

**CITY OF HANOVER
CITY COUNCIL MEETING
APRIL 1, 2014 – OFFICIAL MINUTES**

Call to Order/Pledge of Allegiance:

Mayor Kauffman called the Regular Council Meeting of Tuesday, April 1, 2014 to order at 7:23 p.m. Present were Mayor Chris Kauffman, Councilors Wendy Pinor, John Vajda, Doug Hammerseng, and Ken Warpula. Also present were City Administrator Annita Smythe, Administrative Assistant Brian Hagen, Public Works Supervisor Scott Vogel, City Attorney Jay Squires, and City Engineer Justin Messner. Conrad Anderson and Terry Morrow were present for Wright County Assessors, and Connor Rausch and Melissa Potter were present for Hennepin County Assessors. Guests present included Eric Lucero, Dawn Spraugel, Kelly Daleiden from Veolia, Bob Pink, Fire Chief Dave Malewicki, Doug Voerding from the Wright County Journal Press, Wright County Sheriff, a Hennepin County Sheriff, and other Hanover Residents.

Approval of Agenda:

Smythe revised the claims amount to reflect EDA pass-through funds for Plug Technologies from DEED/Initiative Foundation. She also removed the resolution supporting a DNR Grant for the Ball Field improvements the Athletic Association wanted to apply for. Smythe explained to Council that the City did not receive all of the necessary materials before the grant deadline. Smythe requested to add an item under unfinished business to discuss a cost estimate for the bathroom remodel.

MOTION by Warpula to approve the amended agenda, seconded by Vajda. Motion carried unanimously.

Consent Agenda:

Pinor asked if the firefighter had daytime availability. Malewicki stated there is no longer a requirement to have a certain amount of members with daytime availability. The Chief now has discretion. Hammerseng asked if the handicapped accessible booth was required and if we needed one for both counties. Smythe stated there is no requirement for this specific booth because we already were able to provide handicapped accessibility. This booth would provide more voting locations, as well as provide additional handicapped locations. Smythe also explained that because of the much smaller number of voters in Hennepin County, we have not historically had any problems accommodating those voters. Warpula asked why there was an agreement to maintain the bridge. Hagen explained it is for a grant through the DNR. Hagen further explained a similar grant was passed for a previous grant application. The agreement is standard requirement for grants in order to ensure the structure is properly maintained.

MOTION by Pinor to approve the following consent agenda, seconded by Hammerseng.

a. Approve Minutes of March 18, 2014 Regular City Council Work Session Minutes

b. Approve Claims as Presented:

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|-------------------|---------------------|
| ➤ Claims | \$ 30,531.58 |
| ➤ Payroll | \$ 6,161.69 |
| ➤ P/R taxes & Exp | \$ 2,460.63 |
| ➤ Other Claims | <u>\$ 6,688.29</u> |
| ➤ Total Claims | <u>\$ 45,842.19</u> |

c. Res No 04-01-14-21 – Approving Hire of Probationary Firefighter

d. Res No 04-01-14-22 – Authorizing Repairs for Fire Hall Flooring

e. Res No 04-01-14-23 – Accepting Donation from Hanover Lions

f. Res No 04-01-14-24 – Authorizing Purchase of Fire Department Pagers

g. Res No 04-01-14-25 – Authorizing Purchase of Handicap-Accessible Voting Booth

h. Res No 04-01-14-26 – Agreement to Maintain Historic Bridge

i. Res No 04-01-14-28 – Approving Hire of Public Works Maintenance Worker

j. Res No 04-01-14-29 – Amending Res No 03-04-14-18

Motion carried unanimously.

Citizen's Forum:

Eric Lucero addressed Council first. He introduced himself to Council, staff, and residents because he is a 2014 candidate for election as a State Representative for District 30B. He explained his background in education and work experience, as well as his family and political experience. He currently sits on the City Council for the City of Dayton. He is excited for the opportunity to run for State office in order to represent this district.

