

**CITY OF ST. CLAIR
REGULAR CITY COUNCIL MEETING
TUESDAY, JANUARY 8, 2008**

The meeting was called to order by Mayor Brian Lynch at 7:30 p.m. The meeting was held in the Meeting Room of the St. Clair City Hall, 304 Main Street West, St. Clair, Minnesota. Council Members present: Mayor Lynch, Doug Westphal, Julie Spear, Michael Hughes and Sharon Miller. Council Members absent: None. City Staff present: Deb McCollum, Catherine Seys and Fire Chief Bill Fitzloff. Others present: Roger Otto, Ralph Buesing, Mark Frahm, Frank Morrill, Jerry Pietz and Nancy Schleuter.

The minutes of the regular December meeting were approved with a motion by Westphal, seconded by Hughes and carried with all in favor.

The bills for the month of December were approved with a motion by Spear, seconded by Miller and carried with all in favor.

BURNING PERMIT REQUEST

Jerry Pietz was present to discuss and request a Burning Permit to burn trees and brush on his property on the north side of the LeSueur River. Currently the City Burning Ordinance only allows a 3' X 3' recreational fire. Fire Chief Bill Fitzloff expressed concern regarding the CRP field adjacent to the Pietz property. Due to the large amount of trees and brush, Fire Chief Fitzloff estimated that the burn will last 2 to 3 days. The unique circumstances of the situation were discussed (property is across the river, there are no structures on the property or in the immediate vicinity, due to the size and amount of trees and brush removal by other means is cost prohibitive, etc.). After considerable discussion a motion was made by Westphal, seconded by Hughes to amend the Open Burning Ordinance to allow for issuance of a Burning Permit. Such Burning Permit shall be issued at the sole discretion of the City Council and only when unique circumstances warrant such issuance. Motion carried with Westphal, Hughes, Spear and Lynch in favor and Miller opposed. Burning Permit conditions were discussed. Motion by Hughes, seconded by Spear to approve a Burning Permit for Jerry Pietz with the following restrictions:

1. Permit Duration: 60-days. Permit shall expire March 8, 2008.
2. Materials: Only trees and brush may be burned.
3. Prior Notification: 911 dispatch and the Fire Chief and/or the City Clerk must be notified prior to the burn.
4. On-Site Requirement: Someone must be on-site at all times for the duration of the burn.
5. Wind Conditions: Burning must be done when there is not wind or a slight south wind.
6. Traffic Hazard: Conditions must be monitored to avoid a traffic visibility hazard from smoke blowing across Co. Rd. 28 North.
7. Costs: All costs associated with the burn shall be the responsibility of the property owner.

The Burning Permit fee shall be \$10.00. Motion carried with Hughes, Spear, Westphal and Lynch in favor and Miller opposed.

WATER SYSTEM PROJECT UPDATE

The Well and Water Treatment Facility Project are on schedule. Jeff Domras, Bolton and Menk, continues to work with representatives from Rural Development on approval of the supplemental conditions.

DiMar Construction has submitted Pay Estimate # 8 in the amount of \$35,469.67 for the Water Treatment Facility Project. Motion by Westphal, seconded by Hughes to approve payment of Di-Mar Construction Pay Estimate #8 for \$35,469.67. Motion carried with all in favor.

STATE BUILDING CODE

A public hearing was held at 6:00 pm this evening to discuss and solicit public input with regard to adoption of the State Building Code. Motion by Hughes, seconded by Miller to proceed with steps towards adoption of the State Building Code. Motion carried with all in favor.

FIRE CHIEF'S REPORT

Fire Chief Bill Fitzloff reported on the following:

1. The Fire Dept. responded to 95 calls for 2007.
2. Township fire contracts were discussed. Contracts expire March 31, 2008. Motion by Miller, seconded by Hughes to authorize Fire Chief Fitzloff to proceed with negotiation of 3-year fire contracts with the 5 townships (McPherson, Decoria, LeRay, Medo and Mankato). Motion carried with all in favor.
3. Chief Fitzloff and other Fire Dept. members went to Forstner's in Madelia on January 7th to review progress on the new fire truck. Some compartment changes were made. Painting will be done next week.

PUBLIC WORKS DEPT. REPORT

Public Works Dept. employee Deb McCollum reported on the following:

1. A seal went out on a pump at the Post Office Lift Station. The pump was pulled and repaired.
2. It was suggested that the City have Zumbro Valley do additional spraying at the Riverbank Erosion area again in 2008.

CITY CLERK'S REPORT

City Clerk-Treasurer Catherine Seys reported on the following:

1. The appointments for 2008 were reviewed and discussed. Motion by Westphal, seconded by Hughes to approve Resolution # 2008-01-08(a) "2008 Organization and Appointment Resolution" with the exception of Legal Advisor and Building Official. Legal Advisor and Building Official will be further discussed at the regular February City Council meeting. Motion carried with all in favor.
2. The fee schedule for 2008 was reviewed and discussed. Motion by Hughes, seconded by Miller to approve Resolution # 2008-10-08(b) "Resolution Setting Fees, Rates and Compensations". Motion carried with all in favor.
3. Due to the MN Precinct Caucus the regular February and March City Council meetings need to be rescheduled. Motion by Miller, seconded by Spear to schedule the Regular February City Council meeting for Tuesday, February 12, 2008 at 7:00 p.m. and schedule the Regular March City Council meeting for Monday, March 3, 2008 at 7:00 p.m. Motion carried with all in favor.
4. Motion by Hughes, seconded by Westphal to impose a 90-day moratorium on review, filing or approval of any preliminary plat on the recently annexed (Bestmann and Progress Land) properties. Such moratorium shall allow for Council review and update of Subdivision, Shoreland, Flood Plain and Zoning Ordinances. Motion carried with all in favor. A Council Workshop will be held Tuesday, February 12th at 5:00 p.m. to review such ordinances.

CITY COUNCIL MEMBER REPORTS

1. Council Member Westphal reported on the EDA meeting held Monday, January 7th at 5:00 p.m. Items discussed included playground equipment and residential sales information for 2007. St. Clair School Superintendent Tom Bruels was present and discussed School budget concerns.
2. Council Member Hughes attended the December School Board meeting. Items discussed included budget concerns, projected loss, cutting salaries and services and the resignation of School Board Member Barb Embacher.

OTHER MISCELLANEOUS BUSINESS

School Board Member Mark Frahm noted that City concerns regarding the dirt hauled onto School property west of the athletic field was discussed. The area will be surveyed, graded and sloped to direct water away from the adjacent residential neighborhood.

Nuisance concerns (collapsed garage, inoperable/unlicensed vehicles and dumpster) were discussed.

Meeting adjourned at 9:30 p.m. Motion to adjourn was made by Miller, seconded by Hughes and carried with all in favor.

Catherine Seys, City Clerk-Treasurer