

**MINUTES
CITY OF DELANO
City Council/Economic Development Authority
Tuesday, March 15, 2011
7:00 PM**

1. CALL TO ORDER

Mayor Graunke called the regular meeting of the Delano City Council/Economic Development Authority meeting of Tuesday, March 15, 2011 to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

2. ROLL CALL AND APPROVAL OF AGENDA

Members Present: Dale Graunke, Mayor
Holly Schrupp, Council Member
Betsy Stolfa, Council Member
Dan Vick, Council Member
Derek Schansberg, Council Member

Members Absent: None

Also Present: Phil Kern, City Administrator
Bob Van Lith, Fire Chief
Paula Bauman, Recorder

Motion Number (M-11-071) Motion by Holly Schrupp, seconded by Betsy Stolfa to approve the Agenda of the regular City Council/Economic Development Authority meeting of Tuesday, March 15, 2011 as submitted. Motion Carried.

3. MINUTES

There was none.

4. SPEAKERS, PRESENTATIONS AND AWARDS

There was none.

5. CONSENT ITEMS

EDA:

- A. Motion to approve 3rd Quarter Financial Report of 2011-2011 for Delano EDA/Crow River Villa Apartments.**

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- B. Motion to approve additions to the security camera system in the Delano EDA/Crow River Villa Building.**

CITY:

- C. Appoint three new members to the Delano Fire Department.**
- D. Consider purchasing volunteer insurance.**

Phil Kern discussed the insurance and the coverage for the City. This insurance will treat any volunteer we accept essentially as employees. We will need to keep track of who volunteers but they will no longer need waiver forms.

Motion Number (M-11-072) Motion by Dan Vick, seconded by Betsy Stolfa to approve Consent Items 5A, 5B, 5C and 5D as submitted. Motion Carried.

- 6. CITY STRATEGY No. 1: Provide and proactively facilitate the delivery of quality public and community services in a planned, fiscally responsible manner.**
 - A. Consider Ordinance O-11-01 amending City Code Chapter 2 (Operations and Administration) by adding Section 204.01, Subd. 5, regarding residency requirements for members of Boards, Commissions and Task Forces for the City of Delano.**

This Ordinance would allow business owners within the City of Delano, who are not citizens, to serve on advisory boards to the City. It does not bind Council to appoint these applicants but it give the ability to do so.

- 1. Adopt Ordinance O-11-01 amending City Code Chapter 2 (Operations and Administration) by adding Section 204.01, Subd. 5, regarding residency requirements for members of Boards, Commissions and Task Forces for the City of Delano.**

Motion Number (M-11-073) Motion by Betsy Stolfa, seconded by Derek Schansberg to adopt Ordinance O-11-01 amending City Code Chapter 2 (Operations and Administration) by adding Section 204.01, Subd. 5, regarding residency requirements for members of Boards, Commissions and Task Forces for the City of Delano. Motion Carried 5-0 by Roll Call Vote.

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

There was none.

8. **CITY STRATEGY No. 3: Plans for the maintenance, replacement and efficiency of the City's equipment, buildings, infrastructure, energy and utility systems.**

A. Motion to approve modifications to Municipal State Aid Street designations.

Vince Vander Top stated the Municipal State Aid street designations are reviewed periodically to ensure that significant corridors are included in the State Aid system and to maximize the allotted mileage designations. Based on the review, the following changes are being requested:

1. Designate the following segments as "Urban": a) 5th Street South from Highway 12 to Franklin Avenue E. b) Franklin Avenue East to River Street.
2. Remove the following segments for reassignment: a) 3rd Street South from Highway 12 to St. Peter. b) 1st Street from Woodland Road to Franklin Avenue West. c) Franklin Avenue West from 1st Street to Highway 12.

