

**City of Long Prairie
Council Meeting
7:00 P.M., Monday, July 2, 2012**

The Long Prairie City Council met in regular session at City Hall, 7:00 p.m., Monday, July 2, 2012. Mayor Don Rasmussen called the meeting to order with the following present: Council members Art Rowan, Tony Towle, Lilah Gripne, Bob Klick, and City Administrator/Clerk David Venekamp.

Council member Klick motioned Rowan seconded to approve the council minutes of June 18, 2012. Motion unanimously carried.

The council reviewed a request for a variance by Mr. and Mrs. Reynolds for their property located at 119 Buelow Lane. The Reynolds are requesting variances to the setbacks from the shore land, Venewitz creek and the percentage of impervious surfaces for a residential lot. The planning and zoning commission had reviewed the request at their last meeting and recommended its approval on a 3 to 1 vote granting the variance for the garage and impervious surfaces but not for the patio addition.

Council member Rowan stated he attended the planning and zoning meeting. Rowan stated that planning and zoning member Bill Hohenstern voted against the granting of the variance and his reason for doing so was that he felt the commission should have granted the variance as requested which included the granting of the variance for the patio. Council member Rowan stated when comparing this property to the other properties in this area, the Reynolds house is the farthest from the lake. He did not feel the variance for the patio should have been denied.

Scott Espersen of MN Rusco, representing the Reynolds, stated the city works with 6 properties along the lake and this property is the furthest from the lake shore. Even in granting the lake shore variance for the patio, it would still, most likely be the furthest one from the lakeshore. The addition of the patio would not affect the view of any of the other properties adjoining the Reynolds's land. Mr. Espersen stated that part of the problem in building the patio was meeting the requirement that the patio floor level had to be three feet above the ordinary high water mark of the lake. By meeting that requirement, the patio had to be a little larger in order to accommodate the steps from the house to the patio. Mr. Espersen stated the patio enclosure not only is elevated higher than the house but it would also be made of materials that could withstand flooding. Scott stated in doing the patio and the garage, they will be removing a storage shed and the hot tub pad area which are impervious surfaces. By removing those surfaces, the new garage and patio would not add very much to the impervious surface area. In addition the city street which runs thru the lot should not be included in the impervious surface area of the lot.

Council member Rowan stated that normally he does not like over ruling planning and zoning, however, in this instance, he felt the property sat back further than the others from the lake, that the patio addition would be elevated three feet above the high water mark of the lake, and did not feel it would be detrimental to the adjoining property owners or the lake.

Council member Rowan motioned Towle seconded grant the variance as requested by the Reynolds for the garage, patio, and variance to the impervious surface; however, the garage and the patio would need to be constructed at three feet above the ordinary high watermark of the lake. Roll call: Yes; Rowan, Towle, Rasmussen. No; Gripne, Klick. Motion carried.

Council member Gripne motioned Klick seconded to approve pay request #11 to Di Mar Construction in the amount of \$406,425.67 for work on the wastewater treatment facility. Roll call: Yes; Rowan, Towle, Gripne, Klick, Rasmussen. Motion unanimously carried.

The council reviewed a resolution for sponsorship for the Community Concern for Youth Program for 2013. The resolution asked for the council support and contribution to the funding of the program. The funding level is the same as the 2012 funding level.

Council member Klick motioned Gripne seconded to approve the following resolution of sponsorship for the Community Concern for Youth Program:

**RESOLUTION #12-07-02-10
RESOLUTION OF SPONSORSHIP**

Resolution authorizing participation with the Community Concern For Youth Program with Todd-Wadena Community Corrections.

BE IT RESOLVED by the Long Prairie City Council that Todd County act as sponsoring unit of government for the project entitled Community Concern For Youth to be conducted by Todd-Wadena Community Corrections during the period from 01/01/13 through 12/31/13. Gerry Ruda, Chairperson, Todd county board of Commissioners, is hereby authorized to execute such agreements and funding as are necessary to implement the project on behalf of the Long Prairie City Council.

BE IT RESOLVED that the Long Prairie City council hereby agrees to contribute \$2,174.00 for the project entitled Todd-Wadena Community Concern For Youth during the period from 01/01/13 through 12/31/13, which is to be paid on 01/01/13.

It is understood that the Long Prairie-Grey Eagle School board contributes \$2,747.00, and the Grey Eagle City Council contributes \$302.00, for a total community contribution of \$5,223.00.

