

**CITY OF HANOVER
CITY COUNCIL MEETING
OCTOBER 7, 2014 – OFFICIAL MINUTES**

Call to Order/Pledge of Allegiance:

Mayor Kauffman called the Regular Council Meeting of Tuesday, October 7, 2014 to order at 7:00 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, City Attorney Jay Squires and City Planner Cindy Nash. Guests present included the recipients of Vitalization Awards and other residents of Hanover.

Approval of Agenda:

Smythe noted that a revised agenda was placed in front of Council. This agenda adds two resolutions, one to hire temporary snow plow drivers and the second to enter into a contract for maintenance work on the City's emergency sirens.

MOTION by Pinor to move items 7.e. and 7.f. of the revised agenda prior to item 7.d., seconded by Warpula. **Motion carried unanimously.**

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

Consent Agenda:

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

a. Approve Minutes of September 16, 2014 Joint City Council/Park Board Work Session Meeting

b. Approve Claims as Presented:

➤ Claims	\$ 62,905.02
➤ Payroll	\$ 7,133.57
➤ P/R taxes & Exp	\$ 2,912.21
➤ Other Claims	\$ <u>1,415.09</u>
➤ Total Claims	\$ <u>74,365.89</u>

Motion carried unanimously.

Citizen's Forum:

Res No 10-07-14-70 – Accepting Donation from Hanover Lions

MOTION by Pinor to approve the resolution, seconded by Warpula. **Motion carried unanimously.**

Mayor Kauffman thanked the Hanover Lions for their continued donations to the City.

Vitalization Award – Josh Ojalelto

Fire Chief Dave Malewicki, on behalf of the City of Hanover, presented Josh a vitalization award for his actions to prevent a house fire. Josh was responsible for the care of a neighbors' fish tank while they were out of town. Josh noticed smoke in the house and alerted someone to call 911. The Hanover Fire Department was able to salvage the home with minimal loss of property.

Vitalization Award – Gar Engle

Gar Engle was presented the award for his many years of service with Hanover Youth Ball.

Vitalization Award – Stan Kolasa Jr.

Stan Kolasa Jr. was presented the award for his 25 years of service to the Hanover Fire Department.

Community Hall Fee Waiver Request

Ron and Audrey Graunke addressed Council to request a fee waiver for use of the Community Hall. The Graunkes explained they want to hold a cancer benefit for their daughter. They live near Hanover and have multiple acquaintances in Hanover. Mayor Kauffman explained that the first discussion focused on ties to the local community. The additional knowledge that the family is from the area helps Council to make a more informed decision.

MOTION by Warpula to waive the Community Hall rental fee request by the Graunkes, seconded by Hammerseng. **Motion carried unanimously.**

Request to Hold Wedding on Historic Bridge

Joe Mann and Andrea Burgeson addressed Council for their approval of holding their wedding at the Historic Bridge. Council was not opposed to the request as long as the wedding stays within the restrictions the City Engineer may put in place related to weight restrictions. Mann and Burgeson agreed with the recommendation.

MOTION by Pinor to allow the wedding, with the condition they follow the City Engineer's recommendations and complete standard liability waiver forms similar to the hall rentals, seconded by Warpula. **Motion carried unanimously.**

Hanover resident Neil Karsten addressed Council with a concern about staff communication with potential businesses entering Hanover. Karsten explained that the Silver Buckle Saddle Club approached City staff to bring their organization to Hanover. The club was looking at purchasing a parcel of land on Jonquil Lane. The club members felt the City did not want the club in Hanover after meeting with staff, and also stated they were misinformed about the potential for water and sewer to be extended on Jonquil Lane.

