

**MELROSE CITY COUNCIL
REGULAR MEETING
MONDAY, OCTOBER 23, 2023– 6:00 P.M.**

AGENDA

1. Call to Order/Roll Call/Pledge of Allegiance
2. Approval of Agenda
3. Open Forum
4. Consent Agenda
 - a. Approval of Minutes
 - b. Approval of Bills / Purchase Orders
 - c. Approval of Investments
 - d. Streets/Parks Worker Step Increase
 - e. Donation Resolution
 - 1) Resolution No. 2023-58 Donation from Salina Hector
 - 2) Resolution No. 2023-59 Donation from Holdingford Firemen Relief
 - 3) Resolution No. 2023-60 Donation from Melrose American Legion Post #101
 - 4) Resolution No. 2023-61 Donation from Walmart
 - 5) Resolution No. 2023-64 Donation from Melrose American Legion Post #101
 - f. Pay Application #1 ASTECH
 - g. Gambling Resolution
 - 1) Resolution No. 2023-63 Church of St. Mary's
- 5A. Induction of Police Officer Adam Schmidt
5. Reports
 - a. Police Chief Report
 - b. City Attorney Report
 - c. Community Development Director Report
 - d. City Engineering Report
 - e. City Administrator Report
6. Action Items
 - a. Streets/Parks Supervisor Retirement
7. Old Business
 - a. Cannabis
8. New Business
 - a. Notice of Appointments
 - b. Meeting Schedule
 - c. Local Road Improvement Program/Resolution No. 2023-62 Resolution Supporting Local Road Improvement Program Application for Main Street Project

9. Informational Items
 - a. Utilities Commission Meeting Minutes
10. Adjournment

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REGULAR MEETING
MONDAY, OCTOBER 23, 2023 – 6:00 P.M.**

A.I. #1 CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

The Melrose City Council met in a Regular Meeting on Monday, October 23, 2023 at 6:00 p.m. at the Melrose City Center pursuant to due notice being given thereof. Present were Council Members Tony Klasen, Justin Frieler, Travis Frieler, Joelene Wieling, and Mayor Joe Finken, City Administrator Colleen Winter, and City Clerk Patti Haase. Mayor Finken presided thereat.

The Council then recited the Pledge of Allegiance.

A.I. #2 APPROVAL OF AGENDA

A motion was made by Mr. Travis Frieler seconded by Mr. Klasen and unanimously carried to approve the agenda as submitted.

A.I. #3 OPEN FORUM

Mayor Finken then opened the floor to public comment. There were no comments.

A.I. #4 CONSENT AGENDA

The following items were considered for approval under the Consent Agenda:

- a. The minutes from the Council's September 21, Regular Meeting and the October 12 Special Joint Meeting
- b. List of bills in the amount of \$ 761,460.56
- c. List of investments for the month of September
- d. Streets/Parks Worker, Brent Hellermann will complete 3 years of service with the city on November 16, 2023. Streets/Parks Supervisor Gary Middendorf has conducted Mr. Hellermann's review, and it is favorable; therefore, recommends he receive a step increase from Step 3 to Step 4 on the wage scale.
- e. Donation Resolutions
 - 1) Resolution No. 2023-58, Donation from Salina Hector in the amount of \$1,000 to the Melrose Fire Department
 - 2) Resolution No. 2023-59 Donation from the Holdingford Firemen Relief in the amount of \$500 to the Melrose Ambulance
 - 3) Resolution No. 2023-60 Donation from Melrose American Legion Post #101 in the amount of \$500 to the Melrose Area Chamber of Commerce towards the Deuces Wild Sponsorship.
 - 4) Resolution No. 2023-61 Donation from Walmart in the amount of \$100 towards a television for the Melrose Fire and Ambulance Station.
 - 5) Resolution No. 2023-64 Donation in the amount of \$500 from the Melrose American Legion Post 101 towards the fireworks for the Holiday Kick-off.
- f. Pay App #1– Asphalt Surface Technology Corporation in the amount of \$248,629.11 for the 2023 Ultra-Thin Bonded Wear Course which included 12 Avenue from Main Street to Kraft Drive, 8th Avenue NW from Mian Street to Railroad Avenue, Railroad Avenue from 3rd Avenue to 8th Avenue and 3rd Avenue NW from railroad Avenue to 8th Avenue. SEH reviewed the payment request and is recommending payment as outlined in the invoice.
- g. Gambling Resolution

1) Resolution No. 2023-63, Resolution Approving Gambling License to the Church of St. Mary's for an exemption from lawful gambling license to conduct a raffle on March 2, 2024, at the Melrose American Legion located at 265 County Road 173, in Melrose, MN.

