City of Stewart Council Meeting Minutes and Special Meeting Minutes
July 8, 2019

Pursuant to due call and notice the Stewart City Council Meeting was held on Monday, July 8, 2019 in the Stewart Community Center

Mayor Jason Peirce called the Meeting to Order at 7:00 p.m.

Pledge of Allegiance was recited to the flag

Roll call; Mayor: Jason Peirce - yea
Council Member: Kevin Klucas - yea
Council Member: Curt Glaeser - yea
Council Member: Carol Altrichter - yea
Council Member – James Eitel – yea

Approval of Minutes;
   1. Council Member Altrichter requested the minutes from the July 17th Special Meeting indicate the presence of the City Attorney at the meeting.
Motion to approve the Minutes, Glaeser / Altrichter, Council Member Klucas apposed, motion carried

Consent of Agenda – Anyone wishing to speak with the Council that is not already on the Agenda should speak up at this section to be placed on the Agenda
   1. The Maintenance - Water/Waste Water Department Report will be moved up on the schedule due to the personnel working on filling the water tower
Motion to approve the Consent of Agenda, Eitel / Altrichter, all in favor, motion carried

Approval of Treasurer Report and Balance Sheet;
Motion to approve the Treasurer Report and Balance Sheet, Glaeser / Eitel, all in favor, motion carried

Approval of Statement of Revenue and Expenditures;
Motion to approve the Statement of Revenue and Expenditures, Glaeser / Eitel, all in favor, motion carried

Approval of Claims;
   1. The tree removal expenditure was questioned, the Public Works Supervisor stated it was Randy Kalenberg’s at 241 Bowman Street
Motion to approve the Claims, Glaeser / Altrichter, all in favor, motion carried

Approval of Utility Billing Information;
Motion to approve the Utility Billing Information, Klucas / Glaeser, all in favor, motion carried

Approval of Bank Reconciliations – General Fund and Pop
Motion to approve the Bank Reconciliations – General Fund and Pop, Altrichter / Eitel, all in favor, motion carried
PETITIONS, REQUESTS AND COMMUNICATIONS
1. Maintenance - Water/Waste Water Department Report – Dominic Kadelbach and City Engineer David Palm
   A. Notification of completion of Phosphorus Management Plan Progress Report
      1. Bolton & Menk put this report together for the licensure of the waste treatment facility
      2. John Graupman was in town and has talked with Dominic about the phosphorus items
      3. They are waiting for pumps to go down, and will probably need to do an emergency discharge after this last rain storm
   B. Approval of Resolution No. 2019-49 – Tree removal
      1. The original resolution contained a bid for the removal of 15 or 16 trees
      2. Per the June 10th minutes the Council Members were going to review the trees that were marked for removal and make a determination of what trees should be removed
      3. It was suggested to remove only the trees on the construction route
      4. Some of the trees will cause a backfill issue on the boulevards
      5. The trees at Mike Pudwill’s can wait
      6. The Public Works Supervisor obtained a bid with that many trees to get a group price rate
      7. Some of the Council Members feel that the City personal can remove some of these trees
      8. If there isn’t a designated sidewalk by the tree, then the tree should not be taken down now and have to wait until a later date due to the construction
      9. The Council felt the other trees can wait until the project is completed then deal with them
     10. It was suggested to top the trees and see if we can get a lesser price then the City Maintenance Department will drop the remainder of the tree
     11. Another thought was if you have a company come in to top a tree you might as well have them remove it completely
     12. It was decided to remove five trees on Croyden Street now because they may causing a project delay in back filling
     13. Dominic was requested to suggest a removal cost of $660 per tree
Motion to approve Resolution No. 2019-49 – Tree removal of five trees on Croyden Street at a cost of $660.00 per tree, Eitel / Altrichter, all in favor, motion carried
C. Approval of Resolution No. 2019-61 – Replacement of air conditioner for the Water Treatment Plant
   1. There are parts missing from the current air conditioner, Matt had an issue with it last year, a tech came out and removed some of the parts and it was never fixed
   2. The compressor for this unit is going to cost more than to replace the full air conditioner
   3. The quotes are for a complete unit but no electrical costs
   4. Foster Mechanical is the cheapest
Motion to approve Resolution No. 2019-61 – Replacement of air conditioner for the Water Treatment Plant with Foster Mechanical as the chosen company, Glaeser / Eitel, motion carried

Member poll: Glaeser – yea, Eitel – yea, Klucas – nay (He has never heard of a Daikin), Altrichter – yea, Peirce – yea

D. Approval of Resolution No. 2019-62 – Approval for Dominic Kadelbach to attend training and take exams for Wastewater Certification License

Motion to approve Resolution No. 2019-62 – Approval for Dominic Kadelbach to attend training and take exams for Wastewater Certification License, Glaeser / Eitel, all in favor, motion carried


