1. CALL TO ORDER

Mayor Graunke called the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, January 3, 2012 to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

2. ROLL CALL AND APPROVAL OF AGENDA

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

Members Absent: Holly Schrupp, Council Member

Also Present: Phil Kern, City Administrator
Marlene E. Kittock, City Clerk/AV Technician
Ernie Eden, Public Works Director
Tammy Matthees, Housing Director
Paula Bauman, Recorder

Phil Kern recommended adding 15A: Motion accepting application for “Pillars of Community” art project request and initiating process outlined in the City’s “Public Art Policy and Procedures”.

Motion Number (M-12-01) Motion by Betsy Stolfa, seconded by Derek Schansberg to approve the agenda for the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, January 3, 2012 with the addition of 15A: Motion accepting application for “Pillars of Community” art project request and initiating process outlined in the City’s “Public Art Policy and Procedures”. Motion Carried.

3. MINUTES

There were none.

4. SPEAKERS, PRESENTATIONS AND AWARDS

There was none.

5. CONSENT ITEMS
EDA:

A. Motion to approve Ice Dam Pros to complete the insulation project at the Crow River Villa.

Council discussed the project. Mayor Graunke recommended the Building Official, Scott Dornfeld, follow up and do final inspections on all projects at the Villa.

Motion Number (M-12-02) Motion by Dan Vick, seconded by Betsy Stolfa to approve Ice Dam Pros to complete the insulation project at the Crow River Villa. Motion Carried.

City:

B. Motion to approve Resolution R-12-01 regarding monetary limits on municipal tort liability.

C. Motion to approve the 2012 Maintenance Agreement with Wright County Department of Highways.

Motion Number (M-12-03) Motion by Betsy Stolfa seconded by Dan Vick to approve Consent items 5B and 5C as submitted. Motion Carried 4-0 by Roll Call Vote.

6. CITY STRATEGY No. 1: To provide and proactively facilitate the delivery of quality public and community services in a planned, fiscally responsible manner.

A. Motion to approve 24 week lawn mowing contracts for ten specific neighborhood parks.

Ernie Eden stated due to the success of the lawn mowing contracts in 2011 staff has continued the program. Staff had invited the public to bid in November which it was publicly announced and advertised. Doing so in November allowed contractors to walk the parks before it snowed.

Motion Number (M-12-04) Motion by Dan Vick, seconded by Derek Schansberg to approve twenty-four week lawn mowing contracts for ten specific neighborhood parks within the City of Delano. Motion Carried.

B. Recommendation from the Park and Recreation Committee and update from Delano Athletic Club regarding Central Park Ballfield improvement project.

Members of the Delano Athletic Club, Steve Eilen, Jeff Janzen, Jim Janzen, and Adam Jaunich provided an update regarding the Central Park ballfield improvement project. Adam Jaunich discussed the project stating they’re working on raising money for the project and are selling seats for $130 for one seat or $250 for two seats. Benches are also for sale which the cost is $250. If anyone is interested they can contact Jeff Janzen or Adam Jaunich.
The Delano Athletic Club is looking for feedback regarding signage and provided several alternatives for signage. Council discussed and agreed upon the signage with the ribbon. No motion taken.

Mr. Jaunich then discussed fence location options between the new concession stand and the bathroom/bank building. Council had requested alternatives from the previous plan proposal. The Athletic Club is proposing, and the Park and Recreation Committee is recommending, a “direct line” fence (with gate) between the NE corner of the concession building and the NW corner of the bathroom building, with the fence running north of the maple tree. This will provide a clean line from the corner of the concession stand to the corner of the bathroom/bank building. It also allows the concession stand window to double as a ticket taking window and could be used during other events.

Kern stated the fence installation will need to be held off until the sewer and water connection has been completed. Council discussed and agreed Ernie Eden and Vince Vander Top would need to be directly involved.

Jeff Janzen discussed the proposed knee wall and advertising along it. The knee wall would be similar to the one installed at Big Rock Playground. An approval would be required to collect revenue. Council discussed possible sharing of revenue with the City. More discussion on the knee wall advertisement and potential shared revenues will be discussed at the January 31, 2012 special workshop.

The Athletic Clubs main goal for completion is October 2012 not including field condition.

**Motion Number (M-12-05) Motion by Dan Vick, seconded by Derek Schansberg to approve all four recommendations including signage, landscape options, knee wall signage options and fence locations. Motion Carried.**

Betsy Stolfa expressed her concerns of the tree proximity to the fence and questioned if a “bump out” could be done there to ensure no damage to the tree is done.

7. **CITY STRATEGY No. 2: To ensure the City’s continued sustainability and financial stability.**

There was none.

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

There was none.

