

Hamburg City Council Meeting November 24, 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 in attendance. Others present were Ron Seymour (S.E.H.).

Agenda Review (Added Items) and Adoption

- Added – Email memo from Ron Seymour dated November 24, 2009
- Added – Email memo from Ron Seymour dated August 2, 2006
- Added – Email memo from Greg Kimman, PE dated November 24, 2009
- Added – Ordinance #133
- Added – Ordinance #134
- Added – Lights for Community Center Parking lot.

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

Old City Business

- Number 1 – Cities website is planned to be completed by January 2010.
 - Council discussed and decided Hamburg's Domain name would be; cityofhamburgmn.com.

Councilmember Cummiskey moved to authorize City Clerk Jeremy Gruenhagen to register the City of Hamburg domain name as cityofhamburgmn.com if it is available, Councilmember Trebesch seconded and motion unanimously carried. All Council members were present.

- Number 3 – Change wording on how many dogs constitutes a dog kennel.
 - This will be voted on at tonight's city council meeting.
- Number 4 – Should have City Business Card proofs ready for review shortly.
- Number 9 – One fan remains to be installed at the Hall.
- Number 11 – Purchase lawn mower – Exmark or Kubota.
 - Remove from list, lawn mowers were sold.
- Number 12 – Fix hole by hall dumpster.
 - Council decided to have Maintenance Worker Byerly dig out the hole (6 inches deep) and Wm. Mueller and Sons fill with mix.

Councilmember Cummiskey moved to have Maintenance Worker Byerly dig out and prepare the area by the Hall Dumpster and have Wm. Mueller & Sons fill hole within the next two weeks, Councilmember Mueller seconded and motion unanimously carried. All Council members were present.

- Number 14 – Projector Screen
 - Councilmember Cummiskey will bring one to the Community Center.

Approve Minutes for October 13, 2009 and October 27, 2009

- *Councilmember Barnes moved to approve the October 13, 2009 and October 27, 2009 City Council Minutes, Councilmember Cummiskey seconded and motion unanimously carried. All Council members were present.*

Fire Department Report – Chief Brad Droege

US Fish & Wildlife Grant

- The paper work has been filled out and will be sent in for reimbursement for the items that were purchased.

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- Reimbursement will be in the amount of \$1,485 and the Cities contribution towards grant will be \$245 totaling \$1,730.

FEMA Grant

- Chief Droege has not heard anything on this grant.

H1N1 Flu Virus

- The H1N1 shots are now available for the firefighters that wanted them. Scheduling time for the shots just has to be set up.

Sunday Morning Breakfast – Toy Drive

- On Sunday, December 6th, a morning breakfast will be held at Parkside Tavern from 10:00 am. till 1:00 p.m. It will be a free will donation or a toy can be brought in, one per person. Food being served will be; eggs, hash browns, sausages, toast, milk, coffee, and juice.

Toy Drive

- The Toy Drive is being put on by Norwood/Young America, Hamburg, and Cologne Fire Departments. The collection of toys will be from November 25th to December 14th and the toys will be handed out December 17th.

Safety Recall

- There is a safety recall on the Fire Department's 2001 Ford Econoline Ambulance. There is a possibility of the speed control deactivation switch could leak brake fluid causing the risk of a fire.
- An appointment with the Waconia Ford Dealership will be made and the vehicle will be taken in for repairs. This program recall is free of charge for parts and labor costs.

S.A.F.E.R.

- If anyone is interested in watching an S.A.F.E.R. drill they will be practicing Wednesday, November 25, at 6:30 p.m. in the area of the railroad tracks to County Road 31 and 50. Anyone interested is invited to come and watch.

Ordinance Number 133

- The Public Hearing was held at 6:30 p.m. tonight (November 24, 2009) to discuss adopting Chapter 160: Zoning and Subdivision Ordinance which will replace Chapter 5: Zoning, Subdivisions and Land Use of the Hamburg City Code.
- Final decision on Ordinance Number 133 will be held at the next City Council meeting, December 8th, in case council or the public have any further changes or comments.
- The City Council made the following changes to the Zoning Ordinance (Chapter 160):
 - Commercial and Business setbacks for right-of-way to five (5) feet.
 - Require sidewalks in front of Business and Commercial parking lots and buildings.
 - Allowing four (4) months after a litter of pups are born before the ordinance of having four or more dogs constitute a kennel. Excluding this ordinance and zoning requirement from Retail Businesses.
 - Ann Perry will make the changes as stated.

