

MAPLE LAKE CITY COUNCIL
Tuesday, October 17, 2017 Minutes

CALL TO ORDER

The Maple Lake City Council was called to order in the City Council Chambers at 7:00 p.m. by Mayor Kissock.

ROLL CALL

Council Members Present: Deb Geyen, Heather Kadlec, Lynn Kissock, and Kirk Larson

Absent: Todd Jude

Others Present: City Attorney Rhonda Pagel, Public Works Director Jerry Sawatzke, and City Clerk/Treasurer Lee Ann Yager

AGENDA APPROVAL

A motion was m/s/p, Larson/Kadlec, to approve the agenda with moving approval of hiring liquor store clerks and engineer's report to New Business and add Strategic Plan to Unfinished Business. All present voted in favor.

OPEN FORUM

No one was present.

CONSENT AGENDA

- Approval of the 9/19/2017 Minutes
- Approval of the 10/17/2017 Disbursement List, September Check Register, September Financials and Liquor Financials
- Approve September P&Z Report
- Approval of Exempt Permit for St. Timothy's Calendar Raffle
- Approval of Contractor's Request for Payment #2/Final to Pearson Bros. in the amount of \$5,617.39
- Approval of the Following Donations:
 - Maple Lake Lions
 - \$900 Irish Stadium
 - \$225 Ambassadors
- Approval of Economic Development Report

A motion was m/s/p, Jude/Kadlec, to approve the consent agenda. All present voted in favor.

WRIGHT COUNTY SHERIFF'S DEPARTMENT

Deputy Young was present and stated that there was 209 calls, 89 of them were traffic stops. The dynamic display speed signs are getting people to slow down, especially at CSAH 8 S and CSAH 7 S. It was recommended to post another speed sign going out of town on CSAH 8 N. Geyen asked if there could be a deputy at the pedestrian crossing on CSAH 8 N in the morning as kids are trying to cross for school.

LIQUOR STORE REPORT

Berthiaume was not present.

NEW BUSINESS

LMCIT Insurance Renewal – Paul Manuel

The City's insurance agent Paul Manuel of Lake Central Insurance was present to review and answer any questions. He stated that the overall premium decreased 2% from last year for the property casualty insurance. The mobile property now covers more under the blanket coverage. EQ basin has been decommissioned but is still listed with a high structure value. Once this is removed it will save about \$800 in premium. This can be decided at a future time.

A discussion was held on what the real cost of the sewer backup incident. It's hard to determine how one incident will affect future premium costs because they look back at past 3 years which is also impacted by the experience modification. This incident won't be factored in until 2019 and would depend on what items will come off and any other new items that go on. Larson questioned if we got bids from other companies. The vast majority of cities use LMCIT and Manuel knew of no other company that writes for cities as it is self-insured funds and receive dividends back.

A motion was m/s/p, Geyen/Kadlec, to approve the payment of the renewal premium from the LMCIT in the amount of \$55,490.00, effective November 1, 2017 except Larson who voted no.

A motion was m/s/p, Geyen/Kadlec, to adopt Resolution 2017-27 appointing Lake Central Insurance Services and Paul Manuel, agent of record. All present voted in favor.

Larson questioned the monetary limit on tort liability. Pagel stated that the State sets a limit as to how much you can sue a city. If you waive it, you expose the City to an unlimited amount of money lawsuit which it's the taxpayers who ultimately pay. It's put in place to not bankrupt the City.

A motion was m/s/p, Geyen/Kissock, to adopt Resolution 2017-28 not waiving the monetary limit on municipal tort liability as established by Minnesota Statute 466.04. All present voted in favor.

Request to Consider Chicken Ordinance

Susan Anderson, 334 Birch Ave. S, stated she has had 6 chickens in her back yard since April 2016 and they are her pets. They are in a chicken coop with a 5x10 foot run. She has had no complaints from the neighbors. The ordinance groups them with hooved animals and she feels that is not right. She provided a list of other cities that allow chickens. The Council stated that this has been addressed before, but we need to do research what other cities do. No enforcement action will be taken until the research has been done.

2018 Wine, On-Sale and Sunday Liquor License

A motion was m/s/p, Kadlec/Larson, to adopt Resolution 2017-29 approving the liquor licenses for the following: American Legion Post #131, Madiqan's Pub & Grill, Maple Lake Bowl, Our Town Enterprises, and the V by HH contingent upon receipt of the certificate of insurance, per all state requirements and paying all fees.