Nash and Hagen both responded to Karsten and agreed that they met with club members. The meeting revolved around the parcel of land located on Jonquil Lane and when/if water and sewer would be extended. Nash further explained that the club members were worried about purchasing land and then be faced with assessments related to infrastructure improvements. They also expressed concern about overall tax values rising over the years. Nash stated that those concerns do not have a clear answer because it is dependent on future development that the City does not have control over. Development is based on the outside market and whether a developer feels a project would be successful. Staff is working on a feasibility study for water and sewer extensions, however that study is not complete and the club was informed that the results of the study may give them a better understanding of the future of Hanover in that area. Nash explained that the study was not specific to Jonquil Lane. Staff did not receive any follow up from the club on their intentions of purchasing the land, but discussion in the meeting did address various zoning concerns and what would need to be changed in order for that organization to operate on Jonquil Lane.

Public Hearings:

Lupine Tax Abatement

MOTION by Pinor to take the Public Hearing off the table, seconded by Warpula. **Motion carried unanimously.**

MOTION by Pinor to cancel the Public Hearing, seconded by Warpula. **Motion carried unanimously.**

Unfinished Business:

Ordinance No 2014-07 – Chicken Ordinance

The Buntings shared their opinion again on why the Council should adopt the proposed ordinance. They feel this ordinance change will allow families to be more sustainable. They feel that dog kennels and

other allowed uses of properties cause similar types of nuisances as chickens, if not maintained properly. They also reiterated that a majority of their neighbors are in favor of the chickens staying with the Buntings.

Todd Polzin explained to Council why he was against the ordinance change. He used Hanover Hills as an example and how the neighborhood is open and not wooded for a large part of the neighborhood. He does not think allowing a chicken coop in this area is a good fit for Hanover. He feels Hanover Hills was not developed with the intention of allowing hobby farms.

Scott Stumpfl expressed concern about chicken coops and wild animals entering the neighborhood more than they already do. Chicken coops can attract fox, coyotes, etc. which is unsafe for the residents.

Mayor Kauffman explained he is in favor of private property rights. He stated that this discussion has stemmed from the Buntings requesting an ordinance amendment. Hagen outlined the previous Planning Commission meeting. He stated a second Public Hearing was held in order to gather more public comments. The results have been equal as far as support and opposition to the ordinance change. The discussion continued to revolve around what is the right size parcel to allow farm animals on.

Nash explained that at the last Planning Commission meeting a revised ordinance was put in front of the Board. The revisions made having chickens more restrictive. The property owner would be required to apply for an Interim Use Permit and receive signatures indicating approval from 100% of neighboring properties. The Board still recommended denial of the ordinance change. Hammerseng added that the public comment he has heard is supportive of the Buntings, but not supportive of the ordinance change expanding the areas where chickens are permitted.

MOTION by Hammerseng to deny Ordinance No 2014-07, seconded by Warpula. **Motion carried with a 3-2 vote. Voting in favor of the motion was Vajda, Hammerseng, Warpula. Voting in opposition of the motion was Kauffman, Pinor.**

Ordinance No 2014-08 – Sign Ordinance

Hagen outlined the major changes. Those changes were to the permit requirements, the definition of types of signs, location of signs, and number of signs allowed. Hagen noted that the changes make the sign ordinance easier to understand and enforce.

MOTION by Pinor to approve Ordinance No 2014-08, seconded by Vajda. **Motion carried unanimously.**

Restroom Remodel

Smythe outlined the correspondence between the City and Crow Hassan Builders, including that the City has been invoiced, and must comply with state law regarding payment of claims. Staff is looking for a Council decision on how to proceed. Dave Malewicki of Crow Hassan Builders was present and stated he is willing to replace the unmatched tiles. Vajda suggested having one staff member and one Council member approve of the replacement tile before it is installed.

MOTION by Vajda to allow Crow Hassan Builders to replace unmatched tile with staff and Council approval of color match, seconded by Pinor. **Motion carried unanimously.**

Riverview Rd Complaint Update

Hagen provided an update on the parcel in question. Hagen stated they were in violation of City Ordinances and were sent letters explaining how to correct the violations. Council has granted two extensions to the property already, and most of the violations have been corrected. There is still one last correction needed, however the extension time limit has been reached. Mayor Kauffman suggested that

the City discuss the options for allowing a second driveway, and would like time to contact the property owner to discuss options before taking further enforcement action.

