

## **Hamburg City Council Meeting October 27, 2009**

Mayor Malz called the regular meeting of the Hamburg City Council to order at 7:00 p.m. Councilmember Steve Trebesch, Councilmember John Barnes, Councilmember Larry Mueller, Councilmember Brian Cummiskey, City Clerk Jeremy Gruenhagen, Deputy Clerk Sue Block, Maintenance Worker Dennis Byerly, and Fire Chief Brad Droege were present. Others present were Kerby Kroells (Green Isle Conservation Partners).

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

- Added – I & I Program Update
- Added – Presentation of Appreciation Plaque to Fire Chief Brad Droege.
- Added – Gambling Permit request by Green Isle Conservation Partners.

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

### **Old City Business**

- Number 1 – Cities web site is almost completed.
- Number 3 – Change wording on how many dogs constitutes a dog kennel to 4 dogs. This will be done at the same time the cities zoning ordinances are adopted.
- Number 4 – The business cards should be ready by the next council meeting.
- Number 7 – Completed and should be removed from list.
- Number 8 – City Clerk Gruenhagen has started taking pictures of the office equipment. Council decided that video taping would not be necessary, pictures are good enough.
- Number 10 – Spray dandelions in park; too late for this fall, change to be completed this coming spring.
- Number 11 – One fan is left to install.
- Number 12 – Completed and should be removed from list.
- Number 15 – Contact Doris Mielke (Realtor) to explain the water shut off situation. The home (vacant) she has listed for sale shares the same water shut off as the home next door that is occupied.
- Number 16 – Council agreed to patch the hole with bituminous fill for this winter when the City Shop Storm Sewer Improvements are completed.
- Number 17 – Unisex Bathroom in Hall, Councilmember Cummiskey will talk with MNSPECT and redraw the plan. He will present the new plans at the next council meeting.

### **Approve Minutes for September 8, 2009 and September 22, 2009**

- *Councilmember Mueller moved to approve the City Council Minutes for September 8, 2009 and September 22, 2009, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*
- City Clerk Gruenhagen noted that the October 13, 2009 minutes are completed but he has not reviewed them due to the laptop computer repairs. Both October 13 and October 27 minutes will be presented for Council's approval at the November 10<sup>th</sup> Council meeting.

### **Gambling Permit**

- Kerby Kroells representing the Green Isle Conservation Partners requested a Minnesota Lawful Gambling permit for January 30, 2010. The permit would be for their annual CPA Banquet which will be held at the Hamburg Community Hall on January 30, 2010.
- *Councilmember Barnes moved to approve the Gambling permit for the Green Isle Conservation Partners annual CPA Banquet which will be held on January 30, 2010 at the Hamburg Community*

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*Hall, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

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

#### **Projector Screen**

- Fire Chief Droege requested a new projector screen be purchased for the Hamburg Community Center.
- Council discussed and decided to gather prices for a new stand alone or hanging projector screen. The findings will be presented at the next City Council meeting on November 10<sup>th</sup>.

#### **FEMA Grant**

- Fire Chief Droege reported the remaining grants will be out the end of November or early December.

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

- Fire Chief Droege informed Council he has the paper work completed to send in for reimbursement for the items that were purchased from the grant money.

#### **H1N1 Flu Virus**

- Seven (7) fire fighters took the nasal, five (5) did not want to participate, two (2) received shots, and the rest of the fire fighters are waiting for supply of the regular shot.

#### **Halloween Patrol (October 31<sup>st</sup>)**

- The fire department will be out patrolling the streets of Hamburg again this Saturday during the hours of 5:00 to 6:30 p.m. They will go longer if the kids are still out and about.

#### **Disaster Mitigation Plan**

- Fire Chief Droege gave Council a sample resolution authorizing dispatch and use of fire department equipment and services by (Administrator/Fire Chief) in emergency situations.
- Fire Chief Droege requested a resolution be drafted by the City Council.

#### **Fireman's Dance**

- The date for the annual Fireman's Dance has been changed from a Saturday to a Friday night. The dance will be held on January 8, 2010.

#### **Selection vs. Election**

- On the agenda as a reminder so it is not forgotten. No discussion at this time.

#### **Pension Increase for Reporting Year 2010**

- The Hamburg Fire Department Members voted on requesting a \$50 pension increase, however, Fire Chief Droege suggested a \$45 increase bringing the pension to \$1,450 per year.
  - Mayor Malz supported the increase.
  - Councilmember Mueller commented that the increase would almost be the same as a 3% increase for city employees.
  - Councilmember Cummiskey commented on the pension increase. Brian stated they he feels the Fire Department Pension Fund should be fully vested. Councilmember Cummiskey is on the Fire Department and is unable to vote on the issue.
  - Councilmember Barnes commented that a pension increase would delay the department from being 100% invested. Currently the Fire Department pension is about 75% funded.
  - City Clerk Gruenhagen reminded Council that the pension should be 100% to 110% funded and any increase the City is responsible for.
  - Councilmember Trebesch commented that the City has already committed an additional \$2,000 to the pension relief fund in the 2010 budget.
- Council discussed the issue and the effect of a \$45 increase.

