

## **Hamburg City Council Meeting April 13, 2010**

Mayor Malz called the regular meeting of the Hamburg City Council to order at 7:00 p.m. Councilmember Steve Trebesch, Councilmember John Barnes, Councilmember Larry Mueller, Councilmember Brian Cummiskey, City Clerk Jeremy Gruenhagen, Deputy Clerk Sue Block, and Fire Chief Brad Droege were in attendance. Also in attendance were Stacie Franck (Cub Scouts), Joe Hubler and John Hubler (411 Maria Ave, Old City Hall), Jim Ische (Carver County Commissioner), Jim Keeler, Jr. (County Attorney), Lyndon Robjent (Carver County Engineer), and Kipp Trebesch (K&K Construction). Maintenance Worker Dennis Byerly was absent.

### **Miscellaneous Business (Public Comments)**

- Stacie Franck representing Cub Scout Pack 361 requested the use of the Hamburg City Park on May 15, 2010 and if the rental fee could be waved. The Cub Scouts are planning an advancement and awards ceremony for that date.
- *Councilmember Mueller moved to grant Cub Scout Pack 361 use of the Hamburg City Park on May 15, 2010 for their advancement and awards ceremony and the rental fee be waved, Councilmember Barnes seconded and motion unanimously carried.*

### **Agenda Review (Added Items) and Adoption**

- Added – Updated Delinquency Report
- Added – Updated April Claims List

*Councilmember Trebesch moved to adopt the agenda with the two additions, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

### **Approve the February 23, 2010 Minutes**

- *Councilmember Mueller moved to approve the February 23, 2010 Hamburg City Council Meeting Minutes, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

### **Old City Business**

- #3 – Handicap Bathroom in Hall
  - Councilmember Cummiskey will report on this during the City Council Report.
- #6 – H.I.P. Group To Attend City Council Meeting
  - City Clerk Gruenhagen reported that he is hoping someone from the H.I.P. Group will be attending tonight's meeting.
- #7 – Hire Part-Time Maintenance Worker
  - This will be discussed under Public Works and Utilities Report.
- City Clerk Gruenhagen informed Council that the Claims List will be reviewed during the opening items of the council meeting. This will give Council the opportunity to question and discuss any items on the list while attendees of the meeting are still present. Motion to approve the Claims List will still be at the end of the council meeting.

## **Fire Department Report**

### **Severe Weather Awareness Week**

- Next week, April 19<sup>th</sup> through April 23<sup>rd</sup>, will be Severe Weather Awareness Week.
  - One April 22<sup>nd</sup> the Hamburg Severe Weather siren will be activated. It will be sounded monthly at 1:55 p.m. and 6:55 p.m. Documentation will be kept to make sure the siren does go off at those times and is working properly.

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- City Clerk Gruenhagen will be putting this information on the city sign.

### **2009/2010 FEMA Grant Update**

- No word yet on the FEMA Grants

### **US Fish & Wildlife Grant**

- Fire Chief Droege applied for a \$1,150 grant. This would be a grant to the Fire Department with no matching funds.

### **DNR Grant**

- A \$1,500 grant was applied for. This grant is a 50/50 match.

### **Laminated Maps**

- Fire Chief Droege presented three laminated maps that were purchased of the surrounding area; one shows the community, one shows Hamburg and Norwood Young America, and the third one is a county map. These maps will be used during search and rescue missions to mark where search teams have been sent.

### **Fire Department Vehicle Upgrades/Repairs**

- Engine Pump Testing – This is done every year and they all passed.
- Rescue 11 Update – Needs new lettering. Three persons have donated \$200 apiece to help cover the cost.
- Rescue 11 (old rescue) is up at Fred Radde & Sons Auction in New Germany. The auction will be held on March 26, 2010. As of this meeting the on-line auction bid for Rescue 11 is \$176.
- *Councilmember Cummiskey moved to allow a representative for Fire Chief Droege to lower the minimum auction bid down to \$14,000, Councilmember Trebesch seconded and motion unanimously carried. All Council members were present.*
- Engine 12 Transmission Repairs – To fix Engine 12's transmission and the towing charge came to \$5,563.32.
- Rescue 12 Brake Repair – Pro Auto fixed the worn brakes on Rescue 12 and the cost came to \$111.97.

