

Hamburg City Council Meeting

April 27, 2010

Mayor Malz called the regular meeting of the Hamburg City Council to order at 7:00 p.m. Councilmember Steve Trebesch, Councilmember John Barnes, Councilmember Larry Mueller, Councilmember Brian Cummiskey, City Clerk Jeremy Gruenhagen, Deputy Clerk Sue Block, Maintenance Worker Dennis Byerly and Fire Chief Brad Droege were in attendance. Also in attendance were Brian Eggers (Parkside Tavern) and Scott Qualle (MNSPECT).

Agenda Review (Added Items) and Adoption

- Added – Greg’s Hardware Quote for Handicap Bathroom
- Added – Veteran’s Preference Documents
- Added - Updated Delinquency Report
- Added – Updated April Claims List
- *Councilmember Mueller moved to adopt the agenda with the four additions, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*
-

Approve Minutes for March 9, 2010

- The March 9th minutes were not emailed to the Council members for their review. They will be sent out and put on the next council meeting agenda.

Old City Business

- #1 – Take pictures of the cities property and equipment.
 - This will be started soon.
- #2 – Install hand railing on stairs by the City Shop.
 - This will be completed after the Shop Driveway repair work is finished.
- #3 – Handicap Bathroom in Hall
 - Councilmember Cummiskey gave an update on the proposed Handicap Bathroom in the Hall. He estimated that to do the electric the cost would be \$1,500 and the total estimated cost of the project would be \$14,000.
 - Councilmember Barnes commented that at least two contractors should submit bids on this project.
 - Councilmember Mueller commented that Councilmember Cummiskey should talk with MNSPECT to get this project done.
- #4 – Projector Screen – use the Cable COM Franchise money.
 - City Clerk Gruenhagen is working on this.
- #5 – Change the wording from just Grams to all residents. Maintenance Worker Byerly can check for nuisances and take pictures when he is doing his rounds.
- #6 – Hire Part-Time Maintenance Worker
 - This will be discussed under the City Clerk’s Report.

Fire Department Report

2009/2010 FEMA Grant Update

- Fire Chief Droege received a notice that the Fire Department will not be receiving any grant money.

US Fish & Wildlife Grant/DNR Grant

- No word yet on these grants.

Emergency Response - Pillsbury Company in Chanhassen

- The Hamburg Fire Department has received reimbursement for the July 21, 2009 Emergency Response to the Pillsbury Company in Chanhassen.

Hamburg City Council Meeting

April 27, 2010

Old Rescue 11 Update

- Rescue 11 (old rescue) was up for bid at the Fred Radde & Sons Auction in New Germany. The only bid on the Rescue was a bid of \$3,400. The Rescue will be brought back to Hamburg and the Fire Department will list it in the Smoke Eater's Magazine and on Craig's List before going to a Broker.

Regional Grant for Pagers

- The Hamburg Fire Department Committee will be making a presentation to the County Commissioners requesting 20% of the cost before requesting a Regional FEMA grant for the pagers. The meeting with the Commissioners is scheduled for May 11, 2010.

Background Checks for Fire Fighters

- Fire Chief Droege requested preauthorization to send in the money amount requested for new Fire Fighters background checks. This would speed up the process in approving new members instead of waiting for the next Council meeting and receiving approval at that time.
 - City Clerk Gruenhagen will check with the City Auditors if this could be done and report back at the next Council meeting.

Fire Department Back Door Platform

- Members of the Hamburg Fire Department decided to install a cement slab outside of the department's back door. The Fire Department will pay for the cement and installation either by donations or through the Relief Association.

Accident Service Call on March 23, 2010

- Fire Chief Droege has been unable to collect the \$450 due for the service call however he is pursuing the matter.

William Mueller & Sons

- Next week Wm Mueller & Sons will do some patching and mill work on Park Avenue.
- Council also discussed that in one to two years more streets in Hamburg will need to be repaired.

Claims List Questions for the Fire Department

- Councilmember Barnes questioned claim number 14398, Metro Fire, for Chief's Shield 5 Gallon Pail Vehicle Wash. He was wondering what this was used for.
 - Chief Droege replied that it is used on the Fire Trucks to keep the water spots off when washing the trucks in hard water. A 5 gallon pail usually lasts 2 years.
- Fire Chief Droege pointed out that to help cut costs the Department is sending two instead of four Fire Fighters to the Grand Rapids Fire Convention.

Emily Siebold – Past Due Utility Billing

- City Clerk Gruenhagen had requested Emily Siebold to attend a Council meeting to discuss her delinquent utility bill.
- Ms. Siebold was not in attendance.

Parkside Tavern – Request for 3.2 Liquor License & Park Rental for May 1, 2010

- Brian Eggers (Parkside Tavern) requested a one day 3.2 liquor license for the annual Kick-Ball Tournament.
- Council asked Mr. Eggers several questions about how the Tournament will be handled.
 - Insurance has been submitted to City Clerk Gruenhagen.
 - Only 3.2 beer will be allowed at the Park.
 - Clean Up is the responsibility of Parkside Tavern.

Hamburg City Council Meeting April 27, 2010

- *Councilmember Cummiskey moved to approve a one day 3.2 liquor license for Parkside Tavern on May 1, 2010, the license fee will be waved and Parkside Tavern to pay the \$150 Park Rental Fee, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*
- City Clerk Gruenhagen questioned if the players will be signing waivers again this year and mentioned that everyone is to be out of the Park by 10:00 p.m.
 - Brian Eggers responded that the players do have to sign a waiver and he will make sure everyone is out of the Park by 10 p.m. He will also make sure all the garbage is picked up.

MNSPECT – Scott Qualle

- Mr. Qualle updated Council on current Legislative Building Inspection changes, rules, and fees.
 - Completion of exterior work – The Minnesota Legislation set a statute allowing municipal cities to set their own time limit for completion of exterior work on a building.
 - Building Surcharge – A surcharge is like a sales tax that the state collects to run the Construction Codes and Licensing Division. The surcharge on fixed fee permits like Re-roof, Window Replacement, Siding, Plumbing, Mechanical will be increasing from 50 cents to \$5.00. The fee change will take effect July 1, 2010 and will be charged for one fiscal year until July 1, 2011. MNSPECT will be changing all the forms necessary to reflect the increase.
- Scott gave Council an overview of how the Permit Fees are calculated. The fees are calculated on the value of the work being done not the cost. The State gives the building inspectors a valuation schedule and building code fee schedule to determine the cost of the Permit Fee. There may be other fees associated with the permit too.
- Scott Qualle went over the new Lead-Based Paint Rules.
 - The new rules pertain to the contractors or work for hire not the home owner.
 - The rules are for homes built before 1978.
 - Lead-Paint rules are set by the EPA not Federal, State, County, or City.
 - MNSPECT will not be monitoring contractors but if the contractors are caught violating the rules the fine is \$32,000 per day until corrected.
- Councilmember Cummiskey asked Mr. Qualle that when a Building Inspector does a sight or plan review does MNSPECT check for easement or zoning violations.
 - Mr. Qualle responded that they do not. It also is not in the contract between them and the City of Hamburg. They will however check the setbacks that are provided to them from the city.
- City Clerk Gruenhagen asked if there are any permit requirements for patio, cement replacement, or fencing.
 - Scott replied that a patio installation is no it is considered landscaping. Fencing less than 6 feet is not required to have a permit, if over 6 feet then a permit is required.
 - City Clerk Gruenhagen will research if Hamburg has any zoning requirements or if one should be put in place for fences.
- Community Hall Ramp Canopy
 - Councilmember Barnes had a question on how to fix the Hall canopy that was damaged this winter by an ice jam on the roof. The top part of the canopy roof was not anchored to the wall and pulled away from the building.
 - City Clerk Gruenhagen added that Council would like Mr. Qualle to look at the damage and let Council know if the canopy should or should not be anchored to the building.
 - Mr. Qualle will have Ty take a look at it and get back to Council.
- Mayor Malz questioned if a retaining wall at ground level and on a residents property has to have an above ground fence.

Hamburg City Council Meeting April 27, 2010

- Mr. Qualle replied that there is nothing in the code to make the residents protect the drop off at the retaining wall. He will have Ty look at the retaining wall when he is in town. Mr. Qualle suggested that Council put into place an ordinance that any 3 foot drop would require a fence.
- Council and Mr. Qualle briefly discussed the requirements for the Hall Handicap Bathroom.

Dennis' Report (Public Works & Utilities)

City Lawnmower

- Maintenance Worker Byerly reported that when cutting the Park area the new lawnmower saves an hour of his time.

Spraying for Weeds

- Maintenance Worker Byerly had talked with Greg Schultz about spraying.
- Councilmember Mueller questioned if hiring out the weed spraying was taken out of the budget for this year.

Grinder Station Repairs

- The grinder station repairs have been completed.

Lift Station Repairs (Replace Brackets for Pumps)

- Maintenance Worker Byerly is getting a second opinion if the brackets need repairing or not.

Picnic Tables

- Three more to be touched up and one needs a new wooden top.

Sidewalk Replacement - Parkside Tavern

- Maintenance Worker Byerly was asked to get some estimates on the cost.

