

MAYER CITY COUNCIL MEETING MINUTES ó JUNE 25, 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, Deputy Chris Nelson and Clerk Maetzold

ALSO PRESENT: Don Wachholz, Emily Hentges, Ivan Raconteur, Milfred Dalchow, Gerry Thomas, Mike Bokenewicz, Rich Cohrs, Phil Johnson, John Anderson, Jeff Schwartz 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 as presented. Motion Carried 5/0

PUBLIC COMMENT

Milfred Dalchow asked the City to get the property at 533 Ridge Rd cleaned up. He described the issues with the property as misc trees growing up all over, noxious weeds and damages to the wood siding. Administrator Murphy reported that the City has contacted the owner about lawn care and was aware they have contracted with a local person for this maintenance. She has also had the building inspector view the property, but did not find any building code violations. She forwarded the name of the owner to Dalchow and will follow up with him herself. If cleanup is not satisfactory, the City will charge the owner for the cost of cleanup.

APPROVE CONSENT AGENDA

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

1. Approve the Minutes of the June 11, 2012 Regular Council Meeting.
2. Approve the Minutes of the May 8, 2012 Park Board Meeting.
3. Approve the Minutes of the February 21, 2012 EDA Meeting.
4. Approve the Additional Claims for the Month of June 2012.
 - Includes payment to Wm Mueller and Sons for \$39,023.00 2nd Street Repairs.
5. Approve the Sheriff's Department Report for the Month Ending May 2012.

STAFF REPORTS

1. **Public Works** ó Council reviewed Jeff Frost's report ending June 25, 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 April 14th through May 11, 2012.
3. **Sheriff's Department** ó Deputy Nelson reported that he has been working on Ordinance violations and has recently cited a business for beginning work before 7 a.m.
4. **City Administration** – The Council reviewed a report from May 29 through June 22, 2012 outlining activities by the City Administrator. The Council also reviewed the May Fund balances.

CITY ADMINISTRATOR

1. Approval of Planning Commission Recommendations – Variances and Site Plan for 209 Bluejay Ave (Zion Lutheran School) –

A public hearing with the Mayer Planning Commission was held on Monday June 25, 2012 at 5:30 pm for two variance requests to allow for a reduced front yard setback and to reduce the required number of off-street parking spaces for Zion Lutheran School located at 209 Bluejay Ave. The property is currently zoned Public Institutional District. The applicant has previously submitted a concept/site plan for review and during the review process it was noted that the setback on Bluejay Avenue would not be met and that the proposed off-street parking being proposed would be less than the required off-street parking. The Planning Commission approved both variances for Zion.

- A MOTION was made by Council Member Boder and seconded by Council Member Lueth approving Resolution 06-25-2012-15 granting a variance to reduce the front yard setback for the Zion Evangelical Lutheran School in the P/I District from 30 feet to six and one half feet. Motion carried 5/0
- A MOTION was made by Council Member Osborn and seconded by Council Member Boder approving Resolution 06-25-2012-16 granting a variance to reduce the required number of off-street parking spaces for the Zion Evangelical Lutheran School in the P/I District from 67 spaces to four spaces. Motion Carried 5/0

The Planning Commission is also recommending the approval of the Site Plan for Zion Lutheran School with conditions to include sidewalk, landscaping engineering, and building permit approval. There was additional sidewalk discussion about blacktop vs. concrete. A MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Lueth approving the site plan for Zion Lutheran School with the conditions as set forth by the Mayer Planning Commission, highlighting the sidewalk issue; that Zion will continue the cement sidewalk to the end of the new building addition and that the City and School will mutually decide about extending the sidewalk to the north to the Mayer Community Center. Motion Carried 5/0

