

## **Hamburg City Council Meeting October 12, 2010**

Mayor Malz called the Hamburg City Council meeting to order at 7:00 p.m. Councilmember Steve Trebesch, Councilmember John Barnes, Councilmember Brian Cumiskey, Councilmember Larry Mueller, City Clerk Jeremy Gruenhagen, Maintenance Worker Dennis Byerly, and Fire Chief Brad Droege were in attendance. Also in attendance was Dean Schule, Joe Hubler and John Hubler (411 Maria Ave), Chris Lund (612 Kim Ave.), Jim Keeler (Carver County Attorney), Steve Taylor (Carver County Commissioner), and Jim Ische (Carver County Commissioner). Deputy Clerk Sue Block was absent.

### **Miscellaneous Business**

- Dean Scheele was in attendance to hear about the Fiber Optic line.

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

- Added – Updated 2010 October Claims List
- Added – October Check Detail
- Added – Updated Council's Old Business Memo
- Added – Updated City Employee Project Lists
- Added – Updated Delinquency Report
- Added – Letter from Richard Odoms
- *Councilmember Mueller moved to adopt the agenda with the added items, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

### **Review Claims List for October 2010**

- Check #14681 (Sun Patriot Newspapers) should be for Legal Notice for Ordinance #138 not #128.
  - Claims list will be corrected.

### **Old City Business**

- Item #8 – Mayor Malz to contact Adam Glander to look at city office floors.
  - Mayor Malz and Councilmember Mueller met with Adam Glander concerning the deterioration of the city office floors. Mr. Glander was asked what could replace the flooring and the estimated cost.
    - Adam Glander is putting together some ideas and estimated cost to replace the flooring.
- Item #5 – To The Home Internet Wiring at the City Water Tower
  - Robb's Electric should be out this week to take a look at the wiring and what has to be done to bring the wiring up to code. Mr. Sprengeler (To The Home) will then be contacted to correct the wiring that is currently there.
- Item #3 – Project Screen, Projector, and Sound System
  - City Clerk Gruenhagen will comment on this during his report.
- Item #4 – Schedule someone to close the pond gates on October 16<sup>th</sup>.
  - Councilmember Trebesch volunteered to close the pond gates on October 16<sup>th</sup>.
- Item #6 – Install new playground equipment in Hall Park.
  - Councilmember Barnes will comment on this during his report.
- Item #7 – Decide if the City should require additional liquor liability coverage for Hall, CC, and Park rentals.
  - Council will discuss during the City Clerk Report.
- Item #10 – Name that Park
  - Will be discussed at the same time item #6 is discussed.

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### Fire Department Report

#### 2010 FEMA Grant

- No new information on whether or not the Grant has been given out yet.

#### US Fish & Wildlife Grant/DNR Grant

- Grants were received and items have been ordered.

#### State Fire Chiefs Convention – October 21, 2010

- Fire Chief Droege, Adam Glander, Jared Mackenthun, and Brenda Droege will be attending the Fire Chiefs Convention in Rochester, MN on October 21, 22, and 23, 2010.

#### New Paging System

- During the Fire Chief's meeting on October 14<sup>th</sup> the paging system will be discussed.

#### Defibrillator Recall

- Two of the Fire Departments defibrillators are on a recall list and will be replaced by two new defibrillators.

#### Hamburg Fire Department Officers – Selection vs. Election

- More information will be gathered from surrounding Fire Departments on the Pros and Cons of Selection vs. Election.

#### Snow Removal Contract for 2010 (Wm. Mueller & Sons)

- Council discussed the proposed snow removal contract with Wm. Mueller & Sons. Council also discussed who will be making the decision of when to plow and sand the city streets.
- *Councilmember Trebesch moved to accept the Snow Removal Contract for 2010 from Wm. Mueller & Sons and to have Mayor Richard Malz and/or Maintenance Worker Byerly act as City Contacts to make the decision, along with Wm. Mueller & Sons, as to when to plow or put sand/salt on the City Streets, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

#### Hamburg Lions Club

- Lawful Gambling Permit for November 19, 2010
  - *Councilmember Cummiskey moved to grant the Hamburg Lions Club a Lawful Gambling Permit for their annual Poultry Party on November 19, 2010, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

#### Joe & John Hubler (411 Maria Avenue)

- WAC & SAC Fees
  - Ann Perry (Planning Consultant) researched and drafted a letter for the City Council showing comparisons of WAC & SAC charges from other smaller cities in Carver County. The comparisons indicated that the City of Hamburg was within the range of rates charged by other nearby communities.
    - Hamburg's fee is \$3,500 per utility or approximately \$7,000 to hook-up to the Cities sewer and water services.
  - Council discussed lowering the Cities WAC & SAC fees or the possibility of setting up a payment plan with Joe & John Hubler to hook up to the Cities water and sewer services.
    - Council decided to set up a three (3) year payment plan with an interest of \$1 per year.
  - *Councilmember Cummiskey moved to offer Joe & John Hubler a three (3) year payment contract with a \$1 (one dollar) per year interest rate and a final payment due on or before November 1, 2013, upon City Attorney Mac Willemsen approval of the payment plan, for payment of the City of Hamburg's WAC & SAC fees, seconded by Councilmember*

