

CITY COUNCIL MINUTES – SEPTEMBER 6, 2016

A. CALL TO ORDER: The Regular City Council meeting and Public Hearing for Ordinance 100A was held on September 6, 2016 in the city council room of the New Germany City Hall. Mayor Van Lith called the meeting to order at 7:00 p.m., those present were: Mayor Van Lith, Councilpersons Ty Turnquist, Shirley Jaeger, Nick Hartwig, and Cathy Ruschmeier. Others present were: City Clerk – Twyla Menth. Audience members present were: Julie Aarsvold and David Watts with MN Solar.

B. CITIZEN COMMENT: There were no additional comments from the audience.

C. APPROVAL OF AGENDA: Jaeger moved and Turnquist second approval of the agenda. The motion carried, all in favor.

D. APPROVAL OF MINUTES: Turnquist moved and Jaeger second approval of the August 16, 2016 minutes. The motion carried, all in favor.

E. SHERIFFS REPORT: Nothing at this time.

F. FIRE DEPARTMENT REPORT: Last meeting was August 1, next meeting is September 12.

G. TREASURE REPORT: The Treasury report noted that the General fund balance was \$1,171,441.79 which includes the CD's in the amount of \$47,657.77. Jaeger moved and Turnquist second approval of Treasure report as printed. The motion carried, all in favor.

H. APPROVAL OF CLAIMS: Move claims to J2, not all Council members have had enough time to review.

I. WATER SEWER REPORT: Replaced meter and installed an auto read head at 130 State Avenue N. Ortloff noticed the sump pump was not hooked up and new owner will be addressing the issue.

J. 1. David Watts with US Solar was present to inform Council of the new numbers. The first proposal did not include all of the City's properties. Watts went through the new proposal and in the end of 25 years the City could potentially save \$133,301.03. Mayor Van Lith and Council asked Watts several questions. Van Lith also suggested everything would need to be reviewed by the City Attorney. Watts also informed Council they have over \$100,000 invested in the project and have received approval of project from Xcel. The project will start construction in spring of 2017. Once the subscription is full then they would no longer accept any new subscribers and contract would be void. Watts continued explaining the subscription and the default clause. Turnquist questioned why some of the city's property is labeled general and small general; Watts explained it is the amount of usage, the more you use the cheaper the rate. Watts also explained to Council that as long as there is room for subscribers it is open; once it is full it is no longer available. Ruschmeier questioned Watts with financial and default questions. Ruschmeier also asked why a small city, why not large cities; Watts explained they do have Mpls, Hopkins and went through the list but they also want to offer to surrounding cities like New Germany, and Mayer. Watts also mentioned there is a clause in contract that if they do not break ground within 24 months of contract the city has the right to cancel subscription. Watts also briefly touched on transfers and how it would work. Council also questioned if in the future they wanted to add more is that a possibility; Watts explained it depends on the capacity, or if full then you would not be able to. Jaeger moved to send the Solar subscription contract to the City Attorney to review, Ruschmeier stated she would like to finish this year's budget before proceeding, Turnquist also stated we need to be financially prepared before moving forward, Van Lith stated there is 8,000 in the budget for Attorney fees and as of September not any have been used, after discussion Turnquist second the motion. The motion carried, all Council members were aye.

2. Claims – Jaeger moved and Ruschmeier second to approve the claims in the amount of \$26,492.24. The motion carried, all in favor.

K. BUILDING PERMIT UPDATE: re roof and stair way construction.

L. COMPLAINT LOG: Nothing to report.

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M. PW REPORT: Van Lith reported the lawn mower blew a couple belts and he replaced a pulley. Public Works and Turnquist discussed the sump pump issue and they will be moving forward with the inspection plan.

September 10 is fall clean up anyone that would like to help, please show up at 7 AM – 11 AM. Mayor Van Lith would like to find out if electronics can be brought to NYA by resident.

N. PARKS REPORT: Jaeger reported as of this time the tournament brought in \$2045.00, no bill from Eric yet. Turnquist also mentioned to Hartwig about fans in the bathrooms to help with mold issues; Hartwig noted.

O. MAYORS REPORT: Mayor Van Lith read a Public Hearing notice from Carver County regarding solar panels on land that is located west of New Germany on Highway 7. The location would be the vacant land south of 18680 Hwy 7, according to the information provided from the County. Public Hearing date is September 20, @ 7 PM at Chaska if anyone is interested in attending.

P. CLERKS REPORT: December 6, 2016 @ 7 PM with Regular Council meeting will be the Truth and Taxation Public Hearing. Clerk gave report on Comp Plan update and costs. Clerk also explained that Herald Journal is short staffed and that is why they have not been attending Council meetings; they will be checking in day after meeting for updates.

Q. OLD BUSINESS:

1. Mayor Van Lith closed the Public Hearing at 7:50 PM.

Mayor Van Lith went through the Solar Ordinance and Family Health Care Dwelling Opt Out. Turnquist asked Council and Clerk that they all understood the Comp Plan does not coincide with the Ag land or the City's current Comp Plan. Van Lith asked if there were any comments from the Planning Commission and there were not any comments. Ruschmeier moved and Jaeger second to accept the Ordinance 100A, An Ordinance Amending Ordinance NO 100, New Germany Zoning Ordinance. The motion carried, Van Lith – yes, Jaeger – yes, Turnquist – yes, Ruschmeier – yes, Hartwig – yes.

Turnquist moved and Jaeger second approving the Summary of Publication of Ordinance 100A. The motion carried, Van Lith – yes, Jaeger – yes, Turnquist – yes, Ruschmeier – yes, Hartwig – yes.

2. Council reviewed the MPCA and Bolton and Menk's draft on the phosphorus and the holding pond updates. Clerk explained it is a draft and there are some typos in draft.

3. Council reviewed sample ordinance regarding trucks and tonnage. Council will continue reviewing Ordinance No 85 and parking issues at bring back to next meeting.

4. Council discussed Hilda and reviewed the minimum maintenance roads information; as of now there are not any minimum maintenance roads in Carver County. Council discussed and thought the best option would be to discuss with the Townships. Clerk will continue looking for paperwork/contract for the roads.

Council would like Clerk to follow up with Blight issues; send second letter to those that have not responded or fixed the issue.

R. NEW BUSINESS:

S. ADJOURNMENT: Turnquist moved and Ruschmeier second to adjourn meeting at 8:14 PM. The motion carried, all in favor.

Respectfully Submitted, _____ Twyla Menth, City Clerk