

Hamburg City Council Meeting July 14, 2009

Mayor Malz called the regular meeting of the Hamburg City Council to order at 7:00 p.m. Councilmember Larry Mueller, Councilmember Cummiskey, Councilmember Steve Trebesch, Councilmember John Barnes, City Clerk Jeremy Gruenhagen, and Fire Chief Brad Droege were present. Maintenance Worker Dennis Byerly and Deputy Clerk Block (MCFOA Conference) were absent. Present from the Arlington Baseball Club were Tony Beneke, Leon Dosse, Mark Qualle, and Bob Thomas.

Agenda Review (Added Items) and Adoption

- Added – Sinks for Park – Lions Club
- Added – Mow weeds along Park fence line.
- Added – National Night Out
- Added – Picnic Tables – Repaint by Lions Club
- Added – Property & Casualty Insurance Renewal
- Added – Time off request for City Clerk Jeremy Gruenhagen
- *Councilmember Mueller moved to approve the agenda with the six additions, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

Old City Business

- Number 2 – Gather names of individuals who could/would design the cities web site and cost.
 - This is being worked on.
- Number 4 – Discuss the discrepancy in the verbiage – Ordinance #95.6 – what constitutes a dog kennel, three or four dogs.
 - This has been sent to City Attorney Mac waiting for his reply.
- Number 5 – Business Cards for Council, Mayor, Maintenance Worker Byerly.
 - City Clerk Gruenhagen will order 1000 for each member of Council, the Mayor, and Dennis.
- Number 6 – Purchase shirts for Council, Mayor, City Clerk Gruenhagen, and Deputy Clerk Block.
 - These have been ordered.
- Number 9 – Consider charging organizations a fee to help cover the Sheriff's Department background fee.
 - Council will discuss this at the next Council meeting on July 28, 2009.
- Number 10 – Update on Met Council's 2008 Population Estimates.
 - This has been discussed and can be taken off report.

Fire Department Report – Chief Brad Droege

2008 FEMA Grant Application

- Fire Chief Droege informed Council that he just completed the semi annual performance review. Everything looks good and they accepted it.

2009 FEMA Grant

- Waiting to hear on the grant application.

Election vs. Selection

- City Clerk Gruenhagen suggested putting the by-laws in booklet form and change the wording from by-laws to policies and make the recommended changes from LMC.
- Council briefly discussed this with no final decision made. Other cities will be asked how they are handling this issue.
- The Hamburg Fire Department will follow the guidelines set by City Council.

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Relief Association Financial Statement for 2007 & 2008

- This was discussed at the last City Council meeting but was not approved.
- *Councilmember Mueller moved to approve the 2007 & 2008 Relief Association Financial Statement, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

Contributions for 2009 & 2010

- At the last Council meeting the question was asked why the 2010 contributions are going up.
 - Fire Chief Droege suggested at this Council meeting that one possible reason why the 2010 contributions are going up is because of loss in revenue.

Pension Increase for Reporting Year 2010

- Fire Chief Droege let Council know that if there are any pension increases this information would have to be turned in later this year (2009).
 - Council will discuss this at a later council meeting.

Pagers

- The Relief Association donated \$2,662.68 towards the purchase of pagers for the Fire Department (Claim #13912).
- *Councilmember Mueller moved to accept the \$2,662.68 donation from the Relief Association for the purchase of Fire Department pagers, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

SAFER Program

- On July 13th the Hamburg Fire Department participated in a SAFER training at Norwood/Young America, MN.
- The locator bracelets will be donated to needy families by the Hamburg Fire Department.

