

City of Goodview  
City Council Minutes  
May 18, 2009

The meeting was called to order by Mayor Jack Weimerskirch at 5:00 p.m.

The Pledge of Allegiance was said.

Upon Roll Call: Mayor J.P. Weimerskirch, and Councilmembers Dick Ledebuhr, Charlie Andring, Steve Baumgart, and Sandy Erdman were present.

City Staff Present: City Administrator Dan Matejka, Director of Public Works Greg Volkart, Police Chief Kent Russell, First Responders Director Andrew Prunty, and Maintenance II worker Dave Schultz.

Police Chief Russell introduced two new part-time police officers recently hired by the City. Nicole Norman has recently worked for the City of Winona Police Reserves, and Nick Walch who has been a member of the Goodview Police Reserves and also works some in Wisconsin.

Consent Agenda: Councilmember Andring moved and Councilmember Erdman seconded to approve the Consent Agenda as presented. The agenda included the minutes of the May 4, 2009 regular meeting of the Goodview City Council, and the May, 2009 claims (reviewed by Councilmembers Andring and Erdman). The claims totaled \$523,758.14 for the following operating funds:

General Fund	\$125,858.75
Revolving Projects Fund	362,073.75
Water Service Fund	20,782.94
Sewer Service Fund	15,042.70

All voted aye, and the motion carried.

There was no Community Comments/Input.

Councilmember Andring brought up the fact it seems like we have a geese problem at LaCanne Park again this year. He asked if there is anything the City can do to get rid of them, of which he was told that any method to accomplish this is either too expensive, or will not work in the long run. He also questioned if the City has done any bacteria testing of the lake yet this year, of which he was told the first testing normally takes place when the weather gets warmer and more swimmers use the lake. According to Director of Public Works Greg Volkart, the lake was tested last fall and it was okay. Councilmember Baumgart thanked both Police Chief Russell and Officer Travis Volkman for attending

the Law Enforcement Memorial held last week. Councilmember Erdman suggested the City place an ad or does a story for the newspaper about what projects require building permits through the City. She also suggested this same thing as a reminder to dog owners about cleaning up after their dogs and not letting them run loose in public. The Councilmember also informed the Council she is writing an article for the Rochester Post Bulletin about Mr. and Mrs. John Bannon and the opening of their new furniture store on Sixth Street. Finally, she questioned where City residents could take old tires and/or dispose of unused oil, and if there isn't something the City could do to organize a pick-up and/or a drop-off for such materials. It was suggested she contact the Winona County Hazardous Waste facility for information. Mayor Weimerskirch mentioned he represented the City in the interview process to hire the new Winona County Administrator. There was a good balance of smaller units of government represented, including St. Charles and Rollingstone Township. He said the five finalists all were good candidates and all would do the job well, but the one the County chose to offer the job to was his first choice after the interviews. The Mayor also mentioned a phone call he received concerning a problem with a road in the Saehler addition, of which Mr. Volkart took care of.

At 5:14 p.m., the Mayor closed the regular meeting and opened the public hearing for the purpose of considering an application for a twelve foot variance in the front yard setback requirement for the property located at 4840 Eighth Street for the construction of a deck. Mr. Ken Johnson told the Council the deck is 10' x 12' and about 24' high. The City Administrator informed the Council the City did not receive any comments on the request. All the members of the Council indicated they reviewed the request and don't see any problems with it. Councilmember Ledebuhr moved and Councilmember Andring seconded to approve the variance as requested. All voted aye, and the motion carried.

The Mayor closed the public hearing at 5:16 p.m., and re-opened the regular meeting.

The Building Permit report for the first four months of 2009 was reviewed by the Council. Councilmember Baumgart questioned why there wasn't any value given for the siding project at the Ronald Maul property (4690 9<sup>th</sup> Street). The City Administrator indicated he will check into this and report back to the Council.

City Administrator Dan Matejka gave the Council an update on the most current happenings at the State Capitol concerning the budget negotiations for the next biennium. This included discussion about the possibility the Governor will unallot appropriations of Local Government Aid (LGA) to help balance the budget. He also informed the Council the City has received unofficial word that the City's request for additional funds from the MN DNR for the Lake Goodview Outlet project has been granted. Final word should come within the month.

