

## **Hamburg City Council Meeting June 9, 2009**

Mayor Malz called the regular meeting of the Hamburg City Council to order at 7:07 p.m. Councilmember Larry Mueller, Councilmember Steve Trebesch, Councilmember John Barnes, City Clerk Jeremy Gruenhagen, Deputy Clerk Block, Maintenance Worker Dennis Byerly, and Fire Chief Brad Droege were present. Others present were Doug Parrott (S.E.H), Chris Lund (612 Kim Avenue), and Ann Perry (City Consulting Planner).

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

- *Councilmember Mueller moved to approve the agenda as printed, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

### **Approve Minutes for March & April 2009**

- Mayor Malz commented that on the April 14, 2009 minutes the word deployed should be changed to employed.
- *Councilmember Mueller moved to approve the City Council Minutes for March and April 2009 with the one change, seconded by Councilmember Trebesch and motion unanimously carried.*

### **Old City Business**

- Number 1 – Repair sidewalk along Railroad Street.
  - Contractor has been contacted and asked to complete the project before Zummerfest (June 19, 20, 21, 2009) or wait until after the City celebration.
- Number 3 – Cities web site.
  - A sample of the new Cities web site will be available at the next City council meeting, June 23, 2009.
  - Gov Office is up for renewal and City Clerk Gruenhagen suggested not renewing as long as the City is close to getting its own web site. City Council agreed.
- Number 4 – Keep on list to ask Representative Kohl's to attend a future City Council Meeting.
- Number 6 – Discrepancy in Ordinance #95.6 verbiage, what constitutes a dog kennel, three or four dogs?
  - City Attorney Mac is reviewing this.
- Number 8 – Purchase City Shirts for Council and Mayor.
  - City Clerk Gruenhagen will report on this during his report.

### **Fire Department Report – Chief Brad Droege**

#### **2009 FEMA Grant Application**

- The 2008 grant was closed.
- The 2009 FEMA grant has been sent in and is being audited now. The Federal Government pays for 90% of the grant and the City of Hamburg would pay 10%.

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

- The pre-application has to be turned in by Friday, June 12, 2009. Possible purchases with the grant would be new wildlife pants and jackets.

#### **Policing for Zummerfest**

- No additional policing will be hired for Zummerfest, Adam 3 and 4 will stay close to the Hamburg area during the event.

#### **Donation from Relief Association for J-5 Grass Rig**

- The Relief Association is donating \$1,500 to the city for the purchase of the J-5 Grass Rig.

## **Hamburg City Council Meeting June 9, 2009**

- *Councilmember Cumiskey moved to accept the \$1,500 from the Fire Department Relief Association for the purchase of the J-5 Grass Rig, seconded by Councilmember Trebesch and motion carried. All Council members were present.*

### **Insurance for Zummerfest**

- The insurance policy was turned into City Clerk Gruenhagen for the Zummerfest Demo Derby and Tractor Pull.

### **Cities Cooperative Purchasing**

- The Government is pushing to have cities do things together, to help cut down on individual city expenses. The Hamburg Fire Department along with four other cities had their fire engines tested at the Waconia fire station. The total cost for testing was \$615.00. Hamburg paid \$123, however, to drive to Waconia and back, it cost \$78.05 in fuel. The Hamburg Fire Department only saved \$44.95. Sometimes there is very little savings with Cooperative Purchasing.

### **Safety Trailer**

- The Hamburg Fire Department's portion to purchase a Safety Trailer along with Norwood/YA and Cologne was \$500, total cost of the trailer was \$1,500. To help cover the cost of the purchase each demonstration rental will cost that city or organization \$150 per use. If it is kept for one or two extra days there will be no additional cost.
- Next week the Safety Trailer will be taken to Le Sueur for a demonstration at a Safety Camp.
- Norwood/YA will store the trailer and carry insurance at no cost to Hamburg or Cologne.

### **Spray Weeds**

- Fire Chief Brad Droege requested to have Maintenance Worker Dennis Byerly spray the weeds by the sidewalk along Railroad Street and mow the weeds along the railroad tracks. This should be completed by Thursday, June 18, 2009.

### **Fire Convention Expenses**

- To help the city save money the Fire Department has cut two people from attending the Annual Fire Convention.

