

**CITY OF MAYER**  
**REGULAR CITY COUNCIL MEETING**  
**AGENDA**  
**Monday**  
**April 11, 2016**  
**6:30 PM**

CALL MEETING TO ORDER AT 6:30 P.M.

1. Pledge of Allegiance
2. Approval of Agenda
3. Public Comment
4. Consent Agenda
  - 4.1. Approval of the minutes for the March 28, 2016 Regular Council Meeting
  - 4.2. Approval of the minutes for the January 5, 2016 Planning & Zoning Commission Meeting
  - 4.3. Approval of the minutes for the February 8, 2016 Commission for a Lifetime Meeting
  - 4.4. Approval of Claims
  - 4.5. Approval of the Check Summary for the month of March
  - 4.6. Approval of Building Permit Report for the month ending March 2016
  - 4.7. Approval of the Fire Department Report for the month ending March 2016
  - 4.8. Approval of Resolution 4-11-16-17 the appointing Barney Johnson to the Planning Commission
5. City Administrator
  - 5.1 Action on tax forfeited property 113 5<sup>th</sup> Street NW
  - 5.2 Approval of Ordinance 207-Tree and Landscaping Requirements for the C-1 General Commerce, C-2 Central Business, C/I Commercial/Industrial and P/I Public/Institutional districts
6. For Your Information
7. Council Reports
8. Other Business
9. Adjournment

**Work Session immediately following this Council Meeting**

**UPCOMING MEETINGS**

**Joint City Council and Park Board Meeting 6:30 PM Tuesday, April 12, 2016**  
**Regular Council Meeting 6:30 PM Monday April 25, 2016**  
**EDA meeting 6:30 PM Tuesday, April 26, 2016**

MAYER CITY COUNCIL MEETING MINUTES – MARCH 28, 2016

Call Regular meeting to order at 6:30 p.m. by Mayor Thomas

PRESENT: Mayor Thomas, Council Members Osborn and Stieve-McPadden

ABSENT: Council Members McNeilly and Boder

STAFF: City Administrator Ruch-Hammond, City Engineer David Martini, Public Works Kuntz, and Clerk Maetzold

ALSO PRESENT: Don Wachholz, Mike Dodge, Ivan Raconteur

The meeting was opened with the Pledge of Allegiance.

APPROVE AGENDA

A MOTION was made by Council Member Stieve-McPadden with a second by Council Member Osborn to approve the agenda with the addition of sale of repurposed computers. Motion Carried 3/0

PUBLIC COMMENT

None

APPROVE CONSENT AGENDA

A MOTION was made by Council Member Osborn with a second by Council Member Stieve-McPadden to approve the Consent Agenda. Motion Carried 3/0.

1. Approve the Minutes of the March 14, 2016 Regular Council Meeting.
2. Approve the Additional Claims for the Month of March 2016, including Claim for the Purchase of the Property at 323 Shimmcor Street for \$325,462.90.
3. Approve Resolution 3-28-2016-11 Capital Balance Transfers.
4. Approve Resolution 3-28-2016-14 Gambling Exemption for Suicide Awareness Voices of Education.

STAFF REPORTS

1. **Public Works** – The Council reviewed a report from Kyle Kuntz of Public Works activities from February 18<sup>th</sup> to March 22, 2016.
2. **City Engineer** – The Council reviewed David Martini's summary of the projects Bolton & Menk have been working on during the billing period January 16 and February 12, 2016. He updated the Council on the Wetland Project and Hidden Creek 6<sup>th</sup> Addition. It was suggested that the City review their Standard Specifications and Detail Plates for upcoming developments.
3. **Sheriff's Department** – No Report
4. **City Administration** – The Council reviewed the City Administrator's report for the period February 22 through March 25, 2016, as well as the Fund Balances for the period ending 2/28/16.

CITY ADMINISTRATOR

1. **Approval of Resolution 03-28-2016-12 Hire of Seasonal Part Time Employees** – The City Council did budget for a full time person for the summer for 16 weeks at 40 hours per week. Staff is proposing to manage the position based on total hours and not on the 16 weeks. Staff is proposing to hire two part time seasonal public works employees, Kinsie Stifter and Gerald Weinzierl, based on the 640 total hours budgeted, and will monitor the positions for compliance with the budget based on total hours worked. A

MOTION was made by Council Member Osborn and seconded by Council Member Stieve-McPadden approving Resolution 03-28-2016-12 Hire of Seasonal Part Time Employees. Motion Carried 3/0

2. **Approval of Resolution 03-28-2016-13 Outdoor Recreation Grant Application** – The Park Board is recommending that the City apply for an Outdoor Recreation Grant from the MN DNR in the amount of \$95,569 of which requires the City to provide a 50% match in the amount of \$47,784.50. The City applied for the same grant last year but was not funded. They propose to apply for the same amenities as 2015 to West Ridge Park which was to construct a parking lot and park shelter and is also recommending that the City also include the purchase of picnic tables and trash receptacles. An ADA portable mini biff will be installed at W. Ridge Park, requiring additional pad area which will also be added to the grant. After review, a MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Osborn approving Resolution 03-28-2016-13 Outdoor Recreation Grant. Motion Carried 3/0
3. **Discussion on Purchase Agreement for 314 Ash Avenue South** – A purchase agreement has been received for the sale of 314 Ash Ave S from Casey's. The City Attorney has reviewed the purchase agreement and has made comments. The Council reviewed the attorney's comments. A MOTION was made by Council Member Osborn and seconded by Mayor Thomas to move forward with the Purchase Agreement. Motion Carried 3/0
4. **Sale of Repurposed Computer** – The City has replaced the office computers. The computers have been waiting to be taken to the recycling center. Mayor Thomas asked the Council what they would ask for a computer that he repurposed for Zion Lutheran School, for which he does volunteer IT work. The hard drive has been completely erased and no files remain. After some discussion, A MOTION was made by Council Member Boder and seconded by Council Member Stieve-McPadden to charge \$10 for the computer. Motion Carried 3/0

COUNCIL REPORTS

- None

OTHER BUSINESS

- None

ADJOURN

There being no further business, a MOTION was made by Council Member Boder and seconded by Council Member Osborn to adjourn the meeting at 7:10 p.m. Motion Carried 3/0

\_\_\_\_\_  
Gerald W. Thomas, Mayor

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

City of Mayer  
Planning Commission  
Meeting Minutes  
Tuesday, January 5, 2016

**Commission Members Present:** Chairperson Tom Stifter, Council Liaison Bruce Osborn, Les Hahn, Patty Lanting, Krista Goedel, Rod Maetzold and Don Wachholz.

**Commission Members Absent:** None

**Others Present:** None.

**Staff Present:** Planning Consultant John Anderson of Municipal Development Group, Inc.

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**CALL MEETING TO ORDER**

Meeting called to order at 6:30 PM by Chairperson Stifter.

**ADOPT AGENDA**

A motion to approve the agenda was made by Commissioner Wachholz and seconded by Commissioner Goedel. Motion carried 7/0.

**APPROVAL OF MINUTES**

A motion to approve the December 1, 2015 Planning Commission minutes was made by Commissioner Goedel and seconded by Commissioner Hahn. Motion carried 7/0.

**PUBLIC HEARING FOR A TEXT AMENDMENT TO SECTION 152.091 SCREENING AND SECTION 152.092 LANDSCAPING OF THE ZONING ORDINANCE RELATING TO LANDSCAPING AND TREE REQUIREMENTS IN THE C/I COMMERCIAL INDUSTRIAL, P/I PUBLIC INSTITUTIONAL, C-2 CENTRAL BUSINESS AND C-1 GENERAL COMMERCE DISTRICTS.**

At 6:32 PM Chairperson Stifter opened the public hearing and Planning Consultant Anderson presented the information regarding the text amendment to amend the landscaping and tree requirements in the C/I Commercial/Industrial, P/I Public/Institutional, C-1 General Commerce and C-2 Central Business districts.

Commissioner Maetzold stated he is not in favor of the foundation planting requirement and would like to see it removed as well.

Planning Consultant Anderson stated that if the Planning Commission would like to recommend changes other than what was proposed by staff, they could add that to the recommendation.

Commissioner Hahn said the tree requirements for perimeter lot frontage not facing a street seems excessive.

Planning Consultant Anderson stated that the perimeter lot frontage not facing a street tree requirement is being removed and stated that the street frontage perimeter tree requirement is also proposed to be changed to one tree per every thirty feet instead of one tree per every forty feet since the perimeter lot frontage not facing a street tree requirement is being removed. Planning Consultant Anderson also stated that just because the requirement for trees is based on street

frontage, it does not say the trees have to be planted along the street but instead they can be planted anywhere on the lot.

Chairperson Stifter closed the public hearing at 6:52 PM.

A motion to recommend approval of the text amendment to change the landscaping and tree requirements in the C/I Commercial/Industrial, P/I Public/Institutional, C-1 General Commerce and C-2 Central Business districts, including the recommendation to remove the foundation planting requirement, was made by Commissioner Maetzold and seconded by Commissioner Wachholz. Motion carried 7/0.

**NEXT MEETING**

Next scheduled meeting is Tuesday, February 2, 2016.

**COMMISSIONERS REPORT**

None.

**ADJOURNMENT**

A motion was made by Commissioner Goedel and seconded by Commissioner Maetzold to adjourn the meeting at 6:58 PM. Motion carried 7/0.

**CITY OF MAYER**  
Mayer Community  
For A Lifetime Commission  
Meeting Minutes  
Monday  
February 8, 2016  
10:00 AM

Members Present: Judi Edholm, Al Edholm, Kaye Timmers and Susan Ziermann.

Members Absent: Gerry Thomas, Council Liaison.

Others Present: Jennifer Anderson, Carver County Public Health and Environment

Staff Absent: Luayn Ruch-Hammond, City Administrator

The meeting was called to order by Chair Edholm at 10:00 AM.

**AGENDA**

On a motion by Kaye Timmers and seconded by Susan Ziermann to approve the agenda. Motion carried 4/0.

**MINUTES**

On a motion by Al Edholm and seconded by Kaye Timmers to approve the minutes of January 4, 2016 meeting. Motion carried 4/0.

**Town Cop**

Gary Stahle is the new Mayer Town Cop. Susan asked that Gary attend the one of the senior potlucks. Susan will coordinate the date with Gary.

**CarFit**

CarFit will not be holding a formal training session. However, some of the people who are trained are planning on conducting a refresher course in the spring.

**Carver County Updates – Jennifer Anderson Carver County Public Health**

Jennifer from Carver County Public Health office of aging updated the commission on her presentation to the Mayer City Council. Kaye complimented Jennifer on her presentation.

Jennifer informed the Commission about the Chaska Senior Expo that will be held on April 28 from 11-2 PM at the new curling center in Chaska. This is a free event. Jennifer will send a reminder flier.

Discussed Fair For All and Judi and Al offered anyone interested in the next event they would give them a ride.

**Commission Members**

Kaye Timmers suggested that Bob Boyd and Joan Schwartz be contacted to see if they have an interest in serving on the Commission.

**Adjournment**

On a motion by Kaye Timmers and seconded by Susan Ziermann to adjourn the meeting at 10:40 AM. Motion carried 4/0.