### **Regional Grant for Pagers**

- County Fire Departments are applying for a regional grant from FEMA to fund the Pagers and Simulcast. The Cologne Fire Department will be heading the project. The Hamburg Fire Department will be drafting a letter of support to be taken to the County Commissioners asking for their help in funding 20 percent of the cost for the Pagers and Simulcast.
- The Pagers and Radios will be going from wide band to narrow band and the change over has to be completed by the beginning of 2013.
- Splitting the cost will be 20 percent local and 80 percent Federal. Twenty percent of the cost comes out to approximately \$250,000 to \$280,000. The Departments are trying to have this amount spread over the County instead of individual City's trying to come up with the money for the pagers.
- *Councilmember Cummiskey moved to have Fire Chief Droege and City Clerk Gruenhagen draft and send a letter of support for the application of the Fire Departments Regional Grant, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

## **Carver County Commissioner Jim Ische, Attorney James Keeler, & County Engineer Lyndon Robjent**

### **Commissioner Ische – Opening Comments**

- Gave an update on the proposed Fiber Optic line.
  - Applied for a grant for some ARRA funds to hook up the 55 laterals once the Fiber Optic ring is in.

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- Updated Senator Franken on the needs and increased volume of vehicles using County Road 10 between Waconia and Chaska to get to Hwy 212.
- Commented on the Ordinance amending the county code and fee schedule for Adult Use Businesses.
- Informed Council that the County is planning a mill and overlay on County Road 50, the last mill and overlay was done in 1992. Commissioner Ische asked for a time line on when the city's I&I project would be crossing the county road. The County can delay the mill and overlay work until the crossing is completed.
  - Council informed Commissioner Ische that the I&I project is scheduled to start this fall once all the needed easements are signed. Council would like to go to bids in July 2010.
  - City Clerk Gruenhagen will send the I&I plans to Mr. Ische so he is acquainted with what the City is planning to do.
  - Councilmember Mueller asked Commissioner Ische if the County could give the City of Hamburg permission to close County Road 50 when the sanitary water and sewer lines cross the road. By closing the County Road it would be faster and quicker to complete the work. The road would only be closed for one or two days.
    - Commissioner Ische could not think of a reason why the City could not close the road. He will talk to Bill Weckman concerning the detouring of County Road 50.

Councilmember Mueller asked County Attorney Keeler on how to find out who can sign the Easement document for the lot at 470 Brad Street. The property is zoned residential and was foreclosed on. The county has had the foreclosed lot for about 10 years and it will be going up for sale some time this summer. Councilmember Mueller commented that the City would like to get the easement signed before the lot is sold.

- County Attorney Keeler requested the information be emailed to him and he will check in to this.

### **County Road 50 Agreement between Hamburg and Carver County**

- Council has requested a copy of the County Road 50 agreement between Hamburg and Carver County listing who is responsible for what within the city boundaries. The agreement dates back to 1957 and the City had requested a copy for the last 8 years.
  - County Engineer Lyndon Robjent gave each Council member a copy of the agreement. He went over the agreement and any adjustments made to the agreement with Council.

### **Speed Limit Sign – Requested**

- Council requested the installation of a speed limit sign going east out of town on County Road 50.
  - County Engineer Robjent will have an “End 30 mph” sign put up at the line between the city and county boundary.

### **Attorney James Keeler – Adult Use Ordinance for Carver County**

- Today, April 13, 2010 Carver County adopted an Ordinance amending the County Code and Fee Schedule. Adopted Chapter 113, adult use businesses; amended Chapter 152, the Zoning Code; and amended the County Fee Schedule.
- Attorney James Keeler updated Council on the reason why the Ordinance was needed and its rules and regulations.
- Attorney Keeler suggested the City of Hamburg draft up its own adult use ordinance. He will send the city a copy of the County Ordinance.

### **County Plans for LGA Cuts**

- City Clerk Gruenhagen asked Commissioner Ische if the County had any plans to cut money to the cities if the County has any LGA cuts.
  - Commissioner Ische said no, the County does not have any plans at this time.

