

## Hamburg City Council Meeting October 13, 2009

Mayor Malz called the regular meeting of the Hamburg City Council to order at 7:03 p.m. Councilmember Steve Trebesch, Councilmember John Barnes, Councilmember Larry Mueller, Councilmember Brian Cummiskey, City Clerk Jeremy Gruenhagen, Deputy Clerk Sue Block, Maintenance Worker Dennis Byerly, and Fire Chief Brad Droege were present. Others present were Brian Biermann (210 Broadway Avenue) and Bill Singer (AT Group).

### Miscellaneous Business (Public Comments)

- Brian Biermann (210 Broadway Avenue) addressed Council concerning a ticket he received about his dogs excessive barking on September 25, 2009. Mr. Biermann asked if the City has a policy about receiving a warning before a ticket is issued. He has had no prior complaints or warnings about his dogs creating a public nuisance.
- City Clerk Gruenhagen and City Council discussed contacting Jim Keeler (City Attorney) and request the County to waive the ticket and decline prosecution.
- Council discussed and agreed that Mr. Biermann should not have received the ticket.
- *Councilmember Cummiskey moved to have City Clerk Gruenhagen call Jim Keeler (City Attorney) and ask if the City can decline the ticket and prosecution for Mr. Biermann. Councilmember Mueller seconded and motion unanimously carried. All Council members were present.*

### Agenda Review (Added Items) and Adoption

- Added – Bids for lawn mowing, Dave's Season All (updated) and Kottke Lawn & Landscape.
- Added – Quotation from Hard Stuff Masonry (Don Harms) to replace the sidewalk in front of Parkside Tavern.
- Added – Estimates for City Shop door - H2 Development and K & K Services.
- Added – Sanitary and Storm Sewer Improvement Project update.

*Councilmember Mueller moved to accept the agenda with the four additions, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

### Old City Business

- Handicap Bathroom in Hall
  - Council discussed installing a handicap bathroom inside the Community Hall and expanding the west side ramp door.
  - Councilmember Cummiskey and Councilmember Trebesch will draw up plans for a Unisex bathroom and present the plans to Council at the October 27<sup>th</sup> Council meeting.
- City Clerk Gruenhagen thanked Councilmember Trebesch for taking down the old ceiling fans in the Hall.

### Approve Minutes for June 9, 2009, August 25, 2009, and September 1, 2009

- *Councilmember Mueller moved to approve the City Council meeting minutes for June 9, 2009 (Special Meeting), August 25, 2009 and September 1, 2009 (Special Meeting), seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

### Fire Department Report – Chief Brad Droege

Fire Chief Droege commented that when the plans are draw up for the handicap bathroom they should include a cabinet to store extra supplies like toilet paper and hand towels.

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### US Fish & Wildlife Grant & 2009 FEMA Grant

- FEMA Grants
  - Started coming out Friday, October 9, 2009, mostly grants for fire trucks.
- US Fish & Wildlife Grant
  - Wild Line jackets, pants and drip can were ordered. They should arrive in one to two weeks.

### H1N1 Virus Flu Shots

- Fire fighters can schedule an individual appointment on October 20, 21, 26, or 27<sup>th</sup> for nasal shots.
- The regular shots for them should be available at the end of this month.

### Fire Prevention (October 5<sup>th</sup> through October 9<sup>th</sup>)

- The yearly fire prevention event went over well. Smoke House went over well with the kids.

### State Fire Chiefs Convention

- The Convention will be held October 15, 16, and 17<sup>th</sup> at Duluth. Brenda Droege, Adam Glander, and Fire Chief Brad Droege will be attending.

### S.A.F.E.R. Breakfast - October 11, 2009

- Approximately 500 people were served at the S.A.F.E.R breakfast. The organizations raised about \$6,300 from the event.

### Statement of Interest in (Carver County) All-Hazard Mitigation Planning

- Fire Chief Droege signed the agreement. By going along with the County (Carver) Mitigation Planning the City can reduce the number of required N.I.M.S. classes.

### Selection vs. Election

- This is listed in the agenda just as a reminder that the Fire Departments By-Laws have to be updated.

### Pension Increase for Reporting Year 2010

- A decision will be made during the October 27, 2009 City Council meeting.

Members of Council commended Fire Chief Droege and all the Fire Fighters from Hamburg and the surrounding area for the excellent and hard work they put into the S.A.F.E.R breakfast.

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

### 2030 Comprehensive Plan

- This plan is final and Council received a copy at the last council meeting.