Ordinance Number 134

- The Public Hearing was held at 6:45 p.m. tonight (November 24, 2009) to receive comments on Ordinance Number 134 amending Chapter 95.06 of the Hamburg City Code pertaining to (A) Definition of kennel and (B) Kennel as a nuisance.
- The definition of a kennel would be changed to read; The keeping of four (4) or more dogs/cats on the same premises whether owned by the same person or not and for what ever purpose kept would constitute a kennel, except a fresh litter of pups/kittens may be kept for a period of four (4) months before the keeping to be a kennel. This does not pertain to Retail Business.

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- *Councilmember Cummiskey moved to change Ordinance Number 134, Chapter 95.06 (A) from three to four months after the birth of a litter, Councilmember Mueller seconded and motion unanimously carried.*
- City Clerk Gruenhagen will change the ordinance and present it to City Attorney for final review.

Project Funding for Sanitary & Storm Sewer Improvements

Ron Seymour – S.E.H.

- Ron Seymour informed Council that there are two primary governmental funding sources and that he will go over some of the Pros and Cons of each.
- Both programs base a community's eligibility for low interest loan and grant programs upon the financial impact to residential users, overall system costs, and the proposed project costs.
 - The sewer project probable cost is estimated to be \$371,733 and the storm water project probable cost is estimated to be \$853,942.
 - Based on the current sewer connections and 2008 water & sewer usage, a preliminary estimate of sewer system costs is \$24 per Equivalent Dwelling Unit (EDU) or financial impact to resident users.
 - City of Hamburg's Median Household Income (MHI – 2000 census) is \$47,578.
- **Rural Development**
 - To qualify for program loan and grant funding, Rural Development uses 1.5% of Median Household Income (MHI) for estimating affordability for residential users.
 - Rural Development's base affordability for the City of Hamburg – 1.5% of MHI = \$713.67 per year, divided by 12 months = \$59.47 monthly system costs per EDU.
 - Rural Development allows up to a 40 year amortization.
 - Grant funding is based upon affordability (system costs per EDU) with the target of 1.5% of the Cities MHI.
 - Interest rates are based upon MHI and the need for health or sanitary standards improvements. Utility loan programs interest rates are adjusted on a quarterly basis.
 - Poverty rate is about 2.75% approximately.
 - Intermediate rate is about 3.75% approximately.
 - To qualify for these the City's Median Household Income (MHI) must be below \$46,993.
 - Market interest rate is usually around 4.5%.
 - Pros:
 - 40 years amortization may be available; however the loan is reviewed annually. If the City can refinance through conventional means the rural development loan must be paid off.
 - Cons:
 - Requires specific information and data within engineering reports and require review and approvals at the State level.
 - Requires an Environmental Report following NEPA requirements and require review and approvals.
 - Added labor burden to City staff.
 - Requires a paid full time resident project representation.
 - The City would need to initiate an additional application process.
 - The City qualifies for a loan only program. Interest rate is comparable to what the City could Bond for without federal assistance.

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- The City must dedicate sources of revenue for repayment of debt. The City has no sewer debt.

