

CITY OF ST. CLAIR
REGULAR CITY COUNCIL MEETING
TUESDAY, DECEMBER 7, 2010

The meeting was called to order by Mayor Douglas Westphal at 7:00 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 Westphal, Julie Spear, Mike Hughes, Jerry Phillips and Tom Karels, Sr. Council Members absent: None. City Staff present: Dennis Seys, Catherine Seys and Fire Chief Bill Fitzloff. Others present: Mark Frahm, Geoff Thornes, Chris Cousins, Jeff Domras (Bolton and Menk), Kel Schnittger and Jerry Pietz.

APPROVAL OF MINUTES AND BILLS

The minutes of the November 9, 2010 Regular City Council meeting were approved with a motion by Karels, seconded by Spear and carried with all in favor.

The bills for the month of November were approved with a motion by Phillips, seconded by Hughes and carried with all in favor.

109 MAIN STREET EAST

Kel Schnittger was present and reported the following with regard to the property at 109 Main Street East: City Building Inspectors Dan Murphy and Mike Benson inspected the main floor and the south basement of the building on Thursday, December 2nd. It was noted that they were unable to access the north basement or the upstairs of the building (including the roof, etc.). Mr. Murphy and Mr. Benson stated that the portions of the building they were able to inspect appeared to be structurally sound. It was further noted that Mr. Murphy and Mr. Benson noticed some electrical concerns and contacted the State Electrical Inspector with regard to those concerns. Ms. Schnittger requested that the City review the Zoning Ordinance with regard to the Central Business District and clearly define that a percentage (i.e. 40%) of the first floor must be occupied by a business. Currently, the City Zoning Ordinance states the following under Subd. 3. Permitted Uses in the Central Business District (item a.): "All uses permitted in the R-1 District, except that dwelling units may not occupy first floor store frontages." The Council discussed the request and questioned enforcement. The City Clerk will check with other cities in the area to see how their Zoning Ordinance defines the business space and further how enforcement is addressed.

JERRY PIETZ PROPERTY (NORTH SIDE OF LeSUEUR RIVER)

Jerry Pietz was present to discuss the 7.8 acre property he owns located in City limits on the north side of the LeSueur River. Mr. Pietz discussed his desire to sell the property. Mr. Pietz also discussed the impact of the recent flood on the property. In reviewing the flood plain map provided by Blue Earth County only the northeast corner of the property appears to be buildable. Currently Blue Earth County has the property valued at \$102,400. Mr. Pietz offered to sell the property to the City for \$75,000 for a possible park and canoe landing. Mr. Pietz also noted that he would consider selling the property on a Contract for Deed. The Council briefly discussed the offer and explained to Mr. Pietz that the City does not have the funding for such a purchase. The Council further stated that they would research possible grant funding. Mr. Pietz stated that he doesn't currently have the property listed for sale and was agreeable to giving the City time to research funding options and further consider the matter.

FLOOD UPDATE

Jeff Domras, Bolton and Menk, was present to discuss the Wastewater Treatment Plant (WWTP) generator. At the November City Council meeting the Council made a motion to declare the old generator (damaged by the flood) as surplus property and to sell the generator on the State of Minnesota auction site (MinnBid). Mr. Domras explained that the MinnBid website is an online auction service where public entities can sell surplus equipment. Mr. Domras posted the generator on the MinnBid site, the auction closed on Friday, December 3rd with the high bid

being \$6,775.00. Appropriate paperwork and purchase requirements will be completed and the buyer will make arrangements to pick up the generator in the near future.

Mr. Domras also noted that the new charcoal filter for the sludge storage unit has been installed. The old charcoal filter was damaged during the flood.

FEMA UPDATE

The City Clerk-Treasurer reported that she has several meetings with the FEMA Project Specialist and FEMA paperwork and documentation is being compiled and completed for submission to FEMA.

2011 FINAL BUDGET AND LEVY

The final 2011 Budget/ Levy was briefly discussed. Mayor Westphal opened the meeting to public comment with regard to the final 2011 Budget and Levy. There being no public comment a motion was made by Spear, seconded by Hughes to approve the final 2011 Budget and Levy. Motion carried with all in favor.

FIRE CHIEF'S REPORT

Fire Chief Bill Fitzloff reported on the following:

1. The Blue Earth County Fire Chief's are meeting at the end of the month to decide on the radio purchase.
2. The Fire Dept. Thermal Imaging Camera will be sent in for repair in the near future.
3. The Township Fire Contracts are up March 31, 2011. Fire Contract negotiations with the 5 Townships will begin after the first of the year.

PUBLIC WORKS DEPT. REPORT

Public Works Dept. Supervisor Dennis Seys reported on the following:

1. The LawnPro service renewal and pre-payment agreement for 2011 was discussed. Motion by Karels, seconded by Phillips to approve the LawnPro service renewal and pre-payment agreement for 2011, with spring and fall applications at Memorial Park and the Water Tower property and fall application only at the Wastewater Treatment Plant. Motion carried with all in favor.
2. Mr. Seys discussed an ongoing problem with vehicles parked on streets during snow plowing. The City Clerk noted that the City Snow Plowing and Removal Ordinance allows for towing and impounding of vehicles parked on the street longer than twenty-four (24) hours after a snowfall event and have prohibited the complete clearing of the street. An item highlighting a summary of the City snow plowing regulations will be included with the December City Newsletter. The Public Works Dept. will put flyers on vehicles in violation of the Snow Plowing and Snow Removal Ordinance reminding owners to use off-street parking during and after snowfall events until streets are plowed curb to curb. If problems continue vehicles will be towed and impounded. The City Clerk-Treasurer will contact Joe Styndl (Blue Earth County Public Works Dept.) regarding the towing procedure on County Roads.

CITY CLERK-TREASURER'S REPORT

City Clerk-Treasurer Catherine Seys reported on the following:

1. The Bestmann property was discussed. As discussed at the November City Council meeting, the Bestmann family has petitioned the Office of Administrative Hearings, Municipal Boundary Adjustment, for detachment from the City. The City Clerk-Treasurer has discussed the matter with the City Attorney. After researching the matter the City Attorney has recommended that the City not contest the detachment, stating that contesting the detachment could be quite costly and it is unlikely that the City would win. Motion by Hughes, seconded by Phillips to follow the recommendation of the City Attorney and not contest the Bestmann property detachment. Motion carried with all in favor.

2. School Superintendant Tom Bruels and Mayor Westphal have discussed holding a flood debriefing meeting. Mr. Bruels, representatives from the School Crisis Management Team, Mayor Westphal, the City Clerk-Treasurer, the Public Works Supervisor, the Fire Chief and Blue Earth County Emergency Management representatives will be among those invited to attend. The meeting will be scheduled after the first of the year.
3. The South Central Safety Committee (SCSC) met on November 17th in Good Thunder. Winter emergencies, year-end review and the 2011 training schedule were among topics discussed.
4. The closing of the Rural Development loan for the Water Tower was discussed. A Special City Council meeting will be held on Tuesday, December 14th at 5:00 p.m. at City Hall to complete necessary paperwork required prior to the loan closing.
5. The City will have a Christmas Tree Drop-Off Site near the gate to the Wastewater Treatment Plant.

CITY COUNCIL MEMBER REPORTS

1. The EDA hosted Donuts with Santa and Mrs. Claus on Saturday, December 4th from 9:00 a.m. to 11:00 a.m. Approximately 50 children participated in the event.
2. Mayor Westphal attended the November School Board Meeting. Mayor Westphal expressed his appreciation to School Board Member Mark Frahm for serving as the liaison between the School Board and the City Council and attending the City Council meetings. Council Member Karels will attend the December 20th School Board meeting.
3. Mayor Westphal attended the Blue Earth County Mayors and Clerks Association meeting in Vernon Center on November 18th. Sarah Beiswanger, Region 9 was the speaker for the evening.

Mayor Westphal expressed his appreciation to Council Member Julie Spear and Council Member Mike Hughes for their years of service on the City Council. Thank you Julie and Mike!!

Meeting adjourned at 8:07 p.m. Motion to adjourn was made by Phillips, seconded by Hughes and carried with all in favor.

Catherine Seys, City Clerk-Treasurer