Arlington Baseball Club

Use of City Bleachers for State Amateur Baseball Tournament

- Tony Beneke represented the Arlington Baseball Club in their request to use the Hamburg City Bleachers during the State Amateur Baseball Tournament being held in Arlington. The tournament will be held August 8, 2009 to September 13, 2009.
- Council discussed their request and decided to allow the Arlington Baseball Club use of two sets of bleachers from Bi-Centennial Park. Council asked Mr. Beneke to sign a Waiver Liability Form for the use of the bleachers.
- For the use of the bleachers Mr. Beneke informed Council that a half page ad in the Baseball Programs will be reserved for the city free of charge.
- *Councilmember Cummiskey moved to approve the Arlington Baseball Club request to use two sets of bleachers out of the Bi-Centennial Park for the State Amateur Baseball Tournament to be held in Arlington, MN on August 8, 2009 through September 13, 2009 on the condition they sign a waiver of liability, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

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Dennis' Report (Public Works & Utilities)

(City Clerk Gruenhagen presented Dennis' Report)

Sidewalk Replacement (Hard Stuff Masonry & Concrete)

- Donny Harms (Hard Stuff Masonry & Concrete) will be contacted by City Clerk Gruenhagen asking Mr. Harms if he is coming back to fix the crack in the sidewalk along Railroad Street between Maria Avenue and Sophia Ave.
- City Clerk Gruenhagen asked Council if he should withhold payment until the crack is fixed.
 - Council discussed this and decided to go ahead and pay the invoice.

Seal Coating (Southwest Paving)

- The seal coating was completed and Southwest Paving came back to sweep the excess rocks off. City Clerk Gruenhagen was at the city park changing the city sign and was unavailable to stop them from hauling the rocks away. He did call Southwest Paving asking them to bring the rocks back because the city had plans to use them. Southwest Paving has not responded.
- Council discussed and decided to not pursue this any further.
- Parking lot has been re-stripped.

LMCIT Loss Control Survey on June 11, 2009

- Maintenance Worker Byerly was not present to report on this. It will be added to the next Council meeting agenda.

Cooling Fans for Community Hall

- Mayor Malz will check on fans for the Community Hall and bring examples to the next Council meeting.
- Council discussed if the fans already in the ceiling should be fixed or taken down. They also discussed what should be done about the exhaust fan in the ceiling roof. This fan area is open to the outside and the Hall loses a lot of heat during the winter months. No decision was made.
- Council also discussed putting in air conditioning.
 - City Clerk Gruenhagen had received information from Mr. Lund (612 Kim Avenue) that his cousin does duct work for air conditioning. City Clerk Gruenhagen asked Council if they would like to have him to come out and take a look at the Hall.
 - Councilmember Mueller suggested heating/cooling the Hall by geothermal. The city has the property to bury the pipe in. Council discussed possible stimulus funds for such a project.
- Council continued to discuss options and who could be contacted to present Council with options and pricing. Council agreed that the water problem (City Shop Drain) has to be corrected first.

Hours Worked (Overtime) for 2009

- Maintenance Worker Byerly had previously asked City Clerk Gruenhagen if Council was considering changing his hours back to 40 hours per week since there were no LGA cuts to the city.
- Council discussed his work load and decided to keep his hours at 36 plus rounds at 2 Hours OT on weekends and holidays.
- City Clerk Gruenhagen suggested discussing at a future council meeting if the city should continue to out source the cities lawn mowing service. The contract is up this year and perhaps Maintenance Worker Byerly could start doing the mowing next summer.

Swings for Hall

- City Clerk Gruenhagen informed Council that the swings by the Community Hall are missing and they should be replaced.
 - This will be added to Maintenance Worker Byerly project list.

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- A Hall renter suggested putting picnic tables in the small Hall park area.
 - Council discussed the possibility of persons bringing their drinks outside during Hall functions. They decided to post signs at the Hall exists “No Alcohol beyond This Point”.
 - All members of Council agreed to have two picnic tables placed in the Hall Park.
 - City Clerk Gruenhagen will check into the price of new tables.

Picnic Tables

- The Hamburg Lions Club would like to paint the City Park picnic tables. They would like to paint the tables purple to match the cities colors.
 - Council discussed changing the color but decided to keep the color neutral and have the “Property of City of Hamburg” sticker applied to them.
 - Council had no objection to letting the Lions Club paint them.
- The Hamburg Lions Club would also like to lower four of the picnic tables to the same height as the other ones.
 - Council discussed leaving the four tables at the height they are or letting the Lions Club lower them. Council had no objections to the Lions Club lowering the picnic tables. Council also discussed moving the picnic bench seats closer (in).