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\*Claim Register©

04/11/16 PAY

April 2016

Claim Type	Direct				
Claim#	12516	KLUVER CONSULTING	Ck# 019746	4/1/2016	
Cash Payment	E 640-49480-300	Professional Svcs	SERVICE CONTRACT FOR WWTF: 3/16-31/16; ADDITIONAL WORK - SEAL THREE METERS		\$900.00
	Invoice 06-16				
Cash Payment	E 620-49440-300	Professional Svcs	SERVICE CONTRACT FOR WWTF: 3/16-31/16; ADDITIONAL WORK - SEAL THREE METERS		\$75.00
	Invoice 06-16				
Transaction Date	3/28/2016	Security Bank	10100	<b>Total</b>	\$975.00
Claim#	12517	MINNESOTA DEPARTMENT OF HEA			
Cash Payment	E 620-49440-430	Miscellaneous (GENERAL)	1ST QTR WATER SUPPLY CONNECTION FEE		\$1,081.00
	Invoice				
Transaction Date	3/28/2016	Security Bank	10100	<b>Total</b>	\$1,081.00
Claim#	12518	HDSWW-EDEN PRAIRIE MN			
Cash Payment	E 620-49440-437	Water Meters	13 DUAL PORT MXU		\$1,706.44
	Invoice F255058				
Transaction Date	3/28/2016	Security Bank	10100	<b>Total</b>	\$1,706.44
Claim#	12519	TOTAL ENERGY SYSTEMS, LLC			
Cash Payment	E 640-49470-400	Repairs & Maint Cont	OSH LIFT SERVICE		\$977.00
	Invoice 270480				
Transaction Date	3/28/2016	Security Bank	10100	<b>Total</b>	\$977.00
Claim#	12520	XCEL ENERGY	Ck# 004175E	4/7/2016	
Cash Payment	E 640-49470-381	Electric Utilities	RED BARN LIFT		\$23.10
	Invoice 493392487				
Transaction Date	3/28/2016	Security Bank	10100	<b>Total</b>	\$23.10
Claim#	12521	XCEL ENERGY	Ck# 004176E	4/8/2016	
Cash Payment	E 100-43160-381	Electric Utilities	STREET LIGHTS		\$16.32
	Invoice 493599429				
Transaction Date	3/28/2016	Security Bank	10100	<b>Total</b>	\$16.32
Claim#	12522	XCEL ENERGY	Ck# 004177E	4/8/2016	
Cash Payment	E 100-45000-381	Electric Utilities	OSH CONCESSION		\$12.31
	Invoice 493597138				
Transaction Date	3/28/2016	Security Bank	10100	<b>Total</b>	\$12.31
Claim#	12523	XCEL ENERGY	Ck# 004178E	4/13/2016	
Cash Payment	E 640-49480-381	Electric Utilities	WWTF		\$2,521.98
	Invoice 494086238				
Cash Payment	E 100-42280-381	Electric Utilities	FIRE DEPT		\$130.87
	Invoice 494086238				
Cash Payment	E 620-49410-381	Electric Utilities	WELL #2		\$622.42
	Invoice 494086238				
Cash Payment	E 100-41940-381	Electric Utilities	COMM CTR		\$657.06
	Invoice 494086238				
Cash Payment	E 640-49470-381	Electric Utilities	OSH LIFT		\$466.92
	Invoice 494086238				
Cash Payment	E 620-49410-381	Electric Utilities	TOWER		\$210.45
	Invoice 494086238				

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Cash Payment	E 620-49410-381 Electric Utilities	WTP		\$1,184.45
	Invoice 494086238			
Transaction Date	3/28/2016	Security Bank	10100	Total \$5,794.15
Claim#	12524 FRONTIER	Ck# 004179E	4/11/2016	
Cash Payment	E 640-49480-321 Telephone	WWTF PHONE		\$162.32
	Invoice			
Transaction Date	3/28/2016	Security Bank	10100	Total \$162.32
Claim#	12525 POSTMASTER	Ck# 019747	3/29/2016	
Cash Payment	E 100-49505-322 Postage	MAILING - NEWLETTER - SPRING CLEANUP		\$325.99
	Invoice			
Transaction Date	3/28/2016	Security Bank	10100	Total \$325.99
Claim#	12526 OVERLINE & SON, INC			
Cash Payment	E 640-49480-404 Repairs/Maint Machinery/E MAIN LIFT STATION MAINTENANCE		3/22/16	\$543.75
	Invoice 408			
Transaction Date	3/31/2016	Security Bank	10100	Total \$543.75
Claim#	12527 VERIZON WIRELESS			
Cash Payment	E 640-49480-321 Telephone	ON CALL PHONE		\$14.12
	Invoice 9762544231			
Cash Payment	E 620-49410-321 Telephone	ON CALL PHONE		\$14.12
	Invoice 9762544231			
Cash Payment	E 100-43100-321 Telephone	ON CALL PHONE		\$14.13
	Invoice 9762544231			
Transaction Date	3/31/2016	Security Bank	10100	Total \$42.37
Claim#	12528 VERIZON WIRELESS			
Cash Payment	E 100-42280-321 Telephone	FIRE DEPT PHONE & TABLET		\$41.25
	Invoice 9762464788			
Transaction Date	3/31/2016	Security Bank	10100	Total \$41.25
Claim#	12529 FRONTIER	Ck# 004180E	4/15/2016	
Cash Payment	E 100-41000-321 Telephone	COMM CTR		\$227.71
	Invoice			
Transaction Date	3/31/2016	Security Bank	10100	Total \$227.71
Claim#	12530 FRONTIER	Ck# 004181E	4/15/2016	
Cash Payment	E 100-42280-321 Telephone	FIRE DEPT		\$92.92
	Invoice			
Transaction Date	3/31/2016	Security Bank	10100	Total \$92.92
Claim#	12531 FRONTIER	Ck# 004182E	4/15/2016	
Cash Payment	E 620-49410-321 Telephone	WTP		\$76.80
	Invoice			
Transaction Date	3/31/2016	Security Bank	10100	Total \$76.80
Claim#	12532 AME ELECTRIC INC			
Cash Payment	E 100-41940-400 Repairs & Maint Cont	REPLACE LIGHT AT COMM CTR AND WELL HOUSE		\$200.00
	Invoice 2676			
Cash Payment	E 620-49410-400 Repairs & Maint Cont	REPLACE LIGHT AT COMM CTR AND WELL HOUSE		\$228.51
	Invoice 2676			

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Transaction Date	3/31/2016	Security Bank	10100	Total	\$428.51
Claim#	12533 GREATER MN COMMUNICATIONS				
Cash Payment	E 100-45000-400 Repairs & Maint Cont		9 X 12 ADOPT A PARK SIGN		\$19.00
	Invoice 9197				
Transaction Date	4/4/2016	Security Bank	10100	Total	\$19.00
Claim#	12534 CARVER COUNTY ATTORNEYS OF				
Cash Payment	E 100-41000-304 Legal Fees		1ST QTR FEES		\$651.46
	Invoice 1ST QTR 2016				
Transaction Date	4/4/2016	Security Bank	10100	Total	\$651.46
Claim#	12535 TOM GOEPFERT				
Cash Payment	E 620-49440-300 Professional Svcs		ON CALL - 3/26-27; 4/2-3/16		\$100.00
	Invoice				
Cash Payment	E 640-49480-300 Professional Svcs		ON CALL - 3/26-27; 4/2-3/16		\$100.00
	Invoice				
Transaction Date	4/4/2016	Security Bank	10100	Total	\$200.00
Claim#	12536 EMERGENCY APPARATUS MAINT				
Cash Payment	E 100-42260-400 Repairs & Maint Cont		REPAIR CROSSLAY VALVE		\$368.86
	Invoice 85940				
Transaction Date	4/4/2016	Security Bank	10100	Total	\$368.86
Claim#	12537 DAWN CLEMENSEN				
Cash Payment	E 100-41940-300 Professional Svcs		MAYER COMM CTR CLEANING MARCH 2016		\$375.00
	Invoice				
Transaction Date	4/4/2016	Security Bank	10100	Total	\$375.00
Claim#	12538 CARVER COUNTY				
Cash Payment	E 100-41000-301 Auditing and Acct g Serv		2016 SPECIAL ASSESSMENT ENTRIES		\$85.00
	Invoice 1664				
Transaction Date	4/4/2016	Security Bank	10100	Total	\$85.00
Claim#	12539 COORDINATED BUSINESS SYSTEM				
Cash Payment	E 100-41000-200 Office Supplies		YEARLY CONTRACT - COPIES		\$2,005.23
	Invoice CNIN202674				
Transaction Date	4/4/2016	Security Bank	10100	Total	\$2,005.23
Claim#	12540 UFC FARM SUPPLY				
Cash Payment	E 100-43100-400 Repairs & Maint Cont		MINI REGULATOR 100PSI		\$34.99
	Invoice 800688				
Transaction Date	4/4/2016	Security Bank	10100	Total	\$34.99
Claim#	12541 MAYER LUMBER CO INC				
Cash Payment	E 640-49480-404 Repairs/Maint Machinery/E		BLK LIGHTNING GLOVES		\$177.75
	Invoice 125513				
Cash Payment	E 100-43100-400 Repairs & Maint Cont		P/W SUPPLIES		\$234.63
	Invoice 125642				
Cash Payment	E 640-49480-216 Chemicals and Chem Prod		CHLORINATING GRANUALES 5#		\$74.97
	Invoice 125678				
Cash Payment	E 640-49480-404 Repairs/Maint Machinery/E		RAKE,CABLE TIES		\$17.98
	Invoice 125717				
Cash Payment	E 100-43100-400 Repairs & Maint Cont		PAINT,PHOTO CELL, BATTERIES		\$48.93
	Invoice 125816				

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Cash Payment	E 640-49480-404 Repairs/Maint Machinery/E BUSHING, GALV				\$5.58
	Invoice 125896				
Cash Payment	E 640-49480-404 Repairs/Maint Machinery/E MOTH BALLS, MOUSE BAIT				\$22.28
	Invoice 125991				
Cash Payment	E 100-43100-400 Repairs & Maint Cont	GALV NIPPLES			\$5.87
	Invoice 126019				
Cash Payment	E 100-43100-400 Repairs & Maint Cont	SPADE TERMINAL, VOTAGE TESTER, TFE PASTE			\$18.87
	Invoice 126035				
Cash Payment	E 100-43100-400 Repairs & Maint Cont	MISC P/W SUPPLIES			\$66.87
	Invoice 126087				
Cash Payment	E 100-43100-400 Repairs & Maint Cont	GLOVES, BATTERIES, PAINT, M/F BULLET SPLICE			\$30.55
	Invoice 126571				
Cash Payment	E 100-43100-400 Repairs & Maint Cont	CREDIT TAX LAST MONTH			-\$1.56
	Invoice				
Transaction Date	4/4/2016	Security Bank	10100	<b>Total</b>	\$702.72
Claim#	12542 MED-COMPASS, INC				
Cash Payment	E 100-42200-305 Medical and Physicals	SCBA EXAM - S.COOPER			\$80.00
	Invoice 29007				
Transaction Date	4/4/2016	Security Bank	10100	<b>Total</b>	\$80.00
Claim#	12544 MN DEPT OF LABOR AND INDUSTR Ck# 004184E 4/6/2016				
Cash Payment	E 100-42400-300 Professional Svcs	1ST QTR 2016 SURCHARGE			\$1,010.08
	Invoice 1st qtr 2016				
Transaction Date	4/5/2016	Security Bank	10100	<b>Total</b>	\$1,010.08
Claim#	12545 HACH COMPANY				
Cash Payment	E 620-49410-216 Chemicals and Chem Prod	WATER CHEMICALS			\$163.99
	Invoice 9865274				
Transaction Date	4/5/2016	Security Bank	10100	<b>Total</b>	\$163.99
Claim#	12546 OVERLINE & SON, INC				
Cash Payment	E 640-49470-400 Repairs & Maint Cont	JET CLEAN/VACUUM 2 LIFT STATIONS			\$1,087.50
	Invoice 409				
Transaction Date	4/5/2016	Security Bank	10100	<b>Total</b>	\$1,087.50
Claim#	12547 HDSWW-EDEN PRAIRIE MN				
Cash Payment	E 620-49440-437 Water Meters	METERS/ SUPPLIES			\$2,998.25
	Invoice F236060				
Transaction Date	4/5/2016	Security Bank	10100	<b>Total</b>	\$2,998.25
Claim#	12548 TOTAL ENERGY SYSTEMS, LLC				
Cash Payment	E 620-49435-400 Repairs & Maint Cont	WELL #2 MAINTENANCE			\$977.00
	Invoice 270593				
Transaction Date	4/5/2016	Security Bank	10100	<b>Total</b>	\$977.00
Claim#	12549 TOTAL ENERGY SYSTEMS, LLC				
Cash Payment	E 640-49480-404 Repairs/Maint Machinery/E WWTF SERVICE REPAIRS				\$1,402.00
	Invoice 270594				
Transaction Date	4/7/2016	Security Bank	10100	<b>Total</b>	\$1,402.00
Claim#	12550 GOPHER STATE ONE-CALL INC				