Bob Pink addressed Council regarding a water line freeze this past winter. He stated he has discussed the issue with both staff and Veolia, and after some discussion, had ultimately been told that the water line was his responsibility. Pink is unhappy with this answer because the freeze happened between the curb stop and the water main, and because the City does not currently have a written policy. He feels this is the City's responsibility. Kelly Daleiden from Veolia explained there is not a written policy because this typically does not happen. Sewer lines tend to freeze before water lines. She stated several area cities are experiencing this as well because of the extreme cold this winter. Daleiden explained that the area cities have acted in the same manner as we have by developing a water line freeze policy. Engineer Messner agreed with Daleiden by stating the other cities he works with have experienced the same issues. He further stated that those cities follow the same set of responsibilities as far as who is responsible for what portions of the lines and the costs involved with maintenance. Council explained that they are not prepared to make a motion related to reimbursement of any costs until a policy is developed. They did state that once a policy is formed that he would be contacted with the resolution.

Public Hearings:

None

Unfinished Business:**Ordinance No 2014-03 – Amendment to Chapter 8, Section 8.19, Regulation of Grass, Weeds, and Trees**

Pinor asked about the exempted areas and how those are defined. It was explained this would be areas of native grasses, wild flowers, wood areas. Smythe explained these generally are easily determined as something other than unmaintained grass and weeds using various resources. Squires suggested adding a statement allowing residents to apply for a written exemption in order to prevent future Councils and staff members from viewing the area differently and requiring them to change. Pinor also corrected a typo in section 5.

MOTION by Pinor, to approve ordinance amendment with addition of the written exemption and the correction of the typo, seconded by Vajda. Motion carried unanimously.

Greenhouse Easement Discussion

Smythe explained that the easement agreement drafted by the city attorney was given to the Bridges Homeowners Association for review. The Bridges provided a redlined version and added conditions. Staff met with Bridges representatives and made further changes. The document before Council was the latest draft, including all of those changes. Smythe explained that this document had been sent to the City Attorney and the City Planner for review, as they were unable to attend the meeting with the Bridges. They were generally opposed to the added conditions because they believe the conditions make it difficult to market the property to a developer. In addition, City Planner Nash was concerned that the concessions asked for by the Bridges could be quite expensive to implement, possibly more than the subject property is worth. Squires suggested starting eminent domain at this point in time, partly because of the time the process takes and partly because the Bridges have been given opportunities to come to an agreement on the easement. Vajda asked if the City should provide one more good faith effort for an agreement. Squires advised against it due to the length of time eminent domain can take, and because there will be opportunities throughout the process for the Bridges to agree to various offers/conditions of an easement. Hammerseng asked if the City should advertise what the end use will

be. He stated he has been approached by people who are unsure of what type of assisted living will be housed at the location. Pinor stated this project started before his time on Council so he may have been unaware of the open house and the existing information readily available to the public. Council suggested that staff make a note somewhere that information is available.

MOTION by Pinor to start eminent domain on Outlot H in the Bridges at Hanover subdivision, seconded by Warpula. Motion carried unanimously.

Administrative Staff Discussion

Council discussed the proposal to share Hagen's staff time with the City of Dayton. The proposal would allow Hagen to work in Dayton two days a week under former Interim Administrator Derus. This would allow Hagen to further his work experience, as well as allow Hanover to hire an intern to fill Hagen's lost time at no extra cost to the City. That would provide an additional person in the front office to continue with the organization process. Discussion turned to health benefits and what City would pay depending on if Hagen was seriously injured and where. Staff was unable to answer that question, but agreed to look into that with the League of Minnesota Cities, who is the City's Workers Compensation insurance carrier.

MOTION by Hammerseng to allow Dayton, MN to contract Administrative Assistant Hagen's staff time and to hire a six month intern to fill the need of administrative support and zoning enforcement in accordance with the terms outlined in Smythe's memo, seconded by Kauffman. Motion carried unanimously.

