

MAPLE LAKE CITY COUNCIL

December 20, 2006 - Minutes

The Maple Lake City Council was called to order at 7:07 p.m. by Mayor Messina in the Council Chambers of the City of Maple Lake.

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

ABSENT: None.

OTHERS PRESENT: Building Inspector Loren Kohlen, City Attorney Rhonda Pagel, City Engineer Jeremy Mathiasen, Economic Developer John Meyer, and City Clerk/Treasurer Linda Hruby.

Approval of Agenda

A motion was made/seconded/passed, (m/s/p), Mooney/Kelly, to approve the agenda with the following addition under New Business: h. 2006 Sewer Improvement Project – Final Acceptance.

Consent Agenda

A motion was m/s/p, Kelly/Northenscold, to approve the Consent Agenda including Approval of the December 5, 2006 Minutes; Approval of Disbursement List #06-24 and #LS12-20-06; Approval of Application for Exempt Permit – Gambling Premises for the Church of St. Timothy on April 14, 2007 at the Maple Lake VFW Post 7664; Approval of October Financial Statements; Approval of Year-End Transfers as follows: \$6,500 from Ambulance Fund to Fire Relief Association Fund, \$6,500 from Fire Department to Fire Relief Association Fund, \$5,000 from Ambulance Fund to Fire Department Fund, \$40,000 from Liquor Fund to General Fund, \$9,460 from General Fund to Airport Fund, \$47,158.75 from Water Fund to Water Treatment Plant Fund, and \$70,000 from General Fund to Spruce Avenue Debt Service Fund; and Approval for Council Members to Attend Leadership Conference in St. Louis Park on January 26-27, 2007.

New Business

2007 Final Budget and 2007 Final Payable Property Tax Levy

The regular meeting closed and the subsequent hearing for the 2007 Final Budget and 2007 Final Payable Property Tax Levy opened at 7:09 p.m. No one was present for the hearing. A motion was m/s/p, Messina/Dircks, to adopt Resolution #R2006-53, adopting the 2007 Final Budget of \$1,133,790.00. All present voted aye. A motion was m/s/p, Messina/Mooney, to adopt Resolution #R2006-54, adopting the 2007 Final Payable Property Tax Levy of \$497,287.00. All present voted aye. The subsequent hearing closed and the regular meeting reconvened at 7:11 p.m.

Planning Commission Report

Northenscold reported that the Planning Commission had concerns regarding the floor drain amendment and tabled this issue until clarification from the building inspector and language for flammable waste trap is received.

Northenscold stated that the Planning Commission recommended amending exterior storage in non-residential districts to not require a hard surface area if there are no direct sales and screening is in place and to require a hard surface storage area if direct sales are involved. Mooney expressed concerns regarding screening issues. Pagel stated screening is addressed in another section of the ordinance. A motion was m/s/p, Northenscold/Dircks, to adopt **Resolution #R2006-54**, to amend Section 40.05, Subd. 2: Exterior Storage in non-residential districts to not require a hard surface area if there are no direct sales and screening is in place and to require a hard surface storage area if direct sales are involved. All present voted aye.

Northenscold stated the Planning Commission discussed amending the Fee Schedule and made the following recommendations: Adopt the modified fee schedule as presented, adopt a late fee or charge rather than interest, with the amount to be recommended by the consultants, and to take no position on the Storm Sewer and Street Lighting Study dated December, 2006, but recommended that if the Council does implement this program to use the fees as proposed in the study. Pagel stated that the current fee schedule has the changes in red, including the storm sewer fee and trunk storm sewer fee, but excluding street lighting since this was already in the budget for 2007. A motion was m/s/p, Northenscold/Dircks, to adopt **Resolution #R2006-55**, to amend the Fee Schedule as presented, effective January 1, 2007. All present voted aye.

Second Water Filter and Generator – Plans and Specifications and Authorize Bidding

Mathiasen presented the Draft Water Treatment Facility Expansion per Council's request stating that approval of Plans and Specifications and authorization to advertise for bids is appropriate at this time. The estimated cost of this project is \$936,000. A discussion was held regarding the length of time before the second filter would be at capacity. A permanent watering ban was also discussed. A motion was m/s/p, Kelly/Mooney, to adopt **Resolution #R2006-56**, approving the plans and specifications and authorizing advertisement for bids for the Second Water Filter and Generator. All present voted aye.

Credit Card Policy, Investment Policy, and Fixed Assets Policy

Hruby stated that Kern, DeWenter, Viere recommended the City adopt a credit card policy, investment policy, and a fixed assets policy. Hruby stated one change should be made to the fixed assets policy. The City currently has a \$2,500 threshold for capitalizing items. This threshold should be raised to \$5,000 effective January 1, 2006. A motion was m/s/p, Messina/Dircks, to adopt **Resolution #R2006-57**, approving the Credit Card Policy, the Investment Policy and the Fixed Assets Policy. All present voted aye.

Decertifying Tax Increment Financing District Number 1-11

Meyer reported that the 1995 TIF Bond for TIF District Number 1-11 has reached its statutory limits and needs to be decertified and notice of decertification sent to Wright County. This Fund does have excess dollars in it and a determination will be made as to where those excess funds can be used. A motion was m/s/p, Northenscold/Mooney, adopting **Resolution #R2006-58**, approving the decertification of Tax Increment Financing District Number 1-11 of the City of Maple Lake and notifying Wright County of said decertification. All present voted aye.

