

City of Madison Lake

City Council Minutes

Monday, July 1, 2013

Call to Order

Mayor Reichel called the regular Council meeting to order at 7:03 pm.

Pledge of Allegiance

Roll Call

Members Present: Mayor Ken Reichel, Chuck Ries, Kent Hoehn, and Carolyn Hiniker

Members Absent: John Howard

Staff Present: City Administrator Kelly Steele, Deputy Clerk AmberRose Brudelie, Police Chief Dan Bunde, Public Works Supervisor Chris Roemhildt, and Planning Commission Chair Mike Klassen

Others Present: Marsha and Scott Madigan of 402 Doran Drive, Madison Lake; Tom and Kathy Langdon of 62370 Kopps Drive, Madison Lake; Andrew Javens of 22818 Kopps Lane, Madison Lake; Jerry Bamberry of 431 Lilac Lane, Madison Lake; Michael Wheaton of 233 Pinehurst Drive, Mankato; and Andy and Marilyn Frederick of 38305 490th Street, Saint Peter.

Consent Agenda

3A) Approval of Agenda

A motion by Ries, seconded by Hiniker, to approve the agenda.

Roll Call: Ayes: Reichel, Ries, Hiniker, and Hoehn

Nays: None

Motion carried.

3B) Accepting of Minutes from Regular Meeting of June 17, 2013

A motion by Hiniker, seconded by Hoehn, to accept the minutes from the June 17, 2013 regular meeting changing the motion on item 8A) to read "**A motion by Ries**, seconded by Hiniker, in deference to the Council's understanding of the public opinion of the parties being annexed; The year round homes shall begin receiving garbage and recycling pickup on June 26, 2013 with billing beginning on July 1, 2013 with the provision that if they bring in and can establish they have a contract for garbage pickup that they are bound to we will give them a credit for up to one-half the cost of the City's service for any periods for which they are contractually bound to pay another provider for up to six months with documentation provided before December 31, 2013, the City will not begin garbage and recycling service for the seasonal cabins during calendar 2013 but will establish it sometime during 2014 unless a property owner specifically requests it in which case we will try to make it available to individual owners if it is at all practical."

Roll Call: Ayes: Reichel, Ries, Hiniker, and Hoehn

Nays: None

Motion carried.

3C) Approval of Vendor Claims Totaling \$19,736.75.

A motion by Hiniker, seconded by Hoehn, to approve vendor claims in the amount of \$19,736.75.

Roll Call: Ayes: Reichel, Ries, Hiniker, and Hoehn

Nays: None
Motion carried.

Open Public Comments

Appearances and Presentations

Ordinances and Resolutions

6A) Ordinance #2013-07 Regulating the Use of the Public Right-of-Way

- This ordinance was drafted by the League of Minnesota Cities to address when private individuals want to do construction in the City's public right of way.
- Mr. Roemhildt and Chris Larson have both reviewed the ordinance and recommend approval.
- Council directed Ms. Steele to check with the League of Minnesota Cities regarding a provision to the ordinance that does not automatically allow construction in the City's public right of way.

6B) Ordinance #2013-08 Regulating the Use of the Public Right-of-Way Summary Publication

- Tabled until the next meeting.

6C) Ordinance #2013-09 Regulating the Use of Private Wells

- Ms. Steele stated that this is a draft based upon some of the discussions the annexation committee has had.
- Jerry Bamberry requested that the Council allow the use of private wells for any non-potable use.
- Council discussed the reasoning behind the ordinance.
- The Minnesota Department of Health has restrictions in place for how close a well can be to a sewer line.
- The infrastructure fee on the monthly utility bills was discussed.
- The sewer line that runs to Mankato was also discussed.
- Council requested that residents provide their written comments to Ms. Steele within the next week.
- Council will review the ordinance at the next meeting.

Reports of Staff, Officers, Boards, and Committees

7A) Building Official

- None

7B) City Administrator

- Ms. Steele stated she and Chris Larson attended the Duck Lake Preservation Meeting on Saturday where garbage collection, zoning, and the water disconnect and reconnect fees were discussed.
- The Mankato Community Foundation Advisory Council is looking for representation from the City of Madison Lake. Ms. Steele asked Council to let her know if they would be interested in participating.
- One of the meetings Ms. Steele attended at the League of Minnesota Cities conference dealt with strategic planning.
- The Mankato Area Regional Economic Development Authority was not selected by the League of Minnesota Cities for the City of Excellence of Award.
- Garbage and recycling containers were delivered last week.

7C) City Council Member

- None

7D) City Engineer

- None

7E) Fire Chief

- None

7F) Mayor

- None

7G) Planning Commission Chair

- Mr. Klassen stated that the Planning Commission discussed fencing around swimming pools.
- The current ordinance requires fencing around pools that are twenty-four inches deep and two hundred square feet in diameter.
- The Planning Commission would like to remove the surface area requirement.
- Council directed the Planning Commission to include the fencing ordinance in the upcoming public hearing.

7H) Police Chief

- Chief Bunde stated there were ninety-five calls during June.
- The Police Department saw 97-98% compliance with seat belt laws during the state funded saturation.
- There have been a few thefts in town that the department is working on.

