



City Council Minutes
Madison Lake City Council
Monday, February 1, 2016

1) Call Meeting to Order

Mayor Reichel called the regular meeting to order at 7:00 pm.

2) Roll Call

Council Members Present: Mayor Kenneth Reichel, Carolyn Hiniker, Pat Burt, and Kent Hoehn

Members Absent: Laurinda Sohre

Staff Present: City Administrator Ariel Lenz, Deputy City Clerk AmberRose Brudelic, City Engineer Chris Larson, ISG Project Designer Nate Hermer, Police Chief Dan Bunde, and City Attorney Jason Moran.

3) Approval of Agenda

A motion by Hiniker, seconded by **Burt**, to approve the agenda with addition 9 b ii 2) Parking Lot at Fasnacht Park.

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

4) Approval of Vendor Claims

A motion by Hoehn, seconded by **Burt**, to approve vendor claims in the amount of \$194,735.60.

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

5) Consent Agenda

a) Approval of minutes from regular meeting of January 11, 2016

A motion by Burt, seconded by **Hiniker**, to approve the consent agenda.

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

6) Open Public Comments

- Tonya Morsching and Jo Schultz for Halloween Party
 - (1) Tonya Morsching stated that she thought the Halloween Party went well last year and they are trying to plan the funding for this year.
 - (2) Ms. Morsching asked Council if they are interested in donating funds towards the party and how much they would be willing to donate.
 - (3) Council donated \$500.00 towards the party last year from the gambling fund.
 - (4) Council suggested that Ms. Morsching fill out a grant application for the Community Foundation as this is an event they may be interested in contributing too.

- (5) City Administrator Lenz stated that she can help Ms. Morsching fill out the grant application.
 - (6) Police Chief Bunde stated that he will donate \$250.00 from the forfeiture fund.
 - (7) Council stated that they are willing to donate something but will not have an amount until later in the year.
- Kevin Mehlhaff of 431 Lilac Lane
 - (1) Kevin Mehlhaff stated that his wife recently had a baby that had some issues and need to be transferred to Mayo Clinic in Rochester.
 - (2) While Mr. Mehlhaff and his wife were in Rochester a family member stopped at their house to get clothes for them and left their toilet running.
 - (3) The water usage for this month is 51,930 gallons.
 - (4) Mr. Mehlhaff came to ask the Council what the potential options are.
 - (5) Council discussed Mr. Mehlhaff's average usage, billing, and estimated bill.
 - (6) Council discussed potential options and will make a decision at a later date.

7) Appearances & Presentations

- a) Public Hearing on Variance Application for 512 Point Avenue
 - City Administrator Lenz stated that the Planning Commission held a public hearing at their last meeting and discussed several options.
 - There are four variances required in this situation and the Planning Commission recommends denial of them based on the zoning ordinance.
 - City Administrator Lenz stated that no decision needs to be made today.
 - Mayor Reichel opened public hearing at 7:17 pm.
 - (1) Kevin Johnson of 512 Point Avenue
 - (a) Mr. Johnson stated that he moved to the community in 2002 and drew up plans to convert the bottom level of their home to accommodate the special needs of Kirk Williams.
 - (b) Mr. Johnson stated that they have provided twenty-four-hour care for Mr. Williams in their home since 1999.
 - (c) Mr. Johnson provided Council with an overview of the permit and construction process for their 2002 permit request.
 - (d) Mr. Johnson stated that many improvements have been made to the property without any issues over the years and Mr. Williams have lived happily and thrived in his living situation with no changes being made to his living quarters since he moved into it.
 - (e) Due to some health changes and an increase in the specialized medical equipment needed for Mr. Williams a decision was made to remodel his living area by opening a wall into the existing storage area and housing the contents of that room in a building outdoors.
 - (f) Mr. Johnson contacted Mr. Voth to discuss what was allowable and was told that the outside storage needed to be considered portable and constructing the shed on skids would be acceptable.
 - (g) Mr. Johnson stated that Mr. Voth told them that a building permit was not required as long as they were not creating any new openings in the home.
 - (h) Mr. Johnson and Mr. Voth also discussed proper materials and encroachment.
 - (i) Mr. Johnson reviewed the construction process of their outdoor storage.
 - (j) Mr. Johnson stated that a City Official visited their property stating that a complaint had been made about the project.
 - (k) Mr. Johnson met with City leaders and agreed to request a variance.
 - (l) Mr. Johnson went door-to-door with a petition to every neighbor within 350 feet of the project, to the best of his knowledge.

- (m) Mr. Johnson stated that Mr. Voth was consulted on every aspect of this project and they followed his advice.
- (n) Mr. Johnson stated that it is unethical that Mr. Voth would watch the project go up and say nothing until it was completed about his concerns.
- (o) Mr. Johnson stated that they have worked hard in this community to provide a better quality of life for a disabled Navy Veteran.
- (p) Mr. Johnson stated that we have always been supportive of this community and have been eager to work with you to make this a better place. Each of you is here tonight because we elected you to represent us and we ask that you show that same spirit of cooperation as we ask you to represent us tonight.

(2) Eve Bakken of 508 Point Avenue

- (a) Ms. Bakken stated that Mr. Johnson would not do anything deliberately against the law.

- Eve Bakken 508 Point Ave
 - (1) Would not do anything deliberately against the law.
- Don Nierman of 524 Point Avenue
 - (1) Mr. Nierman stated that you are pointing a finger at the wrong guy.
- Mayor Reichel stated that Council will take their comments into consideration and speak with the City Attorney.
- Council thanked Mr. Johnson for the way he has approached the situation.
- The storage building will be used to store Mr. William's medical equipment.
- There is space between the building and the house.
- City Administrator Lenz stated that if the variances are approved Mr. Johnson will still need to go through the building permit and inspection process and make any changes required by state law.
- Council discussed the project start date.
- City Administrator Lenz discussed building and zoning permit requirements and stated that she will be putting information about them in the upcoming newsletter.
- City Administrator Lenz stated that when she spoke with Mr. Voth he did not provide the same story and Mr. Johnson.
- City Attorney Moran asked Mr. Johnson to provide any recordings or documented conversations they had with Mr. Voth.
- Mr. Johnson stated that the building does not have any plumbing or electrical connections and is basically an outside utility shed.
- Mayor Reichel continued the public hearing until February 16, 2016.

b) Department Updates

- Police Chief
 - (1) Police Chief Bunde stated that things are going well and he will hopefully have the end of the year report submitted by the next meeting.
 - (2) Police Chief Bunde stated that the toxicology report came back on the deceased missing person and his death was drug induced.
 - (3) The Big Bobber is this weekend and both Police Chief Bunde and the Blue Earth County sheriff's deputies will be here.
 - (4) The County will respond to any calls on the ice and the fire department will respond to both.
 - (5) Council discussed parking for the Big Bobber.

8) Ordinances & Resolutions

- a) Resolution #2016-08 In Support of Increasing Local Government Aid in the 2016 Legislative Session

- City Administrator Lenz stated that this resolution was requested by the Coalition of Greater Minnesota to return cities to the 2002 Local Government Aid level.

A motion by Hoehn, seconded by **Burt**, to approve Resolution #2016-08 In Support of Increasing Local Government Aid in the 2016 Legislative Session.

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

9) Unfinished Business

a) Seasonal Resident Ordinance (2nd Review)

- City Administrator Lenz stated that this is the second review of the seasonal resident ordinance and she is recommending that Council hold a public hearing at that March 7, 2016 meeting.
- City Attorney Moran drafted the ordinance.
- Council discussed enforcement of the ordinance.
- Staff will provide an application for seasonal status with the water turn on reminder.
- City Administrator Klugman stated that this is a privilege and Council may have to consider taking it away if it does not work.

b) Project Updates

- CSAH 26 (Main Street)

(1) Bonding Process (Shannon Sweeney)

- (a) Shannon Sweeney reviewed the bonding process and the informational letter he provided Council.
- (b) Council discussed fees versus interest rates with a smaller bond issue.
- (c) Mr. Sweeney recommends working with a local or area bank to directly sell these bonds to avoid the extra issuance expenses.
- (d) Mr. Sweeney stated that an area lender should have some interest in negotiation directly with the City and he would need specific direction from the Council to negotiate the sale on our behalf.
- (e) Mr. Sweeney will present Council with the proposal at the February 16, 2016 meeting.
- (f) Council will award the bonds at the February 16, 2016 meeting and close on them on March 1, 2016.
- (g) City Administrator Lenz stated that she contacted Blue Earth County and they are okay with receiving payment in April.

A motion by Burt, seconded by **Hiniker**, to direct Shannon Sweeney of David Drown Associates to negotiate the sale of bonds on with Cornerstone (Peoples State Bank), Bremer Bank, and HomeTown.

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

(2) 4th and 5th Street

(a) Spruce Discussion

- (i) Council discussed parking stalls at Fasnacht Park.
- (ii) Council discussed paving the City Hall parking lot.
- (iii) City Engineer Larson provided Council with a map to explain how Spruce Avenue will be bid.

(3) Lindbergh Park

- (a) City Administrator Klugman stated that public input meeting was held with few people in attendance.
- (b) Staff will continue to work on a warming house with bathroom shelter design.
- (4) Annexation Project
 - (a) Pay Applications
 - (i) City Engineer Larson stated that similar to what we did for Holtmeier, this is the next to last pay application.
 - (ii) This application is holding \$10,000.00 until spring.

A motion by Hoehn, seconded by **Burt**, to approve change order number 5, change order number 6, and contractor's application payment number 8 in the amount of \$331,964.81 for RL Larson.

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

Nays: None

Motion carried.

10) New Business

- a) Variance Application for 512 Point Avenue
 - Council will hold a closed session on February 16, 2016 at 6:00 pm with City Attorney Moran to discuss matters under attorney client privilege.
 - City Administrator Lenz will verify the sixty-day deadline and notice an extension for the variance application if necessary.
- b) Solid Waste Agreement Review
 - City Administrator Lenz stated that Wendell Sande with South Central Cooperative has done some work on the proposed contract revisions to the Solid Waste Processing Agreement.
 - The facility was recently bought out and there is an increase in tonage fees proposed. For us, the estimate is \$0.40 a month per customer or \$1,900.00 a year.
 - City Administrator Klugman stated that she believes this increase should be passed on to the customers since our rates are set at current expenditures.
 - Council will hold a public hearing on March 7, 2016 regarding this fee increase.
- c) Water Meter Purchase for City Hall, North Shore Park, and Legion Field
 - City Administrator Lenz stated that the City's water supply plan requires that we monitor our water usage at City facilities and report it as water used for public purposes.
 - The estimate from Kopp's Plumbing to install meters at City Hall, Legion Ball Park, and North Shore Park is \$3,306.77 with \$436.67 to be reimbursed or paid for by the American Legion.

A motion by Burt, seconded by **Hoehn**, to adjourn the meeting at 8:32 pm.

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

Nays: None

Motion carried

11) Staff Reports

12) Mayor & Council Reports

13) Adjournment

A motion by Hiniker, seconded by **Burt**, to adjourn the meeting at 8:32 pm.

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

Nays: None

Motion carried



Kenneth Reichel, Mayor

Attest:



AmberRose Brudellie, Deputy City Clerk