Deferred Compensation Plan with Mutual of America

Hruby reported that in 1995 the City entered into a Deferred Compensation Plan with Mutual of

America. Mutual of America is requesting that the City restate this Plan, pass a resolution establishing this Plan, and sign new Plan Documents. Pagel has reviewed the Plan. A motion was m/s/p, Kelly/Dircks, adopting Resolution #R2006-59, approving the Deferred Compensation Plan with Mutual of America. All present voted aye.

Transportation Enhancement Project for Trail Extension from the School to City Beach

Meyer reported that application should be made for the Transportation Enhancement Project for the 2nd phase of the trail, extending the trail from the school to the city beach. A motion was m/s/p, Dircks/Messina, adopting Resolution #R2006-60, authorizing the City of Maple Lake to act as applicant for the Transportation Enhancement Project identified as a trail from the school to the city beach, authorizing John W. Meyer to act as agent on behalf of the City of Maple Lake, and the City of Maple Lake hereby agrees to assume shared responsibility for the operation and maintenance of property and facilities. All present voted aye.

2006 Sewer Improvement Project – Final Acceptance

Mathiasen reported that all work on this project has been completed. The project will extend the life of the sewer lines for another 10-15 years. A motion was m/s/p, Messina/Mooney, to accept the municipal improvements for the 2006 Sewer Improvement Project and authorize final payment of \$14,245.49 to Veit & Company, Inc., per engineer's recommendation.

Old Business/Directive

Lakedale PEG Fee

Pagel reported this is an update regarding the Lakedale Telephone interconnection for PEG service. Lakedale and Charter have been negotiating the interconnection all fall. Lakedale has indicated they will hook up next spring at city hall. Lakedale asked if the City would stop charging the PEG fee until their subscribers receive the service. Pagel reported that the attorney for the Cable Commission recommended that the PEG fee charged to Lakedale customers continue being charged per the Franchise agreement, since the agreements the City has with Lakedale and Charter need to be similar.

Franchises

Nothing new.

Heritage Development Update

Pagel informed the Council that there was no closing today. Her office received the title commitment late Monday afternoon but had concerns that need to be addressed. Heritage is also working on partial releases of mortgages. A lengthy discussion was held regarding the possibility of the closing not happening this year and the steps the City would need to take to draw on the Subdivision Bond. A motion was m/s/p, Messina/Kelly, to adopt Resolution #R2006-61, finding that Heritage Development has not complied with the terms of the Development Agreement and is in default and to authorize the city attorney to begin proceedings immediately to draw on the subdivision bond by the end of the year if the closing for purchasing the property adjacent to the Liquor Store lot does not occur by the end of the year. All present voted aye.

Jude's Industrial Park 6th Addition Assessments

Pagel informed the Council that the City has entered into special assessment agreements with the

owners of the 8 lots in Jude's Industrial Park 6th Addition. The next step would be for the Council to adopt the assessments.

A motion was m/s/p, Messina/Dircks, to adopt **Resolution #R2006-62**, adopting assessments for Haugen Properties), LLC (PID #110-043-002020), Bobick Properties, LLC (PID #110-043-001040), and Cedar Bay Building and Development, LLC (PID #110-043-001030). All present voted aye.

A motion was m/s/p, Messina/Kelly, to adopt **Resolution #R2006-63**, adopting assessments for Richard G. Johanneck, Jr. (PID #110-043-001010). All present voted aye.

A motion was m/s/p, Messina/Dircks, to adopt **Resolution #R2006-64**, adopting assessments for Richard G. Johanneck, Jr. (PID #110-043-001020). All present voted aye.

A motion was m/s/p, Messina/Kelly, to adopt **Resolution #R2006-65**, adopting assessments for Clair Rood Properties (PID #110-043-002010). All present voted aye.

A motion was m/s/p, Messina/Kelly, to adopt **Resolution #R2006-66**, adopting assessments for Clair T. Rood, (PID #110-043-002040) All present voted aye.

A motion was m/s/p, Messina/Dircks, to adopt **Resolution #R2006-67**, adopting assessments for VRH Properties, Inc. (PID #110-043-002030). All present voted aye.

Administrative Issues

Hruby reported that the city sent the County attorney nuisance ordinance violations this past summer. She has received a subpoena for a criminal case against John Haack.

Open Forum

The Council expressed the City's thanks to Steve Mooney for the time and effort he expended on behalf of the City for the past 8 years.

Pete Mavencamp

Mavencamp reported that he hired Kotilinek Excavating to clean out approximately 200 feet of a ditch north of 65th Street NW. Mavencamp stated that the City has a plastic pipe which drains into this area and he has drain tile draining in this area, which were backing up. Mavencamp requested that the City pay the bill of \$720.00. Mavencamp further stated that if the City completed the walking path by July 1, 2007, he would pay the bill. This issue was tabled until the next meeting.

Adjournment

A motion was m/s/p, Dircks/Mooney, to adjourn the meeting at 8:13 p.m.

Attest,

City Clerk/Treasurer