City Hall Bathroom Remodel

Smythe provided the plan for the City Hall bathroom remodel. The plan shows the new bathroom layout and the increased size of both. Smythe also provided Council with a quote from Crow Hassan Builders. Squires informed Council that staff was concerned about only receiving one quote. Squires stated that given staff attempted to receive more than one quote for the project that the City should write a memo to file explaining the process in order to conform to the League of Minnesota Cities requirements. Kauffman asked if this could be tabled to have more time to consider it, given the cost of the project. Smythe encouraged Council to vote on it tonight given the length of the project and the upcoming busy hall rental season.

MOTION by Pinor to approve the quote of \$66,433.50 and the fee schedule per the quote, seconded by Hammerseng. Motion carried unanimously.

New Business:

Res No 04-01-14-30 – Approving Renewal Application for Optional Liquor 2AM for Chops Bar & Grill

Smythe explained that this is an annual renewal request. Smythe stated that she spoke with Lt. Findley from the Wright County Sheriff's Office during his regular visit to see if his office had specific concerns. He indicated that he was not aware of any current issues that would preclude this renewal.

MOTION by Vajda to approve Chops Bar & Grill to be open until 2AM, seconded by Hammerseng. Motion carried unanimously.

Bonding Bill – Bridge Repairs

Smythe explained that at the visit to the Capitol, Representative FitzSimmons offered to include an item in the State bonding bill to provide funding for the historic bridge repairs. The State may ask for an elected official or other representative to present on the project. Hammerseng asked if there would be any liability to the City if we received these funds. Squires stated there would be none.

Reports:

Messner informed Council that the Hennepin County Road 19 Trail plan review is near complete and should make the April 5th deadline. It is expected to receive bids in June with work commencing in July

2014. Messner further stated that St. Michael is willing to contract their inspector Steve Koskela to oversee the project.

Vogel asked if Council was still okay with people entering the 10 acre parcel to clear trees. He stated he has been approached by a few individuals looking for fire wood. Squires stated the City should require a liability waiver. Council consensus agreed to the request.

Vajda stated he met a guy from Prior Lake who does flooring like what the Fire Department is having done. He further asked if the Public Works area should have the same thing done. Council consensus was to wait and see until we know whether Public Works will get a new site or not. Vajda also suggested we revisit the idea of the electronic newsletter and possibly switch back to every quarter being mailed to the residents and businesses.

Warpula reminded everyone that the Fire Department Pancake Breakfast is April 13th this year. He also stated the annual Stuffed Hashbrown Breakfast is April 6th.

Smythe:

- Michelle Bachmann's office put an inquiry in to FEMA related to the Fire Department's grant request. The office stated it is past the point of submitting a letter of support, but the inquiry will show support as well.
- The Historical Society discussed at their last meeting to have a Councilor chair the committee for the 125th Anniversary Celebration of Hanover. Vajda noted that he had already volunteered to serve. After some discussion, it was determined that it made sense for a Councilor to chair this event, and Vajda agreed to take that responsibility.
- Joe Hagerty spoke at the last Mayor's Association meeting. He talked about updates happening within the County, as well as gave the year's statistics on traffic accidents. He invited people to attend the Sheriff's open house this June. The Association also voted to move their June meeting date up a week in order to accommodate the LMC annual conference.

Hagen:

- 1410 Esterly Oaks has not complied with letters about abandoning a garbage nuisance. A hearing is required to allow the property owner to address Council, before Council can direct staff to correct the issue and pass cost onto the property owner. Council stated if needed a special meeting can be set for Monday, April 7, 2014 at 7 a.m.
- 10880 Prairie Lane received an anonymous written complaint against the property. Staff will be looking into an SUP violation as well as other violations of the City Code.

Adjournment:

MOTION by Warpula to adjourn at 9:25 p.m., seconded by Pinor. Motion carried unanimously.

APPROVED BY:

Chris Kauffman, Mayor

ATTEST:

Annita Smythe, City Administrator