Seal Coating and Crake Sealing

- Both projects have been put on hold until the City finds out how much the LGA cut will be.

Water Wells Usage – Water Consumption

- Maintenance Worker Byerly asked to have the procedure changed when he reads meters. Council had requested both inside and outside readings were to be read at the same time. During the day most people are not home so he is unable to read the inside meter.
 - Council agreed and discussed other options.
- Deputy Clerk Block will put a notice on the next water bills requesting residents to read their inside meter and list the information on the back of the return portion of the bill.
- City Clerk Gruenhagen has been logging the three wells water usage per month. The water usage for January was 1,077,000 and for February the usage was 970,800. The water usage per month versus the water billings are off by at least 300,000 gallons that is not being accounted for.
- Councilmember Mueller suggested for one month only run one well reading the beginning and ending meter readings. Then for the next month do the same with the second well.
- Council brain stormed various ideas on what could be causing the thousands of gallons difference. They decided to start with Councilmember Mueller's suggestion.

Storm Sewer Repair (City Shop)

- Henning's will be starting next week on the City Shop storm sewer repair.

Part-time Seasonal Help

- City Clerk Gruenhagen received information on Veteran Preference hiring requirements. The hiring committee will have to meet again to go through the information and it will be a lengthy process. A job description and point system will have to be created for the committee to go by when reviewing applications.
- City Clerk Gruenhagen asked Council's permission to work with Kelly Dohm (City Attorney) to

Hamburg City Council Meeting April 27, 2010

make sure the hiring is done correctly.

- Councilmember Barnes asked if Maintenance Worker Byerly should go back to 40 hours per week until a part-time person is hired.
 - Council discussed and decided to allow Maintenance Worker Byerly to work 40 hours per week.
 - *Councilmember Cummiskey moved to have Maintenance Worker Byerly work 40 hours per week starting this week until a part-time assistant is hired, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*
 - City Clerk Gruenhagen asked Council to clarify the 40 hours per week at regular pay and 4 hours of overtime for doing weekend rounds. Actually paying for 46 hours worked.
 - City Council agreed.

Water Leak in Park

- The water leak in the Park has been located and will be fixed.

Post by Old Treatment Plant

- Council discussed and decided to remove the post. Gopher State will be called to mark the electrical locations and Wm Mueller and Sons will pull it out.

Old Swing Set in Park by Hall

- Henning's will remove the old swing set when they do the shop driveway repair.

Water Fountain in the City Park

- Maintenance Worker Byerly will check on prices for a replacement water fountain.

Deputy Clerk Report

Delinquent Utility Bills

- 350 Louisa Street, Diana Payne – Certify to Taxes – Foreclosure & Home Vacant
- 618 Kim Avenue, Chris Tordsen – Certify to Taxes - Water shut off at curb stop. CSO was contacted about dogs left in the home, this will be monitored.
- 625 Kim Avenue, Emily Siebold – Emily was asked to attend this council meeting however she was not in attendance. Council discussed and decided to give her until 12:00 a.m. on April 29th to pay her delinquent water bill in the amount of \$615.16 or her water service will be discontinued and will not resume until the total amount is paid. A \$100.00 reconnection fee will be applied if not paid within 30 days from the date of posting.
- *Councilmember Cummiskey moved to have Emily Siebold's delinquent water bill posted on April 29th with total delinquent payment due of \$615.16 by 12:00 a.m. that day or her water service will be discontinued and will not resume until the total amount is paid. A \$100.00 reconnection fee will be applied if not paid within 30 days from the date of posting, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*
- 419 Railroad, Nick Nordin – Home is being sold and the utility bill will be paid at Closing.
- 410 Sophia Avenue, Darrell Grams – Had a payment agreement with the City but has not paid as scheduled. Council decided to have the water turned off at the curb stop.

Clerk/Treasurer Report

I/I Abatement Program – Easements

- City Clerk Gruenhagen gave a brief up date on the number of easements that have been signed. Seven have signed and five other residents have shown interest in signing.