## **Ann Perry – City Planning Consultant (Resource Strategies)**

### **2030 Comprehensive Plan**

- After tonight's council meeting Ann Perry will provide Council with a copy and CD of the 2030 Comprehensive Plan, also the approved Resolution 2009-05.
- Ann Perry will make the zoning change for 411 Maria Avenue from A-1 Residential to Mixed Use.
- *Councilmember Barnes moved to adopt Resolution Number 2009-05, Approving Adopting of the 2030 Comprehensive Plan with the zoning change of 411 Maria Avenue to Mixed Use, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*
- Ann Perry requested a copy of Resolution 2009-05 so she can send it to Met Council.
- City Clerk Gruenhagen commented that he has not received the second half of the grant money from Met Council. Ann Perry will follow up on this issue.

### **City Zoning and Subdivision Ordinance**

- Councilmember Mueller suggested that members of Council should review the documents for one month then make a decision.
  - City Clerk Gruenhagen will work with Ann Perry to set a date in the future when she will come back to discuss the City Zoning and Subdivision Ordinance with Council.

## **Hamburg City Council Meeting June 9, 2009**

### **Metropolitan Council 2008 Population Estimates for the City of Hamburg**

- As of April 1, 2007 Met Council estimated that the City of Hamburg had 563 residents and 215 households.
- As of April 1, 2008 Met Council estimated that the City of Hamburg had 549 residents, down 14 from last year, and 212 households, down 3 from last year.
- City Clerk Gruenhagen suggested to Council that they may want Ann Perry to check into why the drop in residents and households. According to City Clerk Gruenhagen estimates the city has not changed in population or households from last year.
  - Council agreed that nothing has changed and Met Council should be questioned on how they came up with these figures.
  - Ann Perry informed Council that Met Council uses a formula for persons per household based on Metro average but will call Met Council tomorrow to find out about the three homes that were lost. There is a concern because this will effect Hamburg's qualifications for State Aid.
  - City Clerk Gruenhagen will be in touch with Ann Perry to set up a future meeting with Council. If Council has any additions or changes to the Zoning Ordinances they can bring it up at that time or inform City Clerk Gruenhagen of any changes and/or additions.

### **Doug Parrott – City Engineer (SEH) – I/I Abatement Project**

#### **Pipe Material**

- Mr. Parrott asked Council what type of piping they would like to have under the streets and grassy areas:
  - Reinforced Concrete
  - PVC – a plastic material pipe
  - Polyethylene – black corrugated pipe using a smooth wall on the inside
- Councilmember Mueller suggested using reinforced concrete under the heavier traffic areas (streets) and in the non traffic areas use one of the other types of pipes.
- Mayor Malz asked Mr. Parrott what his thoughts were or experience in using PVC or Polyethylene.
  - Mr. Parrott responded that most cities prefer using reinforced concrete in street areas and others allow PVC pipe. PVC can crack and freeze. In non street areas PVC, reinforced concrete, or Polyethylene pipe is used.
- Councilmember Mueller asked if the Polyethylene is water tight in the joint areas.
  - Mr. Parrott answered you can purchase water tight joints but they are not needed. Sometimes you want the joints to take some water to remove ground water. Usually what is used is a Soil Tight Joint, it lets water through but not the soil.
- Councilmember Mueller asked if this is an O ring type or clamp type piping.
  - Mr. Parrott replied that a bell and spigot are usually used however a clamp can also be used.
- Councilmember Trebesch asked if there are any tree root problems going into the joints.
  - Mr. Parrott replied that if a tree root wants to go in a pipe it will no matter what type of pipe you use.
  - Councilmember Mueller added that he has never seen a fool proof pipe or joint yet to keep tree roots out.
- Mr. Parrott reminded Council that the gas (crude) price will affect the cost of Polyethylene and PVC pipe.
- Mayor Malz commented that he would like to have the reinforced concrete go under the streets.