E. Approval of Resolution No. 2019-63 – Dust coating of City streets
   1. It was asked why one of the quotes has an 18” width, Dominic explained this was the width of their boom and would cause less over spray
   2. Lee Markgraf requested permission to talk with the Council and stated that dust coating was supposed to be done twice a year, spring and fall
   3. SW Dust Coating was chosen

Motion to approve Resolution No. 2019-63 – Dust coating of City streets, Klucas / Altrichter, all in favor, motion carried


F. Replaced a lot of meters this last month, it was discovered there was gravel in the bottoms of the meters, causing the meter to malfunction

G. The water tower is still down and they are working on getting if filled tonight
   1. The water tower needed to be completely sprayed down again after two failed tests
   2. We shouldn’t have to discharge again, the first discharge was 10’ to 12’ filled, the second was 18’ to 20’ filled, both of these tests failed, the measurement is 1,600 gallons per foot
   3. The inspector instructed Dominic to overflow the tower this time
   4. The company has run chlorine through everything again
   5. LaTour is taking this sample in, Dominic has been taking the samples in because no one was on scene to do the work and he was hoping to get it on line faster, all costs, hours and mileage will be billed to them
   6. Dominic was been working with Jeff Dale from MRWA

H. The St. Boniface Church sidewalk and Fire Barn cement work is completed

I. There have been complaints about the condition of 70th Street
   1. Some of these issues are due to the solar company installation that is in progress and the weather conditions
   2. Dominic has discussed the issues with a Round Grove Commissioner and they will be graveling the area once it becomes firmer, it is mush now

J. The City is sweeping for LaTour and will bill according to our Fee Schedule

K. The townships will be taking care of graveling and grading of 70th Street, Yankee Avenue and Martha Street

L. The MDH Arsenic report is good, our average is 7.8, and we are in compliance
M. Discussion of sidewalk installation at the railroad tracks along Prior Street and Requesting permission to submit for bids again because of additional work and materials needed
   1. TCW requirements are the cement installation is not attached to the railroad sections, there must be at least a 1/2 " foam separation from the concrete and no rebar is to be used to attach the section of city cement to railroad sections
   2. The railroad is requiring an inspector be on site during the installation of the sidewalk, the charge is $85.00 an hour, but they will work with us on this point
   3. The railroad pads are 8’ wide and our sidewalk is 5’ sections
   4. There will be traffic moving over a section of the area where the elevator moves railroad cars back and forth, this section will need to be thicker, 5” of cement won’t hold up with tractor running over it
   5. This is a designated sidewalk so a pedestrian ramp will be required
   6. There is a washed out area that will need to be back filled
   7. Send it out for bids with the following requirements
      A. Add more inches were elevator crosses
      B. Don’t bevel it out at the connection spots fill in the remainder with gravel
      C. Go all the way to Hall Street with a 4’ opening between stop sign and utility box
      D. The railroad sections are not straight, match the angles
   8. The north side of Hall Street sidewalk doesn’t have pedestrian ramp going south

Dominic was instructed to Contact John Brunkhorst for McLeod County’s requirements for pedestrian ramps and obtains bids for the next meeting

N. Mill Street warranty period is almost over
   1. The City will send a response letter to R & R Excavation giving them four weeks to complete the warranty work a fines will be assessed

O. 2012-2013 Project A warranty period is almost over
   1. The City will send a response letter to Holtmeier Construction giving them four weeks to complete the warranty work a fines will be assessed

P. Council Member Altlichter has some issues with the new designated sidewalk along Mowbray Street
   1. She stated there are tree branches hanging over the sidewalk
   2. The Blight Inspectors will look into it

2. David Palm – LaTour Construction’s request for an extension

A. Approval of Resolution No. 2019-50 – Request for extension to Group C Project
   1. LaTour Construction has stated seven different items that has been an issue to not having Project C completed on time, weather conditions in the fall and spring time have been the main issue
   2. LaTour Construction is asking for a 110 working day extension to the July 26th, 2019 completion date
   3. There is a term called the critical path of the work, meaning they are the really important items of a project, none of the items listed are a critical path item
4. The engineers feel that the main hold up is the subcontractors or LaTour Construction themselves
5. Black dirt is the big holdup now, they state the dirt is to wet to lay it down, and they do not have a crew to put the top soil in
6. Gerken was putting the salvaged topsoil down, but new conditioned topsoil to layed down prior to seeding
7. The City Council and the engineers are opposed to giving 110 working days
8. The City Council will approve a 30 day extension, this will put their new completion date after our next meeting, if they show a valid effort of working to complete the project the City Council may consider another short extension before the next
9. The Council agreed upon a one calendar month extension to August 26, 2019 and all the work including the punch list items must be completed