MOTION by Hammerseng to grant a two week extension to correct the violation while the Mayor contacts the owner, seconded by Pinor. **Motion carried unanimously.**

New Business:

Res No 10-07-14-71 – Authorizing Bids for Lake Independence Regional Trail

Council expressed concern that a completion date has not been set. They do not want the project to carry over to 2016. Attorney Squires explained that when a project is advertised for bids, the actual bid advertisement will show a substantial completion date.

MOTION by Vajda to approve the bid advertisement, seconded by Pinor. **Motion carried unanimously.**

Res No 10-07-14-72 – Extending Contract for Services with City of Dayton

Council held discussion on the benefit of the contract. The most noted benefit was being able to hire a full time intern at no extra cost to the City.

MOTION by Vajda to extend the contract with Dayton, and seconded by Hammerseng. **Motion carried unanimously.**

Office Staffing Discussion

Smythe noted that Administrative Intern Amy Biren has been an asset to the office. She has taken on tasks and completed them with high quality results. The most notable project that the City would see is the changes to the last few newsletters. Smythe stated that this discussion is based on the fact that there used to be four front office staff members. The fourth position was not filled during the recession, but now with the added building that is happening it may be time to reconsider filling the position. With the job sharing contract between Hanover and Dayton, the extra office staff has worked well. Adding Biren will allow staff to continue to work on more time consuming tasks like filing historical documents and organizing the City filing system in order to provide residents information more timely. Council would like to discuss further at the next work session, and review a proposal from staff related to the position and proposed pay.

Res No 10-07-14-73 – Approving Temporary Snow Plow Operators

Smythe noted the two recommended individuals have been hired for this position in the past so they know how to operate the equipment and know the routes of the City. She also pointed out that the terms are the same as last year.

MOTION by Pinor to approve the resolution, seconded by Warpula. **Motion carried unanimously.**

Res No 10-07-14-74 – Approving Contract with Ready Watt Electric

Smythe noted this company already provides this maintenance. They are requesting a contract from 2015-2018 at a rate of \$1,370 per year in order to better schedule and manage their workflow. Smythe believes this rate is consistent with what we currently pay for this service.

MOTION by Pinor to approve contract, seconded by Warpula. **Motion carried unanimously.**

Closed Session – Discussion of Greenhouse Purchase Agreement & Sales Price

Meeting Closed at 8:44 p.m. to discuss the sale price and contract terms for the sale of real property owned by the City with a legal description of The Bridges At Hanover Lot 40, Block 8.

Present during the closed meeting were as follows, Mayor Chris Kauffman, Councilors Wendy Pinor, John Vajda, Doug Hammerseng, Ken Warpula, City Administrator Annita Smythe, Administrative Assistant Brian Hagen, City Attorney Jay Squires, and City Planner Cindy Nash.

Regular meeting re-opened at 9:08 p.m.

Council directed staff to present a draft purchase agreement to Bradford Development and discuss a sale price. Smythe and Nash intend to meet with Brad Bass from Bradford Development soon, and will report back to Council following that meeting.

Reports:

Vajda noted that there would not be an Oktoberfest this year.

Nash informed Council that she and Smythe will attend an upcoming meeting with a business to discuss a potential expansion.

Hagen stated the grant agreement to receive the bridge funding for the rehab project is near completion. We will advertise for bids this winter and the project is expected to begin after water levels drop in the river.

Smythe requested Council's direction on the suspended enforcement action with the chickens, given that the ordinance was not adopted. Council directed that enforcement recommence, and that the chicken owners should advise us when the chickens have been removed.

Adjournment:

MOTION by Warpula to adjourn at 9:29 p.m., seconded by Pinor. **Motion carried unanimously.**

APPROVED BY:

Chris Kauffman, Mayor

ATTEST:

Annita Smythe, City Administrator