1. **CALL TO ORDER**

Mayor Graunke called the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, August 21, 2012 to order at 7:00 p.m.

2. **ROLL CALL AND APPROVAL OF AGENDA**

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

   **Members Absent:** None

   **Also Present:** Phil Kern, City Administrator; Marlene E. Kittock, City Clerk/AV; Cody Matheson, Public Works Intern; Tim Schrupp, Public Works; Wendy Biel, Recorder

Motion by Betsy Stolfa, seconded by Holly Schrupp to approve the agenda of the Delano City Council/Economic Development Authority of Tuesday, August 21, 2012 as submitted. Motion Carried.

3. **MINUTES**

4. **SPEAKERS, PRESENTATIONS AND AWARDS**

5. **CONSENT ITEMS**

Motion by Holly Schrupp, seconded by Betsy Stolfa to approve the consent items as presented. Motion Carried.

   A. **EDA**

   B. **CITY**


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. Presentation of the first phase of the GIS project.

Cody Matheson and Tim Schrupp presented the first phase of the GIS system that was purchased in July. Currently, information on the sanitary sewer, fire hydrants and storm sewer has been loaded onto the City’s system. Holly Schrupp questioned if inspection data and repair information can be added. Cody Matheson stated as many layers can be added as Council and Staff see are needed. The initial set up took time mapping the town, once all the information is inputted the program is user friendly.
Phil Kern discussed the added use of the Public Works, Safety Committee, Fire Department, City Staff and residents will be able to work with this system and use as a valuable asset.

Council thanked Cody for his hard work throughout his internship and Tim Schrupp for his dedication to help make this project successful.

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

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

A. Motion to approve skylight replacement at the Public Works building.

Ernie Eden stated this project is necessary due to leakage around the skylights. The bids include removal, replacement and sealing of the skylights. Dale Graunke questioned if there is any warranties and guarantees. Kern suggested tabling this items until further warranty information can be collected.

B. Motion to approve purchase of two previously owned dump/plow truck.

Ernie Eden stated the City’s five year Capital Improvement plan reflects replacing two of the city’s three plow trucks in 2013 and 2015. Currently the combined available revenue to replace the trucks is $169,000. Staff has priced new truck options and found $173,137.70 per truck including the trade giving a total capital outlay of $346,275.40 to replace both trucks. Staff has also looked into leasing and buying used. Staff has located two trucks in the City of Robbinsdale. The trucks are a 2001 and 2003 Sterlings. Both trucks come with a copy of the extensive Vehicle Maintenance Program which indicates a complete history of the truck repairs and maintenance.

Ernie Eden stated to total of the 2001 and 2003 vehicles, including trade ins equal $90,628.50.

The current plow trucks are equipped with a wing plow. The purchase of the new wing plow and cab shields is $17,199.25 per truck.

Motion by Dan Vick, seconded by Derek Schansberg to approve the purchase of two previously owned dump/plow trucks for the City of Delano’s Public Works Department. Motion Carried.

C. Motion to approve contract agreements with AAA Nursery and Landscaping, and Bauman’s Trees for the tree plantings within Central Park.

The City applied for a Community Forest Bonding Grant through the Minnesota DNR for plantings within Central Park to protect against the Emerald Ash Borer should it come to Delano. In March, 2012, the City was notified that the application was approved in the amount of $22,400.

As part of the project, Dan Sjordal, Outworks Design, has designed a layout for Central Park. Using this plan, Staff worked with two local tree farms and have been able to acquire trees very affordably and
incorporate more mature trees into the plan. Using the grant funds, Staff is proposing to plant sixty-eight trees within the park.

Weather permitting, Staff would recommend beginning the project mid September.

Motion by Betsy Stolfa, seconded by Derek Schansberg to approve contract agreements with AAA Nursery and Landscaping and Bauman’s Trees for tree plantings in Central Park.

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 Randy’s Environmental Services setback variance.

Randy’s Environmental Services has submitted plans calling for the construction of a 980 square foot addition on the west side of their recycling facility located at 4351 US Highway 12. The addition is proposed to be located 10 feet from an adjacent wetland buffer strip. According to the City’s Subdivision Ordinance, buildings may not be set back less than 25 feet from wetland buffers. To accommodate the proposed 10 foot buffer strip setback, the processing of a variance is required.

Based on the proceeding review, Planning Staff recommends approval of the wetland buffer setback variance based on the following findings: 1. The existing recycling facility/building and outdoor container storage area were constructed in compliance with requirements imposed at the time of the project application. 2. The need for the setback variance was not created by actions of the applicant. Rather, the application has been prompted by a directive of the MPCA. 3. Approval of the variance would rectify an existing non-conforming condition. 4. Application of the required 25 foot setback would create a “practical difficulty” related to site functioning. 5. Aside from the 24 foot setback requirement, the proposed building addition meets all other I-1 District performance standards.

In approving this variance, the following conditions are recommended: 1. The building addition shall match the existing recycling facility/building in color. 2. All Building Code Requirements shall be satisfied. 3. Comment of the City Staff.

