

MILBANK CITY COUNCIL PROCEEDINGS
DECEMBER 12, 2011

PURSUANT TO DUE CALL AND NOTICE THEREOF, a regular meeting of the City Council was duly held at City Hall at 7:00 PM. Following members were present: Mayor Dale Aesoph. Councilmen Don Larson, Steve Wiener, Mike Mach, Joel Foster and Scott Hoeke. Absent: Lane Lindquist. Present from the staff were Bryan Lambrechts, Craig Ash, Dick Poppen, Cynthia Schumacher, Donny Settje, Ashley Giessinger and Boyd VanVooren. Present from the public: Holli Seehafer, Laura Foss, Katie Fraasch, Michaela DeWald, Paige Frazee, Reed Prasnicki, Steve & Anna Swaney; Kayla Steltz, McKenzie Mertens, Anna Kurtz, Kiera Leddy, Sydney Schake, and Allyssa Brehmer.

Mayor Aesoph called the meeting to order and roll call was taken.

A motion was made and seconded to approve the minutes of the November 14, 2011 meeting. Motion carried 5-0, Lindquist absent.

Open Session – Vernon Lund, Charles Moeller and Dianne Radermacher, Citizens for Big Stone Lake, introduced the purpose and progress of the committee and project. Radermacher explained that the Whetstone River originally flowed directly into the Minnesota River. In the 1930's the river was diverted into Big Stone Lake to increase lake levels in times of drought. In recent years, the river has contributed to flooding, large amounts of sediments and excessive amounts of nutrients into the lake. Attempts made by state and federal agencies to correct the situation have failed for various reasons.

The proposed concept is to restore flows of the Whetstone River between Big Stone Lake and the Minnesota River by constructing a series of box culverts to divert a portion of the Whetstone River flows into the historic channel.

Currently funds are being raised to complete the preliminary study. Sixty thousand of the 90 thousand dollars has been committed for the study. Radermacher feels confident that the remaining funds will be raised and they are moving forward with the preliminary study. Participants of the project include non-governmental, local, state (Minnesota and South Dakota) and federal agencies. Radermacher stated that the intent of tonight's introduction was not to ask for funds for the first phase but to consider contributing funds as the project moves into the second phase and additional funds may be needed.

It is expected that following the initial work by the Upper Minnesota River Watershed District, that the US Army Corps of Engineers will assume the lead role in finalizing planning, developing construction documents and constructing the project.

Public Hearing – A public hearing was held for the transfer of liquor licenses as follows:

1) Angela Doren, Luckie's Bar & Grill to Shamrock Foods Inc.; 2) Moonlite Corp, Valley Liquors to Moonlite 3D Corp, Valley Liquors. With no objections, a motion was made and seconded to approve the transfer applications. Motion carried 5-0, Lindquist absent.

A motion was made and seconded to approve the liquor license renewal applications for January 1, 2012 to December 31, 2012. 1) Shamrock Foods, 1510 Morningside Drive, on-sale license. 2) Valley Liquors, Moonlite 3D Corp., 1406 Morningside Drive, off-sale license. 3) VFW Post #3486, 205 South Third Street, on-sale license. 4) The Lantern Inn, Randy Patnoe, 1012 South Dakota Street, on-sale license. 5) Midtown Liquors, Scott Jackson and Pam Jackson, 107 East Fourth Avenue, off-sale license. 6) Brass Rail, American Legion Post No. 9, 308 South Main Street, on-sale license. 7) The Pump, Steve Swaney and Anna Swaney, 205 South Main Street, on-sale license. 8) Speedway Bar & Grill, Cheri Meagher, 221 East Third Avenue, on-sale license. Motion carried 5-0, Lindquist absent.

DEPARTMENT REPORTS

Water – Councilman Wiener reported a service line was installed at 1001 E Milbank Ave. All fire hydrants have been winterized. Quarterly water meter readings are complete. The city is utilizing 75% spring water.

Wastewater – Councilman Larson reported they cleaned monthly scheduled manholes, installed manhole lift rings and continue to work on the air lift problems. HDR Engineering completed the energy audit.

The sludge pond project is complete. Contractors are completing punch list items on the plant project.

Rubble Site – Larson reported they burned the tree and woodpiles. There is a large pile of concrete at the rubble site. Mayor Aesoph requested the bid to crush the concrete be added to the street materials bid in the spring.