Planning Commission

Kissock stated that there was a public hearing to amend the following sections in the zoning ordinance:

Section 5: Building Permits

5.07, Subd 2 – Replace language "Planning Commission" to read "Zoning Administrator
In all subsections, the 120 square feet size limit for accessory buildings will be updated to 200 square feet to correlate with the recent building code amendment.

Section 40: General Provisions

40.06 Open Lot Sales – Revised language to remove inside storage of sale items.

Section 41: Accessory Buildings, Structures, and Uses

41.05, Subd. 2A-1a, 3a, & B-3a to include setback clarification for R-1 and RB-1 districts, and add Subd. 3 Corner Lots language

41.07 Remove Subd. 8 and Subd. 9

In all subsections, the 120 square feet size limit for accessory buildings will be updated to 200 square feet to correlate with the recent building code amendment.

Section 53: Signs

53.02 Add Subd. 25a Front Yard definition and Subd. 53a Rear Yard Definition

53.07 Subd. 2 add Electronic Graphic Display to Interim Use in the AG District

53.08 Subd. 1 AG District size limit increase, B-1, B-2, and I-1 addition of language for an additional free standing sign

53.10 Subd. 2v additional language added

Page1 stated that the Planning Commission looked at the size limits of signs and increased it to be similar to B-2 and I-1. Staff recommends that the same language be included in AG as B-2, I-1 to allow freestanding and wall signs. There was a specific request from the school to add another sign, and under our current ordinance it wouldn't be allowed. It is recommended that if a property has 750 lineal footage, they would be allowed another sign by interim use. This would allow it on a case-by-case basis.

A motion was m/s/p, Geyen/Larson, to adopt Resolution 2017-30 adopting amendments to Sections 5, 40, 41 & 53 of the Zoning Ordinance as presented, and subject to housekeeping changes. All present voted in favor.

Page1 stated that ordinance amendments are only effective upon publication and a summary can be published for lengthy ones. A full copy will be available at City Hall and Library.

A motion was m/s/p, Kissock/Geyen, to adopt Resolution 2017-31 approving the Zoning Ordinance Amendment Summary for Chapter 41, 44 & 53 Publication as presented, subject to housekeeping. All present voted in favor.

Make a Difference Day, October 28, 2017

Geyen stated that the City in conjunction with WCCA will have a food drive and there will be a kick-off the Halloween Party at the Elementary School on October 28th. Flyers will go out in the Wednesday envelopes. The following week there will be a collection at City Hall. Geyen will work with the school. She stated they are still in need of help for the Halloween Party.

Approval to Hire Liquor Store Employees

A lengthy discussion occurred on the process of hiring part-time staff at the Liquor Store. It has been listed on the Consent Agenda for approval. Geyen feels that the Council should be hiring staff before they start and not after the fact. Page1 stated they still need formal Council approval and that ideally any hires are approved in advance, but the Liquor Store has typically been different because of turnover in retail and the timing. These are just replacement positions and are still advertised and interviewed. It would take prior Council approval if it were a new position or a starting wage higher than step 1. Anytime there is a new hire the council could request that there be a memo outlining how the manager went about the hiring and how she chose them. Berthiaume was not present.

A motion was m/s/p, Kissock/Kadlec, to hire Amanda Manning as part-time retail clerk at Grade 3, Step 1 and Jordan Gries as part-time stock clerk at Grade 2, Step 1 effective 10/9/2017 as recommended by Liquor Store manager Angela Berthiaume. All present voted in favor.

Approval of Engineer's Report

Geyen questioned why the cost of the crack sealing project was much more than the engineer's estimate. Gravel was not in attendance. Sawatzke stated that they gave a price per foot which was cheaper than the other company but there ended up being more cracks than anticipated. They also added the Fire Hall and alley and the maintenance shed. The Council requested an explanation from Gravel on the matter and for future projects have someone do a better estimation of the project.

A motion was m/s/p, Geyen/Larson, to approve the Engineer's Report. All present voted in favor. All present voted in favor.

REPORTS OF COMMITTEES AND CITY STAFF

Maintenance Report – Jerry Sawatzke

Sawatzke stated the insurance money has been received and he is looking for direction on what to do with the damaged courtesy van and if another vehicle should be purchased. Council consensus was to put it out for bids.

A motion was m/s/p, Kissock/Geyen, to approve the purchase of a new courtesy vehicle not to exceed \$1,500 at Sawatzke's discretion on the purchase. All present voted in favor.

Pedestrian Crossing Signs

Sawatzke stated that portable pedestrian crossing signs in the middle of the road must be removed by November 1st. The Council will be holding a joint meeting with the School Board to get feedback on the flashing pedestrian crossing sign on Oak Avenue North.

Fobbe Alley Drainage Issue

Staff has been trying to get in touch with Loren Frappier for permission to run a tile across his property to help with the alley drainage as there is not enough room between lot line and the neighboring house. The City would need to go through eminent domain to legally go on the lot and that is not an option. Staff will send a certified letter and Sawatzke will get a price of boring a line. It is not clear how much the City should be involved since it's not clear whose fault it is or if it's a civil matter between neighbors. This will be discussed at a workshop.

Soccer Nets/Park Signs

Geyen stated that spraying roundup around park signs and soccer nets looks bad because of the dead grass. Sawatzke stated that the soccer goals are fastened down and a weed whip would damage the nets. The consensus was that he shouldn't use roundup around the soccer nets and signs.

Memorial Bench

The City received a request to place a memorial bench in the park for Reverend Stanley Kozlak. It would be a granite bench on the concrete.

A motion was m/s/p, Kissock/Geyen, to approve the placement of a memorial bench in the community park. All present voted in favor.

Trees at Liquor Store

Sawatzke stated he received a price to move the trees located on the west side of the Liquor Store to a City park because they will eventually block the sign and cause other damage.

A motion was m/s/p, Kissock/Kadlec, to hire Trico Trees to move the 3 maple trees at the liquor store and put them in a city park pending verification they are on city property and discussion with Cenex. All present voted in favor.

Administrative Report – Lee Ann Yager

The school referendum is on Tuesday, November 7th from 7am to 8pm at the school. The council workshop will need to be changed as there is no public meetings between 6pm and 8pm on Election Day. There is early voting through November 6th from 7:30-3:30 in the school district office.

The Halloween Party at the school will be on Saturday, October 28th from 3-5pm at the Elementary.

The Business trick or treat will be on Tuesday, October 31st from 3-5pm. City Hall will be participating.

The Chamber received a letter from the Sheriff's office as a reminder that frauds, scams and identity theft continues to be a problem and to report any suspicious activity.

The City has received the surveys back on the Maplewood lots. There is a party interested in purchasing the lot next to the park. This lot has some restrictions from acquiring it through tax forfeiture.

A motion was m/s/p, Kissock/Geyen, to authorize staff and consultants to further investigate removing the restrictions on the lot on Lark Drive adjoining the park (Lot 2, Block 2, Maplewood 4th Addition.) All present voted in favor.

A motion was m/s/p, Kissock/Geyen, to authorize staff to contact Oak Realty to market the lot on Lark Drive (Lot 10, Block 3, Maplewood 4th Addition.) All present voted in favor.

Council Workshop

Kissock reported that the Council met on October 3rd and discussed the following items:

- Make a Difference Day
- Pedestrian Crossing on Oak Ave N
- Inspection of apartment buildings
- Potential chicken ordinance
- Ways to trim the preliminary budget to lower the tax rate

MISCELLANEOUS AND UNFINISHED BUSINESS

- Sheriff's Report in packet
- Schlenner Wenner newsletter in packet
- Maple Lake Elementary Halloween Party flyer in pack
- Sheriff's Letter on scammers in packet
- Strategic Plan
 - Geyen felt that the Strategic Plan should be an ongoing item on the agenda.

DATES TO REMEMBER / ANNOUNCEMENTS

- Halloween Carnival, Saturday, October 28, 2017, 3:00 – 5:00 pm at the Elementary School
- Make a Difference Day, October 28, 2017, kick off at
- Business Trick or Treat, Tuesday, October 31, 2017 3:00-5:00 pm
- Chamber Meeting – Wednesday, November 1, 2017, noon at Bethlehem UCC Church
- School Referendum Vote – Tuesday, November 07, 2017, at 7:00 am-8:00 pm at the School

- City Council Workshop – Wednesday November 8
- Planning Commission – Tuesday, November 14, 2017, at 7:00 pm
- City Council – Tuesday, November 21, 2017, at 7:00 pm

Geyen thanked Jim Peterson for all the volunteer work he has done for the City.

ADJOURNMENT

A motion was m/s/p, Geyen/Kadlec, to adjourn the meeting at 9:22 pm. All present voted in favor.

Attest,



City Clerk/Treasurer