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### Joe & John Hubler – 411 Maria Avenue

#### Renovation of Old City Hall Building

- Joe Hubler had previously given Council a booklet listing their plans on renovating the old City Hall. Their plan is to use the first floor as a fabrication shop (cutting granite) and office, and the second floor for two apartments.
- Ann Perry (City Planning Consultant) had sent Council a memorandum listing the required City process for the review of the renovation of the old City Hall located at 711 Maria Ave. Ms. Perry also included a list of questions Council should address with the Hubler's.
- Joe and John Hubler answered the questions along with other questions from Council and they also reviewed the plans with Council.
- Joe Hubler questioned Council as to where the water and sewer lines are stubbed in at.
  - Councilmember Mueller answered that the water line is stubbed in on the west side of the building. The sewer line is stubbed in at the southeast corner of the building between the sidewalk and curb.
- Joe Hubler asked if the City has a permit fee to hook up the water and sewer lines.
  - Council replied there is a fee of \$3,500 per hookup, WAC&SAC.
  - John and Joe both commented that this was extremely high.
- City Clerk Gruenhagen will talk with Ann Perry (City Planning Consultant) on the next steps to keep this plan moving. Ann Perry will contact Joe & John Hubler directly if she has any questions or needs any further information.

#### H.I.P. Group (Hamburg Improve Parks)

#### Presentation of Future Plans

- The H.I.P. group would like to provide playground equipment for the Park area on the east side of the Hamburg Hall. There is \$6,000 in the H.I.P. fund for purchasing the equipment.
- Council and the H.I.P. group discussed purchasing two picnic tables for this area also but both decided to hold off on the purchase.
- The H.I.P. group present Council with three different options for playground equipment. They also mentioned that the ground area will have to be redone to meet code.
- Council discussed the proposals and decided to remove the old swing set then have the H.I.P. group purchase the playground equipment after the Shop driveway project is completed. The H.I.P. group should work with Councilmember Barnes who is in charge of Parks and have him come back to Council with the final plans.
- The H.I.P. group has no future community plans to raise money except for the recycling of the pop cans.

#### Dennis' Report (Public Works & Utilities)

(Maintenance Worker Byerly was absent – City Clerk Gruenhagen presented report.)

#### City Lawnmower – Estimates/Purchase

- Council discussed leasing or purchasing a lawnmower. If they purchase what brand and who to purchase from.
- Council decided to purchase the eXmark from Waconia Farm Supply in Waconia, MN.

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- *Councilmember Cummiskey moved to purchase the eXmark lawnmower with the Kawasaki 29HP 60" deck from the Waconia Farm Supply in the amount of \$4,594.56 with two extra blades and oil and oil filter, Councilmember Trebesch seconded and motion unanimously carried. All Council members were present.*
- Mayor Malz will pick up the lawnmower and see if he can make a deal on the blades, oil, and oil filter.

### **K & K Construction**

- Kip Trebesch present Council with an estimate of \$600 to \$800 to fix the leak in the roof above the Community Center women's bathroom. Mr. Trebesch had also looked at the damaged Hall canopy and gave his ideas on how to fix the problem.
- Council decided to get more estimates before making a decision.

### **Crack Sealing (City Streets) and Seal Coating (Donald Avenue)**

- Council decided to table these items until a later date.

### **Estimates for Sidewalk Replacement (Parkside Tavern)**

- Council decided to start gathering quotes for the sidewalk replacement.
  - Councilmember Cummiskey volunteered to get some estimates.

### **Part-time Seasonal Help**

- The city office has received 15 applications.
- City Clerk Gruenhagen will set up a meeting time with Councilmember Trebesch, Councilmember Barnes, and Maintenance Worker Byerly to go over the applications.

### **MDH Drinking Water Report**

- All community water systems must distribute a drinking water report annually to their customers. A copy of the CCR must be kept for three years. Failure to produce and distribute a CCR as required, as well as failure to return a copy to MDH by July 1, 2010 may result in enforcement actions, including fines.
  - This has been completed.

### **Ziegler Power Systems (Annual Preventive Maintenance)**

- The city's emergency generator is due for its annual preventive maintenance check up. The total cost to do the work was \$6,080.
- Council briefly discussed and decided not to have Ziegler do the check up. Maintenance Worker Byerly will be able to do the work himself.

### **City Shop Driveway Repairs**

- Henning's have been contacted to come out and do the shop driveway repairs.

