

Hamburg City Council Meeting January 12, 2010

Mayor Malz called the regular meeting of the Hamburg City Council to order at 7:04 p.m. Councilmember Steve Trebesch, Councilmember Larry Mueller, Councilmember Brian Cummiskey, City Clerk Jeremy Gruenhagen, Deputy Clerk Sue Block, and Fire Chief Brad Droege were in attendance. Others present were Ty Turnquist (MNSPECT), Adam Glander (201 Martha Street), Chris Lund (612 Kim Avenue), Joel Franck (605 Robert Avenue), and Jared Mackenthun (FD). Councilmember John Barnes and Maintenance Worker Dennis Byerly were absent.

Agenda Review (Added Items) and Adoption

- Added – Letter from Richard Odoms (150 Jacob Street)
- Added – Updated Claims List for December 2009 and January 2010
- Added – Updated Old City Business
- Added – Updated Delinquency List

Councilmember Mueller moved to adopt the agenda with the four additions, seconded by Councilmember Trebesch and motion carried. Councilmember Barnes was absent.

Designate Official Depository (Bank) and Official Newspaper for 2010

- Official Depository (Bank) – State Bank of Hamburg
- Official Newspaper – Norwood/Young America Times
- *Councilmember Mueller moved to designate the State Bank of Hamburg as official depository and the Norwood/Young America Times as the official newspaper for the City of Hamburg, Councilmember Trebesch seconded and motion carried. Councilmember Barnes was absent.*

Appoint Assistant (Acting) Mayor for 2010

- Mayor Malz appointed Councilmember Larry Mueller as acting mayor however Mayor Malz will also designate the acting mayor duties to other council members during 2010.

Designate Departments for City Council Members for 2010

- Councilmember Mueller – Sewer & Water
- Councilmember Cummiskey – Streets
- Councilmember Trebesch – Buildings
- Councilmember Barnes – Parks

Set City Council Meeting Start Time for 2010

- Council discussed and decided to keep the City Council meeting start time for 2010 at 7:00 p.m.

Approve Minutes for November 24, 2009 and December 8, 2009

- *Councilmember Mueller moved to approve the November 24, 2009 and December 8, 2009 City Council Meeting minutes, Councilmember Cummiskey seconded and motion carried. Councilmember Barnes was absent.*

Old City Business

- Number 1 – Cities Website – End of January 2010 all information for the web site should be entered. Hamburg's Domain name will be; cityofhamburgmn.com or cityofhamburgmn.net.
- Number 2 – Ask Representative Kohl's and Senator Ortman back to discuss infrastructure issues again. – City Clerk Gruenhagen will report on Senator Ortman's resent emails during the Clerk/Treasurer's Report.

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- Number 3 – City Business Cards – City Clerk Gruenhagen will be able to print them for council when needed.
- Number 4 – Expanding Community Center – Keep on list. - \$2,000 per year (for the last three years) has been added to the budget for this project.
- Number 5 – Take pictures and keep list of City property – Keep on list.
- Number 6 – Set up committee meeting for city sign usage – City Clerk Gruenhagen and Fire Chief Droege are gathering information from other cities.
- Number 7 – Install hand railing for stairs by the city shop door – Change completion date to spring 2010.
- Number 8 – Fix hole by hall dumpster – Done remove from list.
- Number 9 – Bid and build Handicap Bathroom in Hall – keep on list.
- Number 10 – Projector Screen for Community Center – City Clerk Gruenhagen will check into using the Cablecom Franchise Fund to purchase a projector screen.
- Number 11 – Add research fee to City Fee Schedule starting January 1, 2010 – City Clerk Gruenhagen will report on this during his report.
- Number 12 – Draw up specs for 2010 lawn mowing and send out for bids – Draft specs in February and send out in March.
- Number 13 – Take pictures of Grams and send nuisance letter – spring 2010.
- Number 14 – Ask H.I.P. to come to a Council meeting and recap their plans and finances. - Keep on list.

Hamburg Lions Club – MN Lawful Gambling Permit (Bingo)

- Joel Franck representing the Hamburg Lions Club requested a MN Lawful Gambling Permit for March 26, 2010. The Lions Club will be hosting a Ham/Bingo event.
- *Councilmember Cummiskey moved to approve the gambling permit for the Hamburg Lions Club Bingo event that will be held on March 26, 2010, Councilmember Mueller seconded and motion carried. Councilmember Barnes was absent.*

Fire Department Report – Chief Brad Droege

FEMA Grant

- Fire Chief has not heard anything on this grant.