A motion was made by Mr. Justin Frieler, seconded by Mr. Travis Frieler and unanimously carried to approve the Consent Agenda items.

PRESENTATION

5A. Mayor Finken administered the Oath of Office to Police Officer Adam Schmidt

A.I. #5 REPORTS

- a. Police Chief Craig Maus presented the Police Department's September 2023 report. He noted there were 180 calls for service during that month, compared to 375 for September 2022. A total of 7 citations were written for the month of September. There were 25 verbal warnings and 0 written warnings. The year-to-date number of calls is 2,147 compared to 2,670 in 2022. For the month of September 2023, the Department received 23 agency assist calls. Chief Maus reminded residents that winter parking will go into effect November 1 through April 1. Parking is prohibited in the Downtown Business District from 3:00 a.m. to 6:00 a.m. daily.
- b. During the period from September 14, 2023, through October 12, 2023, City Attorney Scott Dymoke has given significant attention to the following projects on behalf of the City of Melrose:
 - **Riverside Flats Project** – Worked with city staff on amendments and assignments of Development Agreement for the project.
 - **Ambulance Service** – Received and reviewed proposed agreement with new billing service for the Ambulance Service. Prepared comments and recommendations to city staff.
 - **Data Practices** – Received and reviewed request for copy of grant agreement from public. Advised city staff to forward request to MN/DNR for instructions.
- c. Community Development Director Sheila Hellermann provided the following update.

Kwik Trip store framing is scheduled to begin October 30th.

Riverside Flats poured the floor in the underground parking and the framing is nearly complete.

Granite City's multi-family development on Railroad Avenue is also moving quickly. Footings are in. The brick is being laid for the foundation of the main building and the garage slabs are poured. The elevator shaft is being constructed now.

There are exciting developments on and along Main Street with small businesses opening and making improvements to their businesses. The first two Commercial Rehabilitation Deferred Loan Program projects are finishing up. Additional applications are being completed.

We are starting to look ahead to 2024 and the projects we are anticipating,

including completing Railroad Avenue and the reconstruction of Main Street. There are also businesses already planning projects so we do not expect the pace we are on to slow down. We are actively reaching out to businesses and developers asking about plans, asking to partner, looking for opportunities for growth and improvements.

We finished up the third quarter and our building permits are at 255 permits totaling \$25,771,938.66 so far for 2023.

There is a comprehensive plan public workshop is Thursday, October 26th from 6 to 8 PM. We really want to encourage everyone to come. This plan will help guide the Council, Melrose Area Development Authority, Planning & Zoning Commission, and Park Board with their decisions in the 10-15 years to come.

- d. City Engineer Dave Blommel provided an update.

In the last month, SEH has assisted the City with several tasks including 2024 Street Project preparation, 2023 Street Project completion, and beginning construction on Railroad Avenue.

2023 Construction

The general contractor and subcontractors have been working on punch list items as a result of our review of the project. Many of the items on the list have been addressed and approved. Work on the Kraft Drive pedestrian ramps and curb radius has begun. New concrete curb and gutter has been poured.

Pedestrian ramps are expected to be completed the week of October 16th. The work should be completed before the council meeting on October 23rd.

2024 Street Project

Gary and I were able to review the curb condition on Main Street West. From our preliminary walk, we found segments of curb that can be left in place including all curb and gutter west of 5th Street. Ultimate curb and sidewalk removal will be the result of sewer and water service replacement, storm sewer improvements, in addition to the condition related replacement. County mandated curb replacement near Coborn's has been reviewed. Staff received positive feedback from preliminary discussions held with Coborn's to address any concerns related to their parking in the project area.

Railroad Avenue Project

Dewatering is in place for the project and was started on Monday, October 9th. It is anticipated it will take a week before the water level will be lowered enough to start sanitary sewer work on Monday, October 16th. While the dewatering ramps up, the contractor has salvaged the gravel and began sub-cutting the roadway in advance of the utility installation.

Ultrathin Bonded Wearing Course

The surfacing work on 8th Avenue, Railroad Avenue, and 12th Avenue is completed. The installation appears to be well done and the finished product looks good. I have enclosed the first and only pay application for the contractor. The work came in slightly under budget with an original bid of \$268,585 and a final cost of \$261,714.85.

- e. City Administrator Winter provided the following update

WWTF – The last part of this project should be completed next week. JWC (screens) will be on site to work with our crews and the control company to set up timing for the screens. We will also be installing a water heater to help with the cleaning of the screens.

RDB – We have now heard back from WSB, regarding the dam. The final piece of this project is the LOMR approval. Once this is approved, I am comfortable with closing out this project.

Electric Supervisor position – Interviews were conducted on Tuesday, Oct. 17th with two potential candidates. No decisions have been made at this time.