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*Trebesch and motion unanimously carried. All Council members were present.*

- **Public Hearing - Rezoning of 411 Maria Avenue – C.U.P.**
  - A Public Hearing was set up for October 26, 2010 at 6:45 p.m. The reason for the meeting is to discuss the request by Joe Hubler to rezone the property located at 411 Maria Ave from R-1 Single Family Residential to B – Downtown Business Mixed Use. A conditional use permit was also requested for 411 Maria Avenue to allow storage, repair, and servicing occupying between 30 to 50 percent of the building and associated with the business use of the property.
  - *Councilmember Barnes moved to hold a Public Hearing on October 26, 2010 at 6:45 p.m. for the rezoning (R-1 Single Family Residential to B- Downtown Business Mixed Use) and conditional use permit request from Joe & John Hubler for the property located at 411 Maria Avenue, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

### **Carver County Attorney Jim Keeler – 2011 Prosecution Contract**

- County Attorney Jim Keeler presented Council with an overview of the 2010 Prosecution Contract and what is planned for in the 2011 Prosecution Contract.
  - The current (2010) contract rate is \$305.82 and the proposed contract rate for 2011 is \$406.65.
- *Councilmember Cummiskey moved to approve the 2011 Prosecution Contract with the Carver County Attorney's Office, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

### **Carver County Commissioner Jim Ische & Steve Taylor**

- Commissioner Ische and Commissioner Taylor went over the Carver County Open Fiber ARRA Funding and installation of the Fiber Optic line.
  - Mayor Malz questioned if Emanuel School will be included in the fiber optic ring.
    - Commissioner Ische responded that because Emanuel School is outside of the proposed loop and a private school would not be included in the optic ring or qualify for ARRA funding.
  - Councilmember Mueller and Commissioner Taylor discussed adding an additional line for the Hamburg Fire Department.
    - Commissioner Taylor suggested setting up a meeting with City Clerk Gruenhagen and members of Council to iron out the small details of installing and hooking up to the optic line.
- County Road 50 Overlay
  - The County is looking to do the overlay on County Road 50 through town. The County will complete the overlay when the City completes the portion of the I & I project that will cross County Road 50.
- TCW Disposal – Glass on County Road 50
  - Council and Commissioner Ische discussed the issue of glass on County Road 50 coming from TCW trucks. They also discussed the Conditional Use Permit between the County and TCW.
  - Council requested another inspection by the County to find out if the requirements of the Conditional Use Permit are being met.
    - Commissioner Ische commented that he would have this done.

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

#### Community Hall Ramp Canopy Repairs

- K&K Construction (Kip Trebesch) was contacted about being selected to fix the Hall Ramp Canopy. No information on when the work can be started.
  - Maintenance Worker Byerly to follow up on when K&K Construction can start the project.
- City Clerk Gruenhagen submitted the Scope of Work to the Cities Insurance Company (LMCIT) and requested an outline of what they will be covering.

#### Mock OSHA Inspection – July 14<sup>th</sup>, 2010

- Maintenance Worker Byerly will replace the bulb in the outdoor light at the Community Center.

#### Water Well Usage/Water Consumption for 2010

- Water usage vs. consumption was down again from last month, however it still does not account for about 20% of usage.

#### Project List

- Fall – Spray for Dandelions in Park
  - Has been completed.
- #26 – Mark Sewer and Water lines at 411 Maria Avenue
  - Continuing to work on.
- #15 – Check Chimneys in Fire Station (Leaking)
  - Has been completed
- Find all service lines and curb stops within the City especially the ones along County Road 50.
- #22 – Move Fire Apparatus from the City Shop to the WTP
  - Will be completed when Mayor Malz has more time to check if the Shop area could be rearranged to store the apparatus rather than moving it.

#### Request Time Off

- Maintenance Worker Byerly requested time-off from November 5, 2010 through November 16, 2010. Using 48 hours of vacation time and 8 hours of Holiday pay.
- *Councilmember Mueller moved to grant Maintenance Worker Byerly's requested time off, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

### Deputy Clerk Report

#### Delinquent Utility Bills

- Diana Payne (350 Louisa St) – Home is in foreclosure – no information on who to contact.
- Chris Tordsen (618 Kim Ave) – Home is in foreclosure – MN Abstract & Title Co. requested assessment & utility search.
- Nick Nordin (419 Railroad St) – Utility bill will be paid in full at time of closing.
- Fay Buckentin (153 Jacob St) – Set up a Payment Agreement.
- Wm. Minnihhan (421 Henrietta Ave) – Shut Off Notice sent.

#### Project List

- Council had no additions or comments on the project list.

