

BYRON CITY COUNCIL MEETING
TUESDAY JUNE 14 2016
6:00PM CITY HALL COUNCIL CHAMBERS
680 BYRON MAIN COURT NE

A) CALL TO ORDER - Mayor Diercks called the meeting to order.

Members Present: Ann Diercks, Bob Meyer, Matt Brekke, Dan Mesenburg and Scott Johnson.

Also Present; Gretta Becay, Mike Zillgitt, Kevin Strain, Doyle Jorgenson, Dan Berge, Jeremy Hince, Tim Postier, John Bausman, Joel Streed, Mark Breneman, City Engineer Bill Angerman, Public Works Superintendent Eric Counselman and City Administrator Mary Blair-Hoeft.

B) APPROVE AGENDA - Motion made by Member Mesenburg second by Member Meyer to approve the agenda with the additions of the Larry Brooks Agreement, the School Easement Agreement and the School Assessment under New Business. Motion carried unanimously.

C) APPROVE CONSENT AGENDA – Motion made by Member Brekke second by Member Johnson to approve the consent agenda. Motion carried unanimously.

1. City Council Minutes from May 24, 2016
2. Approval After Payment for June 14, 2016 - \$50,133.62
3. Warrant List for June 14, 2016 - \$26,590.37
4. Delinquent Utilities
5. David Drown Associates: Advisory Work Agreement for Bond
6. Olmsted County Maintenance Agreement
7. Liability Coverage - Waiver Form
8. Fahrner Asphalt Sealers Pay Request 1- 2016 Crack Sealing
9. Wapasha Construction Pay Request 6 - WWTP Clarifier Rehab

D) COMMUNICATIONS, REPORTS AND PETITION –

1. Countryview Estates - FYI
2. SEMLM Invite - Let staff know if you want to attend.
3. Gowlland Refund Request - Mayor Diercks called for a Motion three times and the request failed for lack of a Motion. Members felt it was a business decision to sell when he did and forgoing the money put forward for the license is part of the business decision.

E) PUBLIC COMMENTS: Asked three times with no response

F) PUBLIC HEARING – None

G) GENERAL BUSINESS –

1. **Resolution 2016-18 - Set public hearing for Abatement** - Motion made by Member Meyer second by Member Mesenburg to approve Resolution 2016-18 setting the public hearing date for July 12, 2016. Motion carried unanimously.
2. **Resolution 2016-19 - Set public hearing for Street Reconstruction Plan** -

Motion made by Member Meyer second by Member Mesenburg to approve Resolution 2016-19 setting the public hearing date for July 12, 2016. Motion carried unanimously.

3. **13th Street Bids** - Bids are as follows: Edge Contracting Inc, \$709,319.75; SL Contracting \$738,341.50; Schumacher Excavating Inc, \$741,998.00; Swenke Ims Contracting \$819,275.07; Heselton Construction \$841,153.80; Holland Contracting Inc \$864,647.00 and Elcor Construction \$888,621.25. Motion made by Member Johnson second by Member Meyer to accept the bids. Motion carried unanimously. Motion made by Member Brekke second by Member Mesenburg to award the bid to Edge Contracting for \$709,319.75. Motion carried unanimously.

4. **BCRC - Change Order** - Motion made by Member Meyer second by Member Brekke to approve the change order lowering the cost by \$202,535.00. Motion carried unanimously.

5. **BCRC Wetland Conservation Act Decision** - Motion made by Member Mesenburg second by Member Johnson to approve the decision for Wetland Conservation Act. Motion carried unanimously.

6. **Cooperative Purchase for Field Lighting at BCRC** - Motion made by Member Johnson second by Member Brekke to approve the purchase of field lighting for the BCRC. Motion carried unanimously.

H) UNFINISHED BUSINESS –

1. **Non contracted Staff Agreement** - Motion made by Member Mesenburg second by Member Johnson to accept the contract for non contracted staff agreement. Motion carried unanimously.

2. **County Road 134** - Motion made by Member Mesenburg second by Member Johnson to accept the Co Rd 134 jurisdictional transfer with the turn-back funds of \$400,000 and the understanding that we get full-mileage for MN State Aid funding. Motion carried unanimously.

I) NEW BUSINESS –

1. **Council meeting date changes** - Due to elections on August 9th and November 8th we must move our Council meeting. Motion made by Member Brekke second by Johnson to move the August 9th meeting to August 10th and the November 8th meeting to November 9th. Motion carried unanimously.

2. **Variance and easement for 1012 8th Ave NW/ Easement for 1098 8th Avenue NW** - Member Mesenburg removed himself from the discussion. This property has tiles coming from his home and daylighting into the backyard, This is causing water issues for neighbors on the north. Motion made by Member Meyer second by Member Brekke to approve the variance and easement for 1012 8th Avenue NW. Motion carried with Member Mesenburg abstaining because he is a neighbor.

This property is the low area on the north that the water goes too. Motion made by Member Meyer second by Member Johnson to approve the easement for 1098 8th Avenue NW. Motion carried with Member Mesenburg abstaining as the property owner.

3. **Park Board Committee Discussion** - Council would like to wait until the first of the year to make a decision on the Park Board. Two members agreed to tour the parks with Eric to help with prioritizing for CIP items.

4. **Brooks 13th Street NW Easement Agreement** - Motion made by Member Mesenburg second by Member Brekke to approve the Larry Brooks Permanent and Temporary Easement Agreement for 13th Street NW street project. Motion carried unanimously.

5. **School Easement for 13th Street NW** - Motion made by Member Johnson second by Member Brekke to approve the School Easement. Motion carried unanimously.

6. **School Assessment Agreement** - Motion made by Member Brekke second by Member Mesenburg to approve the School Assessment Agreement. Motion carried unanimously.

J) **COMMITTEE BOARD REPORTS/OPEN DISCUSSION –**

Mayor mentioned free Star Wars movie is Friday night at City Hall at dusk.

Member Mesenburg attended a Personnel and Sesquicentennial meeting.

Member Brekke attended a Public Works and 1st Responders meeting.

Member Johnson attended a Public Works meeting.

Hoefl clarified from last meeting that Leann Bieber is running the Medallion Hunt for GND all by herself. It is not sponsored by the Byron Women of Today. Hoefl is also working with a group from the J2G on a site selector. They will be touring Byron in July. Hoefl met with the Superintendent Jeff Elstad and Sheriff Torgeson to open up communication and reinstate our partnerships.

Mayor Diercks mentioned the ice cream social on Friday July 15th, Members Meyer and Mesenburg will help the Mayor serve ice cream. The parade is Sunday July 17th. The Mayor and Members Mesenburg and Meyer will ride in the parade.

L) **ADJOURN –** Motion made by Member Brekke second by Member Mesenburg to adjourn the meeting at 7:08pm. Motion carried unanimously.

Ann Diercks, Mayor

City Administrator, Mary Blair-Hoefl