

MAPLE LAKE CITY COUNCIL

July 31, 2007 – Minutes

The Maple Lake City Council was called to order at 7:08 p.m. by Mayor Messina.

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

ABSENT: None.

OTHERS PRESENT: City Attorney Rhonda Pagel, City Engineer Jeremy Mathiason, Economic Developer John Meyer, and City Clerk/Treasurer Linda Hruby.

Approval of Agenda

A motion was made/seconded/passed, (m/s/p), Kelly/Dircks, to approve the agenda, with the following deletion Under New Business: e. Lawrence Manuel – Softball Association – Sewer Concerns; and with the following addition: Tree Trimming Concerns

Consent Agenda

A motion was m/s/p, Kelly/Northenscold, to approve the Consent Agenda including Approval of the July 7, 2007 Minutes; Approval of Disbursement List #07-14 and #LS07-31-07; Approval to Transfer \$89,515.21 from Fund 308, 1997 Improvement Bond Fund to Fund 232, TIF 1-12; Approval to Grant Application for Exempt Permit – Gambling Premises for the Maple Lake Softball Association, Inc. on January 5, 2008; Approval to Grant Application for Exempt Permit – Gambling Premises for the Sons of the American Legion Post 131 on October 12, 2007, Approval of Payment No. 1 to Mid Minnesota Hot Mix for the 2007 Maple Lake Trail Improvement Project in the amount of \$28,927.50; Approval of American Legion and VFW – Club and Sunday Liquor Licenses, Contingent upon Proof of Insurance; and Approval of March, April, May Financial Reports

New Business

Ramsey Lake Heights

A group of Ramsey Lake Heights residents were present to discuss the extension of city sewer to their area. Comments and concerns were expressed as follows: 51% of residents signed a petition requesting city sewer; petition for gathering information, not request for city sewer; extending both sewer and water to this area; cost of project; estimated cost for sewer of \$20,000 - \$25,000 – includes SAC fee at the current rate; estimated cost for water of \$5,000 - \$7,000; assessment issues; possible deferments; higher taxes; Ramsey Lake impaired within 8 years; Ramsey Lake impaired in 2008; city's part of impairment is 25%; availability of grants; past feasibility studies; annexation agreement with Maple Lake township – property owners would pay township for their loss of tax revenue; deferment issues; assessments would be per property, not by footage; affordability for residents on lake; utility bills from the city; annexation will be required by the city; Fillmore Avenue – road improvements not included; maintenance of Fillmore Avenue; if water is installed, fire hydrants will also be installed; higher property values with city utilities.

The City Engineer was instructed to prepare a cost estimate for the work needed (including survey and topo work) to be able to more accurately estimate the project costs. Messina requested that Leland Schut ask the township if they would be willing to share in this cost.

Days of Old Celebration

Kathy Hennen was present representing the Chamber of Commerce regarding the Days of Old Celebration on August 18, 2007. A motion was m/s, Dircks/Kelly to donate \$1,000 for the celebration. Northenscold stated that \$1,000 was given for fireworks last year. Hennen reported that they have a budget of \$7,000 for the celebration and have \$4,500 now - \$2,500 from Lions, \$500 from Legion, balance from 11 businesses in Maple Lake. The motion and second were rescinded. A motion was m/s/p, Messina/Kelly to authorize a donation of \$2,000 for the Days of Old Celebration. Hennen also requested the use of the city-owned vacant lot on Division and Birch, to block Birch Avenue from 1st Street West to Star Street, approval for a fireworks display at Irish Stadium, and approval of assistance from the Maintenance Department. A motion was m/s/p, Kelly/Northenscold, approving the following requests for the Days of Old Celebration: use of the vacant lot on Division and Birch, to block Birch Avenue from 1st Street West to Star Street West, approval for a fireworks display at Irish Stadium, contingent upon receipt of a Certificate of Insurance, naming the City of Maple Lake as an additional named insured, approval of assistance from the Maintenance Department as follows: moving bleachers, blocking intersections, cleaning up, garbage cans, etc.

VFW – Beer Garden

A motion was m/s/p, Messina/Kelly, granting a permit to have a beer garden in conjunction with the Days of Old Celebration on August 18, 2007 on Division Street next to the Maple Lake Messenger, contingent upon receiving a Certificate of Insurance, naming the City of Maple Lake as an additional named insured.

Madigan's Bar and Grill

A motion was m/s/p, Kelly/Dircks, granting a permit to hold a street dance from 8:00 p.m. to 12 A.M. for the Days of Old Celebration on Saturday, August 18, 2007, to be held in the parking lot at Madigan's Bar and Grill.

