

**CