

GLENCOE CITY COUNCIL MEETING MINUTES
TUESDAY, JANUARY 17, 2017
7:00 P.M.

Mayor Wilson called the regular meeting of the city council to order at 7:00 p.m. Members present: Ziemer, Robeck, Alexander, Neid and Schrupp. Also present: City Administrator Mark Larson, City Attorney Jody Winters, Finance Director Trippel, PWD Schreifels, Police Chief Raiter.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

CONSENT AGENDA

Motion to approve consent agenda as presented by Member Ziemer, second by Member Neid. The Mayor called for the vote and Member Robeck motioned to remove Dietz from the Planning Commission and read a statement as to what Charter says concerning board members and how motions handled at previous council meeting. This being out of order as there was a motion on the floor, the Mayor called for the vote on first motion approving consent agenda. Members voting in favor, Ziemer, Alexander, Neid and Schrupp. Robeck voted no. Mayor Wilson then called for a second on Member Robeck's motion to remove Dietz from Planning Commission. There being no second, motion failed.

- A. Approve the minutes of the regular meeting of January 3, 2017.
- B. Approve the following building permits:
 - 1. TC &W, Mechanical Permit, Sprinkler System
 - 2. Midwest Porcine, Mechanical Permit
 - 3. Rice Bldg Systems, Sign Permit
 - 4. Hortencia Flores, 1327 10th St E; Interior drain tile
 - 5. Richard Somerville, 2006 10th St E; Mechanical Permit
 - 6. Ryan Freitag, 1326 DeSoto Ave N; Entry Door
 - 7. Matt Roberts, 407 18th St W; Addition
- C. Approve the following licenses:
 - 1. Family Dollar, Tobacco License Renewal

PUBLIC HEARINGS:

A. 7:15 PUBLIC HEARING CENTRAL STORM SEWER PROJECT

John Rodeberg and Chris Knutson of SEH, presented an overview of the Central Storm Sewer Project. Multiple storm events in the past few years have resulted in significant street flooding in the project area. The existing storm sewer system is undersized and has no storage capacity. The need to improve the drainage conditions is a major reason why this project has been identified. Streets within the project area, primarily north of 13th Street, are failing and require significant improvements. Sanitary sewer and water main utilities are aging and require replacement due to their condition.

The proposed improvement is for a 60 inch pipe from 9th Street to 11th Street. A 48 inch pipe from 11th Street to 16th Street at Loudon Avenue intersection. In addition to the increased pipe size the pipe will be lowered north of 11th Street allowing for surcharge and increasing capacity. Noted was that even with the improvements as proposed, it is not possible to eliminate all street flooding within the project area. Additional ponding will be required and improvements to existing ponding is being considered. The project affects properties not owned by the City or in public right-of-way so property acquisitions will be needed. Estimated costs are \$4,678,000 with dollars coming from neighborhood assessments, general tax levy, sanitary utility fund and water fund.

Mayor Wilson opened the hearing for public comment.

Questions were fielded by John Rodeberg and Chris Knutson of SEH. The public agrees the project is needed. There were ponding location concerns and assessment amount concerns.

Motion to close the hearing by Councilor Schrupp, second by Councilor Alexander. All members voted in favor.

No action was taken at this time for this project.

BIDS AND QUOTES:

A. REFUNDING BAB BOND RESOLUTION- R.W. BAIRD

Matt Rantapaa of R.W. Baird reviewed for the council the opportunity to refinance the Series 2010A Build America Bonds with new tax exempt bonds at a lower rate saving the City approximately \$67,381.00 over the life of the bonds.

Discussion led to Member Robeck presenting the following resolution:

RESOLUTION NO. 2017- 2
RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE
OF APPROXIMATELY \$1,525,000 GENERAL OBLIGATION
CAPITAL IMPROVEMENT PLAN REFUNDING BONDS,
SERIES 2017A

BE IT RESOLVED By the City Council (the "Council") of the City of Glencoe, Minnesota (the "City") as follows:

1. Background. It is determined that:
 - (a) the City has previously issued its General Obligation Taxable Capital Improvement Plan Bonds, Series 2010A (Build America Bonds – Direct Pay), dated March 1, 2010, in the aggregate principal amount of \$2,000,000 (the "Series 2010A Bonds") to finance the construction and equipping of a City Hall and Library facility in the City;
 - (b) at the option of the City, Series 2010A Bonds maturing on February 1, 2019 and thereafter are subject to redemption in whole or in part on February 1, 2018 or any date thereafter, at a price of par plus accrued interest;
 - (c) the City is authorized by Minnesota Statutes, Section 475.67, Subdivisions 3 and 13, as amended, to issue and sell its general obligation bonds to refund obligations and the interest thereon before the due date of the obligations, if, consistent with covenants made with the holders thereof, when determined by this Council to be necessary or desirable for the reduction of debt service cost to the City;
 - (d) it is necessary and desirable to the sound financial management of the City and to reduce debt service cost to the City that it issue its General Obligation Capital Improvement Plan Refunding Bonds, Series 2017A (the "Bonds"), in the aggregate principal amount of approximately \$1,525,000, to refund at their redemption date the Series 2010A Bonds, of which \$1,445,000 in principal amount is callable on February 1, 2019; and
 - (e) this Council desires to proceed with the sale of the Bonds by direct negotiation with Robert W. Baird & Co. Incorporated (the "Purchaser"); and
 - (f) the City is authorized by Minnesota Statutes, Section 475.60, Subdivision 2(5), to negotiate the sale of the Bonds to the Purchaser, it being determined that the Bonds are crossover refunding obligations referred to in Minnesota Statutes, Section 475.67, Subdivision 13. The actions of City staff in negotiating the sale of the Bonds are ratified and confirmed in all respects.
2. Sale and Issuance of Bonds. The Purchaser intends to purchase the Bonds in an arm's-length commercial transaction with the City. The Mayor and the City Administrator are authorized to approve the sale of the Bonds and to execute a Bond Purchase Agreement with the Purchaser for the purchase of the Bonds, provided the total aggregate principal amount does not exceed \$1,525,000 and the net present value savings derived from the redemption of the Series 2010A Bonds is not less than 3.00% per annum.
3. Adoption of Ratifying Resolution. Upon approval of the sale of the Bonds by the Mayor and the City Administrator under the parameters set forth in Section 2 hereof, this Council will take action at a subsequent meeting thereafter to adopt the necessary ratifying resolution and escrow agreement, as prepared by Eckberg Lammers, P.C., Bond Counsel to the City.
4. Expiration of Authority. If the Mayor and the City Administrator have not approved the sale of the Bonds to the Purchaser and executed a Bond Purchase Agreement by April 30, 2017, the authority granted in this Resolution shall expire and be of no further force and effect.

Member Schrupp seconded the motion. Upon a roll call vote all members voted in favor. Where upon said resolution was adopted and approved.

B. BAXTER AVENUE PROJECT – SEH

1. PHASE II ENVIRONMENTAL SITE ASSESSMENT

John Rodeberg, SEH, reviewed the proposal to conduct a Phase II Environmental Site Assessment for the Baxter Avenue Project. The purpose of this site assessment is to quantify and quality suspected contamination for the purpose of developing bid

documents for the construction project. He reviewed the scope of work. Fees to perform the assessment are \$21,900.

Discussion led to Councilor Alexander approving the supplemental letter agreement with SEH to conduct the study at a cost of \$21,900. Councilor Ziemer seconded. All members voted in favor.

2. GEOTECHNICAL EVALUATION PROPOSAL

John Rodeberg, SEH, reviewed the proposal from Braun Intertec to conduct 14 soil borings throughout the Baxter Avenue Project area. The purpose of the geotechnical evaluation is to characterize subsurface geological conditions at selected exploration locations and evaluate their impact on the design and construction of the proposed utilities and pavements. Costs to perform this service is \$10,653.

Councilor Neid motioned approval of the Braun Intertec proposal as stated for a cost of \$10,653. Councilor Schrupp seconded. All members voted in favor.

REQUESTS TO BE HEARD:

A. MCLEOD HISTORIC PARTNERSHIP COMMUNITY OUTREACH DIRECTOR

Monica Wehler of the McLeod Historic Partnership requested of the council a letter of support for the Community Outreach Director position. This position offers support to city governments and local historic community groups. This position is funded for 2017 by McLeod County.

Motion by Member Robeck and second by Member Neid to provide a letter of support from the City of Glencoe. All members voted in favor.

B. RESOLUTION NO. 2017-3 TO WAIVE MONETARY LIMITS ON MUNICIPAL TORT LIABILITY

Terry Jones, City's agent representing the League of MN Cities Insurance Trust, reviewed the Waiver of Tort Limits for the League of Minnesota Cities Insurance Trust liability insurance. The City must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. It is recommended to waive the limits and purchase excess liability coverage.

Councilor Schrupp introduced Resolution No. 2017-3 approving the waiver of statutory liability limits on municipal tort liability established by Minnesota Statutes, Section 466.04 to the extent of the limits of the liability coverage obtained from LMCIT and purchase excess the liability coverage. Councilor Ziemer seconded the motion. Upon a roll call vote all members voted in favor. Whereupon said resolution was adopted and approved.

C. ORDINANCE NO. 597 MINOR SUBDIVISION

Motion to approve the first reading of Ordinance No. 597 was made by Councilor Ziemer, second by Councilor Alexander. All members voted in favor.

This was reviewed and recommended for approval by the Planning and Industrial Commission. This ordinance was proposed to make it easier for the City of Glencoe to split lots in the industrial park as they are sold to developers.