### Subdivision and City Zoning Ordinances

- This was discussed during the Special Meeting which was held at 6:00 p.m. tonight before the regularly scheduled council meeting at 7:00 p.m.
- City Clerk Gruenhagen asked Council if they had any further comments. Council decided to have one more meeting to review the ordinances. A Public Hearing date will be set at the next Council meeting.

## Bill Singer – AT Group

### Health Insurance Options for 2010

- Mr. Bill Singer from AT Group presented Council with various Health Insurance coverage policies and plans.
- Council discussed the different options and decided to have City Clerk Gruenhagen work with Mr. Singer to find a low cost plan with good coverage.
- City Clerk Gruenhagen will work with Mr. Singer again at the end of October when the new Blue Cross & Blue Shield rates become available.

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

#### Shop Storm Sewer Improvements

- Council instructed Maintenance Worker Byerly to call Henning's and find out when they plan on completing the Shop Storm Sewer Improvement.

#### LMCIT Loss Control Survey on June 11, 2009

- The back steps in the City Shop have been fixed.
- A handrail for the steps on the east side of the City Shop has been purchased and is ready to be installed.
- Councilmember Mueller asked Maintenance Worker Byerly to paint diagonal lines between the outlining yellow lines that he had painted in front of the shop electrical box.
  - Maintenance Worker Byerly commented that that is not what the instructions said.
  - Councilmember Mueller replied that just doing the minimum is not always enough.

#### Community Hall Repair – Electrical Repairs – Fuse Boxes

- Upstairs fuse boxes have been converted into breaker boxes.

#### Community Hall Repair – Cooling Fans

- City Clerk Gruenhagen thanked Councilmember Trebesch for making the fan brackets and installing the fans. He also thanked Councilmember Trebesch for taking down the old fans.

#### Community Hall Repair – Shop Door

- H2 Development Inc. submitted an estimate for replacing the east shop door for \$1,620. This would include:
  - Demo existing side entry door.
  - Install Insulated steel commercial grade out swing door with frame. Falcon 3068F 90Min.
  - Sill & weather striping
  - AL53PD SAT 626 Key Lever Handle – keyed alike
  - B560P 626 Single CYL Deadbolt – keyed alike
  - Haul away all debris
  - Paint & finish by others.
- K and K Services, LLC submitted an estimate for replacing the east shop door for \$1,625.87. This would include:
  - New commercial steel door and frame, lever handle, dead bolt.
  - Labor for taking old door out and replacing with new commercial door.
- ***Councilmember Mueller moved to award the contract for replacing the east City Shop door to H2 Development Inc., 870 Park Ave, Hamburg, MN, at the price of \$1,620. Councilmember Cumiskey seconded and motion unanimously carried. All Council members were present.***
- Council discussed and decided to have the door replaced after the shop storm sewer improvement is completed.

#### Crack in Sidewalk on Railroad Street.

- Council discussed what to do about the sidewalk crack for Mr. Harms (Hard Stuff Masonry & Concrete) has not returned to fix the crack by 430 Railroad St. On completion of the sidewalk Council agreed to pay Mr. Harms the full amount due and did not retain any payment amount.
- Council decided to have Maintenance Worker Byerly fix the crack and to not to wait any longer for Mr. Harms to fix the sidewalk crack.
- Council also decided to put a 5% retainage statement in any new contract with the City. City Clerk Gruenhagen will also look into a retainage fee policy for the City.

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### **Sidewalk Repair in front of Parkside Tavern (490 Henrietta Avenue)**

- Hard Stuff Masonry & Concrete (Don Harms) submitted a quotation to tear out and replace the sidewalk in front of Parkside Tavern for \$4,443.50. This would include:
  - Removal of existing concrete and replace with concrete no less than 4” thick.
  - Materials and labor costs.
  - Build ramp with hand rails for bar access.
- Council discussed and decided to wait until spring, then draw up specs, and have interested companies re-bid at that time.

### **Time Sheets – Overtime Hours for 2009**

- City Clerk Gruenhagen asked Council if they would require Maintenance Worker Byerly start work at 7:00 a.m. instead of 6:00 a.m. as he is currently doing. By starting at 6:00 a.m. Maintenance Worker Byerly is unavailable in the afternoons when he is needed the most.
  - Council discussed and decided that 6:00 a.m. is too early of a start time and that he should be starting work no earlier than 7:00 a.m.
- Council was informed by City Clerk Gruenhagen that Maintenance Worker Byerly already has been paid \$5,800 in overtime and is on pace to collect \$7,800 in overtime for the year.
  - Council discussed but no decision on how to cut overtime hours was made.

