

MAPLE LAKE CITY COUNCIL

February 20, 2007 – Minutes

The Maple Lake City Council was called to order at 7:03 p.m. by Mayor Messina in the Council Chambers of the City of Maple Lake.

MEMBERS PRESENT: Dircks, Geyen, Kelly, Messina, and Northenscold.

ABSENT: None.

OTHERS PRESENT: City Attorney Rhonda Pagel, City Engineer Jeremy Mathiasen, and City Clerk/Treasurer Linda Hruby.

Approval of Agenda

A motion was made/seconded/passed, (m/s/p), Kelly/Dircks, to approve the agenda.

Consent Agenda

A motion was m/s/p, Dircks/Kelly, to approve the Consent Agenda including Approval of the February 6, 2007 Minutes; Approval of Disbursement List #07-04 and #LS02-20-07; Approval of the November Financial Report, and Approval for City Council, Planning Commission and Staff to Attend Training Seminars.

New Business

Speed Zoning – CSAH 8

Messina stated that the City received a letter from Wright County Highway Department regarding a speed zone study, which would include the portion of County Road 8 in the City limits. The letter stated that the County did not anticipate any change in the current speeds in the City limits. The last paragraph of the resolution proposed by the County stated that the City would agree to support the conclusions of the study and the implementation of such conclusions. It was the consensus of the Council to eliminate this last paragraph. A motion was m/s/p, Messina/Dircks, to adopt **Resolution #R2007-05**, in support of the authorization of the Minnesota Commissioner of Transportation to perform an engineering and traffic investigation to determine the reasonable and safe speed limit on CSAH 8 from State Highway 55 to 65th Street NW, approximately 0.967 miles in length.

Recycling Day Issues

Hruby reported that the Council received a memo in their packet regarding the costs of recycling day. Hruby further stated Jerry Gapinski, Maintenance Worker from Maple Lake Township, does assist City staff that day. A motion was m/s/p, Dircks/Kelly, to have staff inquire as to what other cities/townships charge for disposal of items.

2000 – 6th Street Improvement Project – Final Acceptance

Mathiasen stated that this project started in 2000 with utility work and that the street construction was finished in 2005. The final cost was approximately \$440,000, which came in under the revised contract amount. A motion was m/s/p, Messina/Kelly, adopt **Resolution #R2007-06**, to approve the final project acceptance of the 2000 – 6th Street Improvement Project and authorize final payment of \$10,000 to LaTour Construction, per engineer's recommendation. All present voted aye.

Authorization for Bonestroo to Prepare Wetland Mitigation and Permit Application

Mathiasen reported that improvements for the airport runway and expansion have occurred and that the City is required to do wetland mitigation for that area. The estimated cost for the wetland delineation and permit is \$5,715.00. The wetland mitigation requires that the City improve a wetland or create a wetland at another location. A motion was m/s/p, Kelly/Dircks, authorizing the city engineer to prepare wetland mitigation report and permit application, at a cost not to exceed \$5,715.

MnDOT Grant Agreement for Wetland Mitigation

A motion was m/s/p, Northenscold/Dircks, to adopt Resolution #R2007-07, to request an agreement with MnDOT for participation in wetland mitigation costs. All present voted aye.

MnDOT Grant Agreement for Fuel Facility

A motion was m/s/p, Messina/Kelly, to adopt Resolution #R2007-08, to request an agreement with MnDOT for participation in fuel facility costs. All present voted aye.

St. Patrick's Day Celebration

Hruby reported that the standard requests have been received in regards to the St. Patrick's Day Celebration. A motion was m/s/p, Dircks/Kelly, to authorize staff to approve the standard requests each year, unless something changes, for St. Patrick's Day as follows: approval of the Irish Scamper 2007 route, city staff to contact the Sheriff's Department for their assistance, for organizers to have appropriate permits, for staff to assist with safety precautions, and for staff to sweep as much of running route as possible, weather permitting; significant changes or additional request must go before the Council.

Old Business/Directive

Franchises

Messina asked if anyone had heard that the Federal Communications Commission had adopted new rules regarding cable franchising. Pagel stated that the City received a memo from Bob Vose, attorney for the Cable Commission, stating that there were rule changes, but that the final rules have not been published.

Pete Mavencamp – Bill for Clean-up of Ditch

A lengthy discussion was held regarding Mavencamp's bill for clean-up of the County ditch as follows: erosion of the road ditch, responsibility for cleaning County ditch, guidelines for dealing with individuals who pay for something and then request reimbursement from the City, completion of trail will not be by July 1; and payment of bill to Mavencamp based on trail completion date. It was the consensus of the Council to table this issue until bids are received and then invite Mavencamp to discuss this issue.

Trains – Quiet Zone

Mathiasen reported that Bonestroo has dealt with this issue on several occasions. Their office has determined that the City would be required to make site improvements consisting of constructing a median or installing cross arms at our 2 locations. The City would also be required to pay for additional equipment for power outages that CP Rail would be required to install. Mathiasen did not have cost estimates for these items. The process to implement the quiet zone consists of a series of meetings with all concerned parties, a comment period and a letter of intention to create a quiet zone. The City could do this process at a relatively low cost – engineer's fees, etc. Mathiasen would email

a letter from his office outlining the steps involved.

Permanent Watering Ban

A lengthy discussion was held regarding a permanent watering ban as follows: Mathiasen stated that he reviewed data received from City staff and stated that the general trend of revenue increasing is because of new homes and not dependent on the amount of rainfall; Mathiasen stated last year was the driest of the 3 previous years, and it had the highest revenue; watering ban is not an outright ban, but a watering restriction; ban is a good water management tool; concern regarding time of watering ban – 6:00 p.m. to midnight; staff checking for violations; real issue not lost revenue, but control of what people can do; conservation issue; fire protection issue; and excess use of equipment associated with water system without a watering ban. A motion was m/s/p, Messina/Kelly, to adopt **Resolution #R2007-09**, to adopt a permanent watering ban with the following restrictions and exceptions: an odd/even water ban will be enforced year round; residents and businesses with odd numbered addresses will be allowed to water between the hours of 6:00 p.m. and 12:00 a.m. on odd numbered days, even numbered addresses will be allowed to water between 6:00 p.m. and 12:00 a.m. on even numbered days; exceptions will be made for new lawns – residents with new lawns will need to come to city hall for a special watering permit, which will allow for watering each day between the hours of 6:00 p.m. and 12:00 a.m., until the time their lawn is deemed established; hand watering of plants, flowers and trees will be allowed; and the penalty for not following these restrictions will be a \$50 fine for each day of violation, which will be added to the user’s next utility bill. Dircks, Kelly, Messina and Northenscold voted aye. Geyen voted nay. Motion carried.

Administrative Issues

Due to a conflict of Council meeting dates, the March 20, 2007 and the September 18, 2007 City Council meetings will be held at 5:00 p.m.

On behalf of the City Council, Geyen congratulated the Annandale/Maple Lake Wrestling Team on going to the State Tournament from Section 5AA.

Adjournment

A motion was m/s/p, Dircks/Kelly, to adjourn the meeting at 8:30 p.m.

Attest,

City Clerk/Treasurer