The removal of 3rd Street is being requested to account for the permanent elimination of access to Highway 12 which was completed with the reconstruction project. The addition of 5th Street South and Franklin Avenue East and the removal of 1st Street and Franklin Avenue are requested due to the greater importance of these roads as a result of traffic pattern changes associated with the Highway 12 reconstruction.

Dan Vick questioned if the City would be better off repairing First Street. Vander Top stated no, because if the street is removed the City would have to refund the money.

Motion Number (M-11-074) Motion by Holly Schrupp, seconded by Betsy Stolfa to approve modifications to Municipal State Aid Street designations. Motion Carried.

B. Authorize Staff to enter into a mutual aid agreement with Minnesota Water Agency Response Network (MnWARN).

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This is an agreement with other cities to share resources/equipment and staff in emergencies. This program is designed for utilities and city infrastructure (water, wastewater, storm water and electric) When the City of Delano enters into this agreement during an emergency this is another resource to receive extra help.

1. **Adopt Resolution R-11-01 authorizing governmental unit to be a party of the Minnesota Water Agency Response Network (MnWARN).**

Motion Number (M-11-075) Motion by Dan Vick, seconded by Derek Schansberg to adopt Resolution R-11-01 authorizing governmental unit to be party of the Minnesota Water Agency Response Network (MnWARN). Motion Carried 5-0 by Roll Call Vote.

9. **CITY STRATEGY No. 4: Manage the City's growth so that it be high quality and consistent with the City's Comprehensive Plan while maintaining the City's historical culture, characteristics and features.**
 - A. **Consider a request from Jen Schulz, d/b/a Lil' Explorers Daycare, for a Site and Building Plan Review, Conditional Use Permit for a Commercial Daycare Facility within the B-2 General Business District and Preliminary and Final Plat for the property located at 305 13th Street South, Delano.**

Alan Brixius reviewed the application for a Site and Building Plan Review, Conditional Use Permit for a Commercial Daycare Facility and Preliminary and Final Plat for the property located at 305 13th Street South in Delano.

In review of the subdivisions, Staff finds that the proposed lot meets the area and width standards of the B-2 Zoning District and staff recommends approval subject to the following conditions: 1) proposed easements on the lot are of adequate size and location to accommodate public utilities. Easements shall be subject to review and comment of the City Engineer. 2) The applicant shall provide a separate utility easement across the property to the west to bring utilities to the site. The size and location of this easement shall be reviewed and approved by the City Engineer. 3) The applicant shall pay park land dedication fees for the platting of this lot.

In review of the site plan dated 2/11/11 and architectural building plan received 2/14/11, staff recommends approval of the conditional use permit with the following conditions: 1) Approval of the requested subdivision and implementation of the subdivision conditions of

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approval. 2) Approval of an on-street bus stop on St. Peter Avenue with the following conditions. a) No bus stopping or parking within 60 feet of the 13th Street intersection. b) All children shall be escorted to and from the bus stop and awaiting buses by an adult supervisor. 3) The applicant must demonstrate that the parking lot has sufficient maneuvering area to accommodate delivery vehicles and garbage trucks without interfering with other parked vehicles. 4) The sanitary sewer system plan shall be modified to include an outside drop in SSMH #1. 5) All public utilities shall be located within drainage and utility easement dedicated to the City.

Holly Schrupp questioned with the facility set up on a busy road will the building be secured. Alan Brixius stated it is secured. It will also have check-in in the entryway.

Dan Vick questioned if there will be increased pedestrians cutting through the property the way the sidewalks are set up. Council discuss the traffic along St. Peter Avenue and additional pedestrian traffic.

Betsy Stolfa questioned the B-2 Zoning District and if allowing this business will it limit other businesses? Brixius stated it will not limit adult uses – they will be required to be further away. Other uses are compatible.