• **Public Facilities Authority (PFA), Clean Water Revolving Fund Loan**

- PFA loans are based upon affordability of the applicant to repay the debt and the financial impact to residential users. PFA has a Priority Pointing System so only higher pointed projects are eligible for the funding.
- PFA uses 1.4% of Median Household Income (MHI) as a target for estimating affordability for residential users.
 - The City's rate for PFA funding is 1.4% of MHI = \$666.09 per year, divided by 12 months = \$55.51 monthly system costs per EDU.
- PFA base loan discounted interest rate is determined by a daily Bond Index which fluctuates.
- PFA rules provide for additional discounts to the interest rates on loans based on demographics and the per EDU system costs in relation to MHI of the applicant.
- Interest rate discounts from the base discounted interest rate:
 - Population interest rate for metro county cities under 2,500 and MHI is below the metro \$51,774 MHI; loan interest rate discount is 0.5%
 - EDU system costs versus the City's MHI interest rate discounts.
 - Greater than 2% MHI discount is 1.50%
 - 1.75% MHI discount is 1.25%
 - 1.5% MHI discount is 1%
 - 1.25% MHI discount is 0.75%
 - 1.0% MHI discount is 0.50%
- When projected monthly system costs are over 1.4% MHI a 30 year PFA loan amortization may be available.
- Pros:
 - City has completed required studies and is eligible to submit a loan application
 - Below market interest rates
 - Limited administrative labor burden for program and loan
- Cons:
 - City must dedicate sources of revenue to repay debt
 - Typically, maximum loan term is 20 years
 - Project specifications require State prevailing wage rates

Mr. Seymour also mentioned;

- The WIP Program – State Grant for Wastewater Infrastructure
 - This is on a bonding cycle for high point projects for treatment and high cost. Example would be if the City would need to build a new Treatment Plant.
- Minnesota Rural Water does have some loan programs.
 - 25/29 Year Program - which is a market rate loan (4.25% to 4.75% interest rate).
 - Micro Loan – can borrow up to \$200,000 that is bank qualified
 - Interim Financing – if you are doing Rural Development loans and grants.
- Revenue Bonding, Federal Appropriations, other options if there is economic development.

Councilmember Mueller asked if Hamburg's monthly costs are over the 1.4% MHI.

- Mr. Seymour responded, no.

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Mr. Seymour also commented that the City will still have a storm water problem if only the sewer project is done and vice versa. There is secondary funding for storm water projects but only if you have an event otherwise it is rare to receive funding.

Mr. Seymour ran a report using Doug Parrott's wastewater amount from last spring, \$370,000 (approximate amount), and what happens is that the system cost goes from \$24.63 up to \$32.71. This is assuming the loan is at 3% for 20 years. This higher rate is considered affordable.

Councilmember Mueller and City Clerk Gruenhagen commented that the sanitary sewer is only a small portion if you consider the whole project.

- Sanitary Sewer amount is approximately \$380,000 versus approximately \$800,000 for storm sewer.

Mr. Seymour added that at this time the legislator is not looking at funding any kind of storm water projects.

Council and Mr. Seymour discussed the different types of loans, grants, bonds, and possible interest rates. They also discussed PFA loans that have been discussed over the years.

- Mr. Seymour commented that the best options for the Storm Water project is to check in to why there is exclusion on the Essential Component Project cost. The goal would be to have it eligible for PFA wastewater funding. The best option is to apply for a PFA loan then decide what types of funds will be used to pay for the loan.
- City Clerk Gruenhagen asked if the City could not work the storm water into the wastewater funding with PFA then the next option would be to look at the open market?
 - Mr. Seymour answered "yes" if the city would want to start the project right away. If the city would like to wait to find out if there is a lower rate then they should apply for the PFA loan.
- Mr. Seymour mentioned that he had run some numbers just on wastewater EDU (Equivalent Dwelling Unit) at \$371,000 at 3% for 20 years it would come out to about \$32.71 EDU. At the present time it is costing about \$24.63. This is an increase of \$8.08 a month per system cost (EDU).

To sum it up according to the funding guidelines the City of Hamburg is in the affordability range at 1.4% of the Median Household Income. Plus the City of Hamburg does not have any debt so it is not eligible for grant money.

The next step will be to have Doug Parrott, Ron Seymour, City Clerk Jeremy Gruenhagen, and Jessica Werder meet with Mr. Erickson and Mr. Dunn from the MPCA. The City should find out if they can get the storm water project combined with the wastewater project for funding (PFA) and if not is there an appeal process.

Mayor Malz should be receiving a letter in January 2010 from the PFA soliciting projects for the PPL list. This list is for everything; water, storm water, wastewater projects and the City of Hamburg should get on this list.

City Clerk Gruenhagen reported has been working with Greg Kimman (S.E.H.) and updated Council on the implementation of a storm water utility fee.

