A Regular Meeting of the

Lamberton City Council

March 14, 2016

The regular meeting of the City Council of the City of Lamberton was held on March 14, 2016, in the City Office at 7:00 pm.

Members present for the meeting were Mayor Bill Schaffran, Councilmembers Darrell Knutson, Terry Neperman, Lydell Sik, Dave Irlbeck and Clerk Flaig.

On motion by Neperman, seconded by Sik, the council voted unanimously to approve the minutes of the February meeting.

On motion by Irlbeck, seconded by Knutson, the council voted unanimously to approve claims #13677 through #13732 in the amount of $34,113.73.

John Rogotzke was present to ask about the status of the burned out house next to his Birchwood Apartment building. The previous owners told Mayor Schaffran that they have sold the property and that the new owners would be demolishing the house. Mr. Rogotzke asked the council to follow up on this matter and make sure that this is done.

Dick Weedman of the Lamberton Lions Club asked the council about what kind of monetary consideration the city would be putting into the Kuhar Park Improvement grant request. The Advisory council is working on submitting the grant request to the DNR by March 31st. There will need to be a local match of 50 per cent if the grant is approved. This can be monetary or in-kind contributions. The total grant applications will be for approximately $125,000. The council has not set aside any non-donated money for this project at this time.

The Council discussed Spring Cleanup and appliance pickup for this year. On motion by Knutson, seconded by Sik, the council voted unanimously to set the dates in the first part of May and to have Ron Vande Kieft provide the appliance and electronic pickup if he can provide the proper certification.

On motion by Knutson, seconded by Neperman, the Council voted unanimously to approve having city staff attend a League of MN Cities Safety and Loss Control Workshop in Springfield on April 6th.

A letter from the city audit firm of Eide Bailly was presented to the council. The city will need to implement GASB Statements No. 68 and 71 for the 2015 audit. This will increase the audit fees from between $1,000 and $1,500.

Wade Wellner informed the council that the force main by the old lift station on Ash Street is leaking again and will need to be repaired. The snowplow for the white truck is at Walnut Grove for repairs. The street sweeper has been out a seems to be working fine. The MPCA recently completed their inspection of the sewer system and there are some minor violations that need to be corrected. Yard Waste will start on the second and fourth Wednesdays in April as in past years and then continue on the first Wednesday of each month until October. During October Yard Waste will be each Wednesday. The silver Chevy pickup needs to be replaced. Staff will check on used pickups that are available. On motion by Irlbeck, seconded by Knutson, the council approved the maintenance report.

On motion by Neperman, seconded by Sik, the council unanimously approved a building permit for Mike Vollmer for a new house.

A building permit submitted by Jason Schultz for a storage building was not approved because of sixteen-foot sidewall were included for the building. The council indicated that they would hold a variance hearing at the April meeting if he does not wish to lower the sidewalls to fifteen feet.

A motion was made by Councilmember Irlbeck, seconded by Neperman, and passed unanimously, to have Attorney Paul Muske work on an Ordinance regulating poultry.

Police Chief Nick Hacker gave the police report. He asked the Council to consider reimbursing him for membership dues of $165 for the Chief of Police Assn. and $50 for the MPPOA. On motion by Irlbeck, seconded by Sik, the council voted unanimously to approve the reimbursing of dues. He will be doing an animal inspection on March 18th. On motion by Knutson, seconded by Neperman, the council unanimously approved the police report.

The council at this time recessed the regular meeting to hold a Public Hearing on the Petition of Paul Bellig to annex property owned by him into the City of Lamberton. Paul Bellig and Brian Pfarr of Lamberton Township were present for the hearing. Notice had been sent to abutting property owners and to the township. The City had received a consent to Annexation form signed by the officers of Lamberton Township. There being no further questions or statements the hearing was closed and the regular meeting resumed.