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- *Councilmember Mueller moved to grant the Hamburg Fire Department a pension increase of \$45 starting in the reporting year of 2010, seconded by Councilmember Barnes, and motion carried. Councilmember Cummiskey abstained from voting.*

### **Fire Department Officer Elections**

- Elections will be held at the end of November.
- At this time no fire fighters have put their names in for any of the positions.

### **Training Reimbursement for FF1 and FF2**

- Fire Chief Droege will be sending in the paperwork, due by November 1, 2009, for training reimbursement through the State. The Hamburg Fire Department will know by December 1, 2009 if they will receive a \$1,800 reimbursement.

### **S.A.F.E.R Breakfast**

- The S.A.F.E.R organization received \$6,127 from the breakfast and of that amount \$500 was from Thrivent for Lutherans.
- The Fire Department and Chief Droege received a recognition plaque from S.A.F.E.R for hosting the S.A.F.E.R breakfast.

### **State Fire Chiefs Convention**

- Fire Chief Brad Droege received the 2009 Fire Officer of the Year Award for city populations under 2,000 from State Fire Chiefs Association.
- On behalf of the City of Hamburg, the City Council presented Fire Chief Droege with a plaque of appreciation. The Hamburg City Council and Staff also stated their appreciation for his hard work and years of service.

### **Reimbursement from Green Isle**

- Green Isle has not received any money from the State for the warehouse fire
- Fire Chief Droege is trying to receive money for at least the water Green Isle used from Hamburg to fight the fire. The total billing amounted to \$5,259.

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

### **Project List**

- Crack in sidewalk on Railroad Street was fixed by Maintenance Worker Byerly.
- City Shop Storm Water Improvement, Henning's were contacted and are behind schedule due to the extremely wet weather. They will be out as soon as they can, no definite date was given.

### **Picnic Tables**

- Councilmember Mueller asked Maintenance Worker Byerly to bring the park picnic tables to the Shop and repaint them.
- There are four (4) picnic tables that need to be readjusted. Councilmember Trebesch will help Maintenance Worker Byerly in readjusting them.

### **Sweeping City Streets**

- Council discussed sweeping the city streets again this year and decided to wait until all the leaves are all off the trees.
- Council requested a two day warning before the streets are swept so residents can be notified to remove their cars/trucks from the roadway.

### **Snow Ordinance Signs**

- Council discussed the yearly problem of cars parked on the city streets after a snow fall.

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- Council decided to have Maintenance Worker Byerly purchase two snow ordinance signs and place them by the apartment buildings within the city.
- Council discussed if cars are parked on city streets after a snow fall should they be ticketed or given a warning first.
  - Council decided to give residents a one time warning and on the second offence give them a ticket.
- Council discussed the concern over the cars parked in the streets by the apartment buildings during snow emergencies. They decided to have the winter parking ordinance sent to the apartment owners to post inside their buildings.

### **Water Leak in Park**

- Mayor Malz asked if Maintenance Worker Byerly had located and fixed the water leak in the city park.
  - Maintenance Worker Byerly responded that he did find the leak, it is not fixed, but the water was turned off at the park for the winter season. Dennis will try to get it fixed yet this year.

### **Loss Control**

- The handrail by the shop area has to be installed; Council decided to wait on the installation until the shop storm water improvements are made.
- Council discussed installing an ansul system as required by insurance companies to the hood of the electric stove in Hall dance area.
  - No decision was made at this time.
- Council discussed and decided to cap the gas line to the gas stove in the Hall basement. This should be done by a licensed plumber. Maintenance Worker Byerly will contact a plumber.

### **Hanging Heaters at Halls**

- Council discussed and decided to have the Hall heaters checked and have this done on a yearly basis. Council also decided to have the Community Center heaters checked.
  - Maintenance Worker Byerly will contact a qualified inspector to come out and check the furnaces.

### **Table Rack for Community Center**

- Councilmember Trebesch is willing to donate two (2) table racks with wheels to the City of Hamburg.

### **Shop Door**

- Ed Hatterschide (870 Park Avenue) was contacted and informed that he did receive the bid to replace the City shop door. He was asked by Council and informed to wait until the City shop storm water improvement is completed before installing the door.

