



City Council Minutes

Madison Lake City Council

Monday, August 1, 2016

1) Call Meeting to Order

Mayor Reichel called the regular meeting to order at 7:05 pm.

2) Roll Call

Council Members Present: Mayor Ken Reichel, Carolyn Hiniker, Laurinda Sohre, Pat Burt, and Kent Hoehn

Members Absent: None

Staff Present: City Administrator Michael Hanson, Deputy City Clerk AmberRose Bruderie, City Attorney Jason Moran, Police Chief Dan Bunde, Fire Chief Kevin Kennedy, Public Works Supervisor Adam Fennell, City Engineer Chris Larson, and Planning Commission Chair Mike Klassen.

3) Approval of Agenda

A motion by Hiniker, seconded by **Sohre**, to approve the agenda with the 10B) Pending Special Assessment Litigation – Closed Session.

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

Nays: None

Motion carried.

4) Approval of Vendor Claims

a) Council Member Sohre stated that street sweeping should be done earlier in the year.

b) The Verizon Wireless bill was discussed.

A motion by Hoehn, seconded by **Burt**, to approve vendor claims in the amount of \$423,945.95.

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

Nays: None

Motion carried.

5) Consent Agenda

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

A motion by Sohre, seconded by **Hoehn**, to approve the consent agenda.

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

Nays: None

Abstained: Reichel

Motion carried.

6) Open Public Comments

- No one from the public wished to speak.

7) Appearances & Presentations

- a) Public Hearing – Vacating a Portion of Sarah Circle
- Mayor Reichel opened the public hearing at 7:10 pm.
 - Deputy Clerk Brudelic stated that resolution is to correct the road right of way so that it follows the curve of the road.
 - No one from the public wished to speak.
 - Mayor Reichel closed the public hearing at 7:12 pm.
- b) Public Hearing – Ordinance #2016-07 Opting-Out of the Requirements of Minnesota Statutes, Section 462.3593.
- Mayor Reichel opened the public hearing at 7:12 pm.
 - City Attorney Moran explained the proposed ordinance and the reasons for approving the ordinance.
 - City Attorney Moran stated that the League of Minnesota Cities is encouraging cities to opt-out of this statute as well.
 - Kevin Johnson of 512 Point Avenue
 - (1) Mr. Johnson asked if the property would need to meet building code.
 - (2) Mr. Johnson asked the Council to wait to make a decision until the next meeting.
 - City Attorney Moran stated that some are taking the position that due to the temporary nature these properties would not fall under the building code.
 - City Attorney Moran stated that Council would need to make a decision before September 1, 2016 in order to opt-out.
 - Mayor Reichel closed the public hearing at 7:18 pm.
- c) Public Hearing – Conditional Use Permit for 1185 Park Road
- Mayor Reichel opened the public hearing at 7:20 pm.
 - Brad Radichel of 1165 Park Road stated that they could not economically complete the West Shore Estates development.
 - Mr. Radichel explained his plans for 1185 Park Road.
 - The property is held in the LLC name instead of Mr. Radichel's name and Mr. Radichel would like to leave the property in the name of the LLC instead of his private name due to liability issues.
 - Planning Commission Chair Klassen explained the Planning Commission's position on not allowing an accessory use without a primary use.
 - Mayor Reichel closed the public hearing at 7:40 pm.
- d) Department Updates
- Police Chief
 - (1) Police Chief Bunde stated that Paddlefish Days went awesome.
 - (2) National Night Out is tomorrow and we will have ice cream and sidewalk chalk.
 - Fire Chief
 - (1) Fire Chief Kennedy stated that Paddlefish Days went great.
 - (2) Council discussed burying the power line in the parking lot.
 - (3) City Engineer Larson will look into getting the line buried.

- Public Works Supervisor
 - (1) Public Works Supervisor Fennell stated that things are going well.
 - (2) Staff are working on Tomahawk Park and we will soon be getting the grading done.
 - (3) Staff will flush water lines everything after construction is finished.

- Planning Commission Chair
 - (1) Planning Chair Klassen stated that they are still working on ordinances.
 - (2) The Planning Commission is working on a solar ordinance.

- City Attorney
 - (1) City Attorney Moran stated that we have negotiated with the City of Mankato and believe we have a final resolution.
 - (2) Our costs should be reduced by approximately \$8,000.00 per year for 2015, 2016, and 2017.
 - (3) The City of Mankato has agreed to eliminate the SAC fees for those years as well.
 - (4) Staff will be putting the final touches on the agreement in the next thirty days.
 - (5) City Attorney Moran stated that twenty-five million in debt service falls off in 2018 so there may be another reduction.