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Cash Payment	E 620-49440-355 Gopher State Locates	MARCH LOCATES		\$23.20
	Invoice 6030545			
Cash Payment	E 640-49490-355 Gopher State Locates	MARCH LOCATES		\$23.20
	Invoice 6030545			
Transaction Date	4/7/2016	Security Bank	10100	<b>Total</b> \$46.40
Claim#	12551 PEAK HEATING AND COOLING			
Cash Payment	E 100-41940-400 Repairs & Maint Cont	MID SEASON COMM CTR MAINT		\$132.50
	Invoice 9473			
Transaction Date	4/7/2016	Security Bank	10100	<b>Total</b> \$132.50
Claim#	12552 CULLIGAN - METRO			
Cash Payment	E 100-42280-400 Repairs & Maint Cont	FIRE STATION SOFTENER		\$63.90
	Invoice			
Transaction Date	4/7/2016	Security Bank	10100	<b>Total</b> \$63.90
Claim#	12553 MELCHERT HUBERT SJODIN, PLLP			
Cash Payment	E 100-41000-304 Legal Fees	MISC LEGAL		\$772.35
	Invoice 124885			
Transaction Date	4/7/2016	Security Bank	10100	<b>Total</b> \$772.35
Claim#	12554 MELCHERT HUBERT SJODIN, PLLP			
Cash Payment	G 800-20202 Hidden Creek	HIDDEN CREEK 6TH ADDN		\$157.75
	Invoice 124886			
Transaction Date	4/7/2016	Security Bank	10100	<b>Total</b> \$157.75
	<b>Claim Type</b>	<b>Direct</b>	<b>Total</b>	<b>\$25,860.92</b>

Pre-Written Checks	\$8,716.70
Checks to be Generated by the Compute	\$17,144.22
<b>Total</b>	<b>\$25,860.92</b>

COUNCIL APPROVAL -  
SIGNATURES/INITIALS \_\_\_\_\_

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\*Check Summary Register©

March 2016

Name	Check Date	Check Amt	
<b>10100 Security Bank</b>			
Paid Chk# 004146E CENTERPOINT ENERGY	3/1/2016	\$91.03	WTP
Paid Chk# 004147E CENTERPOINT ENERGY	3/1/2016	\$1,454.59	WWTF
Paid Chk# 004148E CENTERPOINT ENERGY	3/1/2016	\$923.99	COMM CTR
Paid Chk# 004149E CENTERPOINT ENERGY	3/1/2016	\$439.35	FIRE DEPT
Paid Chk# 004150E XCEL ENERGY	3/2/2016	\$1,537.66	STREET LIGHTS
Paid Chk# 004151E XCEL ENERGY	3/9/2016	\$23.96	RED BARN LIFT
Paid Chk# 004152E XCEL ENERGY	3/10/2016	\$12.44	OSH CONCESSION
Paid Chk# 004153E XCEL ENERGY	3/10/2016	\$16.44	STREET LIGHTS
Paid Chk# 004154E FRONTIER	3/11/2016	\$83.88	WWTF
Paid Chk# 004155E FRONTIER	3/17/2016	\$227.71	COMM CTR
Paid Chk# 004156E FRONTIER	3/17/2016	\$92.92	FIRE DEPT
Paid Chk# 004157E FRONTIER	3/17/2016	\$76.80	WTP
Paid Chk# 004158E XCEL ENERGY	3/15/2016	\$6,021.40	POWER
Paid Chk# 004164E MCLEOD COOP POWER ASSN	3/28/2016	\$29.73	CITY SIGN
Paid Chk# 004166E MCLEOD COOP POWER ASSN	3/28/2016	\$582.34	STREET LIGHTS
Paid Chk# 004167E CENTERPOINT ENERGY	3/30/2016	\$352.09	FIRE STATION
Paid Chk# 004168E CENTERPOINT ENERGY	3/30/2016	\$1,158.92	WWTF
Paid Chk# 004169E CENTERPOINT ENERGY	3/30/2016	\$759.60	COMM CTR
Paid Chk# 004170E CENTERPOINT ENERGY	3/30/2016	\$58.90	WTP
Paid Chk# 004171E XCEL ENERGY	3/30/2016	\$1,781.39	STREET LIGHTS
Paid Chk# 019664 DELTA DENTAL OF MINNESOTA	2/22/2016	\$259.20	
Paid Chk# 019670 SECURITY BANK	3/1/2016	\$4,154.00	LEASE PMT FOR FIRE DEPT BUILDI
Paid Chk# 019671 PREFERRED ONE	3/1/2016	\$1,173.85	EMPLOYEE BENEFITS
Paid Chk# 019672 VISA	3/1/2016	\$409.39	FEB STATEMENT
Paid Chk# 019673 VERIZON WIRELESS	3/1/2016	\$14.30	AUTO DIALER FOR OSH LIFT
Paid Chk# 019674 KLUVER CONSULTING	3/2/2016	\$900.00	SERVICE CONTRACT FOR WWTF - 2/
Paid Chk# 019675 EDHOLM, ALLAN	3/10/2016	\$32.32	
Paid Chk# 019676 EDHOLM, JUDITH A.	3/10/2016	\$95.12	
Paid Chk# 019677 KUNTZ, KYLE	3/10/2016	\$1,361.41	
Paid Chk# 019678 MAETZOLD, LOIS A	3/10/2016	\$932.70	
Paid Chk# 019679 RUCH-HAMMOND, LUAYN R	3/10/2016	\$2,066.26	
Paid Chk# 019680 Wegner, Michael J.	3/10/2016	\$92.35	
Paid Chk# 019681 VERIZON WIRELESS	3/10/2016	\$41.25	FIRE DEPT CELL PHONE & TABLET
Paid Chk# 019682 VERIZON WIRELESS	3/10/2016	\$42.37	ON CALL PHONE
Paid Chk# 019683 POSTMASTER	3/14/2016	\$216.77	UTILITY BILLS FOR FEB 2016 - P
Paid Chk# 019684 ABDO EICK & MEYERS LLP	3/14/2016	\$16,000.00	CERTIFIED AUDIT - YEAR ENDING
Paid Chk# 019685 CARVER COUNTY	3/14/2016	\$300.00	SHERIFF'S OFFICE BACKGROUND CHE
Paid Chk# 019686 DAWN CLEMENSEN	3/14/2016	\$425.00	FEB COMM CTR CLEANING/ PAINT P
Paid Chk# 019687 DPC INDUSTRIES INC	3/14/2016	\$322.75	WATER CHEMICALS
Paid Chk# 019688 EMERGENCY MEDICAL TRAININ	3/14/2016	\$700.00	EMT REFRESHER COURSE FEE ESSER
Paid Chk# 019689 EMERGENCY RESPONSE SOLU	3/14/2016	\$182.64	HELMET SHIELD - VANDERWATER
Paid Chk# 019690 FIRST MINNESOTA BANK	3/14/2016	\$720.00	LEASE PMT FOR 2016 ELECTRIC SI
Paid Chk# 019691 FREMONT INDUSTRIES, INC	3/14/2016	\$1,134.00	400 GAL COAGULANT
Paid Chk# 019692 FRONTLINE PLUS INC	3/14/2016	\$200.00	2016 SIREN SERVICE CONTRACT
Paid Chk# 019693 GOPHER STATE ONE-CALL INC	3/14/2016	\$37.70	FEB LOCATES
Paid Chk# 019694 GREGG FLOOR COVERING	3/14/2016	\$40.50	ARMSTRONG FLOOR TILE - FOR COM

## \*Check Summary Register©

March 2016

Name	Check Date	Check Amt	
Paid Chk# 019695	H J MARKETING & MEDIA SERVI	3/14/2016	\$48.52 VANDERWATER LOCKER & ACCOUNTAB
Paid Chk# 019696	HACH COMPANY	3/14/2016	\$176.79 FILTER PLAPER
Paid Chk# 019697	HD SUPPLY WATERWORKS LTD	3/14/2016	\$233.92 WATER METER PARTS
Paid Chk# 019698	HILLYARD OF HUTCHINSON	3/14/2016	\$637.75 COMM CTR FLOOR SCRUBBER MAINTEN
Paid Chk# 019699	JERRY'S TRANSMISSION SERVI	3/14/2016	\$1,633.77 LABOR TO INSTALL MISC PARTS TR
Paid Chk# 019700	LMC	3/14/2016	\$20.00 2016 SAFETY & LOSS CONTROL WOR
Paid Chk# 019701	MAYER LUMBER CO INC	3/14/2016	\$697.82 MISC TOOLS
Paid Chk# 019702	MELCHERT HUBERT SJODIN, PL	3/14/2016	\$551.30 HIDDEN CREEK 6TH ADDN
Paid Chk# 019703	METRO WEST INSPECTION SER	3/14/2016	\$1,603.33 JAN BUILDING INSPECTIONS
Paid Chk# 019704	MINNESOTA RURAL WATER AS	3/14/2016	\$70.00 TRAINING 3/3/16 MCNEILLY & RUC
Paid Chk# 019705	MOTOROLA SOLUTIONS, INC.	3/14/2016	\$6,099.00 2014 FEMA GRANT -O 2 PORTABLE
Paid Chk# 019706	MUNICIPAL DEVELOPMENT GR	3/14/2016	\$106.25 PLANNING SERVICES FEB 2016
Paid Chk# 019707	NORTHERN LIGHTS DISPLAY	3/14/2016	\$1,688.80 36 WINTER/SUMMER BANNERS & 3 B
Paid Chk# 019708	SCHNEIDER EXCAVATING & GR	3/14/2016	\$64,792.42 PAY REQUEST #1 FOR WETLAND PRO
Paid Chk# 019709	SUSAN ZIERMANN	3/14/2016	\$8.20 COFFEE & PLATES FOR SENIOR POT
Paid Chk# 019710	T.A.P.S.	3/14/2016	\$25.00 COMM CTR TAP CLEANING
Paid Chk# 019711	ULINE	3/14/2016	\$350.15 3 WATERHOG MATS - COMM CTR
Paid Chk# 019712	USA BLUE BOOK	3/14/2016	\$1,256.47 STENNER DIGITAL PUMP & MISC RE
Paid Chk# 019713	UTILITY CONSULTANTS, INC.	3/14/2016	\$950.70 SAMPLES
Paid Chk# 019714	WATERTOWN PHARMACY	3/14/2016	\$457.32 EPIPEN 2-PAK FOR MAYER FIRE DE
Paid Chk# 019715	WIDMER CONSTRUCTION LLC	3/14/2016	\$3,625.00 FEB 2016 SNOW REMOVAL
Paid Chk# 019716	ZTS PRODUCTIONS	3/14/2016	\$250.00 4 MONTHS - RECORD/UPLOAD COUNC
Paid Chk# 019717	KLUVER CONSULTING	3/15/2016	\$900.00 SERVICE CONTRACT FOR WWTF - 3/
Paid Chk# 019720	KUNTZ, KYLE	3/24/2016	\$1,361.41
Paid Chk# 019721	MAETZOLD, LOIS A	3/24/2016	\$911.74
Paid Chk# 019722	RUCH-HAMMOND, LUAYN R	3/24/2016	\$2,066.26
Paid Chk# 019723	Wegner, Michael J.	3/24/2016	\$92.35
Paid Chk# 019724	WEINZIERL, GERALD	3/24/2016	\$41.96
Paid Chk# 019725	AME ELECTRIC INC	3/28/2016	\$725.00 REPLACE BATHFAN MOTOR - COMM C
Paid Chk# 019726	BOLTON & MENK, INC.	3/28/2016	\$4,091.00 2016 DEVELOPMENT REVIEW
Paid Chk# 019727	DELTA DENTAL OF MINNESOTA	3/28/2016	\$129.60 EMPLOYEE BENEFITS
Paid Chk# 019728	ECM PUBLISHERS, INC	3/28/2016	\$239.00 WATERTOWN-MAYER GUIDE AD
Paid Chk# 019729	FIRETEC USED APPARATUS SA	3/28/2016	\$800.00 ADVERTISE AND SALE OF 1987 INT
Paid Chk# 019730	FREMONT INDUSTRIES, INC	3/28/2016	\$1,134.00 600# COAGULANT FOR WWTF
Paid Chk# 019731	GUARDIAN PEST CONTROL INC	3/28/2016	\$42.15 COMM CTR SERVICE
Paid Chk# 019732	KJOLHAUG ENVIRON.SERVICES	3/28/2016	\$240.00 PREPARE WCA ANNUAL REPORT
Paid Chk# 019733	KYLE KUNTZ	3/28/2016	\$134.85 231.2 MILES AND PARKING - MRW
Paid Chk# 019734	LUAYN RUCH-HAMMOND	3/28/2016	\$194.26 MILES AND PARKING 1/26/16 - 3/
Paid Chk# 019735	MATT MEULENERS	3/28/2016	\$140.93 FINAL UTILITY BILL CREDIT
Paid Chk# 019736	MED-COMPASS, INC	3/28/2016	\$1,580.00 24 SCBA EXAMS
Paid Chk# 019737	METRO WEST INSPECTION SER	3/28/2016	\$2,523.99 FEB BUILDING INSPECTIONS
Paid Chk# 019738	VISA	3/28/2016	\$4,815.79 MONITOR FOR MAINT BLDG
Paid Chk# 019739	MOBIL - EXXON/MOBIL	3/28/2016	\$210.61 FEB STATEMENT
Paid Chk# 019740	PREFERRED ONE	3/28/2016	\$1,173.85 EMPLOYEE BENEFITS
Paid Chk# 019741	XYLEM WATER SOLUTIONS USA	3/28/2016	\$1,721.49 UV REPLACEMENTS FOR WWTF
Paid Chk# 019742	SCHNEIDER EXCAVATING & GR	3/28/2016	\$16,273.50 MAYER WETLAND PROJECT - PAY RE
Paid Chk# 019743	STEVE & ANNE ERICKSON	3/28/2016	\$150.34 FINAL UTILITY BILL CREDIT
Paid Chk# 019744	THERMA-STOR LLC	3/28/2016	\$3,549.75 DEHUMIDIFIER FOR WWTF