7I) Public Works Supervisor

- Mr. Roemhildt stated that the Public Works Department has been busy mowing.
- The Public Works Department has picked up three loads of blacktop for patching.
- Mr. Roemhildt stated that they are getting stuff ready for Paddlefish Days.

Unfinished Business

8A) Annexation

- Ms. Steele stated that when she attended the Duck Lake Preservation Meeting there were concerns about garbage collection for the people with seasonal cabins.
- Council discussed the water disconnect and reconnect fees.
- Ms. Steele stated there was a request that the City designate one or two days in the spring and fall for turning water on and off at a reduced rate.
- Michael Wheaton discussed his plans for the development of his property.
- The Planning Commission is continuing to look at the zoning for the newly annexed properties.
- Tom and Kathy Langdon requested information from the Council regarding annexing into the City.
- Council discussed the annexation process and the advantages of annexing to the City.
- Council directed Ms. Steele to provide Mr. Langdon with a copy of the letter that was sent out to the Duck Lake residents earlier and to get an estimate from Mr. Larson.

8B) Washington Township Fire Contract

- Ms. Steele stated that Washington Township agreed to the contract with a couple minor changes.
- The Board of Review will meet in July of each year for Washington Township.
- Estimated market values will be provided in July of the second year of the contract.

A motion by Ries, seconded by Hoehn, to approve the Washington Township Fire Contract.

Roll Call: Ayes: Reichel, Ries, Hiniker, and Hoehn

Nays: None

Motion carried.

New Business

9A) Closed Meeting under MN Statue 13D.05, Subd. 3(b)

- The Council closed the meeting at 7:10 pm under MN Statue 13D.05, Subd. 3(b) to discuss potential litigation.
- The regular meeting was opened at 7:34 pm.
- No action was taken.

9B) Recommend Appointment of Mark Hayes to the Planning Commission

- Ms. Steele stated that Mark Hayes lives on Krason Drive.
- The Planning Commission recommends appointing Mr. Hayes to the Planning Commission.

A motion by Ries, seconded by Hoehn, to appoint Mark Hayes to the Planning Commission.

Roll Call: Ayes: Reichel, Ries, Hiniker, and Hoehn
Nays: None
Motion carried.

9C) Accept Ann Austad's Resignation from the Planning Commission

- Ms. Steele stated that this leaves one empty seat on the Planning Commission.

A motion by Ries, seconded by Hoehn, to accept Ann Austad's resignation from the Planning Commission.

Roll Call: Ayes: Reichel, Ries, Hiniker, and Hoehn
Nays: None
Motion carried.

9D) Daycare Center Zoning

- The Planning Commission would like to add daycare centers an allowed use with a conditional use permit to districts R-1 Single Family, R-2 Two Family Residential, R-3 Multi-Family Residential, B-1 Business Highway Commercial, and B-2 Central Business District.
- Daycare centers would not be allowed in an Ag district, a manufactured home district, or a business recreation district.
- The Planning Commission would like to hold a public hearing on July 22, 2013.
- Ms. Steele stated that after the new ordinance is in effect, All Saints and Pitter Patters will have to submit an application for a conditional use permit.

9E) Street Sweeping Bid

- Council discussed the bid from Loken's Parking Lot Painting & Sweeping, Inc.
- Mr. Roemhildt stated that this is the only company in the area that uses a friction broom for street sweeping.

A motion by Hoehn, seconded by Hiniker, to approve the street sweeping bid from Loken's Parking Lot Painting & Sweeping, Inc.

Roll Call: Ayes: Reichel, Ries, Hiniker, and Hoehn
Nays: None
Motion carried.

9F) Siren Replacement

- Staff replaced the siren at the point with the used siren we received from Lakeville when the original siren stopped working.
- Council discussed the quote and coverage maps Federal Signal Corporation provided.

- Council directed Ms. Steele, Mr. Roemhildt, Chief Bunde, and Chief Kennedy to look into the City's siren coverage.

9G) Street Repair and Maintenance Bids

- Mr. Roemhildt would like to seal coat Cedar Lane, Evergreen Lane, Balsam Lane, and Balsam Court this year which should preserve them for another ten years.
- Mr. Roemhildt recommends completing projects three, four, five, and six on the M & W Blacktopping bid for \$38,170.00.

A motion by Ries, seconded by Hoehn, to accept the bid from M & W Blacktopping, LLC.

Roll Call: Ayes: Reichel, Ries, Hiniker, and Hoehn
Nays: None
Motion carried.

Adjournment

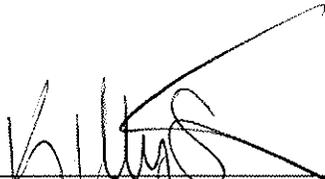
A motion by Ries, seconded by Hoehn, to adjourn the meeting at 9:27 pm.

Roll Call: Ayes: Reichel, Ries, Hiniker and Hoehn
Nays: None
Motion carried.



Ken Reichel, Mayor

Attest:



Kelly Steele, City Administrator-Clerk