### **City Cell Phone Usage – Use of City Radio**

- Maintenance Worker Byerly was given a pay as you go cellular phone for the following reasons:
  - Help save the city some money.
  - Be able to contact him after hours for emergencies.
- The following problems with the cellular phone were discussed:
  - Unable to contact Maintenance Worker Byerly because of the spotty cellular coverage in and around town.
  - Extremely high minute usage requiring continual purchasing of minutes, \$25 for ninety (90) minutes. Maintenance Worker Byerly admitted to using the City's cellular phone for private use. Council informed Mr. Byerly that the City cell phone is not to be used for personal calls. The Council also discussed using the City Radio as much as possible to help with coverage problems and reduce the use of minutes during the day.

### **Maintenance Schedules**

- City Clerk Gruenhagen again informed Maintenance Worker Byerly that a Maintenance Schedule has to be drawn up and used. This is an OSHA requirement on many things.
- Council discussed and agreed to have Maintenance Worker Byerly draw up a Maintenance Schedule and Council can add to the list as needed.

### **Attitude**

- City Council and City Clerk Gruenhagen that Maintenance Worker Byerly needs to show (and have) a more positive attitude. His behavior (continued grumbling) is unacceptable. City Clerk Gruenhagen and City Council feel they need to see improvement in Mr. Byerly's attitude, his work ethics and to show a little more ambition.

### **Safety Meeting**

- Maintenance Worker Byerly was told that there will be a safety meeting on November 4, 2009 and a mock OSHA inspection may be conducted in Hamburg. City Clerk Gruenhagen will also be involved with the mock inspection.

## **Deputy Clerk Report**

### **Delinquent Utility Bills**

- Jeff Muri paid his delinquent amount and no further action is needed.

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- Emily Siebold is making her payments as scheduled.
- Kim Barstad (960 Park Avenue) had her delinquent bill posted by the CSO. She did pay her delinquent amount, however, she was very upset over the posting. She commented we were costing the City more money to have the notice posted then what was past due. City Clerk Gruenhagen informed her that it did not cost the City any additional money, having the CSO post notices, for the City has a contract for their services.
- Robert Gregonis (320 Sophia) paid his delinquent amount and is current with his payments.
- Maintenance Worker Byerly had his delinquent bill posted by the CSO and as of tonight's Council meeting he has not paid or made payment arrangements. He did stop in the City office on Monday, October 12<sup>th</sup>, and was given a payment schedule, however, he has not returned it.
  - Council discussed and decided to have City Clerk Gruenhagen contact Mr. Byerly on Wednesday, October 14<sup>th</sup>, and have Mr. Byerly set up a payment schedule otherwise his water off will be turned off.

### City Council Minutes

- Deputy Clerk Block asked Council if they would like the minutes to be more of a summary or as detailed as they are now.
- Council discussed and asked to have the minutes summarized. This would cut down on the time taken to complete them. They requested the minutes be completed by the first Friday after a council meeting.

### City Clerk/Treasurer Report

#### Employee Valuation Forms and Written Warning Form

- Council reviewed the employee valuation and written warning forms.
  - They asked for a signature line to be added on the warning form so the Mayor can sign off on it also.
- Council discussed and decided to have City Clerk Gruenhagen fill out Maintenance Worker Byerly and Deputy Clerk Block's evaluation forms then present them to Council for review. City Clerk Gruenhagen evaluation form will be filled out by the Mayor.
- ***Councilmember Barnes moved to adopt the three form employee evaluation forms and the employee written warning form with the one signature line added. Councilmember Mueller seconded and motion unanimously carried. All Council members were present.***
- Council decided to have the evaluation forms filled out by the first council meeting in November.

#### Snow Removal Contract with Wm. Mueller & Sons for 2009-10

- Wm. Mueller & Sons submitted a contract for snowplowing for the 2009 -2010 snow season.
  - Blade with plow and wing - \$126.50 per hour
  - Sand truck with plow and wing - \$115.00 per hour
  - Loader 966 - \$162.00
  - Trucks to haul snow - \$85.00
  - Truck and Sander - \$85.00
  - Salt/Sand - \$15.00 per ton
  - Salt - \$85.00 per ton
- Council discussed if all salt or salt and sand or all sand should be used.
- ***Councilmember Cummiskey made a motion to contract with Wm. Mueller & Sons for the snow plowing season (2009-10) and leave it up to Wm. Mueller & Sons discretion on what to use; sand, salt/sand or salt, Councilmember Mueller seconded and motion unanimously carried. All Council members were present.***

