

Hamburg City Council Meeting December 14, 2010

Mayor Malz called the Hamburg City Council meeting to order at 7:00 p.m. Councilmember Steve Trebesch, Councilmember John Barnes, Councilmember Larry Mueller, Councilmember Brian Cumiskey, City Clerk Jeremy Gruenhagen, Deputy Clerk Sue Block, Maintenance Worker Dennis Byerly and Fire Chief Brad Droege were in attendance. Richard Schug (Hamburg Baseball Club), Jim Luskey (Green Isle CPA), Chris Lund (612 Kim Avenue), Courtney Lund (612 Kim Avenue) were also in attendance. City Attorney Mac Willemsen arrived at 8:25 p.m.

Agenda Review (Added Items) and Adoption

- Added – Updated November/December Claims Lists
- Added – Updated Delinquency Report
- Added – Green Isle CPA request for a lawful gambling permit for January 29, 2010.
- ***Councilmember Mueller moved to adopt the agenda with the three (3) added items, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.***

Old City Business

- Item #4 – Electrical Wiring (ToTheHome Internet) at the Water Tower.
 - Waiting for Shawn Sprengeler to contact the City office. Cost estimation has been received. Mr. Sprengeler will be responsible for the cost of repair.
- Item #5 – Finish installing playground equipment at the Hall Park.
 - Project will be completed next spring.
- Item #6 – Cost to replace City Office and Fire Department Office flooring.
 - Council agreed that Maintenance Worker Byerly should strip and wax the floors before checking into the price of replacing the floors.
- Item #7 – Name that Park.
 - Council decided to wait until spring and name the park during the dedication.
- Item #8 – Rearrange shop area to be able to store the FD apparatus away from the Electrical Box.
 - Rearranging is in progress.

Approve Minutes for November 23, 2010

- ***Councilmember Mueller moved to approve the November 23, 2010 City Council Meeting Minutes, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.***

Fire Department Report

2010 FEMA Grant

- No new information if the Hamburg Fire Department will receive the Grant.

US Fish & Wildlife Grant

- All paperwork has been sent in to receive reimbursement for items purchased.

DNR Grant

- All paperwork has been sent in to receive reimbursement for items purchased.

Fees for Emergency Protection Fire Service

- Fire Chief Droege requested some changes to Ordinance #126, Establishing Fees for Emergency Protection Fire Services.
 - Council and Fire Chief Droege discussed the requested changes. Council decided to have City Attorney Mac review the Ordinance then make a decision if the Ordinance should or should not be changed.

Fire Department Gun Raffle

- The Fire Department sold 800 tickets for the raffle.

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Toy Drive Breakfast – December 12, 2010

- Due to the snow storm there was a low turn out for the Toy Drive breakfast.

Fire Department Officers for 2011

- Fire Chief – Brad Droege
- 1st Assistant – Adam Glander
- 2nd Assistant – Justin Buckentin
- Captain One/Training Officer – Jared Mackenthun
- Captain Two/Secretary – Brenda Droege

New Paging System

- More information will be available in January after the Chiefs Meeting.

Selection vs. Election – Hamburg Fire Department Officers

- Keep on agenda.

New Fire Department Member

- Fire Chief Droege requested Council to approve Nicholas Mackenthun as a new member of the Hamburg Fire Department.
 - *Councilmember Cummiskey moved to approve Nicholas Mackenthun as a member of the Hamburg Fire Department pending his physical reviews to be done before June 2011, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

Hamburg Baseball Club

- Richard Schug representing the Hamburg Baseball Club requested a MN Lawful Gambling Permit for their annual 52 Club Raffle.
 - *Councilmember Barnes moved to approve the Hamburg Baseball Club request for a MN Lawful Gambling permit for their 52 Club Raffle on May 15, 2011, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

Green Isle CPA

- Jim Luskey representing the Green Isle CPA requested a MN Lawful Gambling Permit for their CPA Banquet on January 29, 2011. The Hamburg Lions Club will be taking care of the Bar Liquor License.
 - *Councilmember Cummiskey moved to approve the Green Isle CPA request for a MN Lawful Gambling permit for their CPA Banquet on January 29, 2011, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

