

## MAPLE LAKE CITY COUNCIL

November 8, 2007 –Minutes

The Maple Lake City Council was called to order at 5:01 p.m. by Mayor Messina.

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

**ABSENT:** Northenscold.

**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), Dircks/Kelly, to approve the agenda, with the following addition under Agenda Additions: a. Danielson Court and Trail Issues.

### **Consent Agenda**

A motion was m/s/p, Kelly/Dircks, to approve the Consent Agenda including Approval of the October 16, 2007 Minutes; Approval of Disbursement List #07-20 and #LS11-08-07; Approval of September Financial Reports; and Approval of Payment No. 1 to Mid Minnesota Hot Mix for the Ney Park Trail Improvements.

### **New Business**

#### **Resolution - Maple Avenue/Congress Street Improvements – Change Order #1**

Mathiasen stated that additional work was required on Congress Street at a cost of \$6,303.00. A motion was m/s/p, Messina/Kelly, to approve Change Order #1 for the Maple Avenue/Congress Street Improvements in the amount of \$6,303.00 and authorizing payment of said amount to Keith Wurm Construction, per engineer's recommendation. All present voted aye.

#### **John Rivers – Jude's Industrial Park Ditches**

Rivers was present stating he just purchased property at 360 Congress Street and was the previous owner of Product Technologies, Inc. Rivers expressed concern regarding the condition of the ditch that goes through the Industrial Park. He questioned what the city ordinance allowed, who was responsible for maintaining the ditch, and the purpose of the ditch. Messina stated that it is the city's responsibility to maintain the ditch and that the city has hired someone to clean the ditch once the ground freezes. Mathiasen stated that the ditch collects water from the south part of town and the surrounding area, which then goes to Jude Pond, and eventually to Ditch 20. The City has talked about placing a pipe in this ditch, but it is very expensive.

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

Messina reported that the Commission met on October 29. Messina reported that the operation of the future plant was an agenda item at this meeting. Both cities submitted proposals for the operation of the plant. The Commission approved the City of Annandale to operate the new plant. Annandale's costs were lower than Maple Lake's cost, due to the fact that they have a staff member who has a Class B license. Sawatzke will receive some training on the operation of the plant in the event of an emergency.

### **Resolution – Sherburne/Wright County Cable Communications Commission II- Restated Joint and Cooperative Agreement**

Hruby stated that in 1985 the original member cities entered into a Joint and Cooperative Agreement forming the Commission. Since that time cable television laws and regulations have changed, member cities' franchises have been renewed, and cable competitors have emerged in some of the cities. The Commission decided it was time to review the original agreement and have recommended member cities approve the Restated Joint and Cooperative Agreement. This agreement is very similar to the original agreement, but does include the following: voting will be in direct proportion to the percent of annual franchise fee revenue, but each city has at least one vote; the commission shall assist members with the processing of applications for competitive franchises; and competitive franchises shall pay franchise fees and PEG fees directly to the Cable Commission. This matter was tabled until the next meeting when Northenscold will be present.

### **Resolution – 2008/2009 Law Enforcement Contract**

A motion was m/s/p, Kelly/Dircks, to adopt **Resolution #R2007-45**, approving the 2008/2009 Law Enforcement Contract with the Wright County Sheriff's Department. All present voted aye.

### **Old Business/Directive**

#### **Bolduan Park**

Mathiasen gave the Council an update of this project stating that the storm sewer is installed from the existing pond to the east. The sprinkler line service and drainage between the 2 fields has also been installed. Geyen expressed concern regarding water drainage after a large rain – the water runs down 3<sup>rd</sup> Street into Irish Stadium and back by the trailer park. Mathiasen stated he would follow up on this. Messina stated the city should look into paving Irish Stadium parking lot when we have another road project, but questioned what it would cost.

#### **Airport Fuel Facility Agreement**

Page1 stated that the Fuel Facility Agreement is in the Council packet. Bill Mavencamp has reviewed it and agrees with the terms. A motion was m/s/p, Messina/Kelly, to adopt **Resolution #R2007-46**, approving the Fuel Facility Agreement with Wright Aero, Inc. and authorizing the mayor and city clerk to sign said agreement. All present voted aye.

#### **Heritage Development Update**

Page1 reported that a notice has been sent to Premier Bank outlining the areas of default and the timeline to cure the defaults. Page1 has talked with the bank's attorney and stated that the bank is not eager to spend money on these defaults. When the deadline has passed, the City will proceed with the claim for the sub-division bond.

#### **Park Ordinance**

Page1 stated she is working on a draft ordinance and this item will be scheduled for the next meeting.

#### **Administrative Issues**

Hruby stated that since January 1 is on a Tuesday, that meeting will need to be rescheduled and suggested that the first meeting be moved to January 8 and the second meeting be moved to January 22, 2008, at 7:00 p.m. The Council agreed to these changes.

Hruby stated that the Council received a request from Wright County seeking volunteers to work on a committee for the Northwest Quadrant Plan. This will be discussed at the next meeting.

Hruby stated that the Council received a letter regarding the John and Rita McAlpine property on the west edge of town, south of the railroad tracks. This matter will be discussed at the next meeting.

Hruby reported that the County Attorney has requested the City notify John Haack that he is required to schedule a review of his property with City staff regarding compliance of city ordinances.

### **Agenda Additions**

Geyen questioned the process regarding development and deadlines for developments. Pagel stated that this issue is addressed in the Development Agreement. Geyen expressed concern regarding Danielson's Overlook Estates development as follows: slope behind townhomes by pond – can't mow it - thistles growing; Homeowner's Association responsibility for slope and upkeep; and completion of remaining units. Staff will review these issues and report back at the next meeting. Geyen also wanted to know who is required to remove the silt fencing. Mathiasen reported that the contractor for the trail will be pulling the silt fence out next spring and that city staff will be pulling out the rest.

### **Adjournment**

A motion was m/s/p, Dircks/Kelly, to adjourn the meeting at 5:57 p.m.

Attest,

City Clerk/Treasurer