## Hamburg City Council Meeting June 9, 2009

- Councilmember Mueller agreed with using reinforced concrete under the streets and to use PVC or Polyethylene, which one is cheapest, in the less trafficked areas.
  - Councilmember Barnes agreed with this also.
- Councilmember Mueller asked if Schedule 40 PVC (SDR-35) piping would be used.
  - Mr. Parrott replied it could be SDR-35 but a more competitive piping used is an A2000 corrugated PVC pipe. It is corrugated on the outside and smooth on the inside. It is a bit cheaper than a solid wall pipe. Council agreed to use what they can get the best price on.
- Councilmember Mueller questioned if the Polyethylene piping has to be seated.
  - Mr. Parrott responded that if the depth is 6 feet to 8 feet deep then no sand is needed for there is not much dirt load on the pipe. If the depth is greater than 8 feet then the polyethylene pipe is bedded so it does not collapse under the dirt pressure.
- Councilmember Mueller suggested that they should leave it up to Mr. Parrott's discretion on what he suggests would be the best material for the best price.
  - Mr. Parrott noted that he does not need a motion but does need a consensus from Council. What will be done is to use reinforced concrete under the city streets but in the other areas he will put in the specifications that the contractors (bidders) can either use PVC, reinforced concrete, or polyethylene pipe. There will be a space on the bid form to list what type of pipe they are going to use in the non-street areas.
- Councilmember Mueller commented that there have been discussions to extend George Street to the South and connect to Park Avenue and reinforced concrete should be used in this area.
  - Mr. Parrott agreed.
- Mr. Parrott talked to Council about the proposed water main loop for George Street if it extended between County Road 50 (Park Avenue) and Kim Avenue. Going south from the end of George Street to the south side of Park Avenue there is a water main stub with a valve that could be hooked into. The only problem is that it is located on the west side of the proposed extension of George Street. On Kim Avenue by George Street there was also a hook up there. The least expensive plan would be to put a 45 degree bend at the end of the stubs at Park Avenue and deflect it over to the east under the future street. The third option would be to dig up County Road 50 and put a new stub in.
  - Council discussed and agreed that it made no sense not to use the existing plug and bend the pipe at a 45 degree angle.
  - Councilmember Mueller asked if it would be possible to pressure test by using the exiting valves.
    - Mr. Parrott stated that he could have two new valves put in but Council would have to instruct him to do it at tonight's meeting.
- Mr. Parrott asked Council if they wanted the line to go under the street if it is ever extended.
  - Council agreed to go under the future street.
- Mr. Parrott asked Council that if they want to pressure test, where do they want the new hydrant(s) located.
  - Councilmember Trebesch asked where Fire Chief Droege had suggested putting the three in.
  - Mr. Parrott replied the corner of Brad and Kim Street, replacing the hydrant in front of Wm. Mueller & Sons on the south side of Park Avenue (County Road 50), and replacing the one at Jacob Street and Maria Avenue.
- Council discussed what hydrants should be replaced and where the new hydrant(s) should be placed. Mr. Parrott was asked if the cost of a new hydrant was figured in the cost estimate.
  - Mr. Parrott replied that it was not, however, there is a contingency in the plan where this could be added.

## **Hamburg City Council Meeting June 9, 2009**

- Council and Mr. Parrott decided to place a new hydrant as close as it can be placed to the west side George Street and north of Park Avenue.
  - Councilmember Mueller added that when the new hydrant(s) are installed the valve has to be placed in front of the hydrant.
  - Mr. Parrott commented that Fire Chief had requested valves on all hydrant leads.
- Mr. Parrott asked Council if they had a preference on water main pipe material. He also asked Council if most of the town is ductile pipe or PVC.
  - Council replied that it is mostly Ductile.
  - Councilmember Mueller asked if S.E.H bags (wrap the pipe in a big bag) the Ductile pipe.
    - Mr. Parrott replied only if it is hot soil (acidic/corrosive).
  - It was decided the city would use ductile liner pipe and not wrap it.
- Councilmember Mueller asked if there is much of a cost difference between Ductile and PVC or mainly the labor of putting it in.
  - Mr. Parrott responded that Ductile maybe a little higher priced right now but he has not checked the priced recently so he does not know for sure.
  - Mr. Parrott asked Council if they want to add the three water hydrants that Fire Chief Droege had mentioned. The suggestion was including them as an alternate bid item in the project were Council could include them in the contract or delete them depending on the price and Councils decision to keep them in the contract.
  - Council discussed this option and decided to put the three additional hydrants in as an alternate bid then wait to find out the cost when the bids come in.
- Mr. Parrott asked Council how they want to handle the possibility of cutting into residents' underground sprinkler systems and invisible dog fences. During the digging to hook homeowners up to the main sewer line the sprinkler pipes or electrical dog fences may be cut. How does Council want to handle repairs?
  - Option One – The original installer could be contacted to come back and repair the cut or damaged line. The bill could then be sent the homeowner or paid by the city.
  - Option Two – If the contractor cuts the lines then they are responsible and they pay the bill for any repairs.
  - Council can handle this any way they want.
  - Council discussed various ways to handle this type of situation and added what to do with any fences that would have to be taken down.
  - Council agreed that anything in the cities easement will be the responsibility of the home owners. Anything outside the city easement will be the cities responsibility.
  - These items should be bid items in the contract.
  - Mr. Parrott summed it up that if a sprinkler system gets damaged the city has to repair it and pay for it out of contingency money. The city would get a quote from the installer and then have it repaired. Inside the city easement the home owner pays for the repair.
  - Mr. Parrott and Council continued discussing what to do with any fences that are in the back yards. If the home owner takes their own fence down there will be no cost but if the contractor has to take the fence down there will be a cost to the homeowner. It was decided to have Mr. Parrott put a bid item in the contract to cover the cost of any fences the contractor has to take down.

### **Quality Control Testing**

## **Hamburg City Council Meeting June 9, 2009**

- During the course of building the project a geotechnical firm will be hired to do some compaction testing. The cost of this will be the city's responsibility. The firm will work for the city not the contractors this way the city will have more control.
- Mr. Parrott added that the borings have been completed and in general everything on the high ground just south of County Road 50 going north the soil looks good. The former lake bed has a lot of organics that go very deep and there is high ground water in this area. The east side of the city's ball park is where the worst of it is however going east the soil is better. The worst soil is right where the city has planned the holding pond.

### **Access to Sewer Lines**

- John Reyant (S.E.H Lead Technician) has been talking to residents who will be affected by this project and asking them for permission to enter their property once the project begins. Mr. Parrott will contact Maintenance Worker Byerly when assistance is needed in talking to some residents.
- Mr. Parrott informed Council that when any lawn is torn up it will be replaced with sod. The exception would be on the north end of Brad Street where the city owns the property and around the storm water pond grass seed will be used.

### **Sanitary Sewer Connections**

- Councilmember Mueller had previously mentioned to Mr. Parrott that when the main sewer line is laid in maybe a Y joint could be added at each point where a home connection would be. This would allow a camera feed from the main sewer line to the home and a clean out access. This would also allow a line to be connected to the Y and come up just under the surface of the ground for an easy entrance. A metal cap would be put on this line to allow for easy location. The Y would be placed facing the home. The cost should be low and it would not delay the project, possible cost would be about \$100 plus paying for two workers.
- Council discussed this option and the benefits to the city and the homeowners if a Y was put in. They also discussed what size the Y should be. Council decided to make this part of the project plans.

### **New Catch Basins**

- Mr. Parrott informed Council that when the new storm water catch basins are put in no valley gutters will be needed. Example would be when you turn on Brad Street from Park Avenue the street surface would be flat instead of sloping down and up as it does now.

### **Shrubs, Flowers, Trees**

- Mr. Parrott asked Council that when the drain tile pipes or storm sewer pipes are put in the back yards and where S.E.H needs to dig up to put a connection to the lines what does Council want to do about the shrubs, flowers, and trees, etc.
- Mayor Malz suggested that when S.E.H talks to residents asking for permission to enter their back yards and stakes could be placed letting residents know where the digging will accrue. This would allow the resident's time to move any foliage.
- Mr. Parrott added that he and City Clerk Gruenhagen will draft a letter to the residents informing them to remove any foliage that would be in the area to be dug up.
  - Mayor Malz commented that this would be a fair way to give residents time to make provisions for removal.
  - Mr. Parrott added that during preliminary meetings, residents were informed that S.E.H will replace any grass area with sod and replace garden areas with clean black soil but S.E.H has not said they are paying for flowers, shrubs, or bushes. The contractors will try not to damage tree branches, however, it may happen. If it does happen, over the city's easement, nothing will be done about the damage.

### **Crossing Force Main by Pond Site Area**

## **Hamburg City Council Meeting June 9, 2009**

- Mr. Parrott informed Council that where the proposed storm sewer line will be placed by the proposed pond site it will have to cross the existing force main pipe and the sanitary sewer line that flows out to the lagoons. A problem arises if you try to go over the top of these lines with the proposed storm sewer line. If you start at the proposed pond normal water level and go to the north to connect to the storm sewer culvert invert there is only three and a half feet of fall. This does not give enough fall for the line to run south and go over the existing forced main pipe.
- Mr. Parrott suggested an alternative that has worked in the past. It is to put a storm sewer manhole over each line then insulate the sewer pipe so it does not freeze. Then place the bottom of the storm sewer manhole a foot and a half below the bottom of the sewer line and then the storm water flow will go over and under the existing sanitary sewer line. Each of the storm manholes will probably run with the 42" size storm sewer and will cost around \$3,500 each depending on what is bid.
- Councilmember Mueller asked if the forced main could be lowered.
  - Mr. Parrott replied that it would be best not to cut into the forced main to lower it. If the forced main drains into the bottom of the cities waste water ponds then there is a possibility that all the water from those ponds may flow backwards and out of where it was cut into.
- Mr. Parrott informed Council that S.E.H does not know the exact location of the forced main line that the proposed storm water line would have to cross. He asked for permission to ask Wm. Mueller and Sons to provide a backhoe for digging and ask Mr. Cummiskey (Councilmember) for permission to go onto his property to locate the force main.
  - City Clerk Gruenhagen added that the last excavation only cost the city \$175.
  - Council agreed to have Mr. Parrott coordinate with Mr. Cummiskey and Wm. Mueller and Sons on what day this could be done.
    - Maintenance Worker Byerly asked to be notified when the digging will be done so he can be there also.

### **Acreage of Pond**

- Mr. Parrott presented to Council a drawing that showed the requested smaller three and a half acre pond which could be expanded in the future. What Mr. Parrott pointed out was that the drawing showed the proposed project land acreage not water surface area. About 2.56 acres are needed for the pond and slopping areas. To expand the pond in the future about another .94 acre area would be needed and still be within the 3.5 acre limit. However on the east side the pond dike may have to be sloped 8 to 10 feet over the 3.5 acre line.
- Mr. Parrott informed Council that it would be to the cities best interest to also purchase the land, two tenths of an acre, from Mr. Cummiskey's property starting at the south end of the sloped dike to the Lateral 4 of Joint Ditch 3 ditch. By doing this it would give the city access from the south to the center line of the ditch.
- Mr. Parrott continued by stating that by law a one rod easement belongs to the Ditch Authority as an easement.
- Deputy Clerk Block asked how high the dikes will be.
  - Mr. Parrott replied they would be only two to two and a half feet high. To keep the dike height lower the pond will be dug deeper. The higher the dike the shallower the pond.

### **Finalization of Plans**

- Mr. Parrott ended by informing Council that the finalizations of the plans are almost complete and the specs are almost done. However he would like to meet with the Project Committee one more time to make sure the project plans are what Council wants. When the plans are 99% completed he will call to set up a meeting date and time.

### **Assessment Options**

## Hamburg City Council Meeting June 9, 2009

- City Clerk Gruenhagen noted to Council that by the end of August a final decision should be made on what assessment option the Council wants to go with.
- Mr. Parrott suggested that he and City Clerk Gruenhagen meet with the Cities financial advisor to put together options to be presented to Council and the Community. Council agreed that this should be done.

### **PFA Funding Application**

- City Clerk Gruenhagen reported on PFA funding. Council will have to pass Resolution Number 2009-06. This resolution is approving an application to the Minnesota Public Facilities Authority Clean Water Revolving Fund for a loan in the amount of \$1,225,325 or the as-bid cost of the project. Also in Council packets was information on the CWRP application check list. Ron Seymour from S.E.H is putting the requested information together, however, Mayor Malz will have to sign some of the documentation at this meeting and Council will have to approve Resolution 2009-06.
- ***Councilmember Barnes moved to pass Resolution Number 2009-06, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.***

### **Comment Card**

- City Clerk Gruenhagen informed Council that one citizen returned the comment card sent out to residents affected by this project asking for their input.
  - The resident commented that the plans submitted in May look good, city should do all parts and has their support. Financing for us is ok as City sets up. To us this is not an option, this update must be done.
    - Added with this comment was: We do not like the idea of sump pumps going in front of houses as most of us have the pumps going out back so we support the original design not the one suggested by one individual at the last meeting.

