

## **Hamburg City Council Meeting June 22, 2010**

Acting Mayor Mueller called the regular Hamburg City Council meeting to order at 7:00 p.m. Councilmember Steve Trebesch, Councilmember John Barnes, Councilmember Brian Cumiskey, City Clerk Jeremy Gruenhagen, Deputy Clerk Sue Block, and Fire Chief Brad Droege were in attendance. Also in attendance were Kip Trebesch (K & K Construction), Ty Turnquist (MNSPECT), and Tim Mueller (Retired Hamburg Fire Fighter). David Chadwick (710 Park Avenue) arrived later during the meeting. Mayor Richard Malz and Maintenance Worker Dennis Byerly were absent.

### **Agenda Review (Added Items) and Adoption**

- Added – June Claims List
- Added – Updated Delinquency List
- Added – Preliminary Engineering Report
- *Councilmember Barnes moved to adopt the agenda with the three additions, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.*

### **Approve Minutes for April 27, 2010**

- *Councilmember Cumiskey moved to approve the April 27, 2010 City Council Minutes, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

### **Review Claims List for June 2010**

- Members of Council did not have any questions or comments.

### **Old City Business**

- #10 – Plan out new play ground equipment for Hall Park when Henning's have completed the drainage reconstruction.
  - Project has been completed.
  - Councilmember Barnes will contact Connie Byerly (H.I.P.) and have her order the play ground equipment.

## **Fire Department Report**

### **Retirement Recognition of Firefighter Tim Mueller**

- Firefighter Tim Mueller was presented with a City Retirement Appreciation plaque for his 22 years of service with the Hamburg Volunteer Fire Department.

### **2010 FEMA Grant/US Fish & Wildlife Grant/DNR Grant**

- No new information on the grants.

### **Amended By-Laws of the Hamburg Firefighters Relief Association**

- No new information from the State if they have accepted the amended By-Laws.

### **2010 Zummerfest Celebration**

- Fire Chief Brad Droege did not hear of any issues with the city celebration, everything seemed to go as planned.

### **Floor Buffer for Fire Station**

- Fire Chief Droege reported that the Fire Department had purchased a floor scrubber for the fire station. The cost of the scrubber was \$400.

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### **National Night Out – August 3, 2010**

- Linda Mueller (637 David Avenue) has not received information if the K-9 unit will be able to attend the festivity.
- At the next City Council meeting Council will decide who will be assigned to what event.
  - Councilmember Cummiskey volunteered to head up the event and Councilmember Trebesch volunteered to help.

### **Fire Department – Fill Up Pool**

- Fire Chief Droege reported that the Fire Department filled up a pool in Norwood/Young America. The resident was charged \$360.00 for the service.

### **MNSPECT – Ty Turnquist**

#### **Lead Base Paint**

- Mr. Turnquist went over the informational booklet from the EPA on Lead Base Paint. The agency is working on enforcement and training for persons working on homes built before 1977. Special precautions have to be followed due to the lead content in the paint prior to this date.

#### **What Things Do I Need a Permit For?**

- Ty went over a MNSPECT print out that listed types of work exempt from permit requirements.
  - City Clerk Gruenhagen asked Ty to explain, A. Building Permits, #6 – sidewalks and driveways that are not part of an accessible route.
    - Mr. Turnquist explained that this refers to ADA construction; handicap and/or disabled ramps.
    - An example of an accessible route would be a route from buildings to accessible parking spaces or to public transit. This would require a permit.

#### **Legislative Update**

- Completion of Exterior Work
  - A municipality may by ordinance adopt an official control that requires exterior work to be completed within a specified number of days. The local regulation may not require completion of exterior work earlier than 80 days following the issuance of the permit.
- The minimum state general permit surcharge fee will increase from 50 cents to \$5.00 on July 1, 2010.

#### **Hall Canopy Repair**

- Council discussed various ways on how to fix the damaged Hall canopy. It was decided on to have Ty Turnquist, Maintenance Worker Byerly, and Brian Cummiskey meet on June 25, 1020 at 2:00 p.m. in front of the Hall. During the meeting they will determine the extent of the damage and decide on the best way to fix the on-going problem of ice damage to the hall and canopy. Specs will be drawn up and given to contractors for their estimates on the cost of the repair.

### **Dennis' Report (Public Works & Utilities)** (Maintenance Worker Byerly was absent City Clerk Gruenhagen gave the report.)

#### **Estimates for Re-Siding Park Food Stand**

- As of this meeting contractors have been contacted however no bids have been received.
- Council decided to obtain the cost of the project first then decide if the city can afford to re-side the building.

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### Project List

- Council did not have any additions or comments on Maintenance Worker Byerly project list.

### Water Wells Usage – Water Consumption for 2010

- John Thom (S.E.H.) will be at the next Council meeting to discuss the possibilities of why the water pumped versus billed are not coinciding with each other.

### Water Tower Stand Pipe Repair

- Councilmember Mueller requested to have Maintenance Worker Byerly look at the pipe and check on repairing the rusted area.

