

MINUTES OF COUNCIL MEETING
August 15, 2011

A regular council meeting was duly called to order by Mayor Robert Roesler at 5:00 p.m. on Monday, August 15, 2011 with members Robert Roesler, Carroll Behne, Kurt Olson, Jeff Ross and Brad Ringnell present. Absent, none. Also present, Deputy Clerk Irene Schlaphoff.

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

Motion by Ringnell to approve the minutes of the August 1, 2011 and August 9, 2011 council meetings as written and sent to each council member for study, second by Behne, carried.

Consent agenda including payment of bills was declared approved.

At this time the Public Hearing to approve Ordinance 2011-01 Amending Sherburn City Code Section 901.04 Subd 3c to allow medical clinics and physical therapy centers in R-2 Multiple Family Districts was called to order. Community members who had spoken with Mayor Roesler were in agreement with this amendment; Char Kitner was present to inquire how this would affect her property, and was assured that this would not change the zoning of her property. The Public Hearing was declared adjourned at 5:07 p.m.

The regular council meeting reconvened with a motion by Ross to adopt Ordinance 2011-01 Amending Sherburn City Code Section 901.04 Subd 3c Zoning District, Multiple Family Residential Conditional Uses to Include Medical Clinics and Fitness Centers, second by Ringnell. Behne, yea; Olson, yea; Ross, yea; Ringnell, yea; Roesler, yea. Ordinance 2011-01 approved and effective upon publication.

As Chair of the Theatre Committee appointed by Mayor Roesler to seek a manager for the Sherburn Theatre, Stephanie Wohlhuter was present with the committee's recommendation. After review of eight applications, three interviews were conducted. Mrs. Wohlhuter stated that while all three were excellent candidates, it was the recommendation of the committee to hire Michael and Kathryn (Nikki) Schwartz of Jackson, Minnesota as theatre managers, which will provide a smooth transition into new management. In addition, upon review of the theatre lease document, the committee submitted several recommendations for clarification and update. Motion by Ringnell to approve the hiring of Michael and Kathryn Schwartz as theatre managers, as well as all recommendations for updating the lease document as submitted by the Theatre Committee, second by Behne, carried. Mrs. Wohlhuter informed the council that theatre passes will continue to be honored for a period of time, since it is unknown as to how many passes are in circulation at this time.

Mayor Roesler offered a motion of appreciation and thanks to Stephanie Wohlhuter and her Theatre Committee for their time and effort in the selection of theatre management, second by Olson, carried.

As further recommended by the Theatre Committee, motion by Roesler to hire ServiceMaster Professionals to clean all carpets, the aisle and ceiling fans at the Sherburn Theatre, second by Ringnell, carried.

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Motion by Olson to reimburse new theatre managers Michael and Kathryn Schwartz for the expenses they incurred during the transition period upon receipt of the invoices, second by Ringnell, carried.

Motion by Ringnell to approve Resolution 2011-13 Approving State of Minnesota Joint Powers Agreements with the City of Sherburn on Behalf of its City Attorney Johnson, Berens & Wilson, second by Ross. Ringnell, yea; Ross, yea; Olson, yea; Behne, yea; Roesler, yea; Resolution 2011-13 approved. This resolution grants City Attorney James A. Wilson access to the BCA database for the purpose of electronic processing of criminal charges.

Motion by Olson to approve Resolution 2011-14 Authorizing City Attorney James A. Wilson to sign a Request Form for Court Integration Services and a Master Subscriber Agreement for Minnesota Court Data Services on Behalf of the City of Sherburn, second by Ringnell. Olson, yea; Behne, yea; Ross, yea; Ringnell, yea; Roesler, yea; Resolution 2011-14 approved. This resolution grants City Attorney James A. Wilson access to the court database for the purpose of electronic processing of criminal charges.

The Sherburn Fire Department submitted a request to engage the services of Development Services, Inc. to assist in writing a ten percent matching funds FEMA grant application for the purchase of a tanker. Councilor Ross felt that if set-aside funds were to be used for a larger down payment, the terms of the application could request a lesser amount, thereby increasing the chances of approval. Motion by Olson to approve funding the grant writing services of Development Services, Inc. in the amount of \$600 for the purchase of a tanker, second by Behne, carried. Councilor Olson advised that any FEMA grant award should be received by the City of Sherburn.

Motion by Roesler to appoint a committee consisting of Jeff Ross and Kurt Olson to select a vegetative snow break for Temperance Lake Ridge to be planted yet this fall, and to determine its best location, second by Ringnell, carried.

Council was informed:

- MCW has requested the use of the fire hall parking lot on August 29 for a bus driver defensive driving course. Motion by Ringnell to approve this request, second by Ross, carried.
- A pre-construction meeting for the East Cargill/West First Street project is scheduled for Wednesday, August 17, 2011 at 2:00 p.m. All utilities involved will be represented; work is expected to begin on August 19, 2011.
- City offices will be closed the morning of Wednesday, August 17, 2011 for e-notary training to take place at the Law Enforcement Center.

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- September 5th council meeting must be postponed because of Labor Day and budget workshops will need to be scheduled so that the proposed levy can be certified on or before September 15, 2011. Motion by Ringnell to move the next council meeting to September 12, 2011 at 5:00 p.m., second by Ross, carried. Motion by Ringnell to hold the first budget workshop meeting on Wednesday, August 24, 2011 at 5:00 p.m., second by Olson, carried.
- Sherburn Fire Department is requesting installation of a flag pole using an old street light pole. Motion by Olson to approve the request for a flag pole at the Sherburn Fire Hall, second by Behne, carried.

Councilor Ringnell inquired if the punch list for the N Osborne/W First Street project included gravel where W First Street transitions to asphalt, and seeding by the bus garage. Mayor Roesler ordered the storm sewer intakes cleaned off as soon as possible while we still experience dry conditions; Councilor Ross inquired about the catch basins on Lynn, Third and Osborne Streets. Council was again informed that these areas are being investigated by Bolton & Menk and will be repaired with the E Cargill/W First Street project. Councilor Behne reported a street light out on South Main Street.

Mayor Roesler related several requests for information needed by Stuart Bailey of Miller Architects & Builders, and shared the tentative schedule for the proposed expansion of Temperance Lake Ridge memory care, culminating in a November 2011 construction start, should this project be approved.

Council wishes to remind citizens not to blow grass in the streets, as this clogs storm sewer intakes.

Motion to adjourn by Ringnell, second by Olson, carried. Meeting declared adjourned at 6:00 p.m.

Irene Schlaphoff, Deputy Clerk