

## MAPLE LAKE CITY COUNCIL

October 16, 2007 – Minutes

The Maple Lake City Council was called to order at 7:00 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, 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 addition under Consent Agenda – Computer Training for 2 Staff members on 10/30/07.

### **Consent Agenda**

A motion was m/s/p, Northenscold/Kelly, to approve the Consent Agenda including Approval of the October 2, 2007 Minutes; Approval of Disbursement List #07-19 and #LS10-16-07; Approval of July and August Financial Reports, and Approval for Computer Training for 2 Staff Members on 10/30/07.

### **New Business**

#### **Resolution – Appointing Security State Agency and Paul Manuel, Agent**

Paul Manuel and Gary Swearingen were present. Manuel introduced himself and presented the renewal premium from the League of Minnesota Cities Insurance Trust (LMCIT) effective November 1, 2007. A motion was m/s/p, Dircks/Kelly, to accept the Renewal Premium from the LMCIT of \$45,873 effective November 1, 2007.

A motion was m/s/p, Messina/Dircks, to adopt **Resolution #R2007-41**, appointing Security State Agency and Paul Manuel, Agent of Record. All present voted aye.

#### **Resolution – Not Waiving the Monetary Limit on Municipal Tort Liability**

A motion was m/s/p, Messina/Kelly, to adopt **Resolution #R2007-42**, not waiving the monetary limits on municipal tort liability established by Minnesota Statute 466.04. All present voted aye.

#### **Resolution – Transfer of Funds – General Fund to Maple Lake Firemen’s Relief Association**

A motion was m/s/p, Kelly/Messina, to adopt **Resolution #R2007-43**, transferring \$41,385.00 from the General Fund to the Maple Lake Firemen’s Relief Association. All present voted aye.

### **Planning Commission Report**

Northenscold reported that the Planning Commission recommended the City Council approve the request of the city for a minor subdivision to allow a parcel to be split from the Richard Kunkel property as shown as Tract B on the survey. A motion was m/s/p, Messina/Dircks, to approve the Minor Subdivision request from the city to allow a parcel to be split from the Richard Kunkel property as shown as Tract B on the survey with property to be used for the future lift station site, contingent upon favorable comments from Wright County Highway Department, per Planning Commission recommendation.

Northenscold stated that the Commission is continuing work on revisions to the sign ordinance. The Commission will work on which types of signs should be allowed in each zoning district for the next meeting.

Pagel stated that the Kunkel property does have deferred assessments and that the council should consider passing a resolution to determine that the subdivision is not a development within the meaning of the deferred assessment and that the deferred assessments on the .23 acres which the city is purchasing should be pro-rated against the remaining property. A motion was m/s/p, Messina/Dircks, to adopt **Resolution #R2007-44**, to determine that the subdivision on the Kunkel land purchase does not constitute development of said land and that the deferred assessment would be pro-rated against the remaining property. All present voted aye.

### **Annandale-Maple Lake Wastewater Commission Report**

Messina reported that the council received minutes in their packet of the joint meeting.

### **Maple Avenue/Congress Street Improvements**

Mathiasen reported that this project has been substantially completed and payment should be made to Keith Wurm Construction in the amount of \$25,129.20. Congress Street required additional work and Maple Avenue had less work, allowing the project to come in close to the original contract amount. A motion was m/s/p, Dircks/Northenscold, approving Payment No. 1 to Keith Wurm Construction in the amount of \$25,129.20, per engineer's recommendation.

### **Ney Park Trail Change Order No. 1**

Mathiasen reported that some areas along the Ney Park Trail have poor soil conditions and require the installation of geotextiel fabric. This results in Change Order No. 1 at a cost of \$7,900. A lengthy discussion was held regarding the cost of the fabric, including fabric costs in the bid, not allowing motorized vehicles on the trail (placing signs to that effect), concerns as to where the trail used by the Wright County Snowmobilers Club is located, and warranty of the trail. A motion was m/s/p, Messina/Dircks, approving the Ney Park Trail Improvements Change Order No. 1 in the amount of \$7,900 to install fabric in areas with poor soil conditions, per engineer's recommendation.

### **Resolution MnDOT Agreement for Airport Maintenance and Operation for Years 2008-2009**

A motion was m/s/p, Messina/Dircks, to adopt **Resolution #R2007-45**, accepting the State of Minnesota Grant Agreement No. 91345 for Airport Maintenance and Operation Costs for Years 2008 and 2009 and authorizing the mayor and city clerk/treasurer to execute this agreement and any amendments. All present voted aye.

### **Old Business/Directive**

#### **Bolduan Park**

Mathiasen reported that at the last meeting a discussion was held regarding additional work, including drainage improvements. The cost to extend water service 250 feet is \$7,300 and the cost of a drainage swale between the two fields is \$5,340.14. Mathiasen stated that he talked to Lawrence Manuel and will wait with the outfield portion of this project until next year. A motion was m/s/p, Kelly/Dircks, to enter into a contract with LaTour Construction for park improvements in Bolduan Park at a cost of \$12,640.14, to include the following: extend water service 250 feet at a cost of \$7,300 and a drainage swale between the two fields at a cost of \$5,340.14.

### **Airport Fuel Facility Agreement**

Pagel stated that the Fuel Facility Agreement was tabled at the last meeting, but that there is one additional item to clarify with Mavencamp. The expected starting date for the fuel facility is December 1 and this agreement was tabled until the next meeting.

### **Heritage Development Update**

Pagel stated that the City has collected the \$100,000 Letter of Credit. Premier Bank now owns the property (deed in lieu of foreclosure) and the taxes and assessments for this year have been paid. The bank has had some discussions with John Meyer and has had their appraiser look at the property. There are many items of work that remain uncompleted. The City should pursue drawing on the subdivision bond if these items are not completed by the bank. The Letter of Credit will be used to reimburse the city for out of pocket costs for consultant's fees and the remaining balance will be placed in an account until the city determines what money is available to fix the remaining defaults under the development agreement. The subdivision bond can be used for grading and public improvements, but it is unlikely that it can be used for past due taxes and assessments. A motion was m/s/p, Kelly/Dircks, to authorize the city attorney to notify Premier Bank of any defaults under the Development Agreement, and if not cured by the deadline, to proceed with the necessary steps to draw on the subdivision bond.

### **Wright County Amateur Radio Society**

Pagel reported that if the council wants to allow the Wright County Amateur Radio Society to use the park after 10:00 p.m. and allow overnight camping, the Park Ordinance needs to be amended. Pagel reported that the City of Monticello was contacted and they did not have any complaints with this group using their parks, which did have homes adjacent to the park. The Society requested the park for June 28-29, 2008. A motion was m/s/p, Northenscold/Dircks, to direct the city attorney to draft an amendment to the park ordinance for consideration at the November 20, 2007 council meeting.

### **Administrative Issues**

The November 6 council meeting will be moved to Thursday, November 8, 5:00 p.m. due to the school election.

Hruby reported that the Wright County Administrators are sponsoring a Governance Forum on November 14, 2007. Carl Neu, consultant and local governance practitioner, and James Mulder, Executive Director of the Association of Minnesota Counties are the conference discussion leaders. Hruby requested the council keep this date open and more details will be available at the next meeting.

### **Adjournment**

A motion was m/s/p, Dircks/Kelly, to adjourn the meeting at 8:07 p.m.

Attest,

City Clerk/Treasurer