### **Community Hall Repairs**

- One fan is remaining to be installed.
- Council discussed and agreed to have Chuck (Robb's Electric) update the fuse box in the Hall basement but only if there is enough money remaining in the budget after the upstairs electrical boxes are updated.
  - Council discussed and decided to have switches installed in the breaker boxes. Using a switch is better than turning the breaker switches on and off all the time.

### **Time Sheets – Define Call Outs & Call Out Pay**

- City Clerk Gruenhagen asked Council to define what determines overtime for call out hours.
- Council discussed and decided that on Saturday and Sunday that maintenance would receive two (2) hours of overtime each day for doing the city rounds (water and sewer). If the maintenance person is called out after his/her regularly scheduled hours (currently 7:00 AM to 3:30 PM) he/she would also be paid a minimum of 2 hours at overtime. If an employee is called out multiple times throughout the day

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then the total actual hours worked would be paid at overtime with a minimum of 2 hours at overtime for the day.

- *Councilmember Cummiskey moved to adopt the decision by Council that on Saturday and Sunday the City maintenance employee would receive two (2) hours of overtime for doing the city rounds and if the maintenance person is called out or required to work after their regularly scheduled hours (currently 7:00 AM to 3:30 PM) he/she would be paid a minimum of 2 hours at overtime pay and if an employee is called out multiple times throughout the day then the actual hours worked would be paid at overtime, with a minimum of 2 hours at overtime, for the day, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*
- City Clerk Gruenhagen will run this by the City Attorney (Mac Willemsen) to make sure the wording is correct and add the wording to the Cities Employee Handbook for adoption by Council.

### **General Maintenance Schedules – Safety Meeting**

- There will be a Safety Meeting on November 4, 2009 at Norwood/Young America with a mock OSHA inspection in Hamburg after the meeting.

### **Wastewater Class**

- Maintenance Worker Byerly informed Council that he has registered for a Wastewater Class which will be held in Norwood-YA on the 24<sup>th</sup> of November.

### **Requested Time-Off**

- Maintenance Worker Byerly requested November 2, 2009 and November 13, 14, and 15, 2009 off. He can do the rounds on November 2<sup>nd</sup> and November 13<sup>th</sup>.
  - City Clerk Gruenhagen will do the rounds on November 14 and 15.
- *Councilmember Cummiskey moved to grant Maintenance Worker Byerly's request for time-off on November 2<sup>nd</sup>, November 13, 14, and 15<sup>th</sup>, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

## **Deputy Clerk Report**

### **Delinquent Utility Bills**

- Emily Siebold is still making her scheduled payments.
- No other resident is in the 2<sup>nd</sup> period of delinquency at the time.

### **City Council Minutes**

- As City Clerk Gruenhagen had previously pointed out all the City Council meeting minutes are completed and up to date. The October 13<sup>th</sup> Council minutes just have to be reviewed.

## **Clerk/Treasurer Report**

### **2009 Police Aid from State of MN**

- The City of Hamburg received a \$1,091.31 refund from Carver County from the 2009 Police Aid from the State of Minnesota.

### **Public Hearing Date for Subdivision Ordinance/Zoning Ordinance/City Ordinance Updates**

- Council discussed and decided to hold the Public Hearing on November 24, 2009 at 6:30 p.m. at the Hamburg Community Center.
  - *Councilmember Cummiskey moved to hold the Public Hearing for Subdivision Ordinance, Zoning Ordinance, and City Ordinance Updates on Tuesday, November 24, 2009 at 6:30 p.m.*

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*at the Hamburg Community Center, seconded my Councilmember Mueller and motion carried. All Council members were present.*

- City Clerk Gruenhagen and Councilmember Cummiskey did note one change: the City Zoning Officer (City Clerk Gruenhagen) should not be doing the building inspections as stated under Section A, Subdivision 1. Zoning Officer, A.1. Ann Perry was contacted to change the wording for Hamburg contracts out its building inspections which are regulated by the State Building Code.

### **Closed Meeting Requirements for Employee Evaluations – Response from Mac Willemsen**

- Employee review evaluations can be a closed meeting
- It usually works best for this to happen at the end of a regular meeting so you can clear the room without the need for spectators returning for more business.
- The employee has the right to request the meeting be an open meeting.
- Notice must be given of the intent to have a closed meeting so as to qualify as a legitimate meeting under the Open Meeting Law.
- Minutes need to be taken of the discussion and its results. Whether those minutes become public depends on what happens.
  - If further things need to be investigated, that is still private until things are finished and there is a final result. Discipline results and things finalized are then public information.
- Mac Willemsen suggested one change in the evaluation forms and that is the final signature portions of the form should say “I have reviewed and discussed ....” not just discussed them.
- Councilmember Cummiskey suggested employees sign a form if they want an open or closed evaluation meeting review.
- City Employee reviews will be held on November 24, 2009.