The announcement from the League of MN Cities concerning openings on the Board of Directors was reviewed by the Council.

The thank you from Mr. and Mrs. John Bannon was acknowledged by the Council.

There was no Unfinished Business this month.

Councilmember Andring moved and Councilmember Erdman seconded to approve Pay Estimate #10 for the Water Treatment Facility Plant #1 & #2 Project for \$190,191.90. Councilmember Andring questioned if the project is still on schedule, of which Greg Volkart pointed out it will be tough to meet the June 1 deadline, but the system has to be compliant by July 1, 2009. All voted aye, and the motion carried.

Councilmember Erdman moved and Councilmember Baumgart seconded to approve Pay Estimate #2 for the 2008-B Utility and Street Improvement Project: Gunderson and Hub-Mill subdivisions for \$269,953.62. All voted aye, and the motion carried.

Councilmember Ledebuhr moved and Councilmember Andring seconded to approve Pay Estimate #4 for the 2008 Utility and Street Improvement Project: Saehler-Anderson subdivisions for \$122,545.72. All voted aye, and the motion carried.

Residents from the Lake Village Resident Association were present to ask the Council to create an ordinance making it mandatory to have an "on-site" manager in their park at all times. The City Administrator informed the Council he reviewed the request with the City Attorney, and his opinion is this is a civil/private matter between the residents and the park management and the City shouldn't get involved legally. The residents want the City to define "readily available" which is the term used in both the State and County handbooks for the management of manufactured home parks. It was suggested, not only by the City but also by the State Attorney General's office, the residents work with the County Attorney and the County Environmental Health offices first, and then move on to the County Commissioners if need be. Also, to potentially change the language used in State Statute 327.20 subd. 1, they should work with local State Representatives and Senators to start the process. No motion was made to enact or pursue the drafting of an ordinance as requested at this time.

These same residents asked the City to draft an ordinance giving the City's Police Department more authority within the park. Per Police Chief Russell, certain traffic violations can't be enforced because it is private property. For example the stop signs in the park aren't of legal size, thus they are unenforceable. Other non-traffic related City ordinances (i.e.; dogs, noise, etc.) are enforceable by law. It was suggested the residents talk with management about installing legal stop sizes to help with traffic control. Once again no motion was made to enact or pursue the drafting of an ordinance as requested. Concerning both of these Lake Village issues, the Mayor volunteered to sit down with the Association and park management to discuss these and any other issues related to the park, and hopefully come to some resolution on them.

Mayor Weimerskirch reviewed for the Council the purpose behind the Joint Powers Agreement (JPA) establishing the MN High Speed Rail Commission. He indicated Goodview's involvement allows the City to be in on the conversation, and to be aware of what is happening. There is over \$8 billion in the Federal Stimulus package for high

speed rail, and this agreement will be asking for some of those dollars to be spent on a rail system which follows the Mississippi River. Goodview would not be a "financial member", unlike Winona County which endorsed the agreement last week. The City of Winona is also a member. The City's representation, one permanent and one alternate, needs to be an elected official. The Mayor volunteered to be the City's primary member of the JPA. Councilmember Ledebuhr questioned the advantages of the JPA to Goodview. The Mayor pointed out at this time we don't know yet, but that is why we should become a member to be involved. The Director of Public Works indicated maybe a potential advantage would be the fact the City may get the four-quadrant gates at the City's railroad crossings needed to get a whistle free zone through Goodview. Councilmember Andring moved and Councilmember Baumgart seconded to endorse the JPA as presented. All voted aye, and the motion carried. Councilmember Baumgart moved and Councilmember Andring seconded to appoint Mayor Weimerskirch as the primary member, and Councilmember Ledebuhr as the alternate to represent the City on the Commission. All voted aye, and the motion carried.

Councilmember Erdman moved and Councilmember Baumgart seconded to adjourn. All voted aye, motion carried.

Adjournment at 6:25 p.m.

NOTE: The next regular meeting of the Goodview City Council will be on Monday, June 1, 2009 at 5:00 p.m. at Goodview City Hall.