Hamburg City Council Meeting April 27, 2010

- Council discussed how to have more people sign the easements. Council decided to call the residents and set up appointments for residents to either come up to the city office or have the City Clerk and Deputy Clerk (notary) go to the resident's home for signage.
- ***Councilmember Cummiskey moved to grant additional time for Deputy Clerk Block to notarize signatures for the I & I Project, seconded by Councilmember Mueller. Councilmember Mueller, Councilmember Cummiskey, Councilmember Trebesch voted Aye. Councilmember Barnes abstained. Motion carried and all Council members were present.***

Easement for Brian & Maggie Cummiskey

- Councilmember Cummiskey and his wife Margaret Cummiskey requested a change in wording of the Public Utility Easement that is going across his property. The added change would state; this easement grants the City of Hamburg the right to place underground storm sewer pipe within the easement. Also granted is the right for the City of Hamburg or its contractors to access said pipe for repair, replacement or expansion. This easement does not grant the City of Hamburg any right to the surface of said property. The land owner retains all rights to the surface of said property, including but not limited to cropping, pasturing of livestock, fencing, driveway, yard or garden. The landowner understands that no permanent structures may be placed within the easement area, furthermore any crop or plantings may be removed without compensation if needed for the city to access their Storm sewer in the easement area.
- ***Councilmember Trebesch moved to authorize the additional easement statement for Brian and Maggie Cummiskey be sent to City Attorney Mac, seconded by Councilmember Mueller. Councilmember Mueller, Councilmember Barnes, and Councilmember Trebesch voted Aye. Councilmember Cummiskey abstained. Motion carried. All Council members were present.***

Public Hearing (Ordinance #137) – Amend Side Yard Setbacks

- The Public Hearing would be to amend the portion of the Zoning Ordinance pertaining to side yard setbacks for structures in A-1 Restricted Agriculture, R-1 Single Family Residential, and R-2 Multiple Family Districts. The minimum side yard setback is proposed to be ten (10) feet from the side lot line, rather than fifteen (15) feet as stated in the existing ordinance.
 - Ann Perry (City Consulting Planner) had entered the incorrect feet set back and will change them at no cost to the City.
- ***Councilmember Barnes move to hold a Public Hearing on May 25, 2010 at 6:55 p.m. in reference to Ordinance #137 amendment, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.***

2010/2011 City Cuts to LGA & MV Credits

- In the process of the Legislators trying to set the budget the Governor signed a new bill that would affect LGA and Market Value Credits. The Governors proposed cuts for 2010 would be \$37,727 but if the new bill stands with no changes the supplemental cuts to the City would only be \$15,596 in 2010. In 2011 the supplemental cut would be \$4,324 instead of the Governor's plan to cut \$23,395. Until the 17th of May these numbers may change.

2010 Census Numbers - Update

- National (72%) – Minnesota (78%) – Hamburg – (83%)
 - Hamburg percentage includes the City of Hamburg and Young America Township.

Work Comp Renewal

- Council discussed and decided to carry Workman's Comp for elected officials and volunteers again this year (2010). Cost for elected officials about \$35 per year and volunteers \$218 (with medical coverage for volunteers).

Carver County Adult Use Ordinance

- Carver County sent Hamburg their Adult Use Ordinance incase Council would like to draft up an ordinance for the city.

Hamburg City Council Meeting April 27, 2010

- Council discussed and no decision was made at this time.

City Council Reports

Councilmember Mueller (Sewer & Water) had nothing further to report.

Councilmember Cummiskey (Streets) had nothing further to report.

Councilmember Trebesch (Buildings)

- Commented that he does not like the Saturday and Sunday overtime hours given to the Cities Maintenance Worker. He does not agree with the policy.

Councilmember Barnes (Parks) had nothing further to report.

Mayor Malz

- Reported damaged shut off valve in the city street.
- Mentioned that Xcel painted two street light poles.
- Requested authorization to have someone purchase plants and pots for the City Park.
 - Councilmember Mueller had two planters that could be used.
 - ***Councilmember Cummiskey moved to authorize the two volunteers to purchase up to \$200 in plants and landscaping for the City Park, seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.***
- Re-paint yellow curbs around town.
 - Council decided to have Maintenance Worker Byerly contact CTS and have them do the painting.
- Requested a nuisance letter be sent to the owners of the camper that has been sitting in the city street for the last two weeks.
- Asked if there was anymore information on the in-ground pool request.
 - Deputy Clerk Block mentioned that basically it has been put on hold.
 - City Clerk Gruenhagen responded that he has not heard anything further. Until the set backs and plans are submitted it is currently in the residents hands.
- Requested all Council members wear their city shirts to Council meetings.
- Commented the wiring for To The Home Internet service by the old treatment plant should be looked at. The way the wiring is connected looks unsafe.
 - Council decided to table this until the next Council meeting.

Approve Claims List for April 2010

Claims List for April 2010

- ***Councilmember Cummiskey moved to approve the April 2010 Claims List including the one ACH payment and claim numbers 14392 through 14405, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.***

**Hamburg City Council Meeting
April 27, 2010**

Councilmember Barnes moved to adjourn the Hamburg City Council meeting at 10:00 p.m., seconded by Councilmember Mueller and motion unanimously carried. All Council members were present.

Submitted by:

Sue Block
Deputy Clerk

DRAFT