### **Resolution Number 2009-07**

- City Clerk Gruenhagen informed Council that Resolution 2009-07 needs to be adopted tonight. This resolution orders improvements and directing preparations of final plans and specifications for Storm Sewer and Sanitary Sewer Improvements of 2009.
- Councilmember Mueller asked by adopting this resolution the project will go to bids?
  - Mr. Parrott answered no, by adopting this resolution it will give S.E.H the go ahead to prepare final plans and specifications for this project.
- Councilmember Mueller asked if the ditch will still be cleaned out.
  - Mr. Parrott replied that he was informed that the ditch will be cleaned out once the crops are out of the field. It will be done this fall.
  - Mr. Parrott also added that the ditch has to be cleaned out this fall because the project is being designed based on their commitment to have the ditch cleaned out.
- Councilmember Mueller commented that he was under the assumption that the County will be responsible for the cleaning out of the culvert.
  - City Clerk Gruenhagen will check with Mark Lundgren to make sure the County is responsible.
  - Mr. Parrott added that this has to be done and you can argue who pays for it later.
- ***Councilmember Mueller moved to approve Resolution 2009-07, Resolution Ordering Improvements and Directing Preparations of Final Plans and Specifications for Storm Sewer & Sanitary Sewer Improvements of 2009, seconded by Councilmember Trebesch and motion carried. Councilmember Cumiskey abstained.***
- Councilmember Mueller added that he had spoken with a few city residents and the people that John Reyant has talked to are really pleased with how he has presented himself. Two people commented how polite and attentive he was to their questions.



# Hamburg City Council Meeting

## June 9, 2009

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

#### Lawn Mower

- Maintenance Worker Byerly informed Council that he had taken the lawn mower over to Mid West Equipment in Glencoe, MN. They said that it is running on one cylinder and needs coils. The estimated cost to fix the mower would be \$300 for parts and \$76 for labor.
- Council discussed what had been done to try and get the mower running and what should be done now to get it running. Council agreed to have Maintenance Worker Byerly take the mower back to Mid West Equipment and have them try to fix the mower but not to exceed \$500. If the repair would cost more than this amount they would have to call to find out if Council wants to proceed with the repair or not.
- ***Councilmember Cummiskey moved to spend up to \$500 for the repair of the cities lawn mower, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.***
- Maintenance Worker Byerly asked what to do with it after it is fixed.
  - Council replied “use it”.
- Mayor Malz asked if the weeds by the railroad tracks and the abandoned track are mowed by the lawn service or does the city mow them. Mayor Malz mowed the weeds last week with his lawn mower keeping the deck up.
  - Maintenance Worker Byerly replied that Wm Mueller & Sons usually brings down a bushwhacker with a bobcat right before Zummerfest and mows the weeds down.
    - Maintenance Worker Byerly has tried to mow the weeds however there are too many rocks and he has hit some of the spikes.
  - Councilmember Trebesch added that he has mowed the weeds down also by keeping the deck of the lawn mower up.
  - City Clerk Gruenhagen noted that Wm Mueller & Sons will cut the weeds again this year.

#### Fix Curb & Gutter on Brad Street

- Councilmember Mueller asked Maintenance Worker Byerly to contact Brad Droege (Wm. Mueller & Sons) and have them fix the curb and gutter on Brad Street across from the Hamburg Bank. A bituminous gutter and tar curb could be put in now. During the I & I project this street is planned to be torn up so there is no sense to have it permanently repaired now. Council agreed with this idea.
- City Clerk Gruenhagen brought up that Leon Buckentin (811 William Street) had asked the city to repair three to four feet of curb in front of his house that were hit by the snowplow. The curb is chipped and pieces are missing.
  - Council discussed the other areas in town that are in the same condition and also wondered if a snow blower instead of the snowplow chipped the curb. To replace a section of the curb would cost about \$36.00 per square foot.
  - Council made no decision on Mr. Buckentin request to have the curb fixed.

#### Fiber Optic Line

- Councilmember Mueller mentioned that the fiber optic line coming into Hamburg will not be started until this fall. He asked Maintenance Worker Byerly to make sure the jetter is in working condition because

## **Hamburg City Council Meeting June 9, 2009**

when the directional boring is started there will be a possibility of slurry getting into a sewer line. If this happens the line would have to be jetted.

### **Sidewalk Replacement and Seal Coating**

- City Clerk Gruenhagen reported that he has no dates as to when Hard Stuff Masonry & Concrete or Southwest Paving will start these projects. He will follow up with them.