A motion was made by Irlbeck, seconded by Sik, to have the Council approve the following Ordinance:

ORDINANCE NO.\_\_155\_\_\_\_\_\_\_\_\_

AN ORDINANCE OF THE CITY OF LAMBERTON, MINNESOTA, ANNEXING LAND LOCATED IN LAMBERTON TOWNSHIP, REDWOOD COUNTY, MINNESOTA

PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3),

PERMITTING ANNEXATION BY ORDINANCE

WHEREAS, a petition signed by all the property owners, requesting that property legally described herein be annexed to the City of Lamberton, Minnesota, was duly presented to the Council of the City of Lamberton on the 14th day of March, 2016; and

WHEREAS, said property is unincorporated and abuts the City of Lamberton on its Southern boundary; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, said property is not located within a flood plain or shoreland area; and

WHEREAS, said property is currently agricultural, but includes a residential structure with a failed septic system, and annexation is requested to provide sewer service to the residential structure located on the property; and

WHEREAS, the City of Lamberton held a public hearing pursuant to Minnesota Statutes § 414.033 Subd. 2b, on the 14th day of March, 2016, following thirty (30) days written notice by certified mail to the Township of Lamberton and to all landowners within and contiguous to the area legally described herein, to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAMBERTON, MINNESOTA, HEREBY ORDAINS AS FOLLOWS:

1. The City Council hereby determines that the property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that the property includes a structure of residential use which requires connection to sanitary sewer service.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Lamberton, Minnesota, are hereby extended to include the following described property, said land abutting the City of Lamberton and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

Part of the Northwest Quarter of the Northwest Quarter of Section 26, Township 109 North, Range 37 West, Redwood County, Minnesota, described as follows:

Commencing at the Northeast Corner of said Northwest Quarter of the Northwest Quarter; thence North 89 degrees 41 minutes 41 seconds West (bearings based on the Redwood County Coordinate System, NAD 83, 1996 adjustment), along the north line of said Section 26, a distance of 284.00 feet to the point of beginning; thence continuing North 89 degrees 41 minutes 41 seconds West, along said north line, a distance of 127.12 feet; thence South 00 degrees 41 minutes 41 seconds East, a distance of 464.07 feet; thence South 89 degrees 41 minutes 41 seconds East, a distance of 25.32 feet; thence South 00 degrees 18 minutes 19 seconds West, a distance of 2.00 feet; thence South 89 degrees 41 minutes 41 seconds East, a distance of 93.70 feet; thence North 00 degrees 18 minutes 19 seconds East, a distance of 466.00 feet to the point of beginning.

The above described property consists of a total of 1.32 acres, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

1. That the population of the area legally described herein or attached exhibit and hereby annexed is two (2).
2. The City of Lamberton, pursuant to Minnesota Statutes § 414.036, that with respect to the property taxes payable on the area legally described herein, hereby annexed, shall make a cash payment to the Township of Lamberton in accordance with the following schedule:

Reimbursement of the property taxes to the Town shall be based on the property taxes collected by the Town in the last year it collected taxes on the annexed area, in a total amount equivalent to that payable under the former law, but adjusted to be paid in substantially equal payments over five (5) years in accordance with the 2006 amendments to Minn. Stat. §414.036.

1. That pursuant to Minnesota Statutes § 414.036 with respect to any special assessments assigned by the Town to the annexed property and any portion of debt incurred by the Town prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described herein there are no special assessments or debt incurred by the Town on the subject area for which reimbursement is required.
2. That the City Clerk of the City of Lamberton is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Redwood County Auditor, and the Lamberton Township Clerk.
3. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

Upon voting being taken, the Ordinance was passed and unanimously adopted by the City Council of the City of Lamberton.

On motion by Knutson, seconded by Neperman, the council voted unanimously to approve the financial report including donations, operating transfers, new vendors and payment of between meeting bills in the amount of $3,891.25.

On motion by Irlbeck, seconded by Neperman, the council voted unanimously to replace the furnace for the City Office/Meeting Room at a cost of $3,187.65.

The Council was informed that the Redwood Soil and Water Conservation District will be holding a public hearing on a “draft” amendment to the Redwood County Comprehensive Local Water Management Plan on Thursday, April 7th from 9:00 to 11:00 am at the County Commissioner meeting room at the Government Center. The Executive Summary of the Amendment was made available to the Council.

There being no further business the meeting was adjourned.

Respectfully submitted, Approved,

Steven Flaig, Clerk Bill Schaffran, Mayor

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