2. **Request of Property Owner at 113 5th Street NE** The property owner of 113 5th St NW was on hand to review his request to receive a credit on the sewer portion of his utility bill for the filling of his swimming pool. He was unaware of the second meter option the City provides. He will be installing the second meter this summer, but is requesting a onetime credit for 3,750 gallons (the size of his pool) of sewer use or \$24.18 on his sewer portion of the May utility Bill. After some discussion, a MOTION was made by Council Member Osborn and seconded by Council Member Boder to waive the \$24.18 as soon as the property owner pulls a permit and purchases the second water meter. Motion Carried 5/0
3. **Approval of Application for FEMA Grant** – Fire Chief Rod Maetzold appeared before the Council requesting approval to apply for the 2012 FEMA Grant. He indicated that their 2011 grant request just missed being approved and that he would be applying for the same equipment. A MOTION was made by Council Member Osborn and seconded by Council Member Stieve McPadden to approve his request to apply for the 2012 FEMA Grant with a amount of \$148,332.00

which requires a City share of \$7,416.60 to be taken from the New Equipment line item of the budget. Motion Carried 5/0

Chief Maetzold explained the problems the Fire Department has been having with batteries in their Auto Pulse. The manufacturer has repaired the issues, but it would require the Fire Department to purchase a new charger for the Auto Pulse at a cost of \$1,795.00 which would include new batteries. He explained the value of this equipment and the lives it has saved. He was directed to purchase the new charger with funds from the Fire Department Grants & Donations Fund #212.

Chief Maetzold also reported on repairs to Engine #12 and Engine #11.

4. **Approval of Contract with Waste Management Services** ó The Council had instructed staff to contact Waste Management to obtain a contract for waste hauling services for the City. The Council reviewed the three year contract. It includes a slight increase in fees around 3% between the three years. A MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Lueth to approve the new three year contract with Waste Management as presented. Motion Carried 5/0
5. **Approval of Rural Service Districts** ó Rural Service Districts are established by cities when a property is more rural in character, is not developed and does not benefit from any City services. The City currently has two properties that are classified as RSD. The Council reviewed the properties and determined that no change is needed in their classification. As per County request, a MOTION was made by Council Member Lueth and seconded by Council Osborn certifying that no change is needed to the City of Mayer RSD. Motion Carried 5/0
6. **Approval of MN DNR Access Agreement** ó The City Attorney has reviewed the Access Agreement for the Old Creamery well between the City of Mayer and the MN DNR and its purpose to allow the DNR access to the well for use of a water level observation well on private or public land. A MOTION was made by Council Member Osborn and seconded by Council Member Stieve-McPadden to approve the access agreement and authorizing signatures on the agreement. Motion Carried 5/0
7. **Approval of Ordinance #183 Lot Maintenance** ó Council had instructed staff to compile an ordinance to be able to deal with residents blowing grass in the streets. A MOTION was made by Council Member Boder and seconded by Council Member Osborn approving Ordinance #183 Lot Maintenance. Motion Carried 5/0
8. **Approval of Mayer Lutheran High School Storm Water Agreement** – Mayer Lutheran High School is requesting to connect to the City's storm water system. The City Attorney with the City Engineer's input have compiled an agreement addressing any concerns the City may have. It was noted that LHS will be paying a monthly storm water fee on their utility bill to help with future maintenance issues. After review, a MOTION was made by Council Member Lueth and seconded by Mayor Capaul approving the agreement with Mayer Lutheran High School and authorizing the Mayor and Clerk's signatures. Motion Carried 5/0

COUNCIL REPORTS

- *Park Board* ó Council Stieve-McPadden reported that the Park Board has been working on their CIP and Budget for 2013. They have received the planters for the Cityø Beautification project and are excited to be making progress with Park planning.
- *EDA* ó It was reported that the EDA has been looking into an electronic sign for the City. They are hoping to work with First Minnesota Bank but are also looking into other options. Their next meeting is July 17th.

OTHER BUSINESS

- Council Member Stieve-McPadden encouraged everyone to attend the Mayer Rising Community Festival.

ADJOURN

There being no further business, a MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Osborn to adjourn the meeting at 7:20 p.m. Motion Carried 5/0

Chris Capaul, Mayor

Attest: _____
Lois A. Maetzold, City Clerk