Motion to approve Resolution No. 2019-50 – Request for extension to Group C Project of one calendar month extension to August 26, 2019 and all the work including the punch list items must be completed, Klucas / Altrichter, all in favor, motion carried

Motion to approve the Maintenance - Water/Waste Water Department Report, Glaeser / Eitel, all in favor, motion carried

3. RS Fiber discussion
   A. Kevin Laowager – RS Fiber Chairperson, Jake Rieke, RS Fiber Vice-Chairperson and Ben Ranft – RS Fiber Operations Manager were in attendance
   B. RS Fiber has had many benefits and challenges since they began this project
   C. There are ten cities involved in the loans process of the project
   D. RS Fiber is asking these cities to loan payments for RS Fiber for the next eight to nine years until RS Fiber is up and working profitably
   E. The cities are considered junior debt holders, the junior debt holders were not taken care of the senior debt holders called their loans
   F. HPC is the company that has purchased RS Fiber and wasn’t interested in financing with the junior debt holders
   G. RS Fiber needs to have a three to one ratio for them to resume payments for the junior debtors
   H. The term for the senior lenders is thirty years
   I. RS Fiber sold some assets to help the balance sheet come back
   J. It is now cheaper to install new customers
   K. RS Fiber needs at least twenty-four new customers per month to meet this three to one ratio
   L. RS Fiber has begun advertising and have seen some benefits to advertising
   M. The drop rate is twenty-six customers a month, nine of these are disconnects for non-payment
   N. The City Council told the representatives that this is a big bill to put on taxpayers, the City of Stewart is looking at a twenty-five percent tax increase to cover this debt
   O. The representatives asked for support, they need all the cities to help support this project to see it completed
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P. There have been complaints of RS Fiber not finishing the jobs they started especially burying the cables
Q. The City Council asked for more information to the given to the cities like the minutes or a letter to inform them of what happened at the meetings, RS Fiber needs to communicate more with the cities

4. Ione Lean - Water in the ditch by her home
   A. Ione would like the culvert cleaned out that goes under Highway 212 to the south
   B. During and after the last major rainfall event the road ditch overflowed into her and her neighbors lawns
   C. This culvert is located in the State ROW, we will need to notify them and look at how to clean it out

5. Jon Archer – City Auditor – 2018 Audit presentation
   A. The 2018 audit went well
   B. The audit resulted in the same opinions as every year, lack of segregation of duties due to the number of employees in the Clerk’s Office
   C. There are no issues with the policies and procedures or the pension plan the City has in place
   D. There were no issues with working with staff
   E. Construction activities has caused the numbers to go up but that is expected
   F. The auditor was happy to see the City Council going through bills and balance sheets data
   G. There was an adjustment entry for an error on the 2017 years audit because of the garbage being marked as a receivable
   H. The question was asked about risk to the City for billing for garbage, Jon responded that it would be the least amount of risk if garbage was not billed by the city, but he understands the issues with collections for nonpayment if it is not billed by the City
   I. RS Fiber’s liability is on the books

Motion to approve the 2018 Financial Audit, Altrichter / Glaeser, all in favor, motion carried

6. Notification from McLeod County Environmental Services
   A. Designation of two representatives
      1. Carol Altrichter
      2. James Eitel

7. Notification from Minnesota Department of Health of increase in Water Testing Fee on utility bills
   A. This increase will begin on the January 1, 2020 billing

ORDINANCES AND RESOLUTIONS;
1. Approval of Resolution No. 2019-32 – Appointment of Assistant Emergency Management Director
   A. Per an e-mail from Kevin Matthews there is not a lot of training to this position
   B. It was discussed at the Firefight’s Monthly Meeting and a suggestion was made to have one of the three officers man it until Kevin is available, this way Kevin would have a name to call
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C. Carol Nelson volunteered for the position at the Firefighter’s Monthly Meeting and tonight
Motion to approve Resolution No. 2019-32 – Appointment of Assistant Emergency Management Director with the appointment of Carol Nelson, Eitel / Glaeser, all in favor, motion carried

   A. Franciska is stating the damage to the waterline was in correlation to the project
   B. The contractor stated the waterline would have broken at any time it was installed improperly
   C. The curbstop was old so they replaced it as the same time as the waterline installation
   D. The City should and will be responsible for the cost of the curbstop at a cost of $228.75
Motion to approve Resolution No. 2019-42 – Reimbursement for a damaged water line is denied but the City will pay for the cost of the curbstop, Eitel / Glaeser, all in favor, motion carried