The Mayor called for a recess at 8:32 and the meeting re-convened at 8:51

Dick Anderson – Extension of Time

Dick Anderson was present requesting an extension of time to install egress windows in his basement. A motion was m/s/p, Messina/Kelly, to grant Dick Anderson a 30 day extension of time to remedy a violation of the Zoning Ordinance by installing egress windows in his basement.

Airport – Award Fuel Tank Bid, Contingent Upon MnDOT Grant Agreement Approval

Mathiasen reported that the city received one bid in the amount of \$110,230 from Minnesota Petroleum Services. The estimate for the project was \$70,000 - \$80,000. A motion was m/s/p, Messina/Dircks, to adopt **Resolution #R2007-23**, to award the fuel tank bid of \$110,230 to Minnesota Petroleum Services. All present voted aye.

Airport – Review Site Improvement Quotes

Mathiasen reported the fuel tank site improvement will require paving a larger area. The estimate for this project was \$48,000. The city received two quotes, Knife River at \$37,579.20 and Mid Minnesota Hotmix at \$41,913.60. A motion was m/s/p, Kelly/Northenscold, to adopt **Resolution #R2007-24**, to award the site improvement project bid of \$37,579.20 for the fuel tank site to Knife River Corporation. All present voted aye.

Resolution Calling for Public Hearing – Adoption of Modified TIF Plan for TIF 4-1

Meyer stated that this TIF district requires a modification to extend the time of this district an additional 4 years due to the tax law change in 2001. A motion was m/s/p, Messina/Kelly, to adopt Resolution #R2007-25, Authorizing Meyer to Prepare Modified Plan No 1, Calling for a Public Hearing on September 4, 2007, at 7:10 p.m. on the Adoption of a Modified Tax Increment Financing Plan for Tax Increment Financing District No. 4-1. All present voted aye.

Resolution Calling for Public Hearing – Adoption of Modified TIF Plan for TIF 1-12

Meyer stated that this TIF district requires a modification to extend the time of this district an additional 4 years due to the tax law change in 2001. A motion was m/s/p, Messina/Kelly, to adopt Resolution #R2007-26, Authorizing Meyer to Prepare Modified Plan No. 2, Calling for a Public Hearing on September 4, 2007, at 7:05 p.m. on the Adoption of a Modified Tax Increment Financing Plan for Tax Increment Financing District No. 1-12. All present voted aye.

Resolution Calling for Public Hearing – Adoption of Modified TIF Plan for TIF 1-14

Meyer stated that this TIF district requires a modification to extend the time of this district an additional 4 years due to the tax law change in 2001. A motion was m/s/p, Messina/Kelly, to adopt Resolution #R2007-27, Authorizing Meyer to Prepare Modified Plan No. 1, Calling for a Public Hearing on September 4, 2007, at 7:15 p.m. on the Adoption of a Modified Tax Increment Financing Plan for Tax Increment Financing District No. 1-14. All present voted aye.

Elevator Site Update

Meyer reported he met with Chamber of Commerce concerning the type of facility for this project. It was a 24 unit townhouses. After this meeting, the units were reduced to 12. Meyer has met with the state, owner of the property and the railroad. This project was started to assist with Birch Avenue infrastructure. The Street Committee is recommending the city move forward with Birch Avenue this year. This would coincide with the elevator grant. As with all grants, strings are attached, which is subsidized housing. Meyer stated that subsidized housing is affordable housing, not low income housing. The awarding of this grant will be in March, 2008.

Planning Commission Report

Northenscold reported that the Planning Commission discussed the sign ordinance and will continue to work on definition of signs and updating this ordinance.

Personnel Committee Report

Kelly reported that the Personnel Committee recommended a 3 step increase for all employees and the hiring of Jason Heberling as a full-time employee at the Liquor Store effective August 1, 2007 with a starting wage of \$10.45, with no wage increase in 2008. A motion was m/s/p, Dircks/Kelly, to adopt the wage increase per the Personnel Committee recommendation dated July 11, 2007, effective with the first payroll in 2008. A motion was m/s/p, Messina/Kelly, to approve the hiring of Jason Heberling as a full-time employee effective August 1, 2007, at a wage of \$10.45 an hour, with no increases in wages in 2008.