Fire Department Firefighters Jenny Baker & Justin Spande

- Fire Chief Droege requested Council to approve Baker & Spande as Hamburg Firefighters contingent on them passing their FF1 & FF2 tests which they will be completing tonight (January 12, 2010).
- *Councilmember Cummiskey moved to approve Jenny Baker and Justin Spande as full time Hamburg Firefighters contingent on each of them passing their FF1 & FF2 tests, Councilmember Muller seconded and motion carried. Councilmember Barnes was absent.*

2009 Donation Summary (HFDRA)

- Fire Chief Droege presented Council with a list documenting the Hamburg Fire Department Relief Association's 2009 Donations. Total 2009 donations were \$17,199.72 included in this amount was \$11,892.68 that was donated to the City of Hamburg.
 - \$2,000 was donated towards the Ambulance Certificate with the deal that the city will be paying \$2,000 less for the Ambulance and could pay \$2,000 more for an upgraded Rescue truck.

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- Resolution Number 2010-01 - Accepting Donations Received in 2009
 - *Councilmember Mueller moved to accept Resolution Number 2010-01 accepting donations to the City of Hamburg from the Hamburg Fire Department Relief Association in the year 2009, Councilmember Trebesch seconded and motion carried. Councilmember Barnes was absent.*

HFD Relief Association – Required Municipal Contribution for 2010

- City Clerk Gruenhagen presented council with a copy of the Form SC-09 schedule which determines the Fire Departments Relief Association municipal contribution for 2010. The required 2010 contribution increased from \$42,101 in 2009 to \$46,529 for 2010.

City Rescue Truck (Upgrade)

- Fire Chief Droege asked Council for permission to pursue; the Fire Department has formed a committee and waited for this council meeting and to talk to the area Townships in looking at the availability or feasibility of a used Rescue Truck in the future.
- Fire Chief Droege continued to comment that he had brought this up in the last council meeting, or two meetings before, it does not really affect the City of Hamburg or Fire Department as it does the Townships because if the city so wishes the Rescue Truck loan could piggy back off of the Ambulance loan and take that money and flop over on the payments. There are two years left (2010 and 2011) to pay off the Ambulance.
 - Mayor Malz asked Fire Chief Droege if his request was just to check into things.
 - Fire Chief Droege replied that in the past he started checking into things and then all he heard was why no one was told about it. This time he is telling council about it and asking for permission to pursue it. Right now there is a 2001 truck available exactly (according to the picture in the magazine) what they are looking for. The price was \$109,500 and that price has been reduced. He does not know how to do it but you may have to put earnest money down or something because it will be one of those things that when you find a used one you can not wait 6 months or a year to get it. It is like a used vehicle, who ever put the money down first gets it.
 - Fire Chief Droege continued commenting that he would like to do a few months of research and have a Township meeting in February 2010. He would like to get the people in to talk to them and find out if they are even interested. If not then it gets dropped.
- Mayor Malz added that it was a good thing to get the publics opinion.
- Fire Chief Droege also mentioned that up-grading the Rescue Truck was part of the package that was brought up to Council two years ago but was dropped at that time not thinking the economy would stay this bad. By 2018 the city will also be looking at purchasing a new Fire Engine, the one the city has now will be 25 years old at that time.
- Fire Chief Droege noted that in the near future the fire equipment should be updated with LED side lights. If there is money left over at the end of the year from the Gambling Fund the fire department will look into the possibility of purchasing them.
- Fire Chief Droege asked if a motion was needed to give him permission to look into a truck.
 - Council and City Clerk Gruenhagen did not think a motion was needed.
 - Councilmember Trebesch commented that everyone knows Fire Chief Droege will look it up and come back to council with his findings.
 - City Clerk Gruenhagen will have it noted in the minutes that there were no objections from Council.

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Community Center Projection Screen

- Fire Chief Droege suggested to Council that instead of purchasing a projection screen use the Cablecom Franchise Fund for obtaining a screen and ceiling mounted projector.
- City Clerk Gruenhagen will look into this.

Fire Hydrants

- On behalf of the Fire Department Fire Chief Droege thanked Maintenance Worker Byerly for keeping the fire hydrants clear of snow.

County Road 50 (Park Avenue) – Ice

- Fire Chief Droege (also the head of the cities snow plowing) commented on the complaint from a city resident about the ice on County Road 50 (Park Avenue).
 - His comment was that with this extremely cold weather neither salt nor sand will work. All that can be done is to wait until warmer weather comes then the salt will start thawing the ice.