- If the city plans to implement a storm water utility fee, a single family residential rate to fund the entire storm water project of \$868,000, the rate for single family resident parcel would be \$16.75/Month.
- There also would be an \$8 to \$9 increase per month in sewer rates and this amount would depend on what Council decides on assessments. The storm sewer project can not be assessed.

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- These figures are based on a straight user fee assuming a 20 year loan at 5% which would be \$16.75/month per residential parcel.
- These figures are the worse case scenario. The City could look at some type of general tax obligation, plus a storm water utility fee, plus sewer rate increases.
- Council will have to decide if the project will be done as a whole or to do just a part of the project.
- Current dollar amounts for the project include:
 - Sanitary Sewer Improvements - \$371,731
 - Water Main Improvements - \$27,853
 - Western Storm Sewer Improvement - \$352,972
 - Eastern Storm Sewer Improvements – \$500,622
- Council decided to continue with the project and bid the project as a whole to find out what the actual cost would be.

Dennis' Report (Public Works & Utilities)

Shop Driveway - Henning's - #4 on Project List

- Henning's have called for service locates however there has been no information received as to when they will be able do the project.
 - Council decided to "watch the weather" before making a decision if the project should be delayed until next spring.

Shop Door

- Dennis will pick up the shop door and paint it and have it ready to be installed this year if the Shop Driveway project is delayed until spring.

Compost Dumpster

- Maintenance Worker Byerly was instructed to call Waste Management to remove the compost dumpster on December 1, 2009.

Flush Hydrants

- The fall flushing of the hydrants has not been completed.

Shut Off Key

- Water shut off key for 420 Maria has not been made yet.

Well Inspection

- The well inspection report was received and all looks good but a switch for Well #1 needs to be checked. Rob's Electric will be out November 25th to repair the switch in Well #1.

Hall Electric Wires

- Next week Rob's Electric will put covers over the exposed wires in the Hall and wire the new fans.
- When Rob's Electric is out they will be asked to check the front and bay door sensors lights at the Community Center. The lights seem to be continually on.

Paint Picnic Tables (Park) – Item #9 on Project List

- Maintenance Worker Byers informed Council that he has not painted any of the picnic tables yet.

Added to Project List

- Secure ceiling tiles in the Hall that have come loose and are hanging down.
 - Councilmember Cummiskey offered the use of his scaffolding for the repair or Maintenance Worker Byerly could coordinate with Rob's Electric when they are at the Hall and find out if he could use their scissor lift.
- Purchasing of more tables for the Community Center.
 - This is a budgeted item and there is \$1,000 for the Community Center and \$1,000 for the Hall.

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- Council discussed and decided to have Maintenance Worker Byerly purchase new tables for the Community Center, up to \$1,000, and take the older Community Center tables to the Hall.
- Council also discussed how to monitor the use of the tables and chairs from the Community Center and Hall for they keep disappearing.
 - Council decided to continue with the sign in and out sheet and keep a more accurate inventory.

Wall Heaters/Fans

- Council received bids from Metro Air and Plumbing & Heating by Craig, Inc. on replacing two hanging heaters. One for in the Hall and one in the Fire Department bay area.
 - Council discussed the proposals and decided on the lower bid from Metro Air.
 - UDAP Reznor 100,000 BTU replacement heater, complete hook up, and removal of old heater - \$1,220.
 - PDP175AEO130 Modine HI-efficiency heater, 5” power vent, complete hook up, and removal of old heater - \$1,980.
- *Councilmember Mueller moved to award the bid to Metro Air for replacement of the two heaters, Councilmember Cummiskey seconded and motion unanimously carried. All Council members were present.*

2010 Budget Items

- Added maintenance item to the 2010 Budget for \$200 for Bobcat maintenance.
- Maintenance Worker Byerly had no other items to be added to the 2010 Maintenance Budget.

General Maintenance Schedule

- Hydrants – Councilmember Mueller suggested Maintenance Worker Byerly flush the hydrants in the next couple of days.
 - Maintenance Worker Byerly replied that he is booked up tomorrow and then it is Thursday and Friday.
 - Councilmember Mueller replied that it has been very nice for the last month.