### **Replacement Water Fountain for Park**

- Councilmember Cumiskey asked Maintenance Worker Byerly to stop by his house tomorrow and pick up the water fountain he has to replace the broken one at the Park.

### **City Keys for Council**

- City Clerk Gruenhagen asked Maintenance Worker Byerly if he had taken the city keys to be copied for Council members and the Mayor.
  - Maintenance Worker Byerly replied that he would get this completed.

### **Pond Key**

- Council again discussed who should have the key to the pond. This had been discussed several times before and it had been decided that only the City Office would have the keys for the pond.

### **Solar Batteries for Warning Siren**

- Councilmember Trebesch asked Maintenance Worker Byerly if he has checked into the cost of purchasing solar batteries for the siren.
- Maintenance Worker Byerly was unaware that this was on his project list.
- Councilmember Mueller mentioned that even if you would get a solar charger you still have to purchase new batteries. Batteries last a long time but they do wear out. In his opinion purchasing a solar charger would be a waste of money.
- Council agreed to wait on the purchase until further research is done but Maintenance Worker Byerly should purchase the new batteries now.

### **Refrigerators and Freezers in Park**

- Councilmember Trebesch asked Maintenance Worker Byerly if all the refrigerators and freezers have been checked and are working.
  - Maintenance Worker Byerly responded that he had checked them and they are all working.

Maintenance Worker Byerly commented that no one had told him that the Hall was going to be used during Zummerfest and he has started stripping and waxing the floors. He did not think the Hall was rented until the middle of July.

- Councilmember Mueller and City Clerk Gruenhagen commented that for the last several years the Hall was not rented out just in case one of the events for Zummerfest is rained out. If it did rain the event could then be moved to the Hall.
- Maintenance Worker Byerly will complete the project before Zummerfest.

## **Deputy Clerk Block's Report**

### **Delinquent Utility Bills Report**

- Deputy Clerk Block reported that Chris Tordsen (618 Kim Avenue) did send in \$400 on June 1, 2009 for payment on his delinquent account, remaining balance of \$654.66. Jeff Muri (941 Park Avenue) was sent his final billing for the amount of \$340.22. His home has sold and payment should be received shortly.

# Hamburg City Council Meeting June 9, 2009

## City Clerk/Treasurer Report

### Liquor License Renewals (July 1, 2009 to June 30, 2010)

- Parkside Tavern – On Sale - \$1,200
- Parkside Tavern – Sunday Liquor Sales - \$200
- Parkside Tavern – Off Sale - \$100
- Hamburg Lions Club – 3.2 Malt Liquor
- Hamburg Baseball Club – 3.2 Malt Liquor

City Clerk Gruenhagen commented that the background checks for the requested liquor license cost \$23.90 per hour taking 2 hours to investigate each application.

- ***Councilmember Cummiskey moved to adopt the requested liquor licenses for Parkside Tavern, Hamburg Lions Club, and the Hamburg Baseball Club, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.***

### City Lease Agreements – Serving of Alcohol

- City Clerk Gruenhagen informed Council that the cities attorney Mac Willemsen sent a letter answering the questions concerning Hall (Community Center & Park) rentals and alcohol issues. City Clerk Gruenhagen pointed out one part of the letter: If alcohol is going to be sold, it is clear under Minnesota law that the user will need to obtain a liquor license. What the City of Hamburg should be aware of is that Minnesota Liquor Control takes the position that a liquor license must be obtained even if liquor is only going to be “served” in a commercial setting. Liquor Control takes the position that any rental of a facility is “commercial”; therefore, even though someone is just “serving” liquor (as compared to a sale), Liquor Control says there must be a license. It appears the only way to meet this requirement is for the user to hire a caterer that can obtain a “consumption and display” permit.
- Council discussed this issue and how it would affect renters and how do other cities handle this type of situation.
- Council decided that renters will have to carry a one day liability insurance policy and the city will also carry liability insurance. This will be added as a requirement in the lease agreements for the Hall, Community Center, and the City Park.
- City Clerk Gruenhagen will work with the City Attorney (Mac Willemsen) on the wording and have it added to the lease agreements. Renters can either purchase the insurance through their home owner’s policy or through the League of MN Cities.
- City Clerk Gruenhagen added that when the cities insurance policy is due he will have liquor liability added to the coverage. Renewal will be in July 2009.