### Estimates to Replace City Shop Driveway/Sidewalk

- City Clerk Gruenhagen informed Council that there is \$20,000 in the cities budget to replace the city shop driveway, sidewalk and do the landscaping (\$15,000 for the driveway/sidewalk and \$5,000 for landscaping).
- Council discussed the estimates that were received from Hanson & Vasek Construction, Wm. Mueller & Sons, and Southwest Paving. Council also discussed if the Shop Driveway should be concrete or blacktop.
- After a lengthy discussion and input of various ideas, Council decided to award the project to Hanson & Vasek Construction, Inc. from Hutchinson, MN. Council decided to use concrete for the shop driveway instead of blacktop.
- *Councilmember Cummiskey moved to award the Shop Driveway project to Hanson & Vasek Construction using Option #2: remove and construct sidewalk for \$9,522.12, remove and construct concrete driveway for \$9,800, and install the optional Trench Drain for \$3,000 totaling \$22,322, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*
- With the decision of putting in a concrete driveway Council decided to have Maintenance Worker Byerly use liquid ice remover for two years instead of salting the driveway during the winter months.

## Deputy Clerk Report

### Delinquent Utility Bills

- Diana Payne (350 Louisa St) and Chris Tordsen (618 Kim Ave) – Homes are vacant and in foreclosure – no information on who to contact regarding payment. Unpaid amounts will be added to the property tax in November.
- Nick Nordin (419 Railroad St – Utility bill will be paid in full at time of closing.

### Expenses/Hours for MCFOA Clerk's Conference

- Deputy Clerk Block requested to be paid for 40 hours instead of her normal 32 hours per week during her attendance at the MCFOA Conference. Dates of the conference are July 12, 2010 through July 16, 2010. Conference hours are Monday through Thursday 8:00 a.m. to 5:30 p.m. with a half hour lunch and Friday 8:00 a.m. to 12:30 p.m. She also requested advance payment for mileage, 106 miles round trip @ .50 per mile (2010 IRS rate) equaling \$53.00. Also advance payment for hotel stay, Crowne Plaza 4 night stay @ \$99.00 per night plus 13.28% tax (MN Sales Tax) equaling \$448.59. Total advance payment request, \$501.59.
- Council agreed to pay Deputy Clerk Block 40 hours for the week of July 12-16, 2010 and allow advance payment of \$501.59 for the room rate and mileage. No motion was needed.

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**Clerk/Treasurer Report**

**I/I Abatement Program (Sanitary Sewer/Storm Water Improvements)**

- **Remaining Easements to be signed.**
  - City Clerk Gruenhagen, Councilmember Trebesch, and Councilmember Mueller met with Doug Parrott (S.E.H.) to discuss the best way to obtain the remaining easements. They also discussed what the residents are requesting concerning the easements crossing their property.
  - Mr. Parrott, Councilmember Mueller, and City Clerk Gruenhagen will call the remaining residents to find out what can be done to have them sign the easements.
  - There are 12 easements remaining to be signed. The residents are;
    - William and Deanna Panning
    - EFN Investments, Inc.
    - John and Anna Schoeppner
    - Thomas Siebold
    - Dale and Karene Stuewe
    - Mark Kleman
    - David and Diane Mackenthun
    - Glenn and Mary Mueller
    - Becky Hammers and David Klugherz
    - Todd and Deborah Shea and Dustin Mackenthun
    - Richard and Sheila Malz
    - Brian and Margaret Cummiskey
- **Purchase of Property for Storm Water Pond**
  - City Attorney Mac was previously contacted on the correct procedure Council should take when discussing and purchasing the land for the storm water pond from Councilmember Cummiskey.
  - Attorney Mac suggested that at the end of a regularly scheduled City Council meeting to close the meeting and ask all those attending and Councilmember Cummiskey to leave the council meeting area. Council could then discuss how they would like to purchase the property from Mr. Cummiskey and at what price. Once a final decision is made Mr. Cummiskey and any remaining attendees would be asked to rejoin the Council meeting. Mr. Cummiskey could then discuss with the other members of Council his ideas on the city purchasing his property for the storm water pond.
  - City Attorney Mac had informed City Clerk Gruenhagen that no special meeting was required.
  - The discussion and possible purchase agreement will be put on the next Council meeting agenda for July 13, 2010.
- **2011 Intended Use Plan - Funding for Sanitary Sewer/Storm Water Improvements**
  - PCA is still looking at considering Hamburg's request to include the storm water project as part of the funding through PFA. The PCA is using the Updated Preliminary Engineering Report to help make the decision. Ultimately the decision comes down to pollution control.
- **Engineer Billing Rates through March 31, 2011**
  - Beginning with the June 2010 invoicing (May 2010 labor) S.E.H. will be making adjustments to their billing rates. The proposed rate increases will average between 2% and 6% over the billing rates in 2009, depending on the individual staff person. The proposed rates will be effective through March 31, 2011 and will not affect cost of service or budgets for projects already under contract.