Vacation Days for Thanksgiving Weekend

- When asked if Maintenance Worker Byerly would be around for the Thanksgiving weekend he responded that he was undecided.

Deputy Clerk Report

Delinquent Utility Bills

- Emily Siebold is making payments. She has requested to lower her \$50 weekly payment down to paying \$50 every other week.
 - City Clerk Gruenhagen was informed of this and it was decided to allow her to pay the \$50 every other week as long as she keeps up with the payment agreement.
- Sergio Salcedo was sent a delinquency letter with the cold weather rule and payment plan letters.
- Dawn Grams sent the city office a note stating that they will pay \$100.00 per week until they are caught up to day with their payments. They also requested information on what is still in violation of city ordinances.
 - City Clerk Gruenhagen will take pictures of what is still in violation and a notice will be sent if the weather permits.

Filing System for Council

- Deputy Clerk Block asked Council if they would like individual mail holders for any in coming mail that is addressed to them. They can stop by the office to pick up the mail instead of waiting for a council meeting night. Council discussed and decided this was a good idea and to go ahead and order

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hanging mail holders for each of them.

November 10, 2009 Minutes

- The minutes for the November 10, 2009 City Council meeting are done. They just need to be reviewed by City Clerk Gruenhagen before they are presented to Council for approval.

Clerk/Treasurer Report

Temporary On-Sale Liquor Licenses for Hamburg Lions Club

- The Hamburg Lions Club requested a Temporary On-Sale Liquor Licenses for the Firemen's Dance on January 8, Pheasants Forever on January 23rd, Green Isle Conservation Banquet on January 30th, 2010, and HHFC Fish Fry on February 6, 2010.
- *Councilmember Cummiskey moved to approve the Hamburg Lions Club request for Temporary On-Sale Liquor Licenses for January 8th, 23rd, 30th, and February 6, 2010, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

2010 Policing Contract with Carver County

- City Clerk Gruenhagen explained to Council that the Tri-City Regional Plan for the City of Hamburg 2010 Police Contract was received and if Council wanted they could approve the contract at the council meeting tonight.
- What the Sheriff's Office will be contracting for:
 - Provide .16 FTE Patrol Deputy January 1, through December 31, 2010 – Cost - \$14,103.
 - Provide .025 Liaison Corporal January 1 through December 31, 2010 – Cost - \$2,097.
 - Provide a community service officer (CSO) to work an average of 2.5 hours per week in the city January 1 through December 31, 2010 – Cost - \$3,700.
 - Provide .08 patrol vehicle January 1 through December 31, 2010 – Cost - \$1,441.
 - Fund the South West Metro Drug Task Force in 2010 is \$2,100.
 - Overtime Contingency – Cost - \$500
- Total cost for the 2010 Police Contract with the City of Hamburg is \$23,941.
- Last years (2009) Police Contract total contract amount was \$19,595.
- Councilmember Trebesch asked if the city would have to contract for the Drug Task Force.
 - Mayor Malz responded that that City would not have to but there have been a couple of instances in Hamburg and it would be recommended to contract with the Drug Task Force.
- Council discussed cutting the CSO hours from 2.5 hours per week to 2.0 hours per week. The savings would be about \$740 per year. Council decided not to cut the CSO hours for 2010.
- *Councilmember Mueller moved to adopt the 2010 Policing Contract in the amount of \$23,941, Councilmember Trebesch seconded and motion unanimously carried. All Council members were present.*

Set Special Meeting – Budget Workshop Meeting

- City Clerk Gruenhagen suggested Council set up a Special Meeting date before the December 8th City Council meeting to go over the 2010 Final Budget and City Fee Schedule for 2010. The date, Tuesday December 1st, that Council had previously set for the Special Meeting could not be held on that day between the hours of 6:00 p.m. and 8:00p.m for Central Public Schools is holding a School Referendum that day.
- *Councilmember Cummiskey moved to have the Special Meeting held on Monday, November 30, 2009, at 6:30 p.m., Councilmember Mueller seconded and motion unanimously carried. All Council members were present.*

December 22nd City Council Meeting

- Over the last three years Council has decided not to hold the last meeting in December due to the

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Christmas season. City Clerk Gruenhagen asked Council if they would like to cancel the December 22nd meeting unless there is an emergency that one should be held on that date.