MNSPECT – Ty Turnquist

Contract Agreement Extension for Building Inspections

- At the last council meeting in December Council discussed amending the contract service agreement with MNSPECT as follows;
 - Changes would be to the date of termination from December 31 2009 to December 31, 2010.
 - The contract will automatically renew for successive one year terms unless notice is provided by the City of Hamburg 90 days prior to expiration of the agreement.
 - Upon receipt of approval from the State Plumbing and Engineering Unit the MNSPECT inspectors shall begin reviewing commercial plumbing plans on behalf of the City.
 - All other terms and conditions of the existing agreement shall remain in effect.
- *Councilmember Cummiskey moved to accept the contract amendment as printed, Councilmember Trebesch seconded and motion carried. Councilmember Barnes was absent.*

State Building Code/Hamburg City Code – Ordinance Number 136

- At the present time all Commercial Plumbing contractors send the plumbing plans to the State for their review. The State then charges for their review and sends the plans back to MNSPECT for them to do the inspection on site. Ordinance 136 would change the Commercial plumbing review from being sent to the State to being reviewed by MNSPECT.
- *Councilmember Cummiskey moved to adopt Ordinance Number 136 (Building Code) amending Chapter 150.01 of the Municipal Code of Hamburg pertaining to the building code to include Plumbing Plan Review, seconded by Councilmember Trebesch and motion carried. Councilmember Barnes was absent.*

Dennis' Report (Public Works & Utilities)

Maintenance Worker Byerly was absent City Clerk Gruenhagen gave the report.

Project List

- #1 – Raise or lower all curb stops to ground level.
 - This has not been done.
- #3 – Contact Henning's in spring the redo the Shop Driveway.
 - Keep on list.
- #4 – Sidewalk replacement in front of Parkside Tavern.
 - Keep on list.

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- #6 – Maintenance Schedule
 - Maintenance Worker Byerly found an old schedule and is in the process of up dating the list.
- #7 – Paint Picnic Tables
 - Maintenance Worker Byerly is working on getting them painted.
- #9 – Paint Shop Door and have it installed.
 - This has not been completed.
- #11 – Secure loose ceiling tile in Hall.
 - There is \$500 in the budget for this repair.
 - Council discussed and decided to paint the grid work at the same time the ceiling tiles are replaced. Councilmember Trebesch will check into the number of tiles needed and cost.
 - City Clerk Gruenhagen will talk with Maintenance Worker Byerly about getting this completed this winter.
- #15 – Repair of hydrants from AFC recall notice.
 - This has not been completed.

Carver County Right of Way Permits, Registration Form, Obstruction Permits

- Maintenance Worker Byerly attended this meeting and the City of Hamburg received a letter from the Carver County Public Works Department.
- The Public Works Department has begun a Fee-For-Service in 2010, concerning any work done in the County Right-of-Ways.
 - Carver County will not be imposing the Fees unto Local Municipalities at this time. However, they would like the city to fill out a Registration form and an Obstruction Permit. The registration Form is for contact information and the Obstruction Permit is for any routine maintenance work on their road system. A permit will still be needed for any new installation or upgrade to an existing system.

Deputy Clerk Report

Delinquent Utility Bills

- Diana Payne called the city office notifying them that her home on 350 Louisa is being foreclosed on and to send her a final billing. A final utility bill was sent to Ms. Payne at her new address.
- Emily Siebold is continuing to make \$50 payments every other week.
- Deputy Clerk Block reported to Council that she has not pursued collection of delinquent accounts because of the winter months. Delinquent letters will be continued next month in February.

City Council Minutes and Special Meeting Minutes

- All city council meeting minutes are completed. The special budget meeting minutes just need to be reviewed and will be ready for the next council meeting on January 26, 2010.

Clerk/Treasurer Report

City Fee Schedule for 2010

- During the Public Hearing (which was held this evening at 6:50 p.m.) the letter from Mr. Odoms was taken into consideration. It seemed that Mr. Odom's main concern was the research fee for public data.
 - Currently stated on the City Fee Schedule, Schedule A, Information Research Fee (Public Data Only) - If over 30 minutes the charge is \$35 per hour plus materials.

