

CITY OF FRAZEE

REGULAR COUNCIL MEETING

June 11, 2007

The regular meeting of the Frazee City Council was called to order at 7:00 p.m. by Mayor Ludtke. Council members present were Miosek, Ouart, Trieglaff, and Dermody.

Open Forum

Laurie Mullen from Western Area City County Cooperative (WACCO) presented a defibrillator to the Police Department that was made available through a donation received by WACCO; provided information to the police department on safe communities; discussed upcoming training; and showed a video about child abuse awareness.

Consent Agenda

MOTION by Ouart, seconded by Dermody, to approve the consent agenda items as follows:

- Approve a raffle permit for the Knights of Columbus.
- Approve the minutes from the May meeting.
- Approve the City bills for payment, with one correction.
- Approve the Liquor Store bills for payment.

All present in favor, motion carried.

Staff Reports

Ken Miosek provided a Rescue Squad report that included 13 calls, 59 call hours, and 30 training hours for the month of May; over 400 people turned out for the pancake feed; and officers were recently elected.

Paul Thon, Fire Chief, reported 2 calls and 88 training hours for the month of May; an open house for township and city officials was held on May 17th; a car rollover training in the industrial park included several area departments on May 18th; a fundraiser at the Frazee Bar raised over \$3800; and a county-wide disaster drill is planned for September 19th.

Larry Stephenson, Public Works Superintendent, reported that 4,025,000 gallons of water was pumped and 3,350,000 million gallons were treated at the wastewater facility in May; the heavy rain has caused problems to Evans Road; new street signs have been installed at Red Willow Heights; and recommended the purchase of a new plow truck from the City of Coon Rapids at our bid price of \$21,500.

MOTION by Dermody, seconded by Miosek, to approve the bid and purchase of the plow truck for \$21,500. Stephenson stated that other similar trucks were priced between \$25,000 and \$30,000. Trieglaff asked about the amount that was budgeted for the expenditure; Klemm stated that \$20,000 was budgeted. All those in favor, motion carried.

Mike Lorsung, Police Chief, reported 343 calls for the month of May and 1,191 calls for the year, and Officer Johnson was responsible for catching the two suspects in the grocery store break-in.

Jonathan Smith, Liquor Store Manager, reported bookings in the Event Center for every weekend the next two months except the last weekend in June and the first two in July; the liquor store will be providing live entertainment for the Saturday of Turkey Days; a new ice cooler was installed in the off-sale; and remodeling of the off sale is being explored.

Old Business

Kelcey Klemm, City Clerk-Administrator, provided an overview of the variance application submitted by Kevin Bartel to expand his existing garage and explained that Bartel had received a building permit prior to the zoning approval and Bartel did not attend the previous meeting because he thought that the project was approved. Bartel was present to answer questions of the Council regarding the application. Bartel provided a petition of the adjacent property owners supporting the project; Bartel stated that the sod and hole has already been dug for the expansion. Dermody stated that beginning the project before zoning approval was premature; Bartel replied that construction began because of receipt of the building permit. Dermody asked if the existing building is full; Bartel replied that additional space is needed and that the addition will improve the property.

MOTION by Trieglaff, seconded by Ouart, to approve the variance request for Kevin Bartel at 204 Juniper Avenue East. Dermody raised concern about setting a precedence and vulnerability to similar requests; Ouart replied that each application should be reviewed case-by-case. Trieglaff commented that the variance should not be necessary because the existing building already exceeds the requirements of the zoning ordinance and acquisition of the adjacent lot would provide a remedy to the lot size requirement; Bartel replied that the land is not available to be purchased. Trieglaff stated that it was unfortunate that the building permit was mailed but one mistake should not lend for another one to be made. Miosek, Ouart, and Ludtke voting in favor with Dermody and Trieglaff voting in opposition, motion carried.

New Business

Doug Britain from Legacy Senior Services (LSS) and Marlene McGuire from the Frazee Care Center were present to explain the sale of the health care facility to LSS, a nonprofit organization. The current owner, Health Dimensions, will remain the manager of the complex and the operations will not change. Legacy Senior Services is requesting the city to issue tax exempt bonds to provide conduit financing for the project. In return, LSS intends to invest over one million dollars worth of improvements into the existing complex and a payment-in-lieu-of-taxes agreement will be made with the City to offset the lost in tax value. Ludtke asked Britain if they have done similar projects; Britain replied in the affirmative and that the company currently owns three facilities in Wisconsin. Ludtke asked Klemm how the financing would impact the City's bond rating; Klemm provided a memo from David Drown & Associates, the City's financial

advisor, stating that if the project is done properly there will be no impact to the City's bond status. City Attorney Charlie Ramstad was in attendance and clarified that the resolution being requested would only schedule a public hearing on the issue and not bind the City to any obligations.

