

MAPLE LAKE CITY COUNCIL

November 8, 2006 - Minutes

The Maple Lake City Council was called to order at 7:02 p.m. by Mayor Messina in the Council Chambers of the City of Maple Lake.

MEMBERS PRESENT: Dircks, Kelly, and Messina.

ABSENT: Mooney and Northenscold.

OTHERS PRESENT: Council Elect Deb Geyen, City Attorney Rhonda Pagel, City Engineer Jeremy Mathiasen, Economic Developer John Meyer, Public Works Director Jerry Sawatzke, 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 New Business: k. Heritage Development.

Consent Agenda

A motion was m/s/p, Kelly/Dircks, to approve the Consent Agenda including Approval of the October 17, 2006 Minutes; Approval of Disbursement List #06-21 and #LS11-08-06; Approval of July, August and September Financial Reports, and Approval of 2006 Budget Transfers.

New Business

Public Hearing – Assessments – Gleason, Frappier and Miller

The regular meeting closed and the public hearing opened at 7:03 p.m. Hruby reported that the property owners were contacted numerous times and the Maintenance staff mowed the grass/weeds on these properties. No comments were received from the public. The public hearing closed and the regular meeting opened at 7:05 p.m. A motion was m/s/p, Kelly/Dircks, to adopt **Resolution #R2006-49** assessing nuisance abatements for the following: \$137.00 on property owned by Jennifer Gleason, located at 831 5th Street NW, Maple Lake; \$312.00 on property owned by Loren Frappier, located at 346 Birch Avenue South, Maple Lake; and \$362.00 on property owned by Brent and Lesley Miller, located at 521 Spruce Avenue North, payable over a one (1) year period, with an interest rate of six (6) percent, with interest beginning December 1, 2006. All present voted aye.

Bolduan Park Storm Sewer Improvement

Mathiasen gave the Council an update on the Bolduan Park Storm Sewer Improvement project. His firm has prepared plans and specifications, obtained a quote and anticipated the work being completed this fall. However, a problem has arisen with the easements and until this is resolved the project cannot go forward.

Hoglund/Sullivan Retail Center Agreements

Pagel reported that two agreements are required for this project. An encroachment permit is required due to the development placing a parking lot over a city easement. This agreement will state that the owners are responsible for any costs involved in repairing the parking lot due to

any work the city might have to perform in this area. The agreement would be recorded and binding on present and future owners. A motion was m/s/p, Messina/Kelly, approving the encroachment agreement and authorizing the mayor and city clerk to sign said agreement.

Pagel stated the second agreement involved interpretation of the city ordinance. The city ordinance states that building exteriors must be constructed of at least 50% non-metal materials. However, it does not specify whether each side has to contain at least 50% non-metal material or whether only the total of the building must be at least 50% non-metal. The Ordinance could be interpreted either way. The building being constructed on this property has a total of at least 50% non-metal material, however it is located on only 2 sides of the building. A compromise has been reached requiring that when the building is expanded, the owner will finish the other sides of at least 50% non-metal or whatever other material is the current requirement in the ordinance at the time of expansion. The agreement would be recorded and binding on present and future owners. A motion was m/s/p, Messina/Dircks, to approve an agreement stating that future expansion will involve the owner finishing the two sides with at least 50% non-metal or whatever other material is the current ordinance requirement at the time of expansion and authorizing the mayor and city clerk to sign said agreement.

Resolution – Canvass City Election Results

The Council canvassed the election results as follows: Mayor – Michael Messina-518, write-in-61, under votes-141, total-720; Councillor: Deb Geyen-540, Shar Dircks-418, write-in-27, under votes-455, total-1440. A motion was m/s/p, Messina/Dircks, to adopt **Resolution #R2006-50**, declaring the results as follows: Michael Messina was elected to a two year term as Mayor, Deb Geyen and Shar Dircks were elected to four year terms as Councillors. All present voted aye.

