

MANTORVILLE CITY COUNCIL MEETING MINUTES
Monday February 13, 2006 - 6:30 PM

1. **Call to Order:** The meeting was called to order at 6:30 pm

Members Present: Diane Carlson, Annie Brannan, Luke Nash, Bill Reding

Members Absent: Ross Abel

Others Present: Richard Balcome, Sue Lohrbach, Brad Lohrbach, Alex Lohrbach, Lee Bjorndal – City Attorney, Bill Angerman – City Engineer, Tim Hruska of WHKS, Karen Khavari – Assistant City Clerk, Matt Brekke – Public Works Streets Supervisor, Dale Brannan – Fire Chief and Cami Reber – City Clerk.

2. **Additions or Deletion to the agenda:**

a. Add Park Board Minutes of 11/29/2005 under Consent Agenda as item d.

3. **Consent Agenda:**

Motion made by Member Brannan, second by Mayor Carlson to approve the consent agenda as listed to include a change to Council Meeting Minutes of January 23, 2006, page 7, item#4 – change July to January. Motion passed unanimously with the change to the minutes.

4. **Old Business:**

a. Conditional Use Permit – Lohrbach: On January 30, 2006 the Council held a Special meeting at the site of the Lohrbachs property to view the area in which the horse is held. Members attending were Member Nash, Member Brannan and Member Reding. Some of the items of discussion were the odor that may be created especially in the warmer weather, the drainage of the waste and where that would run to, a concern of the land changing ownership and if the new owners would follow the same conditions as the Lohrbachs and what sort of limitations can be put on the conditional use permit. The Council can set as many limitations as necessary. City Attorney Lee Bjorndal explained that a conditional use granted to this land would continue to be granted if new owners took over the property. Member Brannan commented that she could smell the “horse” smell half way up the driveway to the Lohrbach home. She is concerned as the weather warms up how much worst the smell will be. Member Reding asked questions regarding the stipulations that could be put on the conditional use permit. City Attorney Lee Bjorndal discussed the conditional use permit requirements and the findings of facts the Council needs to make in determining either the approval or denial of the permit. Motion made by Member Brannan, second by Mayor Carlson to deny the Conditional use permit that would allow the Lohrbachs to keep a horse in the R1 zone of the City of Mantorville. The use is not consistent with the current zoning and land use laws that the City has in place. Attached to these minutes are the Findings of Fact the City Council made.

Motion passed with Member Brannan, Mayor Carlson, Member Nash voting against granting the conditional and Member Reding voting for granting the conditional use.

Mrs. Lohrback inquired about what is the next step. Can they hold a sort of forum that will address recrafting the current ordinance by looking at the current setback and lot size requirements? There are other horses within City Limits and the Lohrbachs would like to know how those came to be and why they are allowed. City Attorney Lee Bjorndal will be taking her thoughts into consideration and check on how other cities are handling these same types of situations. The information will come back to Council at the last meeting in March.

5. Public Hearing – None

6. New Business:

- a. **Gambling Permit – Dodge County Big Spurs National Wild Turkey Federation** – Motion made by Member Nash, second by Member Reding to approve the one day temporary gambling permit for the Dodge County Big Spurs National Wild Turkey Federation which will take place on March 4, 2006 at the Relay Station here in Mantorville. Motion passed unanimously.
- b. **4M Fund/City Investments** – The 4M fund is a Municipal Money Market Fund governed by the League of Minnesota Cities. It addresses the daily and long term investment needs of the City. The City currently owns several CD's that are both short term and long term investments. The 4M fund offers more flexibility and easier access to funds all under one roof. Motion made by Member Brannan, second by Mayor Carlson to pass Resolution 01-2006 A RESOLUTION AUTHORIZING MEMBERSHIP IN THE 4M FUND. Motion passed unanimously. As the City CD's come due, the amounts will be transferred to the 4M Fund per council approval.
- c. **RFP – City Comprehensive Plan** – A brief history of the compilation of the current city comprehensive plan which was started in 1999 but not formerly completed or adopted. The City will send out RFP's for professional assistance in the completion of the CP. The estimated cost could be from \$10,000 – to \$20,000. Motion made by Mayor Carlson, second by Member Nash to approve the mailing and publication of the RFP's for the City Comprehensive Plan. Motion passed unanimously. The City will be discussing more plans and idea's at the retreat scheduled for March 25, 2006.

