

MAYER CITY COUNCIL MEETING MINUTES ó July 26, 2010

Call Regular meeting to order at 6:26 p.m. by Mayor Chris Capaul

PRESENT: Mayor Capaul, Council Members Taylor, Osborn, Stieve-McPadden and newly appointed Dawn Oman.

ABSENT:

STAFF: Administrator Murphy, City Engineer David Martini and Clerk Maetzold

ALSO PRESENT: Don Wachholz, Nikki Larson, Ivan Raconteur, Jim McPadden, Duane Marholz, Larry Goede, Russ Kuntz, Tom Stifter, John Braunwarth, David Kolstad, Bill & Sandy Drew, Nick Drew, Al & Shirley Klein

The Meeting was opened with the Pledge of Allegiance.

APPROVE AGENDA

MOTION made by Council Member Taylor with a second by Council Member Osborn to approve the agenda as presented. Motion Carried 4/0

RESOLUTION 7-26-2010-16 APPOINTING DAWN OMAN TO THE MAYER CITY COUNCIL

Michael Dodge submitted his resignation on the Mayer City Council. His resignation created a vacancy on the Mayer City Council. A MOTION was made by Council Member Taylor and seconded by Council Member Stieve-McPadden approving Resolution 7-26-2010-16 Appointing Dawn Oman to the Mayer City Council to fill the vacant position until December 31, 2010. Motion Carried 4/0 Clerk Maetzold administered the Official Oath to Council Member Oman.

PUBLIC COMMENT

- Jim McPadden inquired whether Ridgeway Road was designated as a road or driveway. The Council informed him that the street was never accepted so is not classified as a street. The Council has authorized that the opening will be widened to accommodate a larger turning radius.
- Duane Marholz of 225 Morning Dr. appeared before the Council to ask their help in cleaning up thistles and weeds in the Sunset Meadows Development. This is the 4<sup>th</sup> summer he has had to look at thistles and weeds in his back yard. Administrator Murphy has been working on the situation, but other homeowners in the development would like the City to put more pressure on the Developer to clean up the area. Also, mounds of dirt along City property has prevented proper mowing. The City Attorney will be contacted to see if we can level and assess costs. A letter will be sent to the Developer giving him a set amount of time to comply. The Council will look at the issue again in two weeks.

APPROVE CONSENT AGENDA

A MOTION was made by Council Member Stieve-McPadden with a second by Council Member Taylor to approve the Consent Agenda as follows: Motion Carried 5/0.

1. Approve Minutes of the July 12, 2010 Regular Council Meeting
2. Approve Minutes of the July 12, 2010 Work Session
3. Approve Minutes for the April 20, 2010 EDA Meeting

4. Approve Additional Claims for July 2010
5. Appointment of Bruce Osborn to the Planning and Zoning Commission
6. Appointment of Tice Stieve-McPadden to the EDA
7. Approve the Sheriff Department's Report for the Month ending June 2010
8. Approve the Lawful Gambling Report for the Month ending June 2010

#### STAFF REPORTS

1. **Public Works** ó Council reviewed report ending July 26, 2010
2. **City Engineer** ó David Martini presented a summary of the projects Bolton & Menk have been working on during the billing period May 15<sup>th</sup> and June 11<sup>th</sup>, 2010.
3. **Sheriff's Department** ó Deputy Nelson was not on hand to report.
4. **City Administration** – The Council reviewed a report from June 28 ó July 23, 2010 outlining activities by the City Administrator. The Council also reviewed the 2<sup>nd</sup> Quarter Water and Sewer Funds.

#### CITY ADMINISTRATOR

1. **Carver County Snow Runners Snowmobile Club** – Members of the Carver County Snow Runners Snowmobile Club appeared before the Council to discuss the use of the Regional Trail for snowmobiling. They have requested a snowmobile permit for use of the Dakota Rail Trail as a snowmobile trail in the winter months. Public Hearings are being held at the city, Township and County level for citizens to provide their comments. The County Commissioners will have the final say based on the comments. The Club stated that this trail is an important connection between Hennepin and McLeod Counties as well as Lake Waconia and the Luce Line trail. The connection to the west goes all the way to South Dakota. The trail is a benefit to the City bringing revenue to area businesses. The Club would police the trail, help the City establish trails through the City and also help work on a Snowmobile Ordinance. The Council will pass a Resolution in support of the Trail through the City of Mayer at the next meeting.
2. **Presentation of Phase II Environmental Assessment Completed by Braun Intertec** ó Jeremy Hanson of Braun Intertec was on hand to present and review the Phase II Findings of the property at 113 5<sup>th</sup> St NW and explained the next steps in the process. He indicated that the City may want to consider completing an interim Response Action Plan (RAP). The interim RAP would deal with the cleanup of the barrels and the contaminated soil on the site. Once the City determines the end use of the site, a simple addendum could be completed for a final RAP. The Deed grant will pay for the interim RAP which would allow the City to clean up the site to make it cleaner, less dangerous and easier to mow. The new grant cycle begins November 1, 2010. At that time the City can apply for further clean up. The EDA is in support of the clean up. A MOTION was made by Council Member Osborn and seconded by Council Member Stieve-McPadden approving the interim RAP for 113 5<sup>th</sup> St NW. Motion carried 5/0
3. **Ordinance 167 Liquor Licensing** – City Staff received notification from the League of MN Cities on changes in 2010 laws that have an impact on City Ordinances. The City Attorney has drafted Ordinances to address the changes in state law. After review, it was decided to table Ordinance 167 for more information.

4. **Ordinance 168 Signs and Vehicles** – After review of Ordinance 168, a MOTION was made by Council Member Osborn and seconded by Council Member Oman approving Ordinance 168 Signs and Vehicles. Motion Carried 5/0
5. **DVD Cities Services and Funding** – The Council viewed a DVD from the League of MN Cities entitled: “Cities, Services & Funding Broader, Thinking, Better Solutions”. This campaign is proposed to begin cities, constituents and the public to begin talking about how to fund services in the future.
6. **Approval of Memorandum of Agreement with Mayer Lutheran High School for Use of the Community Center** – The current fee for the gym use is \$17.50 per hour with a two hour minimum. The Council has not yet discussed the rental amount for 2011. A MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Taylor approving the rental agreement with Mayer Lutheran High School for the use of the Community Center gym for the 2010-2011 school year. The current rate of \$17.50 per hour will be in effect until 12/31/10. A letter will accompany the agreement stating that the rate for 2011 could be increasing and will be decided on when the fee schedule is reviewed at budget time. Motion Carried 5/0

OTHER BUSINESS

None

ADJOURN

There being no further business, a MOTION was made by Council Member Taylor and seconded by Council Member Oman to adjourn the meeting at 7:35 p.m. Motion Carried 5/0

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Chris Capaul, Mayor

Attest: \_\_\_\_\_  
Lois A. Maetzold, City Clerk