Deputy Clerk Block’s Report

(Deputy Clerk Block was at the MCFOA conference, City Clerk Gruenhagen presented the report.)

Delinquent Utility Bills Report

- Delinquent bills are the same as always.
- Jeff Muri (941 Park Avenue) is closing on his home today and the delinquent amount should be paid at closing.
- Mayor Malz suggested adding an address column to the Delinquency report.
- City Clerk Gruenhagen will follow procedures set by City Ordinance for sending out delinquent notices and if residents do not respond/pay by specified date their water will be shut off.
 - Mayor Malz commented that the city is not a bank and the City needs to get tough on residents who are not paying their water bills.

MCFOA Clerk’s Conference (July 13-17)

- City Clerk Gruenhagen asked Council if Deputy Clerk Block could be paid 40 hours during the week she is at the conference. Her hours were cut back to 32, however, she will be working 40 hours attending the training.
- Council agreed to pay Deputy Clerk Block 40 hours for that week.
- ***Councilmember Cummiskey moved to pay Deputy Clerk Block 40 hours, at her regular pay, for the week of July 13, 2009 through July 17, 2009, seconded by Councilmember Mueller and motion carried. Councilmember Barnes abstained.***

City Clerk/Treasurer Report

Agreement Establishing Regional Safety Group

- City Clerk Gruenhagen informed Council that the Resolution was already passed however the Agreement needs to be approved.

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- *Councilmember Cummiskey moved to approve the Agreement establishing the Regional Safety Group, seconded by Councilmember Barns and motion unanimously carried. All Council members were present.*

I & I Abatement Program

- MPCA Approval of Final Plans & Specifications
 - A letter was received from the MPCA approving the final plans and specs for the project.
- Geotechnical Evaluation Report (Braun Intertec)
 - City Clerk Gruenhagen informed Council that he had received the report and forwarded it on to members of Council.

Application to Carver County for Water Management Rules Conformance and Approval

- SEH has completed this and City Clerk Gruenhagen asked Council for approval to send the application on to Carver County for their review along with the fee of \$1,250.
- *Councilmember Mueller moved to approve the Application for Water Management Rules Conformance and Approval, seconded by Councilmember Barns and motion unanimously carried. All Council members were present.*

TMDL Grant

- City Clerk Gruenhagen informed Council that the cities position on the TMDL Grant has dropped. Points were taken away with no explanation as to why.
- Becky Sabie (MN Public Utilities Authority) suggested calling Gene Erickson (MPCA) as to why points were taken away.
- City Clerk Gruenhagen pointed out that back in June 2008 the city was at 78 points but now the city was dropped to 58 points. According to Gene Erickson (MPCA) the cities I & I project does not qualify for additional points.
- City Clerk Gruenhagen questioned why this information was coming from PFA and not PCA.
 - Doug Parrott (City Engineer) had suggested that City Clerk Gruenhagen and Mayor Malz follow up with PCA as to why the points were reduced and why the City now does not qualify for the TMDL Grant.
 - Last year Bill Dun, PFA, and Senator Ortman were at a Council meeting and they all sounded like it was a done deal that the City of Hamburg would receive TMDL grant money.
- Councilmember Mueller commented that the email informing the city they now do not qualify should be forwarded to Senator Ortman and Representative Kohls.
 - With this cut the city is losing \$90,000 to \$100,000 for the I & I project.
- City Clerk Gruenhagen will continue to follow up on this and inform Council of any new information.

I & I Project

- Councilmember Mueller asked if the sewer lines along Park Avenue between Diane Mackenthun (625 Park Avenue) property and Gary Perry's (421 Brad Street) could be re-televised. This would give the exact location of where the sewer lines connect into the main line.
 - It was agreed to have Mike from S.E.H do the work for he did an excellent job last time.
- Council discussed checking into the possibility of abandoning the storm sewer line along Robert Bergmann's property (720 Park Avenue).

LGA Un-Allotment for 2009 & 2010

- The LGA Un-Allotment has not been received yet.

2009 Budget Items

- City Clerk Gruenhagen asked Council to keep in mind the Budget Cut List. The list will be kept on the agenda incase Council would like to add, remove, or complete certain items.