MAYER, MN

04/04/16 8:57 AM

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**\*Check Summary Register©**

March 2016

Name	Check Date	Check Amt
Paid Chk# 019745 VERIZON WIRELESS	3/28/2016	\$14.04
		OSH AUTO DIALER
	<b>Total Checks</b>	<b>\$178,119.40</b>

COUNCIL APPROVAL -  
SIGNATURES/INITIALS \_\_\_\_\_

BUILDING PERMIT REPORT  
CITY OF MAYER

	MARCH		1ST Quarter		2016 YEAR TO DATE	
	Permits	Valuation	Permits	Valuation	Permits	Valuation
<b>Residential</b>						
New Single Family Homes	5	\$1,084,873.00	9	\$1,934,641.00	9	\$1,934,641.00
Townhouse/Twin Homes	0	\$0.00	0	\$0.00	0	\$0.00
House Additions	0	\$0.00	0	\$0.00	0	\$0.00
House Remodels/Basement Finish	4	\$55,250.00	5	\$87,250.00	5	\$87,250.00
Garages	0	\$0.00	0	\$0.00	0	\$0.00
Garage Additions and Remodels	0	\$0.00	0	\$0.00	0	\$0.00
3-Season Porches/Sun Rooms	0	\$0.00	0	\$0.00	0	\$0.00
Decks/Deck Ftgs Only	1	\$6,720.00	2	\$13,440.00	2	\$13,440.00
Fire Damage Repair	0	\$0.00	0	\$0.00	0	\$0.00
Swimming Pools	0	\$0.00	0	\$0.00	0	\$0.00
Voided Permits	0	\$0.00	0	\$0.00	0	\$0.00
Demolition Permits	0	\$0.00	0	\$0.00	0	\$0.00
Sheds and Accessory Structures	0	\$0.00	0	\$0.00	0	\$0.00
Renewals	0	\$0.00	0	\$0.00	0	\$0.00
Move-In House/Garage	0	\$0.00	0	\$0.00	0	\$0.00
Mechanical Permits	0	\$0.00	1	\$0.00	1	\$0.00
Plumbing Permits	0	\$0.00	4	\$0.00	4	\$0.00
Re-Roof, Re -Side, Re-Window	0	\$0.00	1	\$0.00	1	\$0.00
Fence	0	\$0.00	0	\$0.00	0	\$0.00
Miscellaneous	0	\$0.00	0	\$0.00	0	\$0.00
<b>TOTAL RESIDENTIAL</b>	<b>10</b>	<b>\$1,146,843.00</b>	<b>22</b>	<b>\$2,035,331.00</b>	<b>22</b>	<b>\$2,035,331.00</b>
<b>Commercial/Industrial</b>						
New Buildings	0	\$0.00	0	\$0.00	0	\$0.00
Remodel Additions	0	\$0.00	0	\$0.00	0	\$0.00
Re-Roof, Re -Side, Re-Window	0	\$0.00	0	\$0.00	0	\$0.00
Mechanical Permits	0	\$0.00	1	\$9,000.00	1	\$9,000.00
Plumbing Permits	0	\$0.00	0	\$0.00	0	\$0.00
Fire Sprinkler	0	\$0.00	0	\$0.00	0	\$0.00
Miscellaneous	0	\$0.00	0	\$0.00	0	\$0.00
<b>TOTAL COMMERCIAL/INDUSTRIAL</b>	<b>0</b>	<b>\$0.00</b>	<b>1</b>	<b>\$9,000.00</b>	<b>1</b>	<b>\$9,000.00</b>
<b>Public and Institutional</b>						
New Buildings	0	\$0.00	0	\$0.00	0	\$0.00
Remodel Additions	0	\$0.00	0	\$0.00	0	\$0.00
Re-Roof, Re -Side, Re-Window	0	\$0.00	0	\$0.00	0	\$0.00
Mechanical Permits	0	\$0.00	0	\$0.00	0	\$0.00
Plumbing Permits	0	\$0.00	0	\$0.00	0	\$0.00
Fire Sprinkler	0	\$0.00	0	\$0.00	0	\$0.00
Miscellaneous	0	\$0.00	0	\$0.00	0	\$0.00
<b>TOTAL PUBLIC &amp; INSTITUTIONAL</b>	<b>0</b>	<b>\$0.00</b>	<b>0</b>	<b>\$0.00</b>	<b>0</b>	<b>\$0.00</b>
<b>GRAND TOTALS</b>	<b>10</b>	<b>\$1,146,843.00</b>	<b>23</b>	<b>\$2,044,331.00</b>	<b>23</b>	<b>\$2,044,331.00</b>



Date: April 5, 2016

TO: MAYER CITY COUNCIL/CONTRACTING TOWNSHIPS  
FROM: MAYER FIRE DEPARTMENT, ROD MAETZOLD – FIRE CHIEF

SUBJECT: FIRE REPORT FOR MONTH ENDING – 03/31/16

**TOWNSHIP CALLS:**

<u>DATE</u>	<u>TIME</u>	<u>TOWNSHIP</u>	<u>DESCRIPTION/ADDRESS</u>	<u>MAN HOURS</u>
03/01/16	1835	Watertown	Car Fire, 2 mi. N of Hwy 7 on Hwy 25	13
03/11/16	2133	Hollywood	Possible Car Fire Hwy 7 & Tacoma – Not found	19
03/19/16	1840	Hollywood	Medical, 14925 50 <sup>th</sup> St	16
03/25/16	1912	Watertown	Medical, 4410 Hwy 25	13
03/29/16	1407	Watertown	Medical, 3885 Co Rd 123 – false alarm	9

**CITY OF MAYER CALLS:**

<u>DATE</u>	<u>TIME</u>	<u>DESCRIPTION/ADDRESS</u>	<u>MAN HOURS</u>
03/07/16	1605	Grass Fire, Back of 2270 Coldwater Crossing	17
03/13/16	2139	Medical, 325 Ridge Rd	18
03/15/16	2152	Fire Alarm, 305 5 <sup>th</sup> St NE	18
03/26/16	1113	Medical, 325 Ridge Rd	16
03/28/16	1144	Mutual Aid with Watertown, Shed Fire, 700 Lewis Ave N	42
03/30/16	1951	Medical, 413 Ridge Rd	9

**FIRE DEPARTMENT TRAININGS/ACTIVITIES FOR MONTH ENDING 03/31/16**

03/07/16	Regular Meeting
03/14/16	Group Training – Extrication Tools
03/17/16	Carver County Chief's Pre-Meeting at Chanhassen
03/21/16	Regular Training – Fire Flows

CITY OF MAYER  
APPLICATION FOR APPOINTMENT

Board or Commission applying for: Planning Commission

NAME: Barney Johnson

STREET ADDRESS: 1123 Hidden Creek Blvd

CITY: Mayer MN ZIP: 55460

TELEPHONE Home 952-657-1087 Work \_\_\_\_\_

Number of years a Mayer Resident 12 Fax \_\_\_\_\_

Are you presently serving on a City of Mayer Board or Commission? No

Which One? \_\_\_\_\_ Term \_\_\_\_\_

Have you served on a City of Mayer Board or Commission in the past? No

Which One? \_\_\_\_\_ Term \_\_\_\_\_

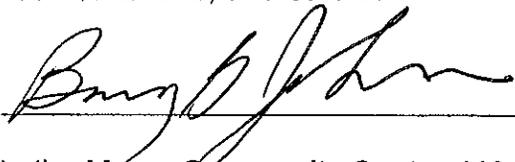
Which One? \_\_\_\_\_ Term \_\_\_\_\_

What do you have to offer to The City of Mayer board or commission?

As a 12 year resident of Mayer I'd like to see the city grow and prosper, while at the same time keeping taxes down. I have a terminal degree from the University of California, Irvine, and many years of experience planning and running various types of operations.

EXPERIENCE OR EDUCATION THAT WOULD ENHANCE YOUR EFFECTIVENESS  
AS A BOARD OR COMMISSION MEMBER

Twenty-four years teaching college and running a large performing arts center with multiple budgets and activities every day of the year. 40+ years as a theatrical designer with work in over 5 states and membership in United Scenic Artists 829. 30 years in the Navy, commanding units that included frigates, construction battalions, and others.

SIGNATURE  DATE 3/9/2016

Return to the Mayer Community Center 413 Bluejay Avenue, Mayer, MN 55360



**MAYER CITY COUNCIL  
A RESOLUTION 4-11-2016-17  
APPOINTING  
BARNEY JOHNSON  
AS A MEMBER OF THE MAYER  
PLANNING COMMISSION**

WHEREAS, the City of Mayer established A Planning Commission; and

WHEREAS, the membership of the Planning Commission consists of seven (7) Commissioners; and

WHEREAS, Barney Johnson has expressed an interest to be appointed to the Planning Commission; and

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAYER, CARVER COUNTY, MINNESOTA, THAT:

Barney Johnson is appointed to the Mayer Planning Commission for a term to expire on February 1, 2017.

Whereupon said resolution was declared duly passed and adopted. Dated this 11<sup>th</sup> day of April, 2016.

ATTEST:

\_\_\_\_\_  
Lois Maetzold, City Clerk

\_\_\_\_\_  
Gerald W. Thomas, Mayor

**REQUEST FOR CITY COUNCIL ACTION**

<b>Meeting Date:</b>	April 11, 2016
<b>Item Name:</b>	Tax Forfeited Property 113 5 <sup>th</sup> Street NW
<b>Originating Department:</b>	Administration
<b>Presented by:</b>	Luayn Ruch-Hammond

**Previous Council Action (if any):**

<b>Item Type (X only one):</b>	Consent		Regular Session	<input checked="" type="checkbox"/>	Discussion Session	
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**RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)**

A motion approving the classification and sale of the property at 113 5<sup>th</sup> Street NW.

**EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)**

The City has received notice from Carver County on the tax forfeited property at 113 5<sup>th</sup> Street NW in the City. The City has 60 days to respond to the County.

The City has three options on the parcel of land.

The City can withhold the property for public purpose. If it is the City's intention to request transfer of the property the City Council must pass a resolution per MN Statute 282.01 and identify the public purpose for the parcel. If the City does not withhold the land the county will proceed to a sale.

The City can also, purchase the property and then a public purpose does not need to be identified. The City would need to purchase the property for \$3,000.

If the City chooses not to withhold the property for public purpose or purchase the property then the City must approve the parcel for public auction.

If the City approves the sale of the property any prior assessments can be reassessed to the property. This property does have an outstanding street and utility assessment of \$16,471.52. Staff will need to re-certify the assessment in November. Council will need to discuss whether the assessment should be re-certified. As Ms. Smith points out in her letter to take into consideration whether the assessment may make the parcel unaffordable.

The other expense that the City has with this property is the clean up. The City applied for a DEED grant of which there was a 25% match. The total of the City's contribution or 25 % was \$6,783.04.

The other cleanup expense was the emergency cleanup from the oil spill on April 20, 2013 where the City was ordered by MPCA to conduct a cleanup and pumping of the tank. That cost to the City was \$7,577.02. The City did apply for Petrofunds but the application was denied. Staff was told by MPCA staff that the legislation would be changing in 2014 and the City could reapply for the funds in 2015. Staff was informed that the legislation did not change in 2014. Staff has contacted the MPCA whether the legislation changed in 2015 and the City could reapply for grant funds. The legislation did not change in 2015 however, there is a separate piece of legislation for 2016. The legislation will only cover the portion the \$7,577.02 that insurance does not pay.

Staff has submitted a claim to the League of MN Cities Insurance Trust for the \$7,577.02. Staff will monitor the legislation and if approved will submit the balance to the MPCA for payment.

Staff is requesting Council discussion and a decision on the parcel and the assessment for the street repairs. Council has three possible actions: 1. Purchase the property. 2. Decide on a public purpose for the property and have it withheld. 3. If Council does not do 1 or 2 above then City Council needs to approve of the sale price for the property.

Discussion on the classification and sale of the property at 113 5<sup>th</sup> Street NW.

CERTIFICATE OF COUNTY BOARD OF CLASSIFICATION OF FORFEITED LANDS AS PROVIDED BY  
CHAPTER 386, LAWS 1935  
AS AMENDED.

To the Board of the City of Mayer

We, the members of the County Board of the County of CARVER, Minnesota, do hereby certify that the parcels of land hereinafter listed are all of the lands which have been classified by us as conservation/non-conservation Lands, from the list of lands forfeited to the State of Minnesota for non-payment of taxes for the year or years 2007 through 2013 as provided by Minnesota Statutes 1945, Section 282.01 as amended.

PIN	Legal Description	Appraised Value of Land	Conservation / Non-Conservation
50.0011101	The South 150' of the following described tract of land: That part of the Northeast Quarter of Section 1, Township 116 North, Range 26 West of the 5th Principal Meridian described as follows: Commencing at the northeast corner of said Northeast Quarter, thence on an assumed bearing of West, along the north line of said Northeast Quarter, a distance of 366.00 feet, thence South 0 degrees 12 minutes 10 seconds West a distance of 300.00 feet to the point of beginning of the land to be described, thence East a distance of 183.00 feet, thence South 0 degrees 12 minutes 10 seconds West a distance of 33.00 feet, thence East a distance of 183.00 feet to the east line of said Northeast Quarter, thence South 0 degrees 12 minutes 10 seconds West, along said east line, a distance of 489.34 feet, thence North 89 degrees 26 minutes 46 seconds West a distance of 366.00 feet, thence North 0 degrees 12 minutes 10 seconds East, parallel with the east line of said Northeast Quarter, a distance of 518.00 feet to the point of beginning. EXC the South 33.00 feet thereof.	\$3,000	Non-Conservation

In witness whereof we have hereunto subscribed our names this 5th day of April, 2016.

Gayle O Degler Gayle O Degler  
 Tom Workman [Signature]  
 Randy Maluchnik Randy Maluchnik  
 Tim Lynch [Signature]  
 Jim Ische, Chair [Signature]  
 Attest: Laurie Davies,  
 Carver County Taxpayer  
 Services Manager Laurie Davies

The foregoing classification and sale is hereby approved on \_\_\_\_\_, 2016.  
 By the Board of the City of Mayer  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 2016.  
 Laurie Davies, Carver County Taxpayer Services Manager  
 By: Deputy

Drafted By: Carver County Taxpayer Services Office, Government Center, Administration Bldg., 600 E 4th St, Chaska, MN 55318 -2102

## Luayn Ruch-Hammond

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**From:** Kathleen Smith [ksmith@co.carver.mn.us]  
**Sent:** Tuesday, March 29, 2016 4:44 PM  
**To:** cityadmin@frontiernet.net; Lois Maetzold (mayermn@frontiernet.net)  
(mayermn@frontiernet.net)  
**Cc:** Jennifer Becker; Laurie Davies  
**Subject:** Approval for Tax Forfeit Land Sale Notification  
**Attachments:** Approval of Parcels for TF SALE - MAYER.pdf; 50.0011101 Map.pdf; statedeed\_app.pdf; Conditional Use Deed Supplement.pdf; WELL DISCLOSURE & FORM.pdf

**Importance:** High

Luayn,

We are working toward a 2016 tax forfeited land sale. Attached you will find the following documents pertaining to land forfeited to the State of Minnesota for non-payment of property taxes in your city:

- Information letter to your City for *Approval of Parcels for TF Sale* with parcel list
- *Certificate of County Board of Classification of Forfeited Lands* to be reviewed and signed at the April 5, 2016 County Board Meeting
- Map showing the location of the forfeited parcel(s)
- Application for *State Deed for Tax Forfeited Land* and *Conditional Use Deed Supplement*
- *Well Disclosure Certificate form*

On behalf of the taxing districts, our goal is to return these parcels to the tax rolls or assist local jurisdiction in withholding the property for public use or purchasing for a public purpose.

At this point the values for all forfeited parcels will require final approval from the County Board at the April 5, 2016 board meeting as well as approval for classification for parcels that forfeited on October 13, 2015. You will receive an updated copy of the *Certificate of County Board of Classification of Forfeited Lands* following final approval for your Council or Board to approve. Parcels that are currently being reviewed by the DNR for sale approval are noted. Your option to withhold or purchase a parcel is dependent upon the DNR and County Board approval for sale and determination of values.

**The City Council/Township Board must respond no later than May 28, 2016, sixty (60) days from the date of the letter. Please be advised that if we have not received a response, we will proceed with the land sale.**

Please let me know if you have any questions,

Kathy Smith, Land Administration Supervisor  
Carver County Taxpayer Services Department  
Government Center - Administration Bldg.  
600 East 4th Street Chaska, MN 55318-2102  
Phone: (952) 361-1972  
Fax: (952) 361-1919  
E-Mail: [ksmith@co.carver.mn.us](mailto:ksmith@co.carver.mn.us)

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CARVER  
COUNTY

Taxpayer Services Department  
Government Center - Administration Building  
600 East 4th Street  
Chaska, MN 55318-2102  
Phone (952) 361-1910  
Fax (952) 361-1919  
[www.co.carver.mn.us](http://www.co.carver.mn.us)

Laurie Davies  
Taxpayer Services Manager

March 29, 2016

City of Mayer  
Luayn Ruch-Hammond  
PO Box 102  
Mayer MN 55360-0102

Dear Luayn Ruch-Hammond,

We are working toward a 2016 tax forfeited land sale. Enclosed you will find the following documents pertaining to land forfeited to the State of Minnesota for non-payment of property taxes in your city:

- *Certificate of County Board of Classification of Forfeited Lands* to be reviewed and signed
- Copy of the *Certificate of Forfeiture* indicating the date of forfeiture
- Map showing the location of the forfeited parcel(s)
- Application for *State Deed for Tax Forfeited Land and Conditional Use Deed Supplement*
- *Wetlands Certification Form*
- *Well Disclosure Certificate form*

On behalf of the taxing districts, our goal is to return these parcels to the tax rolls or assist local jurisdiction in withholding the property for public use or purchasing for a public purpose.

Special assessment certifications for any special assessments levied *after* the date of forfeiture will be added to the basic sale price when the parcel is sold. Please confirm with Kathy any special assessments that were levied after the date of forfeiture.

Special assessments previously certified *prior* to the date of forfeiture have been removed. You may recertify any remaining balance after the parcel has been sold. They must be certified to Taxpayer Services by November 30<sup>th</sup>, 2016. Please take into consideration that recertifying the special assessments to a parcel may make the parcel unaffordable for a potential buyer.

You are able to review current State Laws with regard to withholding/purchasing tax forfeited land by visiting the State of Minnesota website. The link to Minnesota State Statutes is: <https://www.revisor.mn.gov/statutes/?id=282.01> and the link to the

***Delinquent Tax & Tax Forfeiture Manual*** is:

[http://www.revenue.state.mn.us/local\\_gov/prop\\_tax\\_admin/education/redbook.pdf](http://www.revenue.state.mn.us/local_gov/prop_tax_admin/education/redbook.pdf) Sections 6731 through 6735 in the manual refer to methods of government acquisition.

Per MS 282.01, we require a certified copy of the City Council/Township Board Resolution authorizing any of the following actions taken by your City Council/Township Board. Please select one of the following options for each parcel listed:

- Approve the parcel(s) for public auction;
- The sale of land pursuant to subdivision (MS 282.01 subd. 7a); which shall be subject to any conditions imposed by the county board pursuant to section 282.03. Please indicate whether or not the parcel of land is a buildable lot. If the lot is unbuildable, do you *recommend* the parcel(s) be limited for sale to adjacent landowners?
- Request a conveyance to your City/Township on a Conditional Use Deed, Fee Required is \$250 for an authorized public use  
OR
- Purchase the parcel for an authorized public purpose at appraised value (MS 282.01, subd. 1a. par. (b) or subd. 3).

Please return the original *CERTIFICATE OF COUNTY BOARD OF FORFEITED LANDS* no later than **May 28, 2016**, sixty (60) days from the date of this letter:

- The original *CERTIFICATE OF COUNTY BOARD OF FORFEITED LANDS* signed by the City Council/Township board.

Please return the following if applicable:

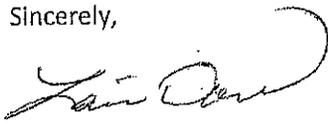
- If you wish to withhold a parcel from sale for a conditional use, please complete and return the following for each parcel no later than **May 28, 2016**, sixty (60) days from the date of this letter:
  - *Application for State Deed for Tax-Forfeited Land*
  - *Supplemental Information for a Conditional Use Deed* along with a check for \$250.00 payable to the Commissioner of Revenue. (If this application is denied, the Commissioner shall refund \$150.00 of the application fee).
  - Certified copy of City Council/Township Board Resolution authorizing action taken.
  - A check payable to Carver County for \$6.65 filing fees (\$1.65 deed tax and \$5.00 Ag Conservation fee).
  - A separate check for \$46.00 payable to Carver County to cover county recording fees for each parcel.
- If you wish to purchase one or more parcels for authorized public purpose, please complete and return the following no later than **May 28, 2016**, sixty (60) days from the date of this letter:
  - *Application for State Deed for Tax-Forfeited Land*
  - One check payable to Carver County for following fees:
    - Purchase price
    - \$25 check for state deed;
    - 3% surcharge fee based on the purchase price;
    - Deed tax (.0033 x purchase price. Minimum is \$1.65 if \$500 or less.); and
    - \$5.00 Ag Conservation fee.
  - A separate check payable to Carver County for each *Application for State Deed for Tax-Forfeited Land* for the following fees:
    - \$50.00 well certificate fee (if applicable)
    - \$46.00 for recording fee

At this point the values for all forfeited parcels will require final approval from the County Board at the April 5, 2016 board meeting as well as approval for classification for parcels that forfeited on October 13, 2015. You will receive an updated copy of the *Certificate of County Board of Classification of Forfeited Lands* following final approval. Parcels that are currently being reviewed by the DNR for sale approval are noted. Your option to withhold or purchase a parcel is dependent upon the DNR and County Board approval for sale and determination of values.

The City Council/Township Board must respond no later than **May 28, 2016**, sixty (60) days from the date of this letter. Please be advised that if we have not received a response, we will proceed with the land sale.

If you have any questions, please contact Kathy (952-361-1972) in my office.

Sincerely,



Laurie Davies, Manager  
Carver County Taxpayer Services

## LISTING OF TAX FORFEITED LANDS

### City of Mayer Parcels:

PIN	Legal Description	Appraised Value of Land	Class	DNR Approval
50.0011101	The South 150' of the following described tract of land: That part of the Northeast Quarter of Section 1, Township 116 North, Range 26 West of the 5 <sup>th</sup> Principal Meridian described as follows: Commencing at the northeast corner of said Northeast Quarter, thence on an assumed bearing of West, along the north line of said Northeast Quarter, a distance of 366.00 feet, thence South 0 degrees 12 minutes 10 seconds West a distance of 300.00 feet to the point of beginning of the land to be described, thence East a distance of 183.00 feet, thence South 0 degrees 12 minutes 10 seconds West a distance of 33.00 feet, thence East a distance of 183.00 feet to the east line of said Northeast Quarter, thence South 0 degrees 12 minutes 10 seconds West, along said east line, a distance of 489.34 feet, thence North 89 degrees 26 minutes 46 seconds West a distance of 366.00 feet, thence North 0 degrees 12 minutes 10 seconds East, parallel with the east line of said Northeast Quarter, a distance of 518.00 feet to the point of beginning. EXC the South 33.00 feet thereof.	\$3,000	Non-Conservation	Approved

LISTING OF TAX FORFEITED LANDS

50.0011101

City of Meyer Parcels



*Disclaimer: This map was created using Carver County's Geographic Information Systems (GIS), it is a compilation of information and data from various City, County, State, and Federal offices. This map is not a surveyed or legally recorded map and is intended to be used as a reference. Carver County is not responsible for any inaccuracies contained herein.*

Application for State Deed for Tax-Forfeited Land

In \_\_\_\_\_ County

Type of Acquisition

- Checkboxes for Purchase, Conditional Use Deed, School Forest Deed, Remove Blight/Afford. Housing, Failure to convey to city or association, Acquisition Authorized by other statute or Special Law, Conservation-related usage, Replacement for Lost/Destroyed Deed, Repurchase, Release (State Agencies only), and Citation.