I hereby certify that the above resolutions were adopted by the Long Prairie City Council on July 2, 2012.

Signed:

Witnessed

Don Rasmussen
Mayor

David Venekamp
City Administrator/Clerk

Motion unanimously carried.

Council member Klick motioned Towle seconded to approve Family Dollar's request for a cigarette license for the remainder of 2012. Motion unanimously carried.

The council discussed the tax forfeiture sale of property parcel #36-0066900 within the city. The property is up for sale due to nonpayment of property taxes. The council has 60 days in which to respond to the county concerning the sale. The consensus of the council was to contact the county commissioner concerning the sale of the property.

The city's attorney for criminal prosecution, Joe Krueger of Brown and Krueger, presented a proposal for changing the penalty sections of various city ordinances. The court judges have asked the council to review the penalty sections of their ordinances to see if some of the penalty sections could be changed from misdemeanors to petty misdemeanors. In misdemeanor penalties, the individual is allowed to request a trial. In petty misdemeanor violations the individual is charged with a fine and there is no trial. The changes would eliminate the possibility of trials for minor offenses. The council reviewed the proposed changes and recommended the city attorney draft an ordinance adopting the changes. Once the ordinance has been drafted, the city administrator/clerk is instructed to set a public hearing for its review.

The council reviewed the minutes of the council meeting of October 17, 2011. City Administrator Venekamp stated a resolution, which was approved by the council, was inadvertently omitted from those minutes. The resolution was on investment options through Prudential for city employees and their deferred compensation plans. It was suggested that the council approve the corrected version of those minutes which would include the resolution.

Council member Gripne motioned Klick seconded to approve the corrected minutes of the October 17, 2011 meeting. Motion unanimously carried.

The council discussed an easement for two force mains and an outfall line which were constructed by the city in 1965-1966. The force mains run along T.H. 71 and cross private property to the city's wastewater treatment ponds. The city had obtained a 40' easement for the force mains from the property owner which, at that time, was the Steffen's. The Steffen property is now owned by Long Prairie Packing. It was brought to Venekamp's attention that the force mains may not be within the 40' easement. When Long Prairie Packing cleared trees in order to connect to the force main, the property owner who currently owns Long Prairie Salvage questioned whether the force main was actually on his property.

City Administrator Venekamp had Rod Eldevik of Eldevik Surveying survey the property to determine the location of the force mains and the property line. It appears that the force mains and outfall line are 4 to 5 feet onto the Long Prairie Packing property on the west end and as the lines run towards the east, they may be 1 to 2 feet onto the auto salvage property. The force mains do not appear to be entirely within the 40 foot easement the city obtained back in 1966. Venekamp and Nik Harkais of from Long Prairie Packing met with the owner, Mark Biedler of

the salvage yard to discuss the situation and the possibility of obtaining a 15 foot easement from Mr. Biedler for the existing force mains.

City Administrator Venekamp stated the city has obtained a cost estimate for the sewer backup lift station. The estimated cost of the backup station is \$180,000. Venekamp stated after reviewing the equipment for the station with the city engineer he will review the equipment and costs for the backup. The engineer felt the changes would significantly lower the cost of the backup station.

Police Chief Kevin Langer provided the council with a police activity report. According to the report, the department responded to 206 incidents during the month of June. Kevin also stated two of the local gas stations had a gas pump fund raiser for D.A.R.E. They raised \$570.29 for D.A.R.E.

Fire Chief Jim Kreemer stated the fire department is looking at doing a raffle and fund raiser by mail. Jim stated there are 2,849 properties in the Long Prairie Fire district. The department is doing this in lieu of the firearms fund raiser they've done in the past. Currently, the City of Browerville does the same type of fund raiser and it has been successful for them. This is Long Prairie's first time in doing so.

Council member Klick stated the loading door at the liquor store does not shut properly and it is difficult in opening the door. There is also an air conditioning problem at the liquor store and Pam is getting prices on replacing the air conditioning unit. Bob stated some of the picnic tables at the Lake Charlotte Park need to be fixed.

Council member Rowan stated the library made \$730 on the recent book sale.

Council member Klick motioned Gripne seconded to adjourn. Motion unanimously carried. Meeting adjourned at 8:50 p.m.

David Venekamp
City Administrator/Clerk

Don Rasmussen
Mayor