3. Approval of Resolution No. 2019-51 – Call for a Public Hearing to discuss a Rezoning and CUP of agricultural property for a solar garden
   A. The Public Hearing will be held at the next regular council meeting on August 12, 2019 at 6:00 p.m.
Motion to approve Resolution No. 2019-51 – Call for a Public Hearing to discuss a Rezoning and CUP of agricultural property for a solar garden, Glaeser / Altrichter, all in favor, motion carried

4. Approval of Resolution No. 2019-52 – Approval of Road ROW Permit Application
   A. CenturyLink wants to install fiber optics in the ROW
   B. It was suggested to table this request until the construction is completed
   C. There are reports that CenturyLink didn’t fix the boulevards on Bowman Street when they installed the last fiber optic cables
   D. There are reports that they delayed our construction on Powers Street and East Street by not removing poles and an underground cable that was not claimed by them
   E. There are already multiple lines listed under United Telephone that were found on Powers Street in the summer of 2018
Tabled until next month

5. Approval of Resolution No. 2019-53 – Request for the use of the Softball Park for Cactus Jacks II Benefit Softball Tournament
Motion to approve Resolution No. 2019-53 – Request for the use of the Softball Park for Cactus Jacks II Benefit Softball Tournament, Eitel / Altrichter, all in favor, motion carried

6. Approval of Resolution No. 2019-54 – Gambling Permit for St. Boniface Catholic Church
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Motion to approve Resolution No. 2019-54 – Gambling Permit for St. Boniface Catholic Church, Glaeser / Eitel, all in favor, motion carried

7. Approval of Resolution No. 2019-55 – Liquor License for St. Boniface Catholic Church
Motion to approve Resolution No. 2019-55 – Liquor License for St. Boniface Catholic Church, Eitel / Glaeser, all in favor, motion carried

8. Approval of Resolution No. 2019-56 – PPE #9 of Group C Project
Motion to approve Resolution No. 2019-56 – PPE #9 of Group C Project, Klucas / Altrichter, all in favor, motion carried

REPORTS OF OFFICERS, BOARDS AND COMMITTEES;
1. Building Permit, Planning & Zoning Commission and Blight Notification Report
Motion to approve the Building Permit, Planning & Zoning Commission and Blight Notification Report, Glaeser / Eitel, all in favor, motion carried

2. Police Report
Motion to approve the Police Report, Altrichter / Glaeser, all in favor, motion carried

3. Emergency Services Report
   A. Fire Department – Jason Carter
      1. Approval of Resolution No. 2019-57 – Acceptance of a Letter of Retirement from Firefighter Kevin Klucas
      Motion to approve Resolution No. 2019-57 – Acceptance of a Letter of Retirement from Firefighter Kevin Klucas, Altrichter / Eitel, all in favor, motion carried
      2. Approval of Resolution No. 2019-58 – Permission to request funds from the Stewart Lions for National Night Out
         A. Council Member Klucas stated that as a Lions Member he was notifying the City of the end of the Lions year end was June 30th and there were no funds
         B. It was suggested to use the Community Improvement Fund, because this was money that was donated by the Stewart Lions and this is a community function
         C. The resolution will be changed to indicate the funds will be taken from the Community Improvement Fund
         Motion to approve Resolution No. 2019-58 – Permission to request funds from the Stewart Community Improvement Fund for National Night Out, Altrichter / Eitel, all in favor, motion carried
         3. Approval of Resolution No. 2019-59 – Closure of streets and use of table and chairs for National Night Out
         Motion to approve Resolution No. 2019-59 – Closure of streets and use of table and chairs for National Night Out, Glaeser / Altrichter, all in favor, motion carried
3. The firefighters will be attending a mock crash training
4. The firefighters will be attending parades and the 3M family expo
5. A truck was taken to the funeral for the flight nurse how died in Brainerd
6. The new pumper needs to show proof of certification, it was a requirement of the contract that Brandlee do the pump certification or we need to get reimbursed
7. The trucks are being having realignment done on them
8. The kitchen remodel started today

Motion to approve the Fire Department Report, Glaeser / Eitel, all in favor, motion carried

B. EMR Department – Carol Nelson
   A. Approval of Resolution No. 2019-60 – Acceptance of a Letter of Retirement from Emergency Medical Responder Kevin Klucas

Motion to approve Resolution No. 2019-60 – Acceptance of a Letter of Retirement from Emergency Medical Responder Kevin Klucas, Altrichter / Eitel, all in favor, motion carried


Motion to approve the EMR Department Report, Altrichter / Glaeser, all in favor, motion carried

UNFINISHED BUSINESS;
NEW BUSINESS;
MISCELLANEOUS; and
   Set a date for a Special Meeting
   1. No Special Meeting is needed

9:08 p.m. ADJOURN – Glaeser / Altrichter, all in favor, motion carried

Ronda Huls – City Clerk/Treasurer

Attest:

Mayor – Jason Peirce