

MINUTES OF COUNCIL MEETING
November 3, 2008

A regular council meeting was duly held on Monday, November 3, 2008 at 7:00 p.m. Members present, Robert Roesler, Kurt Olson, Jim Poirot, Brad Ringnell and Carroll Behne. Mayor Roesler presided. Also present, City Admin/EDA Dir Sack Thongvanh and Deputy Clerk Irene Schlaphoff.

Mary Cross was present for Public Comment regarding a tree next to her garage on the property line, and requesting that the City pay for the removal of the tree. Councilor Ringnell expressed that this should be done. Ms. Cross had been previously advised that she could trim the branches on her property. The tree is healthy and is not scheduled for removal.

Motion by Ringnell to approve the minutes as written and sent to each council member for study, and with one correction regarding the placement of benches and gazebo at Temperance Lake Ridge, second by Poirot, carried.

Motion by Ringnell to approve the agenda, second by Olson, carried.

Consent agenda including payment of bills and one addition, changing the next council meeting to Wednesday, November 19 at 6:00 p.m., was declared approved.

Following the second reading of Ordinance 2008-03 Amending Section 508.19 Limitation of Ownership to state "three dogs and three cats," motion by Ringnell to approve Ordinance 2008-03, second by Poirot. Councilor Behne moved to amend Ordinance 2008-03 to include "a combination of dogs and cats for a total of six." Upon clarification of intent, Behne's motion died for lack of a second. Roesler, yea; Olson, yea; Poirot, yea; Ringnell, yea; Behne, nay. Ordinance 2008-03 approved 4-1, effective upon publication.

Following the second reading of Ordinance 2008-04 Amending Section 508.20 to state "no kennels within City limits," motion by Ringnell to approve Ordinance 2008-04, second by Poirot. Olson, yea; Behne, nay; Ringnell, yea; Roesler, yea; Poirot, yea. Ordinance 2008-04 approved 4-1, effective upon publication.

Following the second reading of Ordinance 2008-05 Amending Section 701.06 Subd. 4 Parking Regulations to state "no parking on City streets when two or more inches of snow have accumulated," motion by Ringnell to approve Ordinance 2008-05, second by Olson. Poirot, yea; Roesler, yea; Ringnell, yea; Behne, yea; Olson, yea. Ordinance 2008-05 approved, effective upon publication.

Motion by Ringnell to approve Resolution 2008-27 Accepting Work Done on the West Fifth Street Project, second by Poirot. Behne, yea; Ringnell, yea; Poirot, yea; Olson, yea; Roesler, yea. Resolution 2008-27 approved.

Motion by Poirot to approve Resolution 2008-28 Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessments, second by Olson. Poirot, yea; Ringnell, yea; Roesler, yea; Olson, yea; Behne, yea. Resolution 2008-28 approved.

Motion by Ringnell to approve Resolution 2008-29 Setting Date of Hearing on Proposed Assessments for Wednesday, November 19, 2008 at 6:00 p.m., second by Poirot. Olson, yea; Poirot, yea; Behne, yea; Ringnell, yea; Roesler, yea. Resolution 2008-29 approved.

Bolton & Menk Engineer Greg Mitchell reported on various projects within the City:

- A defective light pole at the MCW parking lot was returned and will be installed soon.
- Contributing factors to area flooding on W Cargill and S Prairie Streets include a catch basin that freezes and the flooded garage that is lower than the street. A quick fix would be to lower the crown on S Prairie and W Cargill Streets to cause the water to flow eastward. In the past, numerous attempts to alleviate the problems have been made at the request of area residents.
- The street project on S Manyaska St and Fairmont Ave could possibly be done with another small project such as mill/overlay, at which time minor street repairs could be made.
- City engineer will put together estimates for the S Manyaska St/Fairmont Ave project.

Motion by Olson to accept the bid for the purchase of the 1993 Chevrolet pickup from Kevin Kahler in the amount of \$530, second by Behne, carried.

Motion by Olson to approve Resolution 2008-26 Adopting the Capital Improvement Plan and Equipment Replacement Plan, second by Ringnell. Ringnell, yea; Behne, yea; Poirot, yea; Roesler, yea; Olson, yea. Resolution 2008-26 approved.

Discussion was held regarding the Sherburn Theatre operations and improvements.

Admin report:

- State Hwy 4 lights are repaired, one is not working and may need a new fixture.
- State permits are in place for installation of Charter Communication/MidContinent cable lines at the fire hall. Easements are still needed.
- Fairmont Glass & Sign is working on the Theatre signs; City of Sherburn has made the required \$2000 down payment from donations received. The balance is expected to be paid by funds from Region 9.
- Memorial Clock parts have been ordered; Kuehl Electric will be doing the electrical work.
- As requested by the Task Force, a quote for lighting the Theatre signs has been received.
- Sherburn Chamber of Commerce paid the \$500 for lighting on the north City sign.
- Task Force volunteers will commence painting the Community Hall basement tonight.
- Fairmont Medical Clinic has accepted the new three-year Sherburn clinic lease agreement.
- Radio read software training will be held November 12th and 13th. To date, Travis Schuett has installed approximately 60 meters.
- Contractor estimates have been received for the cost of a restroom at the incubator space. The area may be under construction while being leased; a temporary facility may be needed.
- Investments in the 4M Fund will be tiered three months, six months and one year.
- Executive search firm Springsted, Inc has reviewed 15 applicants for the position of city administrator and six interviews will be held. Motion by Olson to conduct all interviews beginning 8:00 a.m. on Monday, November 17, 2008, second by Poirot, carried.

Councilor Ringnell learned that the highway lights north of I-90 are City responsibility per contract with the State of Minnesota. These lights will be checked by an electrician.

Motion to adjourn by Ringnell, second by Behne. Meeting declared adjourned at 8:50 p.m.

Irene Schlaphoff, Deputy Clerk