## **Deputy Clerk Report**

### **Delinquent Utility Bills**

- Council discussed the delinquent water bills and decided to have the delinquent accounts certified to the home owners' taxes.
- At the last council meeting Councilmember Barnes asked what the Level and Total Level on the Delinquency Report represent.
  - Deputy Clerk Block reported that the Level is "the number of times the account has been penalized without paying off the amount due" and Total Level is "the number of times the account has paid late".

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### Email from Richard Odoms – 150 Jacob Street

- City Clerk Gruenhagen informed Council that he had received another email from Mr. Odoms requesting Deputy Clerk Block's full name and date of birth. City Clerk Gruenhagen noted that he did respond to this email giving Deputy Clerk Block's complete name which is public but not her date of birth. Her date of birth is not on her job application therefore it is not public information.

### MCFOA Conference – July 12, 2010 to July 16, 2010

- Deputy Clerk Block received a \$150 grant to attend the MCFOA Conference in July cutting the cost of attending from \$410 to \$260.
- Deputy Clerk Block requested Council's approval to stay at the Crowne Plaza during the conference.
  - *Councilmember Cumiskey moved to allow, and pay for, Deputy Clerk Block the four night stay at the Crowne Plaza North in Bloomington during the five day MCFOA Conference from July 12, 2010 to July 16, 2010, Councilmember Mueller seconded and motion carried. Councilmember Barnes abstained. All Council members were present.*

## Clerk/Treasurer Report

### I/I Abatement Program – Easements

- City Clerk Gruenhagen gave a brief update on the number of easements that were signed and resident's requests for more information.

### Donation of Optic IIP Eagle Voting Equipment

- The Carver County Taxpayer Services requested the City of Hamburg donation of the outdated Optech III Eagle voting machines that the County has in storage. Their office was contacted by Brown County in Wisconsin expressing an interest in obtaining these machines for spare parts. Carver County Taxpayer Services had discussed any potential market value of the outdated machines with their vendor and were informed that there is little or no potential for receiving any monetary compensation for the machines.
- *Councilmember Barnes moved to approve the donation of the Optic IIP Eagle Voting Equipment to Brown County, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

### Letter from Sheriff Bud Olson

- Carver County Sheriff's Office will be providing a Child Safety & Drug Prevention Education Program to provide child safety and drug prevention material for children. The Sheriff's Office was asking the Council for a donation to help provide this material.
  - Members of Council decided not to participate in this program.

### League of Minnesota Cities Letter - Budget Cuts (MVHC & LGA)

- Last week Governor Pawlenty signed into law the first supplemental budget bill. This bill will further reduce Market Value Homestead Credit (MVHC) and Local Government Aid (LGA) by \$52.5 million in 2010. This is on top of the \$128 million in cuts to MVHC and LGA that cities have already taken into account in their adopted 2010 budgets. However, the signing of Chapter 215 does not eliminate the possibility of additional cuts for cities in 2010.

### Brush Pile Site Dates – Sign Up Sheet

- Council members signed up on what date they wanted to close the gate out at the lagoons.

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**City Council Reports**

**Councilmember Mueller (Sewer & Water)** – had nothing further to report.

**Councilmember Cummiskey (Streets)**

- Councilmember Cummiskey updated Council on the Handicap Bathroom for the Hall. He did receive an estimate from Swanson Plumbing.
  - Councilmember Trebesch and Councilmember Barnes both recommended getting one more quote before making a decision.

**Councilmember Trebesch (Buildings)** – had nothing further to report.

**Councilmember Barnes (Parks)** – had nothing further to report.

**Mayor Malz** – had nothing further to report.

**Approve Claims List for April 2010**

**Claims List for April 2010**

- Councilmember Barnes questioned claim #14371, \$5,563.32, to repair the Fire Departments 1979 Ford transmission. He questioned why this was not noticed before the purchase of the newer Rescue Truck.
  - Fire Chief Droege had left the council meeting so Councilmember Barnes was unable to receive an answer.

*Councilmember Trebesch moved to approve April 2010 four ACH payments and April claim numbers 14356 through 14387 with one addition of check number 14388, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

*Councilmember Barnes moved to adjourn the Hamburg City Council meeting at 10:20 p.m., seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

Submitted by:

Sue Block  
Deputy Clerk