Pete Mavencamp

Mavencamp expressed the following concerns: drainage issues on his property due to the development of the industrial land south of his property; a required manhole cover that has not been replaced; completion of the walking path; removal of a silt fence that is on his property, and the holding pond in Don Jude's development. Mavencamp stated that he has requested these items be taken care of, but nothing has been done. Mathiasen stated that the manhole cover has been replaced and suggested meeting with Mavencamp. A meeting was set up for this week and Mathiasen will report to the Council at the next meeting.

Lift Station Maintenance Agreement

Sawatzke reported that Nelson Electric Motor Repair does an annual inspection of lift stations at a cost of \$90 per lift station. A motion was m/s/p, Kelly/Dircks, to approve a lift station maintenance agreement with Nelson's Electric Motor Repair, pending review of the agreement by the City Attorney.

Jude's Industrial Park 6th Addition Assessments

Pagel reported this is a housekeeping issue and that a few items need to be resolve and requested this be tabled to the next meeting.

Airport Vehicle

Hruby reported that Bill Mavencamp requested the city consider the donation of a 1991 Olds

Century car from Erik Ask. The car would be available for pilots using the airport to drive into town for business reasons, meals, etc. Hruba stated that liability insurance would cost approximately \$350.00 a year. Pagel expressed concerns regarding the liability issues the City would have owning a vehicle available for anyone to drive. A discussion was held and Messina suggested this issue be discussed at the next Airport Commission meeting.

2006 Sewer Improvement Project – Change Order #1

Mathiasen stated that a change order is required for the 2006 Sewer Improvement Project in the amount of \$8,034.29 for necessary sewer lining and repair above and beyond the specified project quantities. The majority of this cost was due to the fact that some of the lines were 12 inch lines, instead of 10 inch lines as per the bid. A motion was m/s/p, Messina/Dircks, to adopt Resolution #R2006-51, to approve Change Order #1 for the 2006 Sewer Improvement Project in the amount of \$8,034.29, per engineer's recommendation. All present voted aye. Mathiasen stated the final costs will be presented at the next meeting.

Maintenance Department Vehicle

Sawatzke reported that he looked at a 1994 F350 boom truck. The truck is a V8 460, with 130,000 miles. It has an Oman Generator and is priced at \$11,000. Sawatzke stated the truck would be used for putting up flags, Christmas lights, changing bulbs at the stop lights, trimming trees, changing the beacon at the airport, etc. A motion was m/s/p, Messina/Dircks, to approve purchase of the 1994 F350 boom truck at a cost of \$11,000, plus tax and transfer.

Heritage Development

Pagel stated an issue came up in regard to issuing building permits for 32 town homes in the Paumen 4th Addition. The Development Agreement with Heritage Development requires the developer pay taxes when due or the city will not issue building permits. The taxes and assessments on the town home lots are paid. The apartment lots and commercial lots are unpaid, for a total due of \$122,935.83. Staff had discussions with Heritage Development and one of the discussions involved the purchase of additional land, extending the liquor store property line further west. The City would purchase this land and Heritage would pay the taxes, assessments and penalties of \$122,935.83.

Meyer stated that the going rates for commercial land were \$3.50 to \$4.00 a square foot. Heritage Development agreed to \$3.00 a square foot, whereby the City would buy approximately 40,979 square feet. Once an agreement is signed with Heritage Development, the building permits could be issued. The remaining issues could be finalized after the agreement is signed. The City would not be responsible for any assessments on the land purchased. The remaining assessments would be placed on the remaining property.

Don Patnode, Northern Lakes Construction, was present stating his concern regarding this delay because he would like to build this fall.

A motion was m/s/p, Dircks/Kelly, authorizing the city to enter into an agreement with Heritage Development to purchase approximately 40,979 square feet of land at \$3.00 a square foot.

Old Business/Directive

Franchises

Nothing new

Downtown Grant Agreement

Meyer stated that he attended meetings with the Chamber of Commerce stating that the grant agreement is available until June 30, 2007. A motion was m/s/p, Messina/Kelly, accepting the grant agreement with the Department of Employment and Economic Development.

Administrative Issues

Nothing new.

Open Forum

No one present.

Adjournment

A motion was m/s/p, Dircks/Kelly, to adjourn the meeting at 8:00 p.m.

Attest,

City Clerk/Treasurer