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### City Clerk/Treasurer Report

#### **I/I Abatement Program (Sanitary Sewer/Storm Water Improvements)**

- William & Deanna Panning (631 Park Ave) have signed their easement.
- There are still three (3) Easements remaining to be signed.
  - Brian Cummiskey - 724 Park Avenue
    - In negotiations.
  - David Klugherz - 613 David Ave
    - Mr. Klugherz stated he would sign a temporary easement.
  - Schoeppner/Alling - 619 Park Avenue
    - Stated they would sign their easement.
  - Mackenthun Estate - 631 Park Avenue
    - Mayor Malz will talk to them about signing their easement.
- Pre-Construction Pictures
  - City Clerk Gruenhagen will follow up with Doug Parrott (S.E.H.) on when the pictures need to be completed by.
- Project Schedule
  - A project schedule will be set up once the remaining easements are signed.
- Funding for Sanitary Sewer/Storm Water Improvements
  - Council will have to make a decision on how they want the assessments handled along with setting up a Public Hearing to discuss the assessments and the full scope of the project.
- Clean Water Revolving Fund (2011 Project Property List)
  - The City of Hamburg is currently 111<sup>th</sup> on the list and is in the fundable range.
    - The Storm Water portion of the project is not fundable according to PFA & MN PCA.
  - Estimated fundable cost of the I&I Project, excluding the Storm Water portion of the project, will be approximately \$371,000 for Sanitary Sewer.

#### **Proposal from EPA Audio Visual, Inc. (Projector & Screen)**

- EPA Audio Visual provided Council with an estimated cost of installing a projector and screen in the Community Center. The estimate was \$4,331.
  - City Clerk Gruenhagen requested another estimate placing the speakers in the ceiling instead of the walls as stated in the current estimated cost.
- EPA Audio Visual has not gotten back to Council with an estimate for a Portable Sound System.

#### **2010 Budget Items to be completed in 2010**

- Robb's Electric was asked to come up with an estimated cost to replace the Hall, Shop, and Community Center lights. Once the estimates are received this project could possibly be completed this year. There are rebates for replacing or upgrading the lights.
- Council also discussed other projects that could be completed this year but no decisions were made.

#### **Statewide Health Improvement Program (SHIP)**

- The City of Hamburg has an opportunity to receive grant money through the SHIP program for active living incentives.
- There are three (3) stages to go through for requesting grant monies.
  - 1<sup>st</sup> – Conduct an assessment
  - 2<sup>nd</sup> – Create an action plan.
  - 3<sup>rd</sup> – Implement action plan
- There is approximately \$10,000 that the City could possibly receive through this Grant.
- Possible Projects
  - Improve traffic areas in town with the new reflective traffic signs that are now required by

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Federal law. Cities have until 2013/2015 to replace their current signs with the new ones.

- Sign for Hall Park with a safety barrier around it.
- Install a bituminous path from the Park parking lot down to the playground equipment.
- Have the County widen County Road 50 on the west side of town to Hwy 25 for a pedestrian walk way.

### **Request for Time-Off – October 21<sup>st</sup> - October 22<sup>nd</sup>, 2010**

- *Councilmember Mueller moved to accept City Clerk Gruenhagens request for time off, Councilmember Cummiskey seconded and motion unanimously carried. All Council members were present.*

### **Project List**

- Tax Forfeiture Land Sale – 470 Brad Street
  - There were no bids for 470 Brad Street during the land sale.

## City Council Reports

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

- Councilmember Mueller reminded Council that by 2013 all traffic signs except no parking signs have to be replaced with the new high density reflective signs with six inch letters.
  - This is a Federal unfunded mandate whereas the City will have to pay for the replacements.
  - By 2015 all city street signs will also have to be replaced with the new reflective signs.
  - The good news is that the County will make the signs free of charge for the City.

### **Councilmember Cummiskey**

- Councilmember Cummiskey informed Council that he and Russ Schneewind have lined up people to help install the Hall Playground Equipment.

### **Councilmember Trebesch**

- Councilmember Trebesch asked if the street light located at Sophia and Jacob could be checked by Xcel Energy. The light is continually on.
- Council mentioned other street lights that should be checked.
  - Light by 311 Jacob Street is out and the one in front of the Myron Stuewes (661 Park Ave).

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

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

## Approve Claims List for October 2010

### **Claims List October 2010**

- *Councilmember Barnes moved to approve the October Claims List from claim number 14650 through 14688 plus the six (6) ACH payment, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

*Councilmember Mueller moved to recess the City Council meeting at 9:30 p.m., Councilmember Trebesch seconded and motion unanimously carried. All Council members were present.*

*Councilmember Barnes moved to open the closed City Council meeting at 9:30 p.m. for the purpose of land acquisition discussion for purchase of private property for the storm water pond, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

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***Councilmember Barnes moved to close the Closed Meeting at 10:12 p.m., seconded by Councilmember Mueller and motion carried. All Council members were present.***

***Councilmember Cumiskey moved to reopen the City Council meeting at 10:12 p.m., seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.***

Council discussed opening up naming the Community Hall Park to the public. City Clerk Gruenhagen will put something on the City Sign – City looking to name Park by Community Hall. For Information Call City Offices.

***Councilmember Mueller moved to adjourn the Hamburg City Council meeting at 10:13 p.m., seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.***

Submitted by:

Sue Block  
Deputy Clerk