### Peddler/Solicitor/Transient Merchant Permit for Joshua Gross

- City Clerk Gruenhagen informed Council that Joshua Gross from Patriot Service Roofing did apply for a Peddlers/Solicitor Permit. He asked Council if they would approve the application pending a clean background check.
- ***Councilmember Barnes moved to approve Joshua Gross, Patriot Service Roofing, application for a Peddler/Solicitor Permit provided his background check comes back clean, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.***

### To The Home – Wireless Internet Service

- City Clerk Gruenhagen commented that Mac is reviewing the contract, no further information at this time.
- City Clerk Gruenhagen wanted to inform Council that he had received a call from the Stuewe Farm just outside of Hamburg. To The Home Internet was planning on installing an antenna on their silo. Mr.

## **Hamburg City Council Meeting June 9, 2009**

Stuewe had agreed to the installation however Mrs. Stuewe halted the installation due to liability concerns. City Clerk Gruenhagen was a little concerned that if To The Home Internet was asking the city for permission to install an antenna on the water tower why were they going a half mile out of town to install another one.

- Councilmember Mueller commented that he had some concern about giving To The Home Internet a key to the shed located under the water tower to install their equipment.
  - Council discussed this concern and decided that To The Home Internet would not be given a key. They will have to install their equipment outside of the shed.
  - Council also discussed and agreed that the city should not expect to receive any revenue from this project.
    - City Clerk Gruenhagen made the comment that this should be looked at as a provided service for residents.
- City Clerk Gruenhagen asked Council if they would want to set a time frame in the contract with To The Home Internet. You do not want to be tied to one provider if in the future new service(s) become available.
  - Council discussed and decided to put a time frame in the contract.

### **Emerald Ash Borer (City Tree Ordinance)**

- City Clerk Gruenhagen informed Council that the city does have an ordinance covering diseased trees with in the city.
  - 93.30 Tree Diseases – (A) Trees constituting nuisance declared. The following are public nuisances whenever they may be found within the city: (5) Any other shade tree with an epidemic disease. (B) Abatement of nuisance. It is unlawful for any person to permit any public nuisance as defined in division (A) of this section to remain on any premises the person owns or controls within the city.

### **City Shirts**

- City Clerk Gruenhagen updated Council on the shirts they had ordered from G&K Services. The shirts G&K sent will be free of charge. G&K Services will credit the City by crediting their services that they provide for the city. One shirt was reordered (large) in the size and type Council had originally agreed upon. Once this shirt is received and Council approves the other sized shirts, they will be ordered.

## **City Council Reports**

### **Councilmember Mueller (Sewer & Water)**

- Councilmember Mueller and Mayor Malz attended the ACCEL meeting last week. The topic discussed was on the N1H1 flu virus and how the County is prepared. The fiber optic line was brought up and it will not be started until this fall. The company installing the line (Jaguar) did not receive the grant they applied for so this is putting the project behind schedule.

**Councilmember Cummiskey (Streets)** had nothing further to report.

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

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

**Mayor Malz**

**Hamburg City Council Meeting  
June 9, 2009**

- Mayor Malz asked to have the cities lot by Brad Street mowed. There will be a lot of City festivities and it would make the area look nicer.
  - City Clerk Gruenhagen will have this taken care of.

**Approve Claims List for June 2009**

Councilmember Barnes asked about Claim Number 13880, MNSPECT, Building Inspection Fees for May in the amount of \$696.70. He did not know what this was for.

- City Clerk Gruenhagen explained that this a fee charged by MNSPECT. The city contracts out with this company to review permits and do inspections of building permits to make sure state code is followed.

Councilmember Barnes asked about Claim Number 13869, City of Shakopee SMDTF Membership Dues for 2009 in the amount of \$2,100.

- City Clerk Gruenhagen explained that this is for the Southwest Metro Drug Task Force Team. This is something the city has contributed towards for the last three to four years.

*Councilmember Barnes moved to approve the June 2009 Claims List from Claim Number 13859 though Claim Number 1389 including the three ACH payments, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

*Councilmember Mueller moved to adjourn the Hamburg City Council meeting at 9:44 p.m., seconded by Councilmember Barnes and motion unanimously carried. All Council Members were present.*

Submitted by:

Sue Block  
Deputy Clerk