- 1. Adopt Resolution R-11-02 approving a Final Plat and Conditional Use Permit for Lil' Explorers Childcare Center in a B-2 Zoning District for a site legally described as Lot 1, Block 1 – Delano West Crossings Second Addition within the City of Delano, Minnesota.**

Motion Number (M-11-076) Motion by Derek Schansberg, seconded by Holly Schrupp to adopt Resolution R-11-02 approving a Final Plat and Conditional Use Permit for Lil' Explorers Childcare Center in a B-2 Zoning District for a site legally described as Lot 1, Block 1 – Delano West Crossings Second Addition within the City of Delano, Minnesota. Motion Carried 5-0 by Roll Call Vote.

- B. Consider application to Wright County for Ditch 34 discharge permit.**

The City is in the process of preparing the necessary approvals and agreement so facilitate the development of a new industrial park. One of the steps is to seek County approval to discharge storm water into Ditch 34, the county's ditch system that provides drainage support for this area. The County Board has recently discussed a timeline to review and discuss the City's request. The Board has published a public hearing notice for Tuesday,

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April 19 at 7 to review the application and host residents in a discussion. In order to hold that date, the County has requested the City's application no later than March 16.

In the months since the Council last discussed Ditch 34, Mayor Graunke, Council Member Stolfa, Vince Vander Top and myself have attended a series of meeting with the County Board and staff to work a resolution. The County-imposed access fee still remains the sticking point in the County's decision making process.

The City has contended that the County requested in 2009 that the City fix a few critical areas of Ditch 34 as part of the Access Fee. The City pursued that process under the guidance that such improvements may likely cost between \$8,000 and \$10,000. The improvements, however, were rejected by the neighboring property owners. The County and property owners discussed a review of the ditch in 2010 but unfortunately that didn't happen. As a result, any ditch improvements and the subsequent appropriate fee to the City have yet to be established.

At this time, the County would like to hire a consultant to study the matter and provide a recommendation regarding the Access Fee to the County Board. The County is requesting an application fee (to be applied to the Access Fee) in the amount of \$1,000 to proceed with their review. Staff is recommending approval.

Having yet to complete the final plans for development of the future industrial park, staff is recommending the City submit the plans for consideration that were developed in 2006. These plans require the City discharge levels to remain at pre-settlement conditions and will reduce the runoff rate from the site over existing conditions.

Betsy Stolfa questioned if the County's consultant will be present at the Public Hearing. Kern stated he'll present a report at the hearing. Stolfa stated she hopes the consultant will help the communication link with the residents along the ditch.

Motion Number (M-11-077) Motion by Betsy Stolfa, seconded by Dan Vick to authorize application to Wright County for Ditch 34 discharge permit. Motion Carried.

10. CITY STRATEGY No. 5: Encourage and improve the communication of information and ideas with residents and business owners.

There was none.

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- 11. CITY STRATEGY No. 6: Ensure communication and positive relationship between the Council, Staff, Employees and Commission Members.**

There was none.

- 12. CITY STRATEGY No. 7: Ensure the City has a well trained, productive and accountable workforce to meet the changing needs of the community.**

There was none.

- 13. CITY STRATEGY No. 8: Ensure the public's safety from crime and manmade or natural disasters.**

A. Update on flood preparation.

The National Weather Service predicts the highest probability of reaching high water stage March 28 through April 18. There is a 92% chance of the flood waters reaching 20.3 feet which is 2010 totals. Staff is working on levees and a flood protection plan. Plan one is to protect to 22 feet and plan two is for 24.5 feet.

Kern discussed the risks and concerns which include river flood and/or levee failure which would impact properties at or below river level, sanitary sewer back-ups and utility disruptions such as electric or other utilities.

Staff will protect the river in four primary areas: South River Street near the Highway 12 Bridge, Downtown Business District, Central Park/Downtown Residential and West side of River. Kern discussed the sanitary sewer system stating a failure of one area could jeopardize other protected areas. Staff will be sealing manhole covers and prepare the Wastewater Plant to operate at capacity. Staff is recommending ballooning lines at 19 feet and require ballooning lines at 21 feet.