Street Committee Report

Messina reported that the Street Committee toured various streets, reviewed the 2002 Street Inventory and Evaluation Report and made the following recommendations: Patch Congress Street

West and Maple Avenue North where needed, overlay Robert Avenue North between 2007-2009, evaluate Park Avenue and Linden Avenue in 2008, and proceed with Birch Avenue now by instructing the City Engineer to review the Feasibility Study, bringing it up to date, with bidding for this project in the spring of 2008. A motion was m/s/p, Dircks/Kelly, to approve the recommendations of the Street Committee as follows: Patch Congress Street West and Maple Avenue North where needed, to overlay Robert Avenue North between 2007-2009, to evaluate Park Avenue and Linden Avenue in 2008, and to proceed with Birch Avenue now by instructing the City Engineer to review the Feasibility Study, bringing it up to date, with bidding for this project in the spring of 2008. Mathiasen asked for clarification regarding the Birch Avenue project. A motion was m/s/p, Messina/Kelly, authorizing the preparation of plans and specifications on Birch Avenue from Division Street to 4th Street.

Revision of Watering Ban Policy

Pagel reported that Jerry Sawatzke has expressed concerns regarding complaints and requests from people putting in sod. The City's current policy is to water every day, from 6 p.m. to 12 a.m. Sawatzke stated that people have informed him that sodding companies require watering sod for longer periods of time. The consultants felt it was appropriate to recommend the City Council consider revising the watering ban policy to allow new owners of sod to obtain a permit from the city prior to laying the sod allowing longer watering times. Requiring the permit before obtaining sod would allow the city to restrict the number of permits if needed. If a property owner put in new sod without a permit, they would still be allowed to water regular hours, just not extended hours. A motion was m/s/p, Kelly/Messina, to adopt Resolution #R2007-28, adopting the Revision of the Watering Ban Policy. All present voted aye.

Lift Station Land Acquisition

Mathiasen reported that a new lift station will be required for the joint WWTP on County Road 7. The force main will be on the east side of County Road 7. Messina and Mathiasen met with Richard Kunkel and he is agreeable to sell the City 10,000 square feet of property at a cost of \$10,000. The City would incur additional costs if the lift station were located on the west side of County Road 7. Pagel stated the City would need to do a minor subdivision and that there are deferred assessments on this property. However the City could pass a resolution stating that this sale to the City does not constitute a subdivision within the meaning of the deferred assessment. A motion was m/s/p, Kelly/Dircks, to adopt Resolution #R2007-29, to authorize the purchase of 10,000 square feet of property from Richard Kunkel at a cost of \$10,000, with any other costs of said purchase to be incurred by the City. All present voted aye.

Old Business/Directive

None

Administrative Issues

Hruby reported the City received a letter from the County regarding the Sheriff's Contract. The rate for 2008 will be \$54.00 an hour and \$56.00 an hour for 2009. The County requires the city to notify them in writing prior to August 15 regarding any changes in the number of hours to be contracted for in the coming year. The 2008 cost will be \$157,680. A motion was m/s/p, Messina/Dircks, to keep the contracted hours with the Sheriff's Department at 2,920 for 2008.

Hruby stated that the server is overloaded, has crashed one program and needs to be replaced as

soon as possible. An estimate from Paumen Computer was \$10,757. A motion was m/s/p, Kelly/Dircks, to authorize the purchase and installation of a new server at a cost not to exceed \$11,000.00.

Hruby reported that Bill Bruce of the Cable Commission would like to install editing equipment worth \$15,000, but requires additional space. A motion was m/s/p, Messina/Northenscold, approving additional space for the editing equipment.

The Budget Committee will meet on August 28, 2007 at 5:00 p.m. at city hall

The City Council scheduled a workshop/retreat on August 29, 2007 at 5:00 p.m. at Ney Park.

Tree Trimming Concerns

Geyen reported that several residents have brought to her attention problems with trees/brush encroaching into the street. Pagel stated that the maintenance department can remove trees/brush if it is creating a hazard, but they can't go onto private property without permission. Geyen will give staff the names of these residents. A motion was m/s/p, Messina/Kelly, instructing city staff to notify property owners in writing of said encroachment in the road right of way, requesting property owners trim the encroachment within 45 days, and notifying property owners that the Maintenance Department will trim the encroachment after 45 days.

Messina reminded the Council of the following meetings:

- Monday, August 13, 7:00 p.m. Joint meeting with School Board at high school
- Thursday, August 16, 7:00 p.m. Special City Council Meeting - Joint Sewer Plant
- Tuesday, August 21, 7:00 p.m. Regular City Council Meeting

Northenscold commended the downtown merchants for the "Leapin Lizard" and Salsa Taste Off events held in July. There were a lot of people in town for these events.

Adjournment

A motion was m/s/p, Kelly/Dircks, to adjourn the meeting at 9:48 p.m.

Attest,

City Clerk/Treasurer