- *Councilmember Cummiskey moved to leave it up to the discretion of the City Clerk and Mayor whether or not to hold a City Council meeting on December 22nd, 2009, Councilmember Trebesch seconded and motion unanimously carried. All Council members were present.*

Time Off Request

- City Clerk Gruenhagen informed Council that he will be in around 9:00 a.m. tomorrow, November 25th and then will be leaving early that day for another appointment. December 2, 8, and 9 he requested to leave early (4:00 p.m.) for those days and to the use of a Vacation Day for December 28.
- Council did not have any objections to his requests.

Closing of City Offices

- City offices will be closed November 26 and 27 for Thanksgiving.

Lights for Community Center Parking Lot

- The Hamburg Lions Club is asking for additional lighting to light up the parking lot area around the Community Center.
- City Clerk Gruenhagen will check with Xcel Energy if a light could be placed on the southwest corner of the parking lot.
- Maintenance Worker Byerly will be asked to contact Robb's Electric and ask them about installing additional lighting.

City Council Reports

Councilmember Mueller (Sewer & Water)

- Councilmember Mueller updated the other members of Council on the two City welcome signs. The county will put them up and maintain them for the city. The signs will be 32" x 66" made out of vinyl and the cost for each sign would be \$243.
- *Councilmember Barnes moved to purchase two Welcome to Hamburg signs, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*
-

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

- Mayor Malz commented that there is a dog on Railroad Street that is tied up but is on the sidewalk constantly. Residents have complained and asked if the owner could be notified to leash the dog further back on the property so it can not reach the sidewalk.
- City Clerk Gruenhagen and Deputy Clerk Block both had previously researched the city ordinances and found no ordinance pertaining to this situation.

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- Council discussed and decided that either Councilmember Barnes or Mayor Malz will contact the owner and ask if he would leash the dog so it can not reach the sidewalk.

Approve Claims List for November 2009

Councilmember Cummiskey moved to hold payment of check number 14130 contingent on approval by the Hamburg Fire Chief and accept Claim Numbers 14122 through 14136 including the ACH payments, Councilmember Barnes seconded and motion unanimously carried. All Council members were present.

Employee Evaluations

Council asked if any employees wanted to request that the meeting be open and not closed for employee reviews. (It is closed unless the employees ask for it to be open.)

- Deputy Clerk Block requested that the meeting be closed.
- Maintenance Worker Byerly requested that the meeting be closed.
- City Clerk Gruenhagen requested that the meeting be closed.

Councilmember Cummiskey moved to recess the Hamburg City Council meeting at 9:19 p.m., seconded by Councilmember Barnes and motion unanimously carried. All members were present.

Mayor Malz read the following:

This meeting is being closed pursuant to Minnesota Statutes, Section 13D.05 Subdivision 3(a), which permits such an action in order to evaluate the performance of an individual who is subject to the authority of the Hamburg City Council.

The individuals to be evaluated are Sue Block, Dennis Byerly, Jeremy Gruenhagen employed by the City of Hamburg.

Pursuant to Minnesota Statute, Section 13D.05, Subd. 3(a), the proposed closed meeting must be open at the request of the employee.

- Deputy Clerk Block requested that the meeting be closed.
- Maintenance Worker Byerly requested that the meeting be closed.
- City Clerk Gruenhagen requested that the meeting be closed.

Councilmember Cummiskey moved to close the Hamburg City Council meeting at 9:22 p.m. for employee reviews, seconded by Councilmember Mueller and motion unanimously carried. All Council Members were present. Pursuant to motion, second and vote of the Hamburg City Council, this meeting is now closed.

Councilmember Cummiskey moved to reopen the Hamburg City Council meeting at 10:25 p.m., seconded by Councilmember Mueller and motion unanimously carried. All members were present.

Councilmember Mueller moved to adjourn the Hamburg City Council meeting at 10:26 p.m., seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.

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Submitted by:

Sue Block
Deputy Clerk