D. ORDINANCE NO. 598 GRHS ANNEXATION

Motion to approve the first reading of Ordinance No. 598 to annex 7.4 acres of land owned by the City of Glencoe into the city limits for the purpose of Glencoe Regional Health Services expansion by Councilor Schrupp, second by Councilor Neid. All members voted in favor.

E. ORDINANCE NO. 599 PREDATORY OFFENDERS

City Attorney Winters and Police Chief Raiter reviewed Ordinance No. 599 regarding residence of predatory offenders. The intent of the ordinance is to create areas around locations where children regularly congregate in concentrated numbers wherein certain predatory offenders are prohibited from establishing temporary or permanent residence.

There is some language concern regarding Subd. 5-titled Exceptions #5 that will need to be addressed by the City Attorney and Chief Raiter before the next scheduled council meeting and second reading of the ordinance.

A motion was then entered approving the first reading of Ordinance No. 599 by Councilor Ziemer and seconded by Councilor Schrupp. All members voted in favor.

F. RELEASE PARTIAL RETAINAGE- LINCOLN PARK PROJECT

John Rodeberg of SEH reviewed the memorandums concerning releasing a partial retainage being held on the Lincoln Park Project. It is recommended to retain 1% or \$57,441 for turf establishment on the project and continue to hold the Performance Bond of the contractor. The city is currently retaining 5%.

The contractor has further agreed to \$33,000 in liquidated damages for not completing the project in a timely manner.

Discussion led to Councilor Alexander motioning to release a partial retainage and charge the contractor liquidated damages in the amount of \$33,000. Councilor Schrupp seconded. All members voted in favor.

G. POLICE DEPARTMENT POLICY REVISIONS

1. POLICY 5.01 USE OF FORCE- TASERS

Police Chief Raiter presented policy revisions for Use of Force concerning the use of tasers. The revision was needed to clean up language and update the policy. The Personnel and Legislative Committee has reviewed the policy.

Councilor Neid motioned the approval of Policy 5.01revisions Use of Force-Tasers. Councilor Alexander seconded. All members voted in favor.

2. POLICY 5.03 USE OF FORCE – FIREARMS AND AMMUNITION

Police Chief Raiter presented policy revisions for Use of Force-Firearms and ammunitions. The revision was needed to clean up language and update the policy. The Personnel and Legislative Committee has reviewed the policy changes.

Councilor Neid motioned the approval of Policy 5.03 revisions Use of Force-Firearms and ammunitions. Councilor Alexander seconded. All members voted in favor.

H. TRANSFER OF ENTITLEMENT DOLLARS TO COOK, MN MUNICIPAL AIRPORT- PER TRANSFER AGREEMENT

The City of Cook transferred unused entitlement funds to the City of Glencoe to fully fund the parallel taxiway project. Approval is required to transfer the \$150,000 in entitlement dollars to the City of Cook MN Municipal Airport per the original transfer agreement.

Councilor Ziemer motioned to authorize the City Administrator to transfer \$150,000 of entitlement dollars to the City of Cook. Councilor Schrupp seconded. All members voted in favor.

ITEMS FOR DISCUSSION:

A. COALITION OF GREATER MN CITIES – LEGISLATIVE ACTION DAY- FEBRUARY 1ST, 2017

Councilors interested in attending should contact City Administrator Mark Larson

B. INFLOW & INFILTRATION REPORT

Public Works Director Gary Schreifels presented the 2016 annual report documenting the completed totals as required under our Inflow & Infiltration Reduction Program. I & I investigations were conducted on all foreclosure and for sale properties, with the intention to make sure that all new property owners have a compliant sanitary sewer lateral before taking ownership.

45 properties had improvements or replacements completed for a total cost of \$101,419. Televised 5490 feet of sewer main/laterals for a total cost of \$2,634. 70 people participated in the rain barrel program for a cost of \$2,581. New I & I camera and sewer plugs for a

total of \$1,711. 2016 Street Project – 11 blocks: Sanitary pipe- 3547 feet, 10 manholes for a total of \$132,530. Storm pipe – 5717 feet, 32 manholes and 42 catch basins for a total of \$695,365.

Total cost of I & I reduction in 2016 - \$936,240.

C. FINANCE COMMITTEE MEETING – JANUARY 25, 2017; 4:00 P.M.

Members will be discussing the following at this regularly scheduled meeting of the Finance Committee.

- i. WWTP facility plan update
- ii. SEH supplemental letter agreements review

ROUTINE BUSINESS:

PROJECT UPDATES: None

ECONOMIC DEVELOPMENT: None

PUBLIC INPUT: Robeck – copy of Charter

REPORTS: None

CITY BILLS: Motion to approve payment of city bills by Member Ziemer, second by Member Alexander. All voted in favor.

ADJOURN: Mayor Wilson called for adjournment at 9:20 p.m. Member Robeck entered that motion with a second by Member Alexander. All voted in favor.

Mark D. Larson
City Administrator

ATTEST:

Randy Wilson
Mayor