Staff is preparing for evacuation of certain areas in town if river levels reach predicted projections. Evacuation would take place at the time of sanitary sewer plugging. Staff feels if the river rises over 21 feet evacuation and plugging of sewers (of certain areas) will be necessary.

Kern discussed resource needs which included materials for levees, sandbags and volunteers. Staff is also recommending hiring a temporary employee during the flood. This employee would be used mainly for flood preparation and maintenance of levees and pumps.

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Staff will begin daily updates which include the City Website, Social Media, Channel 12, E-mail and newspapers. Staff will have direct contact with residents by meeting door to door. Staff will also put into place a direct calling during an emergency with Wright County. Staff would like to share as much information throughout the process as possible.

1. Adopt Resolution R-11-03 declaring a State of Emergency.

Motion Number (M-11-078) Motion by Betsy Stolfa, seconded by Dan Vick to adopt Resolution R-11-03 declaring a State of Emergency within the City of Delano. Motion Carried 5-0 by Roll Call Vote.

2. Adopt Resolution R-11-04 calling for evacuation of certain households and plugging of sanitary sewer lines once a river reaches the height of 921 feet or higher.

Motion Number (M-11-079) Motion by Dan Vick, seconded by Derek Schansberg to adopt Resolution R-11-04 calling for evacuation of certain households and plugging of sanitary sewer lines once a river reaches a height of 921 feet or higher. Motion Carried 5-0 by Roll Call Vote.

3. Approve Emergency Sheltering Agreement with Delano Public School District No. 879.

Motion Number (M-11-080) Motion by Betsy Stolfa, seconded by Holly Schrupp to approve the Emergency Sheltering Agreement with the Delano Public School District No. 879. Motion Carried.

4. Authorize the hiring of a Part-Time Temporary Public Works employee.

Motion Number (M-11-081) Motion by Dan Vick, seconded by Betsy Stolfa to authorize the hiring Jeff Domjahn to fill the part-time temporary Public Works position. Motion Carried.

5. Authorize the temporary removal of the 80-hour annual comp time maximum accrual cap with the temporary option of being paid for over-time worked during the current pay period.

Motion Number (M-11-82) Motion by Dan Vick, seconded by Betsy Stolfa to authorize the temporary removal of the 80-hour annual comp time maximum accrual

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cap with the temporary option of being paid for over-time worked during the current pay period. Motion Carried.

6. Authorize agreement between the City of Delano and Northern States Power Company (NSP) to construct temporary levee at 10 Bridge Avenue.

Motion Number (M-11-083) Motion by Holly Schrupp, seconded by Dan Vick to authorize agreement between the City of Delano and Northern States Power Company (NSP) to construct temporary levee at 10 Bridge Avenue. Motion Carried.

14. CITY STRATEGY No. 9: Ensure the overall aesthetic appeal of the City.

There was none.

15. OTHER BUSINESS

There was none.

16. COMMUNICATIONS AND ANNOUNCEMENTS

17. CLAIMS

- A. City Claims

Motion Number (M-11-084) Motion by Derek Schansberg, seconded by Holly Schrupp to approve the City Claims in the amount of \$295,227.82 as submitted. Motion Carried.

- B. EDA Claims

Motion Number (M-11-085) Motion by Holly Schrupp, seconded by Betsy Stolfa to approve the EDA Claims in the amount of \$20,581.65 as submitted. Motion Carried.

18. ADJOURNMENT

Motion Number (M-11-086) Motion by Betsy Stolfa, seconded by Derek Schansberg to adjourn the regular meeting of the Delano City Council/Economic Development Authority meeting of Tuesday, March 15, 2011.

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There being no further business to discuss the regular meeting of the Delano City Council/
Economic Development Authority meeting of Tuesday, March 15, 2011 was adjourned at
10:04 PM.

Dale Graunke, Mayor

Marlene E. Kittock, City Clerk

ATTEST:

Paula Bauman, Recorder