock, City Clerk

ATTEST:

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Wendy Biel, Recorder