

MAYER CITY COUNCIL MEETING MINUTES ó July 23, 2012

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

PRESENT: Mayor Capaul, Council Members Boder, Osborn and Stieve-McPadden

ABSENT: Council Member Lueth

STAFF: City Administrator Murphy, Andrew Budde ó Bolton & Menk, Deputy Chris Nelson, Public Works Jeff Frost and Clerk Maetzold

ALSO PRESENT: Don Wachholz, Ivan Raconteur, Kathy Lund, Ken Olson, Eric Turner, Angela DeLaney and Rod Maetzold

The meeting was opened with the Pledge of Allegiance.

APPROVE AGENDA

MOTION made by Council Member Stieve-McPadden with a second by Council Member Osborn to approve the agenda with the following addition; 1) Millings from 2nd St NW for Recycling Center.
Motion Carried 4/0

PUBLIC COMMENT

None

APPROVE CONSENT AGENDA

A MOTION was made by Council Member Stieve-McPadden with a second by Council Member Osborn to approve the Consent Agenda: Motion Carried 4/0.

1. Approve the Minutes of the July 9, 2012 Regular Council Meeting.
2. Approve the Minutes of the June 19, 2012 EDA Meeting.
3. Approve the Additional Claims for the Month of July 2012.
4. Approve the Sheriff's Department Report for the Month Ending June 2012.

STAFF REPORTS

1. **Public Works** ó Council reviewed Jeff Frost's report ending July 23, 2012.
2. **City Engineer** ó The Council reviewed David Martini's summary of the projects Bolton & Menk have been working on during the billing period May 12, and June 8, 2012.
3. **Sheriff's Department** ó Deputy Nelson had nothing to report.
4. **City Administration** – The Council reviewed a report from June 25 through July 20, 2012 outlining activities by the City Administrator. The Council also reviewed Fund Balances for the month ending June 30, 2012.

CITY ADMINISTRATOR

1. **Resolution 7-23-2012-20 Cooperative Agreement** – City Engineer Andrew Budde of Bolton & Menk reviewed the plans and cost estimates being prepared for the round-a-bout at 62nd street and Highway 25 as part of the MnDOT Cooperative Agreement. Based on Bolton & Menk's experience, the City could request from 25 ó 50% funding from the State. The Council discussed asking for 50%, and if the Cooperative Agreement is not funded this year, the project could be re-evaluated and resubmitted next year. A MOTION was made by Council Member Boder and seconded by Council Member Stieve-McPadden approving Resolution 07-23-2012-20 Application for Cooperative

Agreement with MnDOT for the TH 25 and 7th Street intersection improvements and instructing the City Engineer to request 50% funding. Motion Carried 4/0

2. **Approval of Cable Franchise Ordinance #184** ó Attorney Robert Vose has been negotiating the NU Telecom Franchise Agreement for the City. Because NU Telecom did not file proper notification with the City, they could be required to pay attorney fees. The compromise will be that payment of attorney fees will be paid by NU Telecom in the amount of \$1,500.00 and the City will pay up to \$1,500 for the installation of internet service at the WWTF. In return, the City will receive free internet service at the WWTF. The following motions were made:
 - A MOTION was made by Council Member Osborn and seconded by Council Member Stieve-McPadden approving Ordinance #184 a renewed franchise agreement with New Ulm Telecom Inc. Motion Carried 4/0
 - A MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Boder authorizing the summary of Ordinance #184 to be published. Motion Carried 4/0
 - A MOTION was made by Council Member Osborn and seconded by Council Member Boder authorizing signatures on the Business Internet Service Agreement with NU Telecom at the WWTF. Motion Carried 4/0
3. **Approval for a Partial Release of Escrow Funds** – The City has received a request to release the landscape escrows for 5178 Harvest Curve and 5144 Sundance Run. Staff inspected the properties and found that the trees that were placed do not appear to be healthy. Paxmar was notified and they stated that their landscape company carries a one year warranty and will not replace the trees until next spring if necessary. Staff would like to withhold \$500 from each of the escrows for trees and release \$1,000 instead of trying to negotiate with the developer's landscaper in the spring for replacement if it is needed. A MOTION was made by Council Member Osborn and seconded by Council Member Boder partially releasing \$1,000 per lot of the \$1,500 landscape escrow for 5178 Harvest Curve and 5144 Sundance Run. Motion Carried 4/0
4. **Acceptance of Public Works Resignation** ó A MOTION was made by Council Member Boder and seconded by Council Member Stieve-McPadden accepting the resignation of Jeff Frost as Public Works Employee for the City effective Thursday, July 26, 2012. Motion Carried 4/0
5. **Recommendation of Personnel Committee on Public Works Position** ó Since the Council has accepted the resignation of the Public Works Employee; the City will need to find someone with a Class C license to operate the Water Treatment Plant. The Personnel Committee has recommended that the City enter into an agreement with DeVries & Kluver to operate the Water Plant and to hire a general maintenance worker to complete all of the other tasks in the City. Additional discussion included exploring the idea of working with either the Cities of Watertown or New Germany on a shared position. A MOTION was then made by Mayor Capaul and seconded by Council Member Boder to temporarily hire DeVries & Kluver to operate the Water Plant, since they are already under contract for the City's WWTF, for \$50 per day and \$25 per hour for any additional hours as needed with a two week termination notice clause. Motion Carried 3/1 (Osborn)
6. **Approval of Job Description and Job Advertisement for Public Works Position** ó The Council reviewed the draft job description for the Public Works position, the proposed job advertisement and

salary ranges from comparable Cities. The Council discussed the needs of the City and whether to advertise the position to include a Class C water license or to hire a general maintenance worker and contract for the water license. A MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Boder approving the job description and advertisement for the Public Works position until August 30, 2012 with the preferred qualification of a Class C water license and SC sewer license. Salary will depend on qualifications. Motion Carried 4/0

7. **Authorize Mayor's Signature on Letters of Support for Carver County Public Health** ó Carver County Public Health is applying for grants to the Metropolitan Area Agency on Aging. They are asking for our City's commitment to support the efforts of Carver County Public Health in their efforts to obtain the grants by sending letters of support. A MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Osborn to support the Carver County Public Health Initiative to apply for the grant with the Metropolitan Area Agency on Aging by authorizing the Mayor's signature on the letters of support. Motion Carried 4/0
8. **Millings from 2nd St NW for Recycling Center** ó The County will be working on the Recycling Center at our Compost site later this summer. They reported that they would be putting down some pea rock for a driving base. Administrator Murphy asked the Council if they would be willing to donate some of the 100 ton of asphalt milling from 2nd Street NW project. The City will only need about half that much for our own needs. A MOTION was made by Mayor Capaul and seconded by Council Boder to donate the millings located at the creamery site to the County for the Recycling center. Motion Carried 4/0

COUNCIL REPORTS

- *EDA* ó Council Member Boder reported that the EDA has been working with First Minnesota Bank on a cooperative LED sign. A model has been selected. Funds would come from the EDA and Park Funds. The budget for 2013 has also been reviewed.

OTHER BUSINESS

None

ADJOURN

There being no further business, a MOTION was made by Council Member Osborn and seconded by Council Member Stieve-McPadden to adjourn the meeting at 7:25 p.m. Motion Carried 4/0

Chris Capaul, Mayor

Attest: _____
Lois A. Maetzold, City Clerk