9. **CITY STRATEGY No. 4: To manage the City’s growth so that its high quality is consistent with the City’s Comprehensive Plan while maintaining the City’s historical culture, characteristics and features.**

A. **Discuss Kings Pointe Zoning and Development Agreement.**
Kern stated on November 16, the City received a complaint regarding a violation of the development agreement and zoning for the Kings Pointe Development. This development project was approved in 2002 as an age-restricted housing development. The Developer, Roger Derrick with Cottage Homesteads of America, proposed the project as an age 55 and over subdivision – with a stipulation for certain number of units at age 48 and over. The development application requested flexibility from a number of zoning standards to allow increased density and more senior-friendly development. Some of these requests include higher density, private street and limited parking.

The complaint alleges that in November, the developer sold a recently constructed townhouse unit to a resident below the 48 year age limit. The homeowners Association was contacted on this issue and Mr. John McCashin, President of the Association notified the City that the Association had appealed to the developer prior to the sale to abide by the covenants and zoning restriction.

Staff submitted a written notification to the developer, the new property owner, the real estate agent and other parties involved of the violation. Staff has also provided the parties a thirty days notice to cure the default.

Council can take no action on this matter and do nothing, have the City Attorney mail a letter to those involved and initiate a meeting to have discussion of the violation, proceed with a more strong zoning enforcement.

John McCashin, President of the Homeowners Association, spoke of the situation. The closing of the unit happened on November 11, 2011. Mr. McCashin contacted the realtor and requested a phone call. The developer had called back and was informed there is a mechanism in the association documents that allows a waiver. McCashin agreed with the waiver but in order for this to happen 70% of the residents needs to approve.

Derek Schansberg questioned if the homeowner was aware of the age restriction. Mr. McCashin stated she was aware and had a letter from the developer, builder and realtor that they would back her.

Betsy Stolfa questioned if a waiver was granted by the developer would the City recognize it. Kern stated it wouldn’t follow the development agreement. This development is designed for lower traffic and a senior directed lifestyle. Kern stated his hopes to discuss this with those involved and find a resolution.

Motion Number (M-12-06) Motion by Betsy Stolfa, seconded by Dan Vick to authorize enforcement action in regards to a zoning complaint in the Kings Pointe Development. Motion Carried.

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

There was none.
11. CITY STRATEGY No. 6: To ensure communication and positive relationships between the Council, Staff, Employees and Commission members.

   A. Meeting notes from Delano Water, Light and Power meeting of November 21, 2011.

      No discussion or motion taken.

12. CITY STRATEGY No 7: To 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: To ensure the public's safety from crime and manmade or natural disasters.

      There was none.

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

   A. Motion accepting application for “Pillars of Community” art project request and initiating process outlined in the City’s “Public Art Policy and Procedures”.

      In December, the City approved a policy for guiding visual arts applications. The Delano Area Council for Arts and Culture has submitted an application for the “Pillars of Community” project. This project has previously been discussed in 2011. Staff is recommending accepting the application and to begin the review process. Once public feedback has been received it will be back on the February 7 with comments.

      Kern stated the Public Art Policy defines the riverfront area along Highway 12 as “sculpture park”. Staff will present the proposed design at the January 31 workshop.

      Motion Number (M-12-07) Motion by Betsy Stolfa, seconded by Derek Schansberg to accept the application for “Pillars of Community” art project request and initiate the review process as outlined in the City’s “Public Art Policy and Procedures”. Motion Carried.

15. OTHER BUSINESS

      There was none.

16. COMMUNICATIONS AND ANNOUNCEMENTS

17. CLAIMS
A. City Claims

Motion Number (M-12-08) Motion by Dan Vick, seconded by Betsy Stolfa to approve the City Claims in the amount of $186,387.65 as submitted. Motion Carried.

Dan Vick asked to remove the approve motion as he was listed on the claims list and needs to abstain from voting.

Motion Number (M-12-09) Motion by Betsy Stolfa, seconded by Dale Graunke to approve the City claims in the amount of $186,387.65 as submitted. Motion Carried 3-0-1 with Dan Vick abstaining.

B. EDA Claims

Motion Number (M-12-10) Motion by Betsy Stolfa, seconded by Derek Schansberg to approve the EDA Claims in the amount of $20,298.31 as submitted. Motion Carried.

18. ADJOURNMENT

Motion Number (M-12-11) Motion by Dan Vick, seconded by Betsy Stolfa to adjourn the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, January 3, 2012. Motion Carried.

There being no further business the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, January 3, 2012 was adjourned at 8:25 PM.

_____________________________________
Dale Graunke, Mayor

_____________________________________
Marlene E. Kittock, City Clerk

Attest:

_____________________________________
Paula Bauman, Recorder