Park & Cemetery – No report.

Streets – Councilman Hoeke stated the salt sand building is done and filled. They plowed once. The crosswalk light fixture at Fourth Avenue and Fifth Streets was repaired.

Finance – A motion was made and seconded to approve the November Treasurer's report. Motion carried 5-0, Lindquist absent.

A motion was made and seconded to approve the bills list, \$368,831.92. Motion carried 5-0, Lindquist absent.

A motion was made and seconded to approve the second reading of Ordinance 780-2011

Supplemental Budget Ordinance. Motion carried by roll call vote 5-0, Lindquist absent.

A motion was made and seconded to approve advertising for special assessments. Motion carried 5-0, Lindquist absent.

November Salaries: Finance \$16,470; Rubble Site \$1,147; Mayor/Council \$1,600; P&Z \$100; Park \$604 Police \$29,120; Street \$14,914; Wastewater \$18,686; Water \$4,777.

Attorney – A motion was made and seconded to authorize the Mayor to accept the assignment of real estate purchase agreement. Ash explained the land is for the purchase of the land known as Homan’s Trailer Court. The agreement was originally made between the Grant County Development Corporation and First Bank & Trust. Motion carried 5-0, Lindquist absent.

The Mayor opened the floor for discussion of Ordinance 781. Attorney Ash reviewed all the ordinances and options available. Ordinance 781A would allow Sunday sales by all liquor license holders. Ordinance 781B would allow all liquor license holders to serve only on NFL Super Bowl Sunday. Ordinance 781C would allow all liquor license holders to serve from time to time throughout the year as granted and regulated by the Council. In addition, with the special events license currently in effect, liquor license holders could be open on requested Sundays as approved by the Council to serve malt beverages only.

Steve and Anna Swaney were present, requesting Sunday sales be approved. Councilman Wiener asked the Council if they wanted Sunday sale in Milbank at any time. A motion was made and seconded to approve the first reading of Ordinance 781A. Motion failed by roll call vote 2-3; Aye – Foster and Mach. Nay – Hoeke, Larson and Wiener.

A motion was made and seconded to approve the first reading of Ordinance 781C as written. Motion carried by roll call vote 3-2; Aye – Hoeke, Foster and Mach. Nay – Larson and Wiener.

Police – Councilman Hoeke reminded everyone that the FOP will be having a community hayride to view Christmas lights, December 18, 5-8 pm. Citizens are reminded that pet license expire every year on December 31st. Make sure you have new 2012 licenses for your pets. The Child Protection Team is bringing in an expert to talk to youth and parents about the dangers of computer predators, sexting and other technology information.

Fire – No report.

Airport – No report.

Planning & Zoning – Foster stated at the December meeting the Commission approved a conditional use permit for Sara Opitz was approved which allows for the operation of a dog grooming business at 125 E Diggs Ave. A variance for Robert and Barbara Olson was approved for the use of steel roofing material at 112 S Viola Street.

Upon the recommendation of the Planning & Zoning Commission, a motion was made and seconded to approve Resolution 12-12-11, Plat of Block 2, Liebe's North Ridge Subdivision, pending the receipt of the Letter of Assurance. Motion carried 5-0, Lindquist absent.

November permits: Clifford & Sandra Vitters – 515 S 3 St - garage. Boyd VanVooren – 1214 S 2nd St – accessory structure. Titan Machinery – 1202 S Dakota St - sign. Dan Bray – 708 S Viola St – change roof pitch. Gesswein Motors – 406 S Grant St - sign. NESDCAP – 604 S Madison St – entryway additions. NESDCAP – 204 S 4th St – entryway. Barbara Olson – 112 S Viola St – garage addition. Bobbie Sue Leonard – 504 S Viola St – fence.

Adjourn – The Mayor called a Special Meeting – December 29, noon. The next regular meeting will be January 9, 2012, 7:00 pm. A motion was made and seconded to adjourn at 7:50 pm. Motion carried 5-0, Lindquist absent.

Dale Aesoph, Mayor

ATTEST:

Cynthia Schumacher, Finance Officer

Publish: 12-28-11

Publish once at the approximate cost of \$_____

The City of Milbank is an equal opportunity provider and employer. ♿