Correction section: Is this application intended to correct a previous deed? State deed number of original deed: Information being corrected: Was this state deed recorded? Recording Date: Recording Number:

Applicant (Grantee) section: Name(s) of applicant(s), Address of applicant, Phone Number of applicant, City, State, Zip Code

Ownership section: Please check the appropriate box below: Single ownership, Co-ownership: joint tenancy, Co-ownership: tenancy in common, Co-ownership: other. Date of auditor's certificate of forfeiture, Date tax-forfeited land was sold (if applicable), Date purchase price was paid in full (if applicable), Purchase price (if applicable)

Property Information section: Legal description of property: (Please email longer legals to: state.deeds.mdor@state.mn.us) All or part of the described real property is Registered (Torrens)

Wells section: Please check the appropriate box below: [ ] There are one or more wells on this property. [ ] There are no wells on this property. [ ] No change since last well certificate. (If wells disclosure certificate has been electronically filed, please list WDC number: \_\_\_\_\_)

Wetland Certification section: [ ] The wetland certification form has been completed and attached to this application.

Replacement section: Complete this section only if "Replacement for Lost/Destroyed Deed" is selected above as the type of acquisition. The applicant is (check the appropriate box): the grantee named in the original deed the grantee's successor. If the applicant is the grantee's successor, please state the name of the grantee in the original deed (otherwise leave blank): Date that unrecorded state deed was issued State Deed Number (if known). Attach a statement of reasons in support of allegation that said deed has been lost or destroyed before it was recorded (please be specific).

**Certifications**

All applications require the signature of the county auditor below. Applications for Replacement Deeds will also require the additional signature of the applicant as well.

Please provide the information below as it corresponds to the type of acquisition selected on the front of the form.

<b>Blight/Affordable Housing</b>	<p>Auditor to complete this section only if "Remove Blight/Afford. Housing" is selected above as the type of acquisition.</p> <p>The County Board, or its delegate, of _____ County, Minnesota, has reviewed the application of _____ dated _____, 20____, for the conveyance of certain tax-forfeited land described therein. The county board has determined that: (1) a sale at a reduced price is in the public interest because a reduced price is necessary to provide an incentive to correct the blighted conditions that make the lands undesirable in the open market or the reduced price will lead to the development of affordable housing; and (2) the governmental subdivision or state agency has documented its specific plans for correcting the blighted conditions or developing affordable housing and the specific law or laws that empower it to acquire real property in furtherance of the plans.</p>
----------------------------------	--

<b>Conservation</b>	<p>Auditor to complete this section only if "Conservation-related usage" is selected above as the type of acquisition.</p> <p>The County Board, or its delegate, of _____ County, Minnesota, has reviewed the application of _____ dated _____, 20____, for the conveyance of certain tax-forfeited land described therein. The county board has determined that a sale at a reduced price is in the public interest for (select one):</p> <ul style="list-style-type: none"> <li>___ (1) creation or preservation of wetlands; or</li> <li>___ (2) drainage or storage of storm water under a storm water management plan; or</li> <li>___ (3) preservation, or restoration and preservation, of the land in its natural state.</li> </ul>
---------------------	---

<b>Failure to Convey</b>	<p>Auditor to complete this section only if "Failure to convey to city or association" is selected above as the type of acquisition.</p> <p>The County Board, or its delegate, of _____ County, Minnesota, has reviewed the application of _____, a (check one) <input type="checkbox"/> governmental subdivision / <input type="checkbox"/> common interest community, dated _____, 20____, for the free conveyance, due to a prior failure to convey which was duly certified, of certain tax-forfeited land described therein, and recommends that this application be granted.</p>
--------------------------	--

<b>Use Deed</b>	<p>Auditor to complete this section only if "Conditional Use Deed" is selected above as the type of acquisition.</p> <p>The County Board, or its delegate, of _____ County, Minnesota, has reviewed the application of _____ dated _____, 20____, for the conveyance for an authorized public use of certain tax-forfeited land described therein, and recommends that this application be granted.</p>
-----------------	---

<b>School Forest</b>	<p>Auditor to complete this section only if "School Forest Deed" is selected above as the type of acquisition.</p> <p>The County Board, or its delegate, of _____ County, Minnesota, and the Commissioner of Natural Resources, has reviewed the application of _____ dated _____, 20____ for the conveyance for a school forest of certain tax-forfeited land described therein, and recommends that this application be granted.</p>
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<b>Replacement</b>	<p>Auditor to complete this section only if "Replacement for Lost/Destroyed Deed" is selected above as the type of acquisition.</p> <p>The property described herein was duly bid in for the state for taxes payable in the year _____, delinquent _____; and became forfeited to the State of Minnesota on the _____ day of _____, _____.</p>
--------------------	--

<b>Sign Here</b>	<p>I certify that the above information is true and correct, the county board has taken the official action required under Minn. Stat. § 270C.88, and that therefore conveyance by state deed of the real property described above should be executed by the Commissioner of Revenue to the above named applicant(s) as required by Minnesota Statutes, Chapter 282.</p> <p>Signature of county auditor _____ County</p> <p>Date of signature of county auditor _____</p> <p>Applicant signature (Replacement Deed only) _____</p> <p>Date of applicant signature (Replacement Deed only) _____</p> <p style="text-align: right;">(seal)</p>
------------------	--

Supplemental Information for a Conditional Use Deed

ALL applications (State Deed Application Form) for a conditional use deed must be accompanied by a completed Conditional Use Deed Supplement form.

Property Identification number(s) (PIN) for requested property (attach additional sheets if necessary)
Market value of requested property
Total acreage of requested property
Describe current condition of the parcel (Identify any improvements and natural features)

Date of recording of auditor's certificate of forfeiture with the county recorder (if applicable)
Recorder's Document number (if applicable)
Date of recording of auditor's certificate of forfeiture with the county registrar of titles (if applicable)
Registrar's Document number (if applicable)

Authorized Public Use
M.S. 282.01, subd. 1a, par. (e) limits the authorized public uses for conditional use deeds to the following list. Please check the appropriate box below:
Road or right-of-way for a road
Trails
Transit facilities
Public beach or boat launch
Public parking
Civic recreation or conference facilities
Park
Will the park be available to and accessible by the public?
Will there be signage indicating to the public this is a park?
Will the park contain amenities maintained for active utilization by the public?
Type of amenities:
Will the park primarily be open space?
Public service facilities
Type of facility:
Describe in detail the intended public use of the property:
Do you anticipate establishing the proposed use within 3-years?
If "no", when do you anticipate the use being established?

Fee Required
Minn. Stat. § 282.01, subd. 1g requires a fee of \$250 to be submitted to the Commissioner of Revenue along with this application. If this application is denied, the Commissioner shall refund \$150 of the application fee.
The required fee is enclosed.
Supporting Documentation
Indicate the supporting documentation that you have included for consideration during the review of your application. Please note that some forms of documentation are required. Check all that apply:
Photos (required)
Maps (required)
Other:
Resolution authorizing application by the governmental subdivision (required)
Plans documenting the intended use

Office Use only
This application it is hereby: rejected granted
By
Commissioner of Revenue
Fee Paid:
Refund:

**PAYMENT REQUEST FORM  
CONTAMINATION CLEANUP & INVESTIGATION GRANT PROGRAM**

Grantee Name: City of Mayer  
 Project Name: Sandblasting (Old Cream  
 Grant Number: CCGP-09-0023-Z-FY10  
 Payment Address: 413 Bluejay Avenue  
 PO Box 102 Mayer, MN 55338

Disbursement Request # **6-FINAL**  
 Invoices Cover Period From : **11/4/2011**  
 To Date : **12/1/2011**  
 Total DEED Payment Request This Draw: **46.88**  
 ^  
This amount should equal total from Column 3

Name: Luayn Murphy  
 Title: City Administrator  
 Phone: 952-657-1502  
 Grantee Signature: *[Signature]*  
 \* The above signature certifies that the amount requested below from DEED and the required local match are eligible costs under the Grant Agreement for this project.

Approved Eligible Activities from Grant Agreement (GA)	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11
	Approved Costs from Grant Agreement	Total Eligible Invoices This Draw = 100%	Current Payment Request Information DEED Payment Request This Draw 75%	Local Match This Draw 25%	Previous DEED Payments To Date	Previous Local Match Payments To Date	Total Previous Paid To Date	DEED Requests: Previous & Current	Local Match Amounts: Previous & Current	Total of All Previous & Current Funds	Remaining Unspent Balance of Project Costs
Phase I ESA	\$ 1,900.00				\$ 1,425.00	\$ 475.00	\$ 1,900.00	\$ 1,425.00	\$ 475.00	\$ 1,900.00	\$ -
Phase II	\$ 18,590.00				\$ 12,200.73	\$ 4,066.91	\$ 16,267.64	\$ 12,200.73	\$ 4,066.91	\$ 16,267.64	\$ 2,322.36
Rap	\$ 16,000.00	\$ 62.50	\$ 46.88	\$ 15.63	\$ 6,676.50	\$ 2,225.50	\$ 8,902.00	\$ 6,723.38	\$ 2,241.13	\$ 8,964.51	\$ 7,035.50
<b>TOTALS</b>	\$ 36,490.00	\$ 62.50	\$ 46.88	\$ 15.63	\$ 20,302.23	\$ 6,767.41	\$ 27,069.64	\$ 20,349.11	\$ 6,763.04	\$ 27,132.15	\$ 9,357.8

**DEED Only:** I hereby certify that the goods or material covered by this claim have been inspected and received or the services have been performed and are in accordance with specification and are in proper form, kind amount and quantity and payment is therefor recommended.

DEED Authorization \_\_\_\_\_ Date \_\_\_\_\_

Minnesota Dept of Employment & Economic Development  
 1st National Bank Building  
 332 Minnesota Street, Suite E200  
 St. Paul, MN, 55101-1351  
 Attn: Brownfields & Redevelopment Unit  
 FAX: 651-296-1290

Please Either Fax or Mail Requests, Not Both

# ATTACHMENT A

## STANDARDIZED INVOICE SUMMARY (CURRENT RULES)

Please use this attachment for costs you are submitting for reimbursement that are subject to the current rules.

For each standardized invoice form you are submitting with this application, enter the total invoice amount on the corresponding line in the box below. Add the numbers on each line, subtract the amount of insurance reimbursement you have received, and multiply the resulting total by the appropriate reimbursement rate.

### COST SUMMARY

*Tank in Transport Release: Use Tank in Transport Release Attachment*

Excavation and Soil Disposal Oversight Before Investigation .....		\$ _____
Limited Site Investigation or Full Remedial Investigation .....		\$ _____
Active Remediation—initial field testing .....		\$ _____
Active Remediation—site-specific system design .....		\$ _____
Active Remediation—system installation, start-up, and operation & maintenance .....		\$ _____
Active Remediation—system decommissioning .....		\$ _____
Contractor Services .....		\$ _____
Permits, utilities, and public safety access fees (invoiced directly to the applicant) .....		\$ _____
Emergency response costs .....		\$7,577.02
<b>TOTAL ELIGIBLE COSTS</b> .....		<b>\$7,577.02</b>
Insurance Reimbursement (subtract) -		\$( _____ )
	=	<b>\$7,577.02</b>
		x 90%*
<b>TOTAL REIMBURSEMENT REQUEST</b> =		<b>\$6,819.31</b>

\* If a different reimbursement rate applies, calculate at that rate. See Application Guide.



Mayer City Council  
Staff Report  
April 6, 2016

Commercial & Industrial Landscaping & Tree Requirements

### APPLICATION DATA

**Meeting Date:** April 11, 2016

**Applicant:** This is a City of Mayer initiated review

### ACTION REQUESTED

To review the tree and landscaping requirements for the C-1 General Commerce, C-2 Central Business, C/I Commercial/Industrial and P/I Public/Institutional districts.

### BACKGROUND DATA

**Background:** Recently the Planning Commission recommended to the City Council to change the tree and foundation planting requirements in the C-1, C-2, C/I and P/I districts. The City Council reviewed the recommendation at a City Council meeting in February and sent the text amendment review back to the Planning Commission for further discussion. The main item of concern was the removal of the foundation plantings around the buildings located in the C-1, C/I and P/I districts.

The current tree and landscaping requirements for the C-1 and C/I district are as follows. At this time the P/I district did not have any requirements but the Planning Commission did recommend to add the requirements to the P/I district.

- (a) *One over-story tree for every 40 feet of street frontage.*
- (b) *One over-story tree for every 60 feet of non-street fronting lot perimeter.*
- (c) *One foundation planting for every ten feet of street-facing building frontage.*

The current requirement for the C-2 district is as follows.