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- City Clerk Gruenhagen suggested to Council that the wording “if over 30 minutes” should be removed from the fee schedule. Another item to discuss is electronic publications or transfers.
- Council discussed if city organizations should or should not be charged for using the City Hall or Community Center.
 - Council decided to have City Clerk Gruenhagen check with the city auditors to find out if the City of Hamburg can accept donations from organizations for using the halls.
- ***Councilmember Cummiskey moved to adopt Ordinance Number 135, City of Hamburg Fee Schedule as printed minus the wording “If over 30 minutes.” relating to the research fee, Councilmember Trebesch seconded and motion carried. Councilmember Barnes was absent.***

2009/2010 Park and Ball Program (Community Education)

- The Parks program in 2009 had 14 school age children registered and 12 preschoolers registered.
- The summer ball program for residents of Hamburg had 26 children in T-ball, 16 in Combo-ball, 8 in Pee-Wee Baseball, 5 in Little League Baseball, 8 in Pee-Wee Softball, and 2 in Little League Softball.
- City Clerk Gruenhagen informed Council that participating in the Community Ed Park & Ball program is a budgeted line item and the cost to participate in 2010 is \$375. No motion is needed because this is in the cities budget.
 - Councilmember Mueller asked if Community Ed has or will be asking the townships for their contribution to this program
 - City Clerk Gruenhagen will mention this to the Director of Community Ed Julie Kuenzel.

Audio/Visual for Oak Grove City Center Council Chambers

- The City of Norwood/Young America is requesting the use of the cable franchise fees to fund an optional recess ceiling projection screen and projector. Also an optional media control system that would allow city staff (from the Council table) to switch back and forth from one camera shoot to another. The optional media control system is also needed for the optional projection equipment
 - Optional media control systems cost - \$11,431 plus tax.
 - Optional projection equipment cost - \$6,930 plus tax.
- Currently there is \$63,125.55 in Cable Franchise Fund.
- ***Councilmember Cummiskey moved to approve the request from the Norwood/Young America Council to use the Cable Franchise Fees in the amount of \$18,361 plus tax to purchase the optional media control system and the optional projection equipment for the Oak Grove City Center Council Chambers, Councilmember Mueller seconded and motion was carried. Councilmember Barnes was absent.***

Senator Julianne Ortman (Emails)

- Senator Ortman emailed to let Council know that she is looking forward to getting together to talk about the upcoming 2010 Legislative Session and the large budget deficit.
 - Senator Ortman’s first intention to meet with Council is to discuss the budget outlook for the Legislature in 2010 and how the deficit may affect our city. She would like to see the city’s budget goals and asked to have any specific bonding bill requests sent to her as soon as possible because these bills will be coming together quickly.
 - Senator Ortman asked Council to consider and make suggestions regarding how government services, both local and statewide, may be consolidated and made more efficient. This may come in the form of eliminating duplicative services, repealing unfunded mandates, or streamlining government processes.

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- The other email that was received was email communication between Senator Ortman and city resident Chris Lund. Mr. Lund requested Senator Ortman to assist the City of Hamburg in it's I & I funding problem. Senator Ortman responded back asking Mr. Lund, when the time comes, if he would be willing to speak to the Tax Committee on behalf of Hamburg and its I & I complications. Mr. Lund emailed City Clerk Gruenhagen informing the city that he told Senator Ortman that he would help when and how he could.
 - City Clerk Gruenhagen commented that if he had time he would like to go with Mr. Lund to speak to the Tax Committee on behalf of the City of Hamburg about it's I & I issues.
 - Councilmember Mueller commented that if Mr. Lund is willing to go and talk to the Tax Committee he should go as a resident not as a city delegate or as a representative of the city.
 - Council discussed and decided that if Mr. Lund does go he should go as a resident not as a city representative.
 - City Clerk Gruenhagen will inform Mr. Lund and Senator Ortman about Councils decision. He will also ask Senator Ortman to keep him informed about these meetings.

I & I Abatement Program Update – Obtaining Easements

- City Clerk Gruenhagen had asked City Attorney Mac what is the best way of obtaining easements from the city residents affected by the I & I project.
 - City Attorney Mac replied that one of the best ways is to set up some Public Meetings with just the persons involved. Have SEH attend the meetings and give the residents a brief update on the project. With SEH at the meetings residents could ask questions that the City Council may not have the answers to.
 - Council discussed and decided to hold one or two Special Public Meetings.
 - City Clerk Gruenhagen will work with Doug Parrott (SEH) on setting up some dates.
- City Clerk Gruenhagen brought up the subject of what to do about non compliant sewer service connections and illegal connections from the resident's home to the new sewer line.
 - Council discussed this issue and decided that they will have to pass an ordinance requiring a permit so that the line will be inspection making sure the hook ups are in compliance.