### **School Board Public Meeting on Proposed Referendum**

- The School Board will be holding a Public Meeting at the Hamburg Community Center on November 17, 2009 at 7:00 p.m. to discuss the 2009 Referendum. The proposed referendum will be on to unearthen elementary school and make improvements.
  - Council agreed there would be no rental fee for this public meeting.

### **MN Lawful Gambling (Exempt) Permit for Pheasants Forever**

- The Carver County Pheasant Forever club requested a Minnesota Lawful Gambling permit for their banquet on January 23, 2010 at the Hamburg Community Hall.
- *Councilmember Barnes moved to approve the Gambling Permit for the Carver County Pheasants Forever Banquet which will be held on January 23, 2010 at the Hamburg Community Hall, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

### **Informational Items**

- Worksite Wellness Memo (Carver County Public Health)
- 2<sup>nd</sup> Annual Housing Summit (CDA)
  - The meeting will be held on October 28, 2009 at Lake Waconia Event Center if members of Council would like to attend.
- Met Council is inviting all Carver County elected officials to the A.C.C.E.L meeting on November 5, 2009 (Thursday night) from 7 to 8:30 p.m. at the Cologne Community Center. City Clerk Gruenhagen asked if any one from Council could attend.
  - Councilmember Barnes informed the other members of council that he will be available to attend this meeting. Council Members Malz and Mueller may possible attend also.
- New Law on Yard and Organic Waste Collection – Plastic Bags are no longer allowed

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- The new law will not affect Hamburg much, however, Council decided to put a sign by the Cities compost bin that no garbage bags are allowed.
- City Clerk Gruenhagen handed out a Budget Summary sheet for the City of Hamburg.

### **I & I Project Update**

- City Clerk Gruenhagen and Councilmember Mueller met with Doug Parrott on October 20, 2009 and discussed the following items on the cities Sanitary Sewer and Storm Sewer Improvements:
  - Martha Street culvert needs to be cleaned out. Council agreed to contact Lothar Wolter (YA Township Clerk) on this issue for they are the road authority for the culvert.
  - Drain tile, inlets are planned to be 24-inch diameter.
  - Sanitary Sewer from MH 52 to MH 28A and from JH 46 to MH 58 have not been televised.
    - Council approved to have the lines televised.
  - Move sanitary sewer line to the north of 421 Brad Street 3 to 5 feet north of tree – north of shed.
  - Eliminate manhole, MH 51B in southeast corner of Lehrman property (638 Kim Avenue) and check MH 51B for any possible service lines coming into the MH.
  - Easements for Project
    - Doug Parrott will meet with Councilmember Mueller and City Clerk Gruenhagen next Wednesday to review easement recommendations and property impacts.
    - City Attorney Mac will draw up the final paperwork for obtaining the easements.
  - Storm Sewer Tile Line (662 Park Avenue)
    - Council discussed and approved televising and abandoning the storm sewer line on Willard Bergmann's (662 Park Avenue) property.
  - Council discussed and agreed to add two 20' access gates (north and south gates) on the east side of the City Park fence and to add a 3 wire fence on the east side of the pond. Council agreed to hire the installation of the fencing and gates out to a contractor to save money.
  - ***Councilmember Mueller moved to add the listed items (stated above) to the Sanitary and Storm Sewer Improvement Project, seconded by Councilmember Trebesch and motion unanimously passed. All Council members were present.***
- Council also discussed obtaining a loan from USDA Rural Development. City Clerk Gruenhagen will contact Ron Seymour, with S.E.H on the pros and cons of a USDA loan. He will present the findings at the next council meeting.

### **City Clerk Gruenhagen's Hours for October 29, 2009**

- City Clerk Gruenhagen informed Council that he will be leaving early on Thursday, October 29, 2009 (Medical Appointment).

## **City Council Reports**

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

### **Councilmember Cummiskey (Streets)**

- Councilmember Cummiskey presented Council with a proposed drawing of a Unisex bathroom to be installed at the Hall.
- After some discussion Council decided to have Councilmember Cummiskey call and meet with a building inspector at the Hall. The building inspector would then have some incite as to what council is proposing and the requirements needed for a handicapped bathroom. Brian will report back at the next meeting.

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

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

**Mayor Malz**

- Request the CSO be contacted and asked to check for any abandoned cars within the city.
- Requested nuisance letters be sent out to residents.

**Approve Claims List for October 2009**

*Councilmember Cummiskey made a motion to accept Claim Numbers 14083 through 14096, including the five ACH payments, Councilmember Mueller seconded and motion unanimously carried. All Council members were present.*

*Councilmember Barnes moved to adjourn the Hamburg City Council meeting at 9:30 p.m., seconded by Councilmember Trebesch and motion unanimously carried. All Council Members were present.*

Submitted by:

Sue Block  
Deputy Clerk