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Building Permits Report for 2009

- Council had requested adding to the agenda the list of Building Permits issued within the city. With this list members of council can check if residents have applied for permits.
- City Clerk Gruenhagen did add this to the agenda and will keep it on future agendas.

City Zoning Ordinances

- City Clerk Gruenhagen will keep this item on the agenda incase Council would like to add anything to their previous requests.
- Three additional items were discussed, hoop buildings, temporary buildings, and concerns about right-of-ways.
 - In the City Zoning Ordinance there already is an Ordinance about right-of-ways and it lists a minimum setback of 15 feet for objects in ROW.
- Ann Perry (City Consulting Planner) is checking into Council requests for certain zoning changes.
- City Clerk Gruenhagen asked Council when they would like Ann Perry to come back and talk to Council about the zoning.
 - Council agreed that sometime in September would be good.

Public Nuisance Letters

- City Clerk Gruenhagen informed Council that he had sent out a few more nuisance letters.
 - He is hoping the pigeon problem has been taken care of. A list identifying all the ordinances and possible citations the resident could be cited for was posted by the CSO. The CSO also left his card incase the resident wanted to discuss the problem with him. One of the neighbors had also talked to the resident about his pigeons.
 - One city resident did call the city office thanking them for addressing the issue.
 - A CSO was sent to John Trebesch (460 Brad Street) requesting the removal of the truck that has been sitting in his driveway for a lengthy period of time.
 - City Attorney Mac will be addressing the nuisance at Darrell Grams (410 Sophia Avenue). Mr. Grams has cleaned up some of the rubbish and vehicles but more has to be done.

Briggs & Morgan Conflict Waiver Letter Request

- City Clerk Gruenhagen informed Council that because Briggs & Morgan provides legal service for the City and they also represent Xcel Energy, they would like a conflict waiver from the City of Hamburg.
- ***Councilmember Mueller moved to approve the Conflict Waiver Letter request from Briggs & Morgan, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.***

National Night Out

- The H.I.P Group will send out notices to residents informing them of the National Night Out which will be held on August 4th from 6 to 8 p.m.
 - Council and Fire Chief Droege will find people to help with the mailing.
- Mayor Malz and Council requested that an officer from the H.I.P. group attend the next Council meeting to give an update on the groups' finances.
 - Councilmember Cummiskey will contact Maggie Cummiskey and Connie Byerly who are the H.I.P. groups' officers and ask if one of them or both could come to the next council meeting.
- City Clerk Gruenhagen will put a notice on the cities electronic sign about the National Night Out.

Sink for Park Building

- The Lions Club had asked City Clerk Gruenhagen if the purchasing of a sink for the Park building was cut from the budget due to LGA cuts or what the reason was.

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- City Clerk Gruenhagen had checked and Council did cut it out of the 2009 budget. Council could put this item back in the budget and cut something else.
- City Clerk Gruenhagen mentioned that he had suggested to the Lions that they should check into how much a sink would cost. Then decide how much they are willing to pay and then ask Council if they would pick up the remainder of the cost if needed.
- Council had a lengthy discussion of what type of sink(s) could or should be installed in the Park building.
 - Council decided to install a stainless steel sink that Councilmember Cummiskey had at his residence.

Insurance Renewal for the City of Hamburg

- City Clerk Gruenhagen asked Council for a motion on the Insurance Liability Coverage Form. The liability form is for Council to decide if they want to waive the monetary limits or not to waive the monetary limits. In the past Council did not waive the monetary limits on the Municipal Tort liabilities established.
- *Councilmember Cummiskey moved to not waive the monetary limits on Municipal Tort Liabilities, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