7. TDB:

- a. **City Engineers Report** – City Engineer, Bill Angerman of WHKS, was present to discuss pay request #3 and the Supplemental pay request #1 to SJ Louis and Co. #3 was in the amount of \$37,763.81 and the supplement #1 was in the amount of \$43,707.16. Discussion took place regarding how to recoup the supplemental pay request due to problems with utility locating. Motion made by Member Brannan, second by Member Reding to approve the payments. Motion passed unanimously. Bill Angerman presented an

update on the proposed development plan that was submitted by Ron Alberts. Mantorville township is not in favor of the development and would like to see the numbers regarding the City's WWTP capacity. The township will be contacted to set up a meeting with City Engineer, City Attorney, City Clerk, and the Infrastructure Committee.

b. City Clerks Report –

- Cami reiterated the increased MDH fee that will take place on July 1, 2006. This fee is not imposed by the City but by the State. The current MDH fee is .44 cents per water hookup. The new rate will be .56 cents.
- The 2006 Local Board of Appeals date has been set for April 24, 2006 at 7:00 PM. Due to no Council members taking the required LBAE training, the Council will not act as the Board of Appeal. The County will act as the official Board of Appeal.
- Update from Assistant City Clerk Karen Khavari on the website progress. Notices have been sent to all committee's and organizations in the City who would like to have a link or have the City create a page for them on the new City web page. May 1 is the going live date tentatively set depending on how things go.

c. Council Members Report

- Mayor – Meeting with Staff, the MDH increase.
- Annie – Discussion on the Supplemental Pay agreement which was caused by KMTel not locating their utilities in the NW Water Sewer Project are. The supplemental pay agreement is for the extra work that SJ Louis incurred due to utilities not being located. Member Brannan asked that City Attorney Lee Bjorndal research ways to recoup the money from KMTel.
- Annie – regarding the horse issue, the horse is to stay put until the City Attorney brings back more information regarding what other City's do in these situations. A forum discussion will be held in late March to discuss current horse owners and the zoning ordinance.
- Luke – Will be bringing information regarding the arena at the next council meeting.

d. City Attorneys Report – City Attorney, Lee Bjorndal, was present and had no comments other than he is intending to send a list of items for discussion at the City Council Retreat scheduled for March 25, 2006.

e. Public Works Report –

- Matt Brekke, Public Works Streets Supervisor was present to update the Council on the going on's with his and Daves department. He explained the skid loader options. Repairing it is going to be costly and it would benefit the City to purchase a new one. Motion made by Mayor Carlson, second by Member Nash to permit Matt and Dave to look at and gather information on other skid loaders and bring their findings to the Council for future discussion. Motion passed unanimously.
- Discussion on the trading of the lawn mowers which has been done every two years in the past. Motion made by Member Brannan, second by Member Nash to make the trade as the city had budgeted. Motion passed unanimously.
- The tanks located underground across from Riverside Park will be pulled on or about March 21 depending on the weather. The two lots were deeded over to the EDA from the City. The EDA is intending to use them as

economic development in the future. The lots have been promised to be back to original condition prior to Marigold Days 2006.

- Council instructed Public Works to install new meters in all of the businesses in Mantorville. The original ones are old and outdated and there is some question to if they are reading correctly.
- Matt gave a list of the training schedule for him and Dave for 2006.

f. Committee/Board Reports

- Infrastructure Committee – Is working on setting up a meeting
- Personnel Committee – working on wage scales and job descriptions for personnel.
- Fire – nothing new
- Park Board – will be holding a Special Meeting on February 14 to go over interview questions for the applicants of the open positions.
- EDA – Quarterly Group meeting in February went very well. A lot of input was given.

8. Correspondence: FYI only

9. Executive Session: None – Matt Brekke, Public Works Streets Supervisor, requested to have his 6 month evaluation open to the public. Matt received many good comments both internally and externally. He has adapted quite well to his position and has taken many initiatives for new projects. He is a good fit for the City of Mantorville. The personnel committee recommended taking Matt Brekke off probation and making him a full-time permanent employee of the City. Motion made by Mayor Carlson, second by Member Brannan to accept the Personnel committee's recommendation. Motion passed unanimously with Matt receiving 2 extra days off for the 2006 year. The personnel committee is in the middle of reviewing wages for all staff therefore will be bringing to Council on April 1 their recommendations.

10. Discussion: - Discussion on the snow plowing done and if there is a policy in place. Staff is to work on one and present it to Council for discussion. Mayor Carlson met with Staff and gave an overview of that. Member Reding asked that the area on 7th and Walnut be sanded extra due to traffic and children for school. Member Reding asked that Matt contact the school and get a list of the bus route so the City can have the route sanded on days when the roads are slippery.

Motion made by Member Brannan, second by Member Nash to adjourn the meeting at 9:00 PM. Motion passed unanimously.

Respectfully Submitted

Camille Reber
City Clerk-Treasurer