8) Ordinances & Resolutions

- a) Resolution #2016-37 Vacating a Portion of Sarah Circle

A motion by Sohre, seconded by **Hoehn**, to approve Resolution #2016-37 Vacating a Portion of Sarah Circle.

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

- b) Resolution #2016-38 Contracting with Council Member Hoehn

- Deputy Clerk Brudelic stated that this is the resolution that must be passed anytime we purchase items from a member of the Council.

A motion by Hiniker, seconded by **Burt**, to approve Resolution #2016-38 Contracting with Council Member Hoehn.

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

- c) Resolution #2016-39 Appointment of Election Judges

- Deputy Clerk Brudelic stated that these are the election judges for both the primary election on August 9, 2016 and the general election on November 8, 2016.

A motion by Hiniker, seconded by **Sohre**, to approve Resolution #2016-39 Appointment of Election Judges.

Roll Call: Ayes: Reichel, Hiniker, Sohre, Burt, and Hoehn
Nays: None

Motion carried.

d) Ordinance #2016-07 Opting-Out of the Requirements of Minnesota Statutes, Section 462.3593

A motion by Hiniker, seconded by **Sohre**, to table Ordinance #2016-07 until August 15, 2016.

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

Nays: None

Motion carried.

9) Unfinished Business

a) 4th and 5th Street Project Update

- City Engineer Larson stated that most of the streets are graveled, except for 4th Street where they needed to do some soil conditioning and drain tile work this week.
- City Engineer Larson stated that there has been a lot of rain, but, the project schedule has not been affected much.

10) New Business

a) Wellhead Protection Plan – Part 1

- City Administrator Hanson stated that included in the packet was the Wellhead Protection Plan – Part 1.
- The Minnesota Department of Health completed part one of the plan for us.
- The Department of Health is requesting that we send them a letter asking the Department of Health to approve part one of the plan.
- City Engineer Larson has reviewed the plan and provided a redline copy for clerical changes.

A motion by Sohre, seconded by **Burt**, to request the Minnesota Department of Health's approval of Part One of the Wellhead Protection Plan.

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

Nays: None

Motion carried.

b) Pending Special Assessment Litigation (Closed Session under MN Statute 13D.05, subd. 3 (b))

A motion by Hiniker, seconded by **Sohre**, to close the open meeting under MN Statute 13D.05, subd. 3 (b) at 8:08 pm.

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

Nays: None

Motion carried.

A motion by Hiniker, seconded by **Sohre**, to open the meeting at 9:08 pm.

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

Nays: None.

Motion carried.

- Council directed staff to have ISG survey the City's property on Main Street.

- Council discussed where to install the curb for the City Hall parking lot.

A motion by Sohre, seconded by **Hiniker**, to use the property line for the parking lot and follow the property line in the back on the east side and to not do anything with the existing water line as there is a curb stop already supplied for businesses on Main Street.

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

11) Staff Reports

- a) Deputy Clerk
- Deputy Clerk Brudellie stated that we have two Council positions up for re-election and filing start tomorrow, Tuesday, August 2, 2016 and ends at 5:00 pm on Tuesday, August 16, 2016.

12) Mayor & Council Reports

- a) Council Member Sohre
- Council Member Sohre would like to look into spraying for mosquitoes as she has been approached by citizens.
 - City Attorney Moran stated that both Elysian and Waterville spray and have had a lot of success.
 - Staff will contact area towns to see if they spray and their budget for spraying.
 - Council discussed the new construction on Nutmeg Road.
 - The Building Inspector Murphy and Public Works Supervisor Fennell have both been to the site and stated that silt fencing was in place.
 - Staff will ask Building Inspector Murphy to visit the site again.
- b) Council Member Hiniker
- Council Member Hiniker stated that she is still working for Drummers on flowers for City Hall.

13) Adjournment

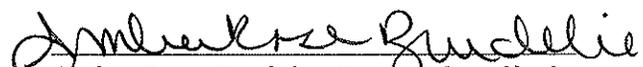
A motion by Hoehn, seconded by **Burt**, to adjourn the meeting at 9:19 pm.

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

Attest:



Kenneth Reichel, Mayor



AmberRose Brudellie, Deputy City Clerk