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### **TCW Disposal, Inc. Conditional Use Permit Violation**

- The City of Hamburg was copied on a letter sent to TCW Disposal (953 Park Ave) from the Carver County Land Management Department Planning & Water Management Department concerning the recycling activities taking place outside of the north hoop structure and the crushing of glass in order to utilize the material on-site.
  - Hamburg city residents were calling the city office complaining about crushed glass on the city streets.
- The letter indicated that the Conditional Use permit issued to TCW contained 10 conditions for operation and one of the ten conditions was in violation. Condition #8 – The transferring of municipal solid waste as a licensed transfer station shall be prohibited. The sorting of recyclables on-site shall be permitted, but the recyclables must be removed on an on-going basis and sorting shall be limited exclusively to the inside of the 50' x 84' hoop style storage structure.
- It was also noted in the letter that TCW violated Carver County Code of Ordinances Chapter 50 (Solid Waste Ordinance) by grinding and land application of source-separated glass on their property. TCW Disposal was instructed to immediately stop the grinding of all source-separated glass and discontinue all land application of glass
- TCW Disposal, Inc. has until July 16, 2010 to correct the violations.
- City Clerk Gruenhagen emailed the notice to Jim Ische (Carver County Commissioner – District 5).

### **Estimate for Automatic Door Opener for Polling Place**

- The City of Hamburg received a quote from Roy C., Inc. Hanover, MN to furnish and install the automatic door opener at the Community Center. Price furnished and installed = \$1,820. With matching clear anodized bollard post for exterior switch mounting add an additional \$255.
- Council decided to wait until at least two estimates are received before making a decision on whom to award the project to.

### **City Purchasing Policy (Bids/Quotes Guidelines)**

- City Clerk Gruenhagen suggested changing the Hamburg Purchasing Policy. The changes would match with the LMC recommendations and other city purchasing guidelines;
  - Small Purchase Procedures – These are informal procurement methods used for purchase of services, supplies, or other property. Small purchases procedures include purchases of items of less than \$1,000 within budget; anything over budget requires City Council approval. These purchases may be made by the City Clerk/Treasurer or his/her designee.
  - Purchases Not Requiring Quotes - Purchases over \$1,000 but less than \$25,000 may be made on the open market by the City Clerk/Treasurer without obtaining quotes. These purchases must have approval from City Council.
  - Purchases Requiring Quotes - Purchases over \$25,000 but under \$100,000 will require at least two quotes, reviewed and approved by the City Council. The quotes must be kept on file for one year.
- City Clerk Gruenhagen commented that following the proposed changed City Purchasing Policy could help move along many of the city projects that are under \$25,000 on the open market.
- ***Councilmember Cummiskey moved to change the City of Hamburg Purchasing Policy to reflect the recommendations of the LMC and City Staff, seconded by Councilmember Trebesch and motion unanimously carried. All Council members were present.***

### **Time Off Request**

- City Clerk Gruenhagen informed Council that he will be taking Friday, June 25, 2010, off.
- ***Councilmember Trebesch moved to grant City Clerk Gruenhagen's requested time off on Friday, June 25, 2010, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.***

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**City Council Reports**

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

**Councilmember Cummiskey (Streets)**

- Handicap Bathroom – Councilmember Cummiskey updated Council on the bathrooms progress.
- Council decided to;
  - Use the old paneling for the outside wall facing the bar area and put new paneling on the south wall and hall way going towards the ladies bathroom. Matching the wood work as close as possible to the existing ladies bathroom.
  - Interior of bathroom use glass board and paint it a cream color.
  - Flooring – will be vinyl.
  - Contractor to obtain permit.
  - MNSPECT has gone over drawing; specs are ok to be given out to contractors.
  - Estimated cost of project, \$3,000 for Plumbing Permit and \$10,000 for Bathroom.
- Council also decided to add to the bid a 30 day acceptance to completion date.
- Council decided to contact contractors and proceed with the project.

**Councilmember Trebesch (Buildings)** – had nothing further to report.

**Councilmember Barnes (Parks)**

- Council briefly discussed the purchasing and installation of the playground equipment for the Hall Park. Council was previously shown what equipment could be purchased for the amount of money the H.I.P. Group had set aside.
- *Councilmember Cummiskey moved to approve the H.I.P. Groups purchasing and installation of the Hall Park playground equipment, seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*
- Councilmember Barnes will contact Connie Byerly (H.I.P. Group) to order the play ground equipment.

**Approve Claims List for June 2010**

**Claims List for June 2010**

- *Councilmember Barnes moved to approve the June Claims List for claim number 14490 through 14507 with the one ACH payment, seconded by Councilmember Cummiskey and motion unanimously carried. All Council members were present.*

**Motion to Adjourn**

- *Councilmember Trebesch moved to adjourn the Hamburg City Council meeting at 8:52 p.m., seconded by Councilmember Barnes and motion unanimously carried. All Council members were present.*

Submitted by:

Sue Block  
Deputy Clerk