Joint work session – The salary survey from the League of MN Cities has been released. This is a good benchmark for communities to measure where they are at with salary and benefits. In the next year we will be faced with at least two if not three or more retirements, negotiation of union contracts, pay equity reporting, and bid for health insurance. As staff it is critical for us to be moving forward in a way that is supported by the Council and PUC. With that in mind, I am requesting that we have a joint work session with PUC and Council in November. Administrator Winter would like to schedule it right after the regular PUC meeting on Nov. 13th.

A.I. #6 ACTION ITEMS

- a. Streets Parks Supervisor Gary Middendorf has given notification of his retirement from the city effective February 29, 2024. Mr. Middendorf has worked for the city for over 40 years.

A motion was made by Mr. Justin Frieler, seconded by Ms. Wieling and unanimously carried authorizing staff to advertise for the position of Streets Parks Supervisor.

A.I. #7 OLD BUSINESS

- a. The Council at its September 21 meeting tabled action on scheduling a Public Hearing to regulate the use of Cannabis. The Council to determine if they wish to utilize the Stearns County Ordinance or for the City to hold a public hearing for the purpose of giving consideration to adopting its own ordinance.

Here is a section of the adopted Stearns County ordinance that takes into consideration State law. “By enacting 2023 Session Law, Chapter 63, H. F. No. 100 [hereinafter referred to “State Legislation”], the Minnesota Legislature passed the adult-use cannabis bill. Under that bill, the adult use, possession and personal growing of cannabis will become legal August 1, 2023. State legislation authorizes adoption of a local ordinance establishing a petty misdemeanor offense for public use of cannabis. See State Legislation Article 4, Sec. 19, Minn. Stat. 152.0263, Subd. 5, or successor statute. State legislation authorizes adoption of ordinances to regulate actual or potential threats to public health. See Minn. Stat. 145A.05, subd. 1. State legislation authorizes enforcement of local government ordinances which are more stringent than state law in protecting individuals from secondhand smoke or from involuntary exposure to aerosol or vapor from electronic delivery devices, including in areas outside of restaurants and bars. See Minn. Stat. 144.417, subd. 4. Stearns County, hereinafter “the County” wishes to be proactive in protecting public health and safety by enacting regulations that will mitigate

threats presented to the public by the public use of cannabis, including unintended access and exposure of cannabis to the general public and youth of Stearns County. “

A motion was made by Ms. Wieling, seconded by Mr. Travis Frieler and unanimously carried calling for a public hearing to regulate the use of Cannabis in public places and places of public accommodation. Said hearing would be held at the next regular Council meeting on November 16, 2023.

Mayor Finken is requesting staff to research having a City Municipal for the sale of cannabis.

A.I.#8 NEW BUSINESS

- a. Mayor Finken noted that at the Council's first meeting in January 2024 consideration will be given to making appointments to the various boards and commissions. A notice regarding same will be published in the Star Post on October 18 and November 1 informing residents that those interested in seeking appointment should submit their application to the City Clerk by no later than Friday, November 17, 2023, Applications are available at the Melrose City Center. Terms are expiring on the following boards and commissions:
 - Planning and Zoning Commission – Three members (four-year term)
Term expiring:
 - Melrose Housing and Redevelopment Authority: One member (five-year term)
- b. Staff is looking to schedule a Special Meeting to conduct a final review of the 2024 Budget and Capital Improvement Plan. Staff recommends Thursday, November 16 at 5:00 p.m.

The Council by consensus confirmed the meeting for Thursday, November 16 at 5:00 p.m.

- c. On Tuesday, October 24th the Stearns County Commissioners will be passing a resolution supporting an application to MnDOT's Local Road Improvement Program for our Main Street project next year. This is a state grant program supporting local transportation. We need Stearns County to be the sponsor since we are a small city. This would be an application for the street portion of the Main Street project. It cannot be used for the utilities - electric, water, or sewer – or engineering, only the street portion. The criteria is that the road is of regional significance. Local Road Improvement Program/Resolution No. 2023-62 Resolution Supporting Local Road Improvement Program Application for Main Street Project.

A motion was made by Ms. Wieling, seconded by Mr. Klasen and unanimously carried adopting Resolution 2023-62 Resolution Supporting Local Road Improvement Program Application for Main Street Project

A.I. #9 INFORMATIONAL ITEMS

The following informational items were then reviewed:

- a. The minutes from the Utilities Commission's September 11, 2023, Regular Meeting

A.I. #10 ADJOURNMENT

A motion was made by Mr. Klasen, seconded by Mr. Travis Frieler and unanimously carried to adjourn the meeting at 6:35 p.m.

PATRICIA HAASE – CITY CLERK