Employee's Break Down of 2009 Hours Report

- City Clerk Gruenhagen gave Council a report showing the city employee's hours worked which department the hours were worked in and percentage of actual time. Accumulative vacation and sick time earned and used.
- This information was not provided to the public because it contained some personal information.

LMCIT Public Employee Bond Coverage

- City Clerk Gruenhagen informed Council that he had just renewed the City Clerk Bond coverage. The bond coverage for the City Clerk (Jeremy Gruenhagen) is \$5,000 at a premium cost of \$85 per two years. According to the League of Minnesota Cities suggested minimum amounts of Bond Coverage for the city's gross annual revenues plus the market value of any negotiable securities is \$100,000 to \$125,000. The premium cost is \$5 per \$1,000 of coverage.
- City Clerk Gruenhagen also mentioned that the city does not have any Bond Coverage for the Deputy Clerk (Sue Block).
- Council discussed bonding coverage for the City Clerk and Deputy Clerk positions and decided to have City Clerk Gruenhagen work with the Hamburg State Bank in obtaining a faithful performance bond.

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Time Off Requests (January 22, 28, 29 & February 4, 5, and 23, 2010)

- City Clerk Gruenhagen requested to leave the office at 4:00 p.m. on these days.
- *Councilmember Mueller moved to approve City Clerk Gruenhagen request to leave at 4:00 p.m. on January 22, 28, and 29 & February 4, 5, 23, Councilmember Trebesch seconded and motion carried. Councilmember Barnes was absent.*

Informational Items

- Central Public Schools (Referendum Bonds)
 - The Central Public School sent out a notice informing voters that there were no buyers for the 0% bonds. The school was able to secure a supplemental coupon at 1.26%
- City Offices will be closed January 18, 2010 in observance of Martin Luther King, Jr. birthday.
- City Clerk Gruenhagen clarified to Council that the ticket Brian Biermann (210 Broadway) received concerning a barking dog was waived. Per Jim Keeler (City Attorney) the City had in place an ordinance allowing the City the right to request the ticket to be waived.

City Council Reports

Councilmember Mueller (Sewer & Water)

- Councilmember Mueller suggested that when the I & I project starts maybe the city could work with the State Bank of Hamburg to provide residents, who need help financially, a low interest loan to help cover the cost of hooking up the home to the new city sewer lines.
- Councilmember Mueller also stated that Mr. Odoms (150 Jacob Street) should talk to Council about the dog incident not City Clerk Gruenhagen because Council made the decision.

Councilmember Cummiskey (Streets)

- Councilmember Cummiskey suggested that Council should think about regulating resident Christmas Light displays.
 - Council discussed and decided to have City Clerk Gruenhagen check with Ann Perry (City Planning Consultant) if she has ever come across any issues like this.

Councilmember Trebesch (Buildings)

- Councilmember Trebesch commented that a number of residents are blowing snow into the city streets.
 - Council discussed this issue and decided that about the only thing that could be done would be to send the residents a nuisance letter.

Councilmember Barnes (Parks) was absent.

Mayor Malz

- Mayor Malz commented that the members of council should help support Organizations and Clubs that rent the Hamburg Hall by attending their functions.
- Mayor Malz mentioned that the City of Hamburg residents should not complain about the City Fee Schedule. Compared to Norwood/Young America City Fee Schedule they have a lot more fees than Hamburg.

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Approve Claims List for December 2009 and January 2010

Claims List for December 2009

- Councilmember Mueller asked if claim number 14197 (K & R Towing, Inc.) was the bill for towing the City truck from New Ulm, MN back to Hamburg.
 - City Clerk Gruenhagen replied that this claim was for towing the City truck back to Hamburg when the fuel pump went out.
 - City Clerk Gruenhagen will check if the towing charge is covered under the insurance policy.

Councilmember Mueller moved to approve December Claim Numbers 14182 through 14205 including budgeted transfers and ACH payments, Councilmember Cummisky seconded and motion carried. Councilmember Barnes was absent.

Claims List for January 2010

- *Councilmember Mueller moved to approve January Claim Numbers 14206 through 14246 and the six ACH payments, Councilmember Trebesch seconded and motion carried. Councilmember Barnes was absent.*

Councilmember Cummiskey moved to adjourn the Hamburg City Council meeting at 9:06 p.m., seconded by Councilmember Trebesch and motion carried. Councilmember Barnes was absent.

Submitted by:

Sue Block
Deputy Clerk