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### **Lawn Mowing Bids for 2010**

- Dave's Season All, updated bid dated 10/05/2009:
  - Mow Park Lawn and Trim Park – \$200.00 per mow/trim
  - One mow will be donated for Zummerfest.
- Kottke Lawn and Landscape
  - Contract Period: April 1, 2010 to October 31, 2010 – Cost \$240 per mow plus taxes.
  - Weekly (or as needed) mowing of park, ball fields, pavilion, play ground and associated areas.
  - Pick up and dispose of on site trash
  - Trimming and blowing of debris from hard surfaces included
  - Does not include weed control or fertilizing
- Council discussed and decided to draft specs for lawn mowing in January 2010 and request bids in March 2010.

### **To The Home Wireless Internet – Insurance Coverage**

- Received copy of insurance coverage on October 14, 2009.

### **Darrell Grams Nuisance Matter – Letter from City Attorney**

- City Attorney Mac sent two certified letters to Mr. Grams, both were unclaimed.
- Council discussed the next step and decided to send Mr. Grams a letter informing him that the city is appreciative of what he has already cleaned up and state what still needs to be done.

### **Request for Time-Off – October 15<sup>th</sup> and 16<sup>th</sup>**

- City Clerk Gruenhagen submitted a time off request for October 15<sup>th</sup> and 16<sup>th</sup>, 2009.
- City Council granted his request.
- *Councilmember Mueller moved to grant City Clerk Gruenhagen request for time off on October 15<sup>th</sup> and 16<sup>th</sup>, 2009, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

## **Informational Items (Comments)**

### **Letter from Carver County Sheriff's Office (Policing for Townships)**

- Council and the Township Board are invited to meet with Mr. Olson on Wednesday, October 21, 2009 at 8:00 p.m. The meeting will be held at the Emergency Operations Center.

### **Letter from Senator Klobuchar to USDA (Fiber Optic Ring Project Funding)**

- Senator Klobuchar is trying to find out the reason for the delay in issuing funds for the Carver County Fiber Optic project.

### **2010 IUP Approval – Wastewater Loan Applications**

- City Clerk Gruenhagen will follow up on this to make sure Hamburg has an application in for funding.

### **MN Valley Regional Rail Coalition Whistle Stop Tour**

- Councilmember Mueller wanted to document that not one Carver County Official was present at Hamburg during the Whistle Stop Tour.

### **Thank You from Arlington A's Baseball Association**

- The Arlington A's Baseball Association thanked Council for the use of Hamburg's bleachers during the State Baseball Tournament.

### **Ceiling Fans at Hall**

- City Clerk Gruenhagen again thanked Councilmember Trebesch and Councilmember Cummiskey for their work in removing the old ceiling fans and installing the new fans.

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## City Council Reports

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

- Councilmember Mueller informed the other members of Council that Doug Parrott (SEH) has requested a meeting with City Clerk Gruenhagen and himself to discuss cleaning out the County ditch. The meeting will be on Tuesday, October 20<sup>th</sup>, at 3:00.
- Councilmember Mueller would like Mike Wanous (Carver County Soil & Water Conservation Representative) called to find out if the city can get a quote for the culvert.
- Councilmember Mueller informed Council about the information he had received concerning what the City of Hamburg is responsible for on County Road 50. A copy of the 1956 agreement will be faxed to City Clerk Gruenhagen.
- Councilmember Mueller would like to get prices for a new city sign if ok'd by the other members of Council. The other Council members had no objection.

**Councilmember Cumiskey (Streets)** had no further comments.

### **Councilmember Trebesch (Buildings)**

- Councilmember Trebesch asked if there is a city ordinance pertaining to having a dog tied up but having full access to the city sidewalk.
- City Clerk Gruenhagen will check into this.

**Councilmember Barnes (Parks)** had no further comments.

**Mayor Malz** had no further comments.

## **Approve Claims List for October 2009**

- City Clerk Gruenhagen explained claim #14082 and #14083 were reserved for payroll checks. *Councilmember Mueller made a motion to accept claim number 14050 through 14083, Councilmember Barnes seconded and motion unanimously carried. All Council members were present.*

*Councilmember Mueller moved to adjourn the Hamburg City Council meeting at 9:54 p.m., seconded by Councilmember Trebesch and motion unanimously carried. All Council Members were present.*

Submitted by:

Sue Block  
Deputy Clerk