

MAYER CITY COUNCIL MEETING MINUTES ó JUNE 11, 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, David Martini & Andrew Budde ó Bolton & Menk, Deputy Sheriff Chris Nelson, Greg Kluver and Clerk Maetzold

ALSO PRESENT: Don Wachholz, Ivan Raconteur, Emily Hedges, Terry Hartman, Troy Schuette, Michelle Swanson ó Xcel, Mike Bokenewitz, Brad Blystone, Lucas & Becca Woodford, Eric Rousar, Julie Jedlicki, John Anderson ó MDG, Tim Litfin, Wade Thaemert, Curtis Thaemert.

The meeting was opened with the Pledge of Allegiance.

APPROVE AGENDA

MOTION made by Council Member Osborn with a second by Council Member Boder to approve the agenda deleting the MN DNR Access Agreement and adding the following: 1) Coldwater Crossing Crop Farming Issues; 2) Mayer Baseball Club on Baseball Field #1. Motion Carried 5/0

PUBLIC COMMENT

None

PRESENTATION OF CHECK FROM XCEL ENERGY

Michelle Swanson, representing Xcel Energy, appeared before the Council to present the City of Mayer and Mayor Capaul with a check for \$250.00 toward the Mayer Rising Community Festival.

APPROVE CONSENT AGENDA

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

1. Approval of the Minutes for the May 29, 2012 Regular Council Meeting
2. Approval of the Minutes for the May 29, 2012 Work Session
3. Approval of the Minutes for the March 6, 2012 Planning Commission Meeting
4. Approval of Resolution 6-11-2012-11 Acceptance of Donations
5. Approval of Claims for the Month of June
6. Approval of Check Summary Register for the Month of May 2012
7. Approval of Fire Department Report for Month ending May 2012
8. Approval of Building Permit Report for Month ending May 2012

CITY ADMINISTRATOR

1. **Tour De Tonka** ó Tim Litfin, Community Ed representative from Minnetonka, appeared before the Council to describe the annual Tour De Tonka bike ride event going through the City of Mayer for most of its seven years, with a power point presentation. He presented

Mayor Capaul with a plaque recognizing the City of Mayer for their outstanding support of the annual Tour de Tonka bike ride.

2. **Elite Waste Disposal – Waste Hauler Contract** – Elite Waste Disposal owner Troy Schuette addressed the Council about providing garbage disposal services to the City. He described the company and what they have to offer. He would like the opportunity to provide a bid and encouraged the City to put out a RFP.
3. **Approval of Amendments to the Zoning Ordinance** – Terry Hartman owner of the property at 13280 62nd Street had come before the City Council with a request for a building permit for the property. City Attorney requested clarification from the Metropolitan Council on the issue and the City received a letter stating that a Comprehensive Plan Amendment would not be necessary. Mr. Hartman came before the City Council on April 23, 2012 to request that a building permit be issued for the property. Council instructed staff to find out how and if the city could issue a building permit for the property. The City's Planning Consultant MDG drafted a proposed text amendment to the Planning and Zoning Code that will protect the long range planning of the City and allows the City to issue the building permit for the property. The Planning Commission held a public hearing on June 5, 2012 at 6:30 PM to receive public input on the Ordinance. The Planning Commission did make changes to the proposed text amendment and is recommending that the City Council adopt Ordinance #181 with their changes. John Anderson, Planning Consultant with Municipal Development Group was on hand to answer questions.
 - *Ordinance #181 Lot Provisions* ó A MOTION was made by Council Member Boder and seconded by Council Member Lueth to approve Ordinance #181 Lot Provisions. Motion carried 5/0

The Planning Commission held a public Hearing on Tuesday, June 5, 2012 at 6:30 PM to hear public input on proposed Ordinance #182 which addresses the rear yard setback in the R-1 district. Drake Construction had contacted the City about the 50 foot rear yard setback and stated that the 50 foot setback restricted the use of the lot he owned at 1780 Hidden Trail. Planning Consultant from MDG reviewed the remaining lots in the Hidden Creek 5th Addition and found that the current 50 foot rear yard setback could potentially impact 25 of the 48 lots. The Planning Commission discussed the current ordinance and is recommending to the City Council approval of Ordinance #182 Dimensional Standards. This new ordinance changes the rear yard setback from 50 to 30 feet.