2011 Final Tax Levy and Final Budget

2010 General Fund Transfers

- Transfer \$20,000 to the Water Fund
- Transfer \$6,695.36 to the Debt Service Fund to pay off the 2001 Ford Ambulance Certificate.
- Transfer \$67,500 to the Cities Savings Account for Equipment and Maintenance.
 - *Councilmember Mueller moved to approve the transfer of \$20,000 to the Water Fund, \$6,695.36 to the Debt Service Fund, and the transfer of \$67,500 to the Cities Savings Account, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

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Public Comments on 2011 Final Budget & Tax Levy

- There were no public comments however City Clerk Gruenhagen went over some adjustments.
 - Fire Department Relief Association for estimate/actuals for 2010.
 - \$44,101 (\$42,101 plus \$2,000) should be changed to \$46,529. Actual amount owed to the Relief Association is \$46,529; this does not include the additional \$2,000. Council had agreed not to add \$2,000 to the Relief Association for next year (2011).
 - There is a \$1,000 in the General Buildings Equipment and Improvement. This money has been used to purchase tables for the Community Center however the \$1,000 could be moved to the Community Hall to purchase tables for the Hall.
 - *Councilmember Barnes moved to transfer the \$1,000 from the Community Center to the Community Hall, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

Snow Removal

- The Cities 2010 Estimate/Actual for snow removal is \$8,500 however with the additional snow fall the cost could be as high as \$10,000. Over the last three to five years the average snow removal cost was around \$6,700.
- Council discussed and decided to leave the snow removal 2011 Budget at \$8,000.

2011 Final Tax Levy Certification to Carver County

- City Clerk Gruenhagen suggested Council approve the 2011 Final Tax Levy Certification at \$403,276 which would be the same Tax Levy Certification as in 2010. This would be a 0% Tax Levy increase for 2011.
 - *Councilmember Barnes moved to approve the 2011 Final Tax Levy at \$403,276, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*

2011 Final Budget

- *Councilmember Barnes moved to approve the 2011 Final Budget with the noted changes, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

2011 City Fee Schedule

- Sewer rates were increased by 5% to account for the future cost of the I/I Abatement Program.
- The IRS rate for 2011 mileage changed from .50 to .51 cents per mile.
 - *Councilmember Mueller moved to set the Public Hearing to adopt the City Fee Schedule on January 11, 2011 at 6:45 p.m., seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

Dennis' Report (Public Works & Utilities)

Community Hall Ramp Canopy Repairs (#26 on Project List)

- Council has had no contact with Kip Jr or Kip Trebesch as to when they will be able to start the repair on the Hall Canopy.
- Maintenance Worker Byerly was asked to follow up with the Trebesch's.

Curb Stop (#28 on Project List)

- Maintenance Worker Byerly informed Council that the curb stop at 420 Maria was talked about during the last council meeting.
 - Council discussed and asked Maintenance Worker Byerly to trace the line next spring.

Curb Stops

- Maintenance Worker Byerly commented that he has found two more curb stop shut offs that are not working. One is at 291 Jacob Street and the other one is at 301 Jacob Street.

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- Council discussed and decided to have Maintenance Worker Byerly call Henning Excavations next spring to dig up the area around the curb stops so they can be repaired.
- In the past Maintenance Worker Byerly could use Rural Water's pipe freezer to repair water leaks when the curb shut off was not working. There was no cost to the city however now Rural Water is charging \$50 for its use.

Water Usage For 2010

- Water usage versus billed went down from last month however the city is still not accounting for 190,713 gallons or about 20%.
- Council discussed various ideas as to what could be causing the loss and what could be tested to find the loss.
 - Council asked Maintenance Worker Byerly to call Jeff Dale at Rural Water to come out next spring to see if he can find the cause.

2010 Overtime Hours/Holiday Work Schedule

- Council discussed eliminating Maintenance Worker Byerly's overtime rate for working holidays and weekends.
 - The decision was tabled to next year.

Project List

- New item – The lawnmower is starting to use oil and will be taken back to the dealership for repairs.
- Item #34 – Check if Menards can copy a Schlage Lock key.
 - Maintenance Worker Byerly reported that Menards does not copy this type of key.
- Item #38 – Repair Hall basement cooler. Lions will pay for the repairs.
 - Repair of the cooler is in process.
- Item #39 – Order and replace street signs within the city limits.
 - The law to change signs to reflective ones may be repealed so there is hurry on this project.

Deputy Clerk Report

Delinquent Utility Bills

- Diana Payne (350 Louisa) – Delinquent amount sent to Re/Max Advisors West for payment.
- Jon reed (416 Jacob Street) – Delinquent letter sent with disconnect on December 17th.
- Chris Tordsen (618 Kim Ave) - Sent Premiere Asset Services delinquent amount due for payment.
- Emily Siebold (625 Kim) - Delinquent letter sent with disconnect on December 17th.
- Betty Griffin (420 Maria) - Delinquent letter sent with disconnect on December 17th.
- David Chadwick (710 Park) - Delinquent letter sent with disconnect on December 17th.
- Nick Nordin (419 Railroad St) – Home Vacant – no contact information.
- Darrell Grams (410 Sophia) - Delinquent letter sent with disconnect on December 17th.
- Michelle Winkler (602 Robert) - Delinquent letter sent with disconnect on December 17th.
- Fernando Gonzalez (614 Donald) - Delinquent letter sent with disconnect on December 17th.

Time-Off Request

- Deputy Clerk Block asked Council if she could come into work on December 27th around 10:00 a.m. instead of 8:00.
 - Council did not have any objections, just asked to have the hours posted.

City Clerk/Treasurer Report

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

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- David Klugherz (613 David Avenue) has not replied to the city, still waiting for his signature on his easement.
- The Carver County Board should be voting on the easement for 470 Brad Street tonight.
- It would help the project if an easement is obtained from the Mackenthun Estate.
- Pre-Construction pictures will be taken next spring.
- According to Doug Parrott (S.E.H.) the I & I Project should be sent out for bids in February or March 2011.
- Ehlers & Associates will be contacted to have them start looking at the financial part of the project along with the proposed storm water utility fee.

Employee Reviews

- Employees were informed during their reviews that their 2011 wages will be frozen. Insurance benefits were kept the same.

Approve 2011 Cigarette License for MES Group Corporation (Parkside Tavern) – 490 Brad Street

- Councilmember Barnes asked if there were any violations, City Clerk Gruenhagen responded no.
- *Councilmember Cummiskey moved to grant MES Group Corporation i.e. Parkside Tavern a 2011 Cigarette License, seconded by Councilmember Barnes and motion unanimously passed. All Council members were present.*

Carver County Water Management Plan (2010 Update)

- The Carver County Water Management Organization updated the Carver County Water Management Plan on October 26, 2010. Because of this update the City of Hamburg must now update its Local Water Plan within a two-year time frame (by October 27, 2012). All plan updates must be submitted at least 120 days prior to the due date.
 - City Clerk Gruenhagen plans to meet with Paul Moline and will ask Mr. Moline why the City has to update its Water Management Plan when it was just done a few years ago at considerable expense to the City.
 - When City Clerk Gruenhagen has more information he will update the Council.

Carver County Fiber Optic Ring Project

- City Clerk Gruenhagen updated Council on the proposed route of the Fiber Optic project. This spring the City should know which side of County Road 50 the optic line will be placed. Alternative sights for the line will be submitted before the project goes to bid so the City will know the cost of the additions to other city buildings.

Projector Screen/Projector/Speakers

- These items have been installed at the Community Center.

Office Closing Dates

- The Hamburg City Offices will be closed for the Holidays on December 23, 24, and 31, 2010.

December 28, 2010 City Council Meeting Cancellation

- *Councilmember Cummiskey moved to give City Clerk Gruenhagen the authority to cancel the December 28, 2010 City Council Meeting, seconded by Councilmember Mueller and motion unanimously passed. All Council members were present.*

City Council Reports

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

Councilmember Cummiskey (Streets)

- Councilmember Cummiskey suggested that Chris Lund register for training with the LMC.

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Councilmember Trebesch (Buildings) had nothing further to report.

Councilmember Barnes (Parks) had nothing further to report.

Mayor Malz had nothing further to report.

Approve Claims List for November 2010

Claims List for November and December 2010

- On the 2010 December Claims List check #14795 to Larry Mueller special meetings should be 16 instead of the 15 that is listed.
- On the 2010 December Claims List check #14796 to Brian Cummiskey special meetings should be 8 instead of the 6 that is listed.
- *Councilmember Cummiskey moved to approve the November Claims List with the two (2) added ACH payments, one for PERA Withholding - November totaling \$348.51 and the other ACH payment to Wells Fargo for the remaining City's Contribution to Employees HSA in the amount of \$400.00, along with claim number 14739 through 14754, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.*
- *Councilmember Barnes moved to approve the December Claims List from 14755 through 14798 with the 2 changes and the 2 ACH payments for December, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

Adopt Resolution Number 2010-08

- Resolution approving the delegation of authority for paying December claims pertaining to the City of Hamburg.
- *Councilmember Mueller moved to pass Resolution Number 2010-08 giving City Clerk Gruenhagen authority for paying December claims, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

Councilmember Trebesch moved to recess the City Council meeting at 8:47 p.m., Councilmember Mueller seconded and motion unanimously carried. All Council members were present

Councilmember Barnes moved to open the closed City Council meeting at 8:57 p.m. for the purpose of land acquisition negotiations for the purchase of private property for the storm water pond, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.
Councilmember Barnes moved to close the Closed Meeting at 9:20 p.m. for land acquisition negotiations, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.

Councilmember Barnes moved to reopen the City Council meeting at 9:20 p.m., seconded by Councilmember Mueller and motion carried unanimously carried. All Council members were present.

Councilmember Trebesch moved to offer to purchase 3.8 acres from Brian and Margaret Cummiskey at a cost of \$10,000 per acre for a total of \$38,000 also with the agreement that the signage of the easement is included and the closing date as soon as possible, seconded by Councilmember Barnes and motion carried. Councilmember Cummiskey abstained.

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Statement of Acceptance

- *I, Brian Cummiskey along with Margaret Cummiskey accept the City of Hamburg's offer to purchase 3.8 acres of our property for the Storm Sewer Pond at a price of \$10,000 per acre with closing as soon as possible, in addition we will agree to sign the easements necessary for the project to continue. Margaret Cummiskey verbally agreed.*

Councilmember Barnes moved to waive the Public Hearing on Land Purchase compliances of the Cities Comprehensive Plan, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.

Understanding of Facts

- *Councilmember Cummiskey moved that the land in question is transitional land under the City of Hamburg's Comprehensive Plan therefore it is an acceptable use for the Storm Sewer Retention Pond, because of this Council feels that it is not necessary to hold a Public Hearing for the use of the land, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

City Attorney Mac Willemsen went on record making a commitment to Mr. Cummiskey that he and Council will do everything they can to move this along to get this taken care of and try to do what ever needs to be done that the County or the Registrar of Titles might require.

City Clerk Gruenhagen mentioned that he will be sending Attorney Willemsen a copy of the City Ordinance #126 pertaining to Establishing Fees for Emergency Protection Fire Services.

- Fire Chief Droege has requested changing Section Two: Reimbursement from Non-Residential Individuals and Businesses. Currently it states the City may bill and collect in accordance with the City Fee Schedule certain sums to recoup cost of providing fire and rescue services to individuals and businesses which do not have an address within the City Fire Department's area of service.
- Fire Chief Droege would like this change to read; only tax paying people in the city would be exempt from being charged a fee.
- Council and Mac discussed Fire Chief Droege's request and decided to have Chief Droege provide documentation from other cities that have done this before the Council will continue discussion on the subject.

City Clerk Gruenhagen also commented that he will be sending Mac the City Ordinance pertaining to assessing delinquent utility bills to taxes. City Clerk Gruenhagen wants to make sure they are up to par.

Councilmember Mueller moved to adjourn the City Council meeting at 9:52 p.m., Councilmember Barnes seconded and motion unanimously carried. All Council members were present

Submitted by:

Sue Block
Deputy Clerk