Motion by Betsy Stolfa, seconded by Holly Schrupp to adopt Resolution R-12-168 approving a wetland buffer setback variance for Randy’s Environmental Services to construct a building addition in a I-1 Limited Industrial District for the site at 4351 Us Highway 12 within the City of Delano, Minnesota. Motion Carried 5-0 by Roll Call Vote.

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

11. CITY STRATEGY No. 6: To ensure communication of information and positive relationships between the Council, Staff, Employees and Commission Members.
A. Discuss August Workshop.

Council discussed a possible conflicting event for the August worksession. Council rescheduled for Wednesday, August 29 at 7:00 p.m.

B. Delano Fire Department minutes from August 9, 2012.

C. Delano Fire Relief Association minutes from August 9, 2012.

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.

13. CITY STRATEGY No. 8: To ensure the public safety from crime and manmade or natural disasters.

A. Motion to approve purchase agreement, authorize closing and solicit bids for demolition of building located at 93 River Street South.

Over the last decade, the City has taken a number of steps to move towards more permanent flood control and reduce damage potential from flooding. Along River Street, south of Bridge Avenue, the City has previously purchased and removed three buildings from the floodplain. The last remaining building, located at 93 River Street South, is proposed for purchase and removal from the floodplain. The purpose of this acquisition and removal would be two-fold: 1) to remove the building from the floodplain, which has been prone to flooding on the lower level in the river events, and 2) facilitate and add to the downtown invisible flood wall/riverfront project.

The City has made several attempts in the past to purchase the property but has been unsuccessful due to a failure to reach an agreement on acquisition with previous owners. In 2005, the building was sold between private parties for $65,000. Shortly after, the City discussed purchasing the property around the same amount. The property owners at that time was requesting a much higher amount. Again, in 2007, the City entered into discussions with then owner Timothy Olson. The City hired an appraisal on the property that established an opinion price of $170,000 at that time. The City Council, in 2007, felt that was too much and ceased negotiations. In 2010, Mr. Olson approached the City and initiated discussions. He argued his case in 2010 that the property was worth $253,000. Again, the City decided to pursue the property.

Current taxable value of the property is $54,500. Park Midway Bank has agreed to the purchase agreement that would convey the property to the City for $50,000. Further, the city has been awarded a grant by the State of Minnesota in the amount of 50% of the costs of acquisition, removal, and restoration – up to $40,000 of State Funds. Staff anticipates the costs of the project total $80,000 ($40,000 - City of Delano and $40,000 – State of Minnesota).
Dan Vick recommended waiting stating he felt the bank may offer the property to the City. Mayor Graunke and Council Member Schansberg felt the risks were too high to wait.

**Motion by Holly Schrupp, seconded by Betsy Stolfa to approve the purchase agreement, authorize closing and solicit bids for demolition of the building located at 93 River Street North. Motion carried with Dan Vick opposed.**

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

15. **COMMUNICATIONS AND ANNOUNCEMENTS**

Jon Sutherland approached the Council requesting further information regarding Delano Lanes and Entertainment and the original CUP. Mayor Graunke requested Mr. Sutherland set up a time to meet and further discuss.

16. **CLAIMS**

A. **City Claims**

Council discussed the increased dumping of items at the compost site.

**Motion by Dan Vick, seconded by Betsy Stolfa to approve the City Claims as submitted. Motion Carried.**

17. **Other Business**

A. **Attorney/Client Privilege – Kings Pointe Litigation.**

**Motion by Holly Schrupp, seconded by Betsy Stolfa to enter into executive session to discuss the Kings Pointe Litigation. Motion Carried.**

**Motion by Betsy Stolfa, seconded by Holly Schrupp to close executive session. Motion Carried.**

B. **Discuss Delano Lanes and Entertainment liquor violation.**

Mark Johnson discussed Delano Lanes and Entertainment’s violation dated April 14, 2012 stating the nature of the incident allows three avenues of resolutions. Mark Johnson met with Delano Lanes and Entertainment’s attorney who suggested $1,000 fine/payment. Mr. Johnson gave Council three options of respond with an alternative suggestion, respond with acceptance of fine alone, and respond with request of hearing. Council recommended accepting the $1,000 fine/payment option with the addition of any additional violations occur within 12 months, any and all costs accrued by the City and/or attorney would be covered by Delano Lanes and Entertainment.
Motion by Dan Vick, seconded by Holly Schrupp to accept offer to Delano Lanes and Entertainment of $1,000 fine/payment. Motion Carried.

18. ADJOURNMENT

Motion by Betsy Stolfa, seconded by Dan Vick to adjourn the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, August 21, 2012. Motion Carried.

There being no further business to discuss, the regular meeting of the Delano City Council/Economic Development Authority of Tuesday, August 21, 2012 was adjourned at 9:15 p.m.

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Dale Graunke, Mayor

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Marlene E. Kittock, City Clerk

Attest: Paula Bauman, Recorder