

MAYER CITY COUNCIL MEETING MINUTES ó APRIL 23, 2012

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

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

ABSENT:

STAFF: City Administrator Murphy, Andrew Budde ó Bolton & Menk, City Attorney David Hubert, Public Works Jeff Frost and Clerk Maetzold

ALSO PRESENT: Don Wachholz, Emily Hentges, Ivan Raconteur, Bob Johnson, Nick Dimassis, Steve Taylor, Terry Hartman, Mike Dodge and Commissioner James Ische

The meeting was opened with the Pledge of Allegiance.

APPROVE AGENDA

MOTION made by Council Member Stieve-McPadden with a second by Council Member Lueth to approve the agenda as corrected. Motion Carried 5/0

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 5/0.

1. Approve the Minutes of the April 9, 2012 Regular Council Meeting.
2. Approve the Minutes of the April 16, 2012 Work Session Meeting.
3. Approve the Minutes of the March 13, 2012 Park Board Meeting.
4. Approve the Claims for the Month of April 2012.
5. Approve the Sheriff's Department Report for the Month Ending March 2012.
6. Approve the Gambling Report for the Mayer Baseball Club for the Month Ending March 2012.

STAFF REPORTS

1. **Public Works** ó Council reviewed Jeff Frost's report ending April 23, 2012.
2. **City Engineer** ó The Council reviewed Andrew Budde summary of the projects Bolton & Menk have been working on during the billing period February 18 through March 16, 2012.
3. **Sheriff's Department** ó No Report
4. **City Administration** – The Council reviewed a report from March 26 through April 20, 2012 outlining activities by the City Administrator. The Council also reviewed the 1st qtr financial report.

CITY ADMINISTRATOR

1. **Carver County Library Book Lockers** – Steve Taylor, Assistant Administrator for Carver County introduced Nick Dimassis, the new Carver County Library Director to the Council. They have come before the Council to discuss the proposed 10 unit Book Locker to be installed at the Community Center along with a book drop. The locker can be added on to 5 lockers at a time. The County would be paying for the initial cost of these units. Commissioner Jim Ische, also in attendance, is a big proponent of these Express Library lockers. It would take 3 ó 4 months from the time the

lockers are ordered to the time they are installed. After some discussion, a MOTION was made by Council Osborn and seconded by Council Boder to request that the County install the Express Library lockers and book drop at the Mayer Community Center. Motion Carried 5/0 There will be a need to have a later discussion concerning ongoing maintenance. If it is decided that the cost would be too high, the lockers could be removed.

2. **Approval of Off Sale Liquor License for Dale Heuer dba Mayer Wine & Spirits** ó the business of Mayer Wine and Spirits has been sold to Dale Heuer and he has made an application for an Off Sale Liquor License. All background checks have been completed and proper fees and insurance information has been received. A MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Lueth to approve the Off Sale Liquor License for 212 Ash Avenue North for Dale Heuer LLC doing business as Mayer Wine & Spirits. Motion Carried 5/0
3. **Direction on the Delinquent Utility Bills** ó The Council reviewed a delinquent utility bill list. Administrator Murphy is requesting direction on sending water shut off letters. Staff was directed to send out letters on April 24 stating bills need to be paid by May 10 or water will be shut off on Tuesday May 15, giving the Council a chance to review the shut offs at the May 14th Council meeting.
4. **Approval of Ordinance #177 Amendment to the Liquor Ordinance** ó The City has a business (Uncle Ronø) that applied for a Beer and Wine license and one of the requirements of the beer and wine license is that the business needs to be licensed by the MN Department of Health. Uncle Ronø is already licensed by the Department of Agriculture. There is a State statute that a business cannot be licensed by two state agencies at one time. The City needs to amend the Liquor Ordinance to allow licensing by either Department of Agriculture or the Department of Health. Ordinance #177 amends the section of the ordinance under restaurants to include both the Department of Agriculture and the Department of Health. A MOTION was made by Council Boder and seconded by Council Member Lueth to approve Ordinance #177 amending Section 3 of the City of Mayer Ordinance #172 pertaining to definitions. Motion Carried 4/0 (Council Member Stieve-McPadden abstains)
5. **Authorization to Draw on the Letter of Credit for Fieldstone Development** ó the City has a Letter of Credit for Fieldstone Development in the amount of \$40,000. The LOC expires on May 30, 2012. The City Engineer has inspected Fieldstone to make sure that all improvements have been completed. He has found that the Landscape Plan is incomplete. Staff wants direction to either extend the LOC or draw on it to complete the landscape plan. Terry Hartman indicated that they remain committed to the City Council on the Development. They would like to get a working group together to determine what is still required of the Landscape Plan. The group will consist of Administrator Murphy, Public Works Frost, City Engineer Budde, Mayor Capaul and Council Member Stieve-McPadden. They will meet Wednesday May 2, at 8 a.m. The group will meet to try to resolve any unfinished issues before the LOC will be drawn upon or extended.
6. **Authorization for City Engineer to Proceed with Wetland Improvements** ó Andrew Budde, Engineer with Bolton & Menk and Administrator Murphy met with Joel Vinkemeier, land owner of the property to the east of the Cityø land to discuss purchase of land easement for high water events. The City Council had previously approved a work plan and engineering fees for the wetland project at the October 11, 2010 meeting. Administrator Murphy wants the Council to reaffirm the decision on the engineering fees for the project. To date \$5,000 of the \$12,500 has been spent. After some discussion, the Council directs the Engineer to continue to move forward with the work plan.
7. **Authorization of Signatures on Government/Municipal/Public Funds Banking Resolution** ó A MOTION was made by Council Member Lueth and seconded by Council Member Boder to

authorize signatures on the government/Municipal/Public Funds Banking Resolution for Security Bank. Motion Carried 5/0

8. **Approval of Attorney Fees for the Mayer Rising Community Festival Committee** ó In order to be a separate entity, the Mayer Rising Community Festival committee is asking to use the City Attorney to help them form an LLC. They do not have enough funds to begin this process, and cannot do any fund raising without this designation. In order to help them get on their own, a MOTION was made by Council Lueth and seconded by Council Member Stieve-McPadden authorizing them to use the City Attorney as long as the City's Accountant approves. Motion Carried 5/0

COUNCIL REPORTS

1. Park Board ó Stieve-McPadden has been asked about issues with the Community Center walk-in cooler. The matter was turned over to Administrator Murphy for repairs.
2. Mayer Rising Community Festival Committee ó Stieve-McPadden reported that this committee continues to meet every month.

OTHER BUSINESS

- None

ADJOURN

There being no further business, a MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Boder to adjourn the meeting at 7:30 p.m. Motion Carried 5/0

Chris Capaul, Mayor

Attest: _____
Lois A. Maetzold, City Clerk