- *Ordinance #182 Dimensional Standards* - A MOTION was made by Council Member Boder and seconded by Council Member Lueth to approve Ordinance #182 Dimensional Standards. Motion carried 5/0
4. **Authorization to Advertise for Snow Removal** ó Staff is requesting approval of advertising for snow removal for the 2012-2013 snow season. Staff is also requesting input on the contract period. The Council reviewed the wording of the advertisement for snow removal bids. After review, a MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Osborn authorizing advertisement for bids for the 2012-2015 snow plowing seasons (a three year bid, with the option of cancellation). Motion carried 5/0
 5. **Direction of Requests from Candidates to Appear Before the City Council** ó Because this is an Election year, staff is requesting direction on whether candidates for office will be allowed to address the City Council. The Council will allow candidates limited time at the Public Comment portion of the meeting.

6. **Authorization for Signatures on MN DNR Access Agreement** ó Tabled for the City Attorney to review.
7. **Approval of Cost Share on Engineering Fees for Round-a-Bout** ó City Engineer David Martini reported that Mayer Lutheran High School is proposing to share the cost of preparing and submitting a Cooperative Agreement Application to Mn/DOT to solicit funds for the construction of a proposed roundabout at the intersection of 7th Street and T.H.25. The estimated cost of the application is \$15,000, which includes a topographic survey of the intersection and surrounding area.

Based on his discussion, Mayer LHS will agree to pay for 2/3 of the cost of the application not to exceed \$10,000. To move forward, the City would be agreeing to pay for the remaining 1/3 of the costs not to exceed \$5,000. It was noted that the majority of work that will be completed in the preparation of this application is necessary for the development of the project even if funding from Mn/DOT is not pursued. If the application is not funded in 2013, there would be minimum costs associated with reapplication for the following year.

Martini answered questions related to the process including the need to find the right balance of funds to request from Mn/DOT to make a desirable application. After further discussion, a MOTION was made by Council Member Lueth and seconded by Council Member Boder to commit 1/3 or up to \$5,000 maximum toward the Cooperative Agreement Application to Mn/DOT. Motion Carried 5/0

8. **Mayer Baseball Club and Field #1** ó Council Member Stieve-McPadden reported that the Mayer Baseball Club will be donating \$500 to the City for a popcorn popper for the Old Schoolhouse concession stand and maintenance on a used mower for Field #1. She also stated that there are still issues with the sod infield. They may pay to have someone come out to determine how best to get it in top playing condition. Edging and fence repairs will also be done.
9. **Coldwater Crossing Crop Issues** ó Julie Jedlicki of Security Bank gave a little background on the 118 acres of out lots of Coldwater Crossing. She indicated that last year she was given authority to plant a cover crop on the land to help with maintenance. Security Bank rented the land to Wade and Curtis Thaemert for 2012. Thaemertø have since planted row corn on the house pads and out lots. They want to spray for weeds in the next two weeks. The City had not authorized the planting of corn, stating that corn is not a cover crop and that it was never the intent of the City to have the land farmed. There were several families from Coldwater Crossing attending the meeting who expressed their opposition to the spraying of the corn and its run off. They are not opposed to the corn, just the spray because of the families and small children in the area. There was general discussion about the issue. After some time, a MOTION was made by Council Member Boder and seconded by Council Member Stieve-McPadden to allow the corn to remain for this year only. The City will not allow any chemical spray to be applied and that Thaemertø will have access to the City streets for 2012. Furthermore, the City will meet with Security Bank to further define what cover crop will be allowed in the future on the house pads and out lots. Motion Carried 5/0

OTHER BUSINESS

None

COUNCIL REPORTS

None

PRESENTATION OF CERTIFICATE TO LORNA GUETZKOW

Mayor Capaul presented a Certificate of Proclamation to Lorna Guetzkow in honor of her 100th Birthday, and officially proclaimed May 3, 2012 to be Lorna Guetzkow Day. A small reception for Lorna of family and friends followed the Council meeting.

ADJOURN

There being no further business, a MOTION was made by Council Member Boder and seconded by Council Member Stieve-McPadden to adjourn the meeting at 8:00 p.m. Motion Carried 5/0

Chris Capaul, Mayor

Attest: _____
Lois A. Maetzold, City Clerk