MOTION by Trieglaff, seconded by Miosek, to approve Resolution No. 0611 -07A, scheduling a public hearing at 6:30 p.m. on July 16th to consider the Frazee Care Center sale project. All present in favor, motion carried.

MOTION by Ouart, seconded by Dermody, to approve Resolution No. 0611 -07B scheduling a public hearing at 6:45 p.m. on July 16th to consider the vacation of 3rd Street Southwest. Trieglaff asked if the street right-of-way could be sold to the adjacent land owners; Ramstad stated that the City is simply vacating its interest in the land but is not selling it. Stephenson mentioned the possible need for a storm water easement; Ramstad stated that the street can be vacated and a utility easement can be retained. All present in favor, motion carried.

Lorsung provided a list of outstanding nuisance violations.

MOTION by Ouart, seconded by Miosek, declaring the bikes and debris existing at 309 Ash Avenue West are a nuisance affecting health and safety as cited by Ordinance No. 111, Section 4, Subsections 13 & 14, and the property owner has until June 18, 2007, to remove the violation and failure to do so will cause the City to either abate the nuisance and assess the cost against the property owner or refer the matter for criminal prosecution at its option. All present in favor, motion carried.

MOTION by Trieglaff, seconded by Dermody, declaring the camper and automobile existing at 306 Main Avenue West are a nuisance affecting health and safety as cited by Ordinance No. 111, Section 4, Subsections 13 & 14, and the property owner has until June 18, 2007, to remove the violation and failure to do so will cause the City to either abate the nuisance and assess the cost against the property owner or refer the matter for criminal prosecution at its option. All present in favor, motion carried.

MOTION by Ouart, seconded by Dermody, declaring the snowmobiles, snow blower, and other debris existing at 608 Cherry Avenue are a nuisance affecting health and safety as cited by Ordinance No. 111, Section 4, Subsections 13 & 14, and the property owner has until June 18, 2007, to remove the violation and failure to do so will cause the City to either abate the nuisance and assess the cost against the property owner or refer the matter for criminal prosecution at its option. Lisa Beyer, property owner, was present to dispute the claim stating that the snowmobile is a collector and it will be repaired and questioned why the snow blower violates the ordinance. Lorsung replied that the snow blower must be functional and commented that the property has improved. Trieglaff stated that items in the yard, such as a snow blower, are not necessary. Lorsung will reinspect the property and discuss the items with the property owner. All present in favor, motion carried.

MOTION by Trieglaff, seconded by Miosek, declaring the weeds, fish house, and miscellaneous items existing at 307 Juniper Avenue West are a nuisance affecting health and safety as cited by Ordinance No. 111, Section 4, Subsections 13 & 14, and the property owner has until June 18, 2007, to remove the violation and failure to do so will cause the City to either abate the nuisance and assess the cost against the property owner

or refer the matter for criminal prosecution at its option. Ludtke commented that the property was being mowed that night. All present in favor, motion carried.

Dermody asked about properties that have numerous vehicles that are licensed and operational on their property whether that is allowed; Lorsung explained that the nuisance ordinance requires them to be licensed and operational. Trieglaff provided a survey that he conducted analyzing the number of large items that are located in yards; he stated that the Council should consider an ordinance that limits the number of large items that you can have in your yard and prohibits parking vehicles in the rear and side yards

MOTION by Ouart, seconded by Dermody, to schedule a joint meeting with the school board with a tentative date and time of August 20th at 7 p.m. All present in favor, motion carried.

MOTION by Miosek, seconded by Dermody, to approve a letter requesting the sale of the Swift parcel from Becker County to the Frazee EDA. All present in favor, motion carried.

Councilmember Reports

Dermody asked Lorsung about instituting a voluntary police auxiliary; Lorsung explained some of the problems associated with the auxiliary but will continue to research it.

Dermody requested to be removed from the Park & Recreation committee because of no meetings being held.

MOTION by Dermody, seconded by Ouart, to accept the resignation of Dermody from the Parks and Recreation committee. All present in favor, motion carried.

MOTION by Trieglaff, seconded by Dermody, to approve placement of Ouart on the Liquor Store committee. All present in favor with Ouart abstaining, motion carried.

Clerk-Administrator

MOTION by Dermody, seconded by Trieglaff, to approve the liquor and cigarette license renewals for 2007. All present in favor, motion carried.

MOTION by Miosek, seconded by Ouart, to approve the temporary liquor permits for the Frazee Lions and Frazee VFW for Turkey Days. All present in favor, motion carried.

MOTION by Trieglaff, seconded by Ouart, to change the July meeting to the 16th. All present in favor, motion carried.

Having no further business, motion by Miosek to adjourn, meeting was adjourned.

ATTEST:

Kelcey Klemm, City Clerk/Treasurer/Administrator