Municipal Property Schedules

- City Clerk Gruenhagen is working with Don Buckentin from the Hamburg Insurance Agency on getting the property schedules up to date.
- City Clerk Gruenhagen commented that the coverage on the Pump House and Park Restrooms are not sufficient if there was a need to replace them. He also commented that the coverage on the Park Shelter-Lions Building was way too high. Council added that the Open Shelter seems high also.
 - Pump House – 230 Railroad Street – Current Coverage is \$5,578
 - Park Restrooms – 614 Park Avenue – Current Coverage is \$4,057
 - Park Shelter-Lions Building – 614 Park Avenue – Current Coverage is \$36,706
 - Open Shelter – 613 Park Avenue - \$32,995
- It was brought up that the Baseball Park Open Shelter and the Ball Field Lights are insured way below what they should be. The Baseball Club had suggested coverage for the lights should be around \$100,000 and the shelter around \$15,000.
 - Baseball Park Open Shelter – 401 Sophia Avenue – Current Coverage is \$7,379
 - Ball Field Lights – 401 Sophia Avenue – Current Coverage is \$68,229
- Council was informed that Mr. Buckentin, Hamburg Insurance Agency, will check what the appropriate coverage should be for these buildings and lights.
- City Clerk Gruenhagen informed Council that the city's water tower does not have coverage only Umbrella Liability coverage. He asked Council if they wanted the water tower added to the insurance.
 - No definite decision was made at this time.
- Fire Chief Droege suggested adding coverage for the city sign, bleachers, and the warning siren. He asked to have the coverage on the Fire Hall-City Hall checked into.
 - City Clerk Gruenhagen will have Mr. Buckentin check into the cost of coverage for these items.
- City Clerk Gruenhagen informed Council and Fire Chief Droege that any mobile property under \$25,000 is covered. Anything over \$25,000 has to be listed separately.
- Mayor Malz suggested video taping the equipment and property the city has.
 - Council, City Clerk Gruenhagen, and Fire Chief Droege all agreed this should be done.
 - Taking pictures was also suggested.

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Time Off Request

- City Clerk Gruenhagen turned in a Time Off Request for July 31, 2009.
- ***Councilmember Mueller moved to grant City Clerk Jeremy Gruenhagen time off on July 31, 2009, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.***

City Council Reports

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

Councilmember Cummiskey (Streets) – nothing further to report.

Councilmember Trebesch (Buildings)

- Councilmember Trebesch informed other members of Council that he had turned in an estimate from K & K Services (Kip Trebesch) to fix the trim on the Community Hall which estimated out at \$550. During K & K evaluation of the job they notice that the trim on the north side of the Community Hall was loose and some flashing was missing. They turned in an additional estimate of \$350.
 - To fix the missing trim and secure the loose trim the total cost would be \$900.00.
- K & K Services provided Councilman Trebesch with an estimate to replace the City Shop door. The cost for a commercial door with panic hardware and replacing the enclosure was \$3,485.
 - The door to be replaced is not a public exit so panic hardware is not needed.
- K & K estimated cost for a regular steal door with a deadbolt and frame was \$375 and a labor cost of \$650 totaling \$1,025.
 - Council discussed the estimates and if the frame for the door has to be replaced. Council decided to get another estimate for comparison.
- ***Councilmember Cummiskey moved to approve the additional \$350 bid by K & K Services to do flashing (trim) repair work on the north side of the Hall, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.***
 - Councilmember Trebesch will contact K & K Services to inform them of Councils decision.

Councilmember Barnes (Parks) – nothing further to report.

Mayor Malz

- Mayor Malz mentioned the Sewer Dump Drain in the City Park looks like it's sinking deeper into the ground.
 - Council discussed and decided to have Maintenance Worker Byerly monitor the situation.
- Mayor Malz also asked if a hose could be put at the Dump Station for easier use.
 - Members of Council decided not to provide one at the Park.

Fire Chief Droege

- Chief Droege informed Council that the weeds have been mowed along the south fence in the Park.
- Fire Chief Droege asked Council if there was enough money in the budget to have the stumps removed by the Community Center.
 - City Clerk Gruenhagen will check into who had previously removed stumps for the city and the cost. Maintenance Worker Byerly would do the clean up.

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Approve Claims List for May 2009

City Clerk Gruenhagen added check #13941 in the amount of \$1,250 for the Carver County Application for Water Management Rules.

Councilmember Barnes moved to approve the July 2009 claims list from claim number 13905 through claim number 13940 including check #13941 for \$1,250 and the 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 9:13 p.m., seconded by Councilmember Trebesch and motion unanimously carried. All Council Members were present.

Submitted by:

Sue Block
Deputy Clerk