- (a) *One tree for every 1,000 square feet of total building area. If landscaping can not be accommodated on site the plantings shall be placed in a city park or city right-of-way. Placement of such landscaping shall be approved by the City Council.*

The proposed language that the Planning Commission originally recommended for approval is as follows:

- (a) *One over-story tree for every thirty (30) 40 feet of street frontage.*
- (b) ~~One over-story tree for every 60 feet of non-street fronting lot perimeter.~~
- (c) ~~One foundation planting for every ten feet of street-facing building frontage.~~

At the April 5, 2015 Planning Commission meeting, the Planning Commission discussed the foundation planting requirement and voted 5-2 to recommend the language stay the same as previously recommended. Commissioner Goedel and Council Liaison Boder voted no.

Staff has also looked at other cities requirements in similar districts. These results are listed below.

Watertown

Trees: None found

Foundation Plantings: None found

Waconia

Trees: 1 tree per 1,000 square feet of floor area.

Foundation Plantings: None found

Norwood Young America

Trees: None found

Foundation Plantings: None found

Cologne

Trees: Eight trees or one tree per 3,000 sq. ft. of site area.

Foundation Plantings: One per 10 feet of building and parking area.

Belle Plaine

Trees: A green belt planting strip only required when adjacent to residential uses.

Foundation Plantings: A green belt planting strip only required when adjacent to residential uses.

Jordan

Trees: 2 deciduous trees at least eight feet tall shall be planted in the front yard setback area.

Foundation Plantings: 2% of the lot shall be landscaped.

Victoria

Trees: One tree for every thirty feet of frontage.

Foundation Plantings: 2% of the project value shall be landscaped.

As you can see most cities do have some sort of foundation planting requirement, so Mayer's requirement that currently exists is not out of the ordinary.

The text below includes the existing and proposed language related to tree and landscaping requirements that the Planning Commission recommended to approve at the April 5, 2016 Planning Commission meeting. The new text is underlined and the deleted text is striked-through.

**152.091 SCREENING.**

(A) Outside Storage. The screening of outside storage areas required herein shall consist of a solid fence or wall that is 100% opaque and not less than six feet or more than eight feet in height. Such a screen wall or fence shall be designed and constructed as to be architecturally harmonious with the principal structure and located so as to not extend within 25 feet of any street. Landscaping (trees, shrubs, grass and other plantings) shall be on the right-of-way side of any screening or fencing. A screen planting may be substituted for a screen wall or fence at the discretion of the Council, provided that any such screen planting shall fulfill the foregoing height and opacity requirements throughout each season of the year within 24 months after date of planting, and that no such screen planting shall be located across any existing easements.

(B) Commercial and Industrial Screening. All commercial and industrial uses abutting and/or adjacent to a residential district shall be required to provide screening according to this section. All screening shall consist of either a fence or a green belt planting strip as provided for below:

(1) A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen. This planting strip shall be

designed to provide complete visual screening to a minimum height of six (6) feet. Earth mounding or berms may be used, but shall not be used to achieve more than three (3) feet of the required screening. The planting plan and type of plantings shall require the approval of the City.

(2) A screening fence may be incorporated into the green belt planting strip and shall be constructed of masonry, brick, or wood. Such fence shall provide a solid screening effect six (6) feet in height. The design and materials used in constructing a required screening fence shall be subject to the approval of the City.

## **152.092 LANDSCAPING.**

(A) *Intent.* It is the policy of the city to preserve its significant natural resources as a complement to existing and future development. In particular, wetlands and drainageways shall be preserved in their natural state for their functional and ecological value as well as for their positive impact upon proximate urban development.

(1) Development within woodland areas may be permitted but, as far as practical, retention of substantial tree stands shall be encouraged and incorporated into the required landscape plan.

(2) In addition to preservation of existing woodland areas, the city shall require significant landscaping/planting in open or disturbed areas as a normal part of land development. Specific requirements shall be set forth in this section.

(B) *Landscape plan required.* In every case where landscaping is required by provision of this chapter or by an approval granted by the city, for a building or structure to be constructed on any property, the applicant for the building permit shall submit a landscape plan prepared by a registered landscape architect, in accordance with the provisions of this section. The landscape plan shall include the following information:

(1) *General.* Name and address of developer/owner; name and address of landscape architect; date of plan preparation; date and description of all revisions; name of project or development.

(2) *Site plan.* A scale drawing of the site based upon a survey of property lines with indication of scale and north point; name and right-of-way of proposed and existing streets; location of all proposed utility easements and rights-of-way; location of existing and proposed buildings; parking areas; water bodies; proposed sidewalks; percent of site covered by impervious surface.

(3) *Landscape plan.* A scale drawing of proposed landscaping for the site based upon a survey of property lines with indication of scale and north point; existing and proposed topographic contours at two-foot contour intervals; details of proposed planting beds and foundation plantings; location and identification of all planting (trees, shrubs, flowers, ground cover, and the like); details of fences, tie walls planting boxes, retaining walls, tot lots, picnic areas, berms, and other landscape improvements, location of landscape islands and planter beds with identification of plant materials used; and location and details of irrigation systems.

(4) *Planting schedule.* A table containing the common names and botanical names, size of plant materials, root specifications, quantities, and special planting instructions.

(C) *General requirements.*

(1) *Landscape requirements applicable to all districts.*

(a) Unless otherwise directed by the Planning Commission, all plantings shall be placed on the private property on which the development is taking place.

(b) All areas not otherwise improved in accordance with approved site plans or subdivisions shall be sodded, seeded, or otherwise established with vegetation approved by the city, and maintained in

accordance with this division (C), unless otherwise stated in this section. All front yards, rear yards, and side yards shall be sodded or seeded over a minimum of four inches of black dirt, such sodding or seeding to be completed no later than six months from the date of issuance of a certificate of occupancy. Developed properties for which a certificate of occupancy has been issued prior to the effective date of this chapter shall be sodded or seeded in conformance with the above requirements within six months of the date of issuance of the certificate or within 90 days of the effective date of this chapter, whichever is later. Grass, sod and seed shall be clean and free of noxious weeds and pests or diseases and shall be of a species normally grown as permanent lawns and suitable to this climate.

(c) Off-street parking and loading areas shall be screened from public streets which afford an unobstructed view of the parking or loading area, and from adjacent properties zoned or developed for residential or public use with shrubbery. Height of screening shall be at least three and one-half feet but no more than five feet above the level of the parking lot. Spacing of shrubbery shall be no more than ten feet.

(d) One landscaped island shall be required for every 12 uninterrupted parking stalls.

(e) Plant materials shall be provided for in each landscaped island at the discretion of the Planning Commission.

(f) The owner shall provide the city with cash, corporate surety bond, approved letter of credit or other surety or security satisfactory to the city to guarantee the proper installation and growth of the approved landscape plan. The security shall be furnished by the owner of the property prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed, unless specified otherwise in this section. The security shall be held by the city and must cover one full calendar year subsequent to the installation of the landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscape plan.

(2) *R-1 (Low-Density Residential) and R-2 (Medium-Density Residential).*

(a) Each platted lot shall have two over-story trees per street frontage, located in the front yard, and when required, the side-street yard.

(b) For all R-1 and R-2 lots, the front and side yard shall be fully sodded. The back yard shall be sodded to a distance of 50 feet from the rear of the house. All remaining unsodded areas shall be seeded with grass seed appropriate to the climate area.

(c) A landscape escrow shall be secured on all residential lots at the time the building permit is issued to assure completion of landscaping requirements. The amount of the escrow shall be established from time to time by City Council resolution. The escrow shall be released when landscaping improvements have been completed as required in this section. If any portion of the landscaping is not completed within the timeframe required above, the city may cause such landscaping to be completed and draw upon the landscaping escrow deposit for the cost of completion. The owner of the property or lot shall be given notice by certified mail that the city plans to proceed with completion of the landscaping improvements at least ten days prior to the commencement of work. The city, its employees, agents or contractors shall have the right to go upon the property to complete the landscaping improvements without permission of the owner of the property or lot, and shall not be liable for trespass.

(3) *R-3 (Multiple-Family Residential).*

(a) One over-story tree for every 40 feet of street frontage.

(b) One landscape planting for every two dwelling units.

(c) One foundation planting for every ten feet of street-facing building frontage.

(4) *PRD (Planned Residential Development)*. At a minimum, the landscaping for PRD Districts shall follow the respective land-use guidelines. In other words, if the PUD contains uses consistent with R-1, R-2 or R-3 uses, the landscaping requirements applicable to those districts shall apply to the PUD. However, additional landscape requirements may be requested at the discretion of the Planning Commission.

(5) *C-1 (General Commerce), P/I (Public/Institutional District) and C/I (Commercial/Industrial District)*.

(a) One over-story tree for every thirty ~~(30)~~ 40 feet of street frontage.

~~(b) One over-story tree for every 60 feet of non-street-fronting lot perimeter.~~

~~(c) One foundation planting for every ten feet of street-facing building frontage.~~

(6) *C-2 (Central Business District)*.

(a) One tree for every 1,000 square feet of total building area. If landscaping can not be accommodated on site the plantings shall be placed in a city park or city right-of-way. Placement of such landscaping shall be approved by the City Council.

(D) *Minimum standards.*

(1) *Over-story trees.*

(a) *Deciduous trees.* Two-and-one-half inch caliper planting size.

(b) *Coniferous trees.* Six feet in height planting size.

(2) *Foundation plantings.* Five-gallon minimum per planting.

(3) *Front yard trees.* All front yard trees shall be hardwood shade trees or flowering trees.

(4) *Over-story mix.* When multiple quantities of over-story trees are required, at least 75% of the trees required shall be deciduous trees.

(5) *Hardiness.* All landscape materials proposed shall be consistent with Minnesota hardiness zones, whether indigenous or foreign. Plant species must also be tolerant to snow storage, exposure to salt and sun scald in parking areas.

(6) *Diversification.* In any development in which at least eight over-story trees or foundation plantings are required, at least three varieties of plantings are required. In residential subdivisions, at least three varieties of boulevard trees are required on each side of a block.

(7) *Warranty.* All required landscape materials shall be warranted for growth for a minimum of two years after planting.

#### **CITY COUNCIL ACTION REQUIRED:**

After review and discussion by the members of the City Council, a motion is in order to approve, deny or table the landscaping and tree requirements for the C-1 General Commerce, C-2 Central Business, C/I Commercial/Industrial and P/I Public/Institutional districts.

#### Possible action items - Text Amendment

1. Approve the text amendment as presented.
2. Approve the text amendment with changes as discussed by the City Council.

3. Table the text amendment to a date specific, and provide staff with direction on the issues that have been discussed.
4. Deny the text amendment.

If you have any questions prior to the City Council meeting, please feel free to contact me at: [jandersonmdg@gmail.com](mailto:jandersonmdg@gmail.com) or call direct at 952-855-4596 or toll free at: 1-888-763-4462 ext. 3.

Sincerely,

MUNICIPAL DEVELOPMENT GROUP, INC.

John Anderson, Associate  
Consulting Planner, City of Mayer

CITY OF MAYER  
ORDINANCE #207

AN ORDINANCE AMENDING TITLE XV: LAND USAGE, CHAPTER 152: ZONING,  
SECTION 152.091 SCREENING AND SECTION 152.092 LANDSCAPING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAYER THAT THE FOLLOWING SECTION OF THE ZONING ORDINANCE, RELATED TO LANDSCAPING AND TREE REQUIREMENTS IN THE C-1 GENERAL COMMERCE, C-2 CENTRAL BUSINESS, C/I COMMERCIAL/INDUSTRIAL AND P/I PUBLIC/INSTITUTIONAL DISTRICT, BE AMENDED TO READ AS FOLLOWS:

**Section 1.** Title XV: Land Usage, Chapter 152 Zoning, Section 152.091 Screening, of the Mayer Municipal Code, is hereby amended to add the provisions with underlined text and delete the provisions with the strike-through text as follows:

**SECTION 152.091 - Screening.**

(A) Outside Storage. The screening of outside storage areas required herein shall consist of a solid fence or wall that is 100% opaque and not less than six feet or more than eight feet in height. Such a screen wall or fence shall be designed and constructed as to be architecturally harmonious with the principal structure and located so as to not extend within 25 feet of any street. Landscaping (trees, shrubs, grass and other plantings) shall be on the right-of-way side of any screening or fencing. A screen planting may be substituted for a screen wall or fence at the discretion of the Council, provided that any such screen planting shall fulfill the foregoing height and opacity requirements throughout each season of the year within 24 months after date of planting, and that no such screen planting shall be located across any existing easements.

(B) Commercial and Industrial Screening. All commercial and industrial uses abutting and/or adjacent to a residential district shall be required to provide screening according to this section. All screening shall consist of either a fence or a green belt planting strip as provided for below:

(1) A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen. This planting strip shall be designed to provide complete visual screening to a minimum height of six (6) feet. Earth mounding or berms may be used, but shall not be used to achieve more than three (3) feet of the required screening. The planting plan and type of plantings shall require the approval of the City.

(2) A screening fence may be incorporated into the green belt planting strip and shall be constructed of masonry, brick, or wood. Such fence shall provide a solid screening effect six (6) feet in height. The design and materials used in constructing a required screening fence shall be subject to the approval of the City.

**Section 2.** Title XV: Land Usage, Chapter 152 Zoning, Section 152.091 Screening, of the Mayer Municipal Code, is hereby amended to add the provisions with underlined text and delete the provisions with the strike-through text as follows:

**SECTION 152.092 - Landscaping.**

(A) Intent. It is the policy of the city to preserve its significant natural resources as a complement to existing and future development. In particular, wetlands and drainageways shall

be preserved in their natural state for their functional and ecological value as well as for their positive impact upon proximate urban development.

(1) Development within woodland areas may be permitted but, as far as practical, retention of substantial tree stands shall be encouraged and incorporated into the required landscape plan.

(2) In addition to preservation of existing woodland areas, the city shall require significant landscaping/planting in open or disturbed areas as a normal part of land development. Specific requirements shall be set forth in this section.

(B) *Landscape plan required.* In every case where landscaping is required by provision of this chapter or by an approval granted by the city, for a building or structure to be constructed on any property, the applicant for the building permit shall submit a landscape plan prepared by a registered landscape architect, in accordance with the provisions of this section. The landscape plan shall include the following information:

(1) *General.* Name and address of developer/owner; name and address of landscape architect; date of plan preparation; date and description of all revisions; name of project or development.

(2) *Site plan.* A scale drawing of the site based upon a survey of property lines with indication of scale and north point; name and right-of-way of proposed and existing streets; location of all proposed utility easements and rights-of-way; location of existing and proposed buildings; parking areas; water bodies; proposed sidewalks; percent of site covered by impervious surface.

(3) *Landscape plan.* A scale drawing of proposed landscaping for the site based upon a survey of property lines with indication of scale and north point; existing and proposed topographic contours at two-foot contour intervals; details of proposed planting beds and foundation plantings; location and identification of all planting (trees, shrubs, flowers, ground cover, and the like); details of fences, tie walls planting boxes, retaining walls, tot lots, picnic areas, berms, and other landscape improvements, location of landscape islands and planter beds with identification of plant materials used; and location and details of irrigation systems.

(4) *Planting schedule.* A table containing the common names and botanical names, size of plant materials, root specifications, quantities, and special planting instructions.

(C) *General requirements.*

(1) *Landscape requirements applicable to all districts.*

(a) Unless otherwise directed by the Planning Commission, all plantings shall be placed on the private property on which the development is taking place.

(b) All areas not otherwise improved in accordance with approved site plans or subdivisions shall be sodded, seeded, or otherwise established with vegetation approved by the city, and maintained in accordance with this division (C), unless otherwise stated in this section. All front yards, rear yards, and side yards shall be sodded or seeded over a minimum of four inches of black dirt, such sodding or seeding to be completed no later than six months from the date of issuance of a certificate of occupancy. Developed properties for which a certificate of occupancy has been issued prior to the effective date of this chapter shall be sodded or seeded in conformance with the above requirements within six months of the date of issuance of the certificate or within 90 days of the effective date of this chapter, whichever is later. Grass, sod and seed shall be clean and free of noxious weeds and pests or diseases and shall be of a species normally grown as permanent lawns and suitable to this climate.

(c) Off-street parking and loading areas shall be screened from public streets which afford an unobstructed view of the parking or loading area, and from adjacent properties zoned or developed for residential or public use with shrubbery. Height of screening shall be at least three and one-half feet but no more than five feet above the level of the parking lot. Spacing of shrubbery shall be no more than ten feet.

(d) One landscaped island shall be required for every 12 uninterrupted parking stalls.

(e) Plant materials shall be provided for in each landscaped island at the discretion of the Planning Commission.

(f) The owner shall provide the city with cash, corporate surety bond, approved letter of credit or other surety or security satisfactory to the city to guarantee the proper installation and growth of the approved landscape plan. The security shall be furnished by the owner of the property prior to obtaining a building permit that is equal to the amount of the required landscaping to be installed, unless specified otherwise in this section. The security shall be held by the city and must cover one full calendar year subsequent to the installation of the landscaping and must be conditioned upon complete and satisfactory implementation of the approved landscape plan.

(2) *R-1 (Low-Density Residential) and R-2 (Medium-Density Residential).*

(a) Each platted lot shall have two over-story trees per street frontage, located in the front yard, and when required, the side-street yard.

(b) For all R-1 and R-2 lots, the front and side yard shall be fully sodded. The back yard shall be sodded to a distance of 50 feet from the rear of the house. All remaining unsodded areas shall be seeded with grass seed appropriate to the climate area.

(c) A landscape escrow shall be secured on all residential lots at the time the building permit is issued to assure completion of landscaping requirements. The amount of the escrow shall be established from time to time by City Council resolution. The escrow shall be released when landscaping improvements have been completed as required in this section. If any portion of the landscaping is not completed within the timeframe required above, the city may cause such landscaping to be completed and draw upon the landscaping escrow deposit for the cost of completion. The owner of the property or lot shall be given notice by certified mail that the city plans to proceed with completion of the landscaping improvements at least ten days prior to the commencement of work. The city, its employees, agents or contractors shall have the right to go upon the property to complete the landscaping improvements without permission of the owner of the property or lot, and shall not be liable for trespass.

(3) *R-3 (Multiple-Family Residential).*

(a) One over-story tree for every 40 feet of street frontage.

(b) One landscape planting for every two dwelling units.

(c) One foundation planting for every ten feet of street-facing building frontage.

(4) *PRD (Planned Residential Development).* At a minimum, the landscaping for PRD Districts shall follow the respective land-use guidelines. In other words, if the PUD contains uses consistent with R-1, R-2 or R-3 uses, the landscaping requirements applicable to those districts shall apply to the PUD. However, additional landscape requirements may be requested at the discretion of the Planning Commission.

(5) C-1 (General Commerce), P/I (Public/Institutional District) and C/I (Commercial/Industrial District).

- (a) One over-story tree for every thirty ~~(30)~~ 40 feet of street frontage.
- ~~(b) One over-story tree for every 60 feet of non-street-fronting lot perimeter.~~
- ~~(c) One foundation planting for every ten feet of street-facing building frontage.~~

(6) C-2 (Central Business District).

(a) One tree for every 1,000 square feet of total building area. If landscaping can not be accommodated on site the plantings shall be placed in a city park or city right-of-way. Placement of such landscaping shall be approved by the City Council.

(D) *Minimum standards.*

(1) *Over-story trees.*

- (a) *Deciduous trees.* Two-and-one-half inch caliper planting size.
- (b) *Coniferous trees.* Six feet in height planting size.

(2) *Foundation plantings.* Five-gallon minimum per planting.

(3) *Front yard trees.* All front yard trees shall be hardwood shade trees or flowering trees.

(4) *Over-story mix.* When multiple quantities of over-story trees are required, at least 75% of the trees required shall be deciduous trees.

(5) *Hardiness.* All landscape materials proposed shall be consistent with Minnesota hardiness zones, whether indigenous or foreign. Plant species must also be tolerant to snow storage, exposure to salt and sun scald in parking areas.

(6) *Diversification.* In any development in which at least eight over-story trees or foundation plantings are required, at least three varieties of plantings are required. In residential subdivisions, at least three varieties of boulevard trees are required on each side of a block.

(7) *Warranty.* All required landscape materials shall be warranted for growth for a minimum of two years after planting.

**Section 3.** This Ordinance shall become effective following its summary passage and publication in the official newspaper of the City.

ADOPTED by the City Council of the City of Mayer, Carver County, Minnesota this 11th day of April, 2016.

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Gerald W. Thomas  
Mayor

ATTEST:

Moved by:  
Seconded by:

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Lois A. Maetzold  
City Clerk

Published:  
Filed with Carver County:

You and your family and friends are cordially invited  
to attend the Sheriff's Office Fourteenth Annual  
**Recognition Evening**

**Tuesday, April 26, 2016  
7:00 PM**

**Carver County Government Center  
EOC Training Room  
(lower level of Justice Center)  
604 East 4th Street  
Chaska, MN 55318**



Welcome & Introductions

Presentation of Awards

Distribution of Years of Service Pins

Recognition of Retirees

Social – Refreshments Served

*Presented by the Carver County Sheriff's Office  
Employee Recognition Committee*

**\*\* Please leave a message with Deb at  
(952) 361-1138 with the number attending \*\***

March 29, 2016

Mayor Chris Capaul  
City of Mayer  
413 Bluejay Ave.  
Mayer, MN 55369

Dear Mayor Capaul:

Please, be advised that effective May 1<sup>st</sup>, 2016, NU-Telecom's digital TV rates will become the following:

NU-Basic – \$22.95

NU-Entertainment (includes NU-Basic) - \$68.95

NU-Variety (includes NU-Basic and NU-Entertainment) - \$78.95

Enclosed for your reference, please, find an updated channel lineup.  
Should the City have any questions concerning this notice, please, contact me at (507) 233-4169.

Sincerely,



Kathy Lund  
Regulatory & Administrative Manager

WEST METRO

# Victoria City Council members violated Open Meeting Law, judge finds

A district judge found city's mayor and three council members liable for meeting and e-mailing privately about public matters.

By Natalie Daher (<http://www.startribune.com/natalie-daher/367108811/>) Star Tribune

APRIL 5, 2016 — 7:22PM

A Carver County judge has ruled that four members of the Victoria City Council have violated the state's Open Meeting Law.

In a civil suit filed by 13 Victoria residents, Judge Janet Barke Cain found that Mayor Thomas O'Connor and Council Members James Crowley, Thomas Strigel and Lani Basa were liable for sunshine law violations.

Barke Cain ruled that the public officials failed to properly close or record meetings and e-mails in 2013 about the financing and building of Victoria's new city hall/library and public works buildings, which opened last year.

The judge also found three violations by former Council Member Joe Pavelko, who resigned last summer after moving and was not listed as a defendant.

O'Connor and Crowley each were found liable for 11 violations, and each fined \$2,250; Strigel was fined \$2,100 for 10 violations, and Basa was fined \$1,200 for six violations.

The defendants appeared in court late last year and said city staffers should have better outlined open meeting procedure.

Former City Administrator Don Uram, who now works in Prior Lake, declined to comment on the findings, and former City Attorney Mike Norton did not return a phone call for comment.

Defense attorney George Hoff said Tuesday that he isn't yet sure whether they will appeal the ruling.

"This isn't their career. They make little money in relation to the work they do," Hoff said. "They need to be able to rely on advice — it's the staff's responsibility to make sure they follow the technicalities."

Barke Cain said in her findings, filed March 31, that the defendants "were all well aware or should have been aware of the [Open Meeting Law] and the basic requirements."

Every one of the elected officials named, aside from Basa, has held office for more than five years, the judge noted; and Basa's attendance at a League of Minnesota Cities conference made her responsible for understanding the law.

"Relying on attorney advice is appropriate," Barke Cain wrote. "Believing the attorney would totally insulate you from liability under the [Open Meeting Law] is not."

She added: "Public officials cannot simply put all the onus on staff and expect to avoid liability under the [Open Meeting Law]."

Citing several cases, the judge found the council members in violation of the Open Meeting Law, including four instances of "serial communication."

According to court documents, topics discussed by council members in person and via e-mails included putting the library in the new city hall, real estate acquisition and sales, and contracting for construction and design of the building projects.

The attorney for the Victoria residents, Alan Kildow, requested e-mail records from the defendants.

"Given this case, elected officials should become knowledgeable of the Open Meeting Law and follow it," he said. "Implement it, and follow it religiously."

Kildow added: "Electronic media makes it much easier for public officials to conduct governmental business outside the realm of the direct knowledge of the public."

Hoff disagrees with Barke Cain's findings and said, "with all due respect, I think she simply misconstrued the law."

The defendants could not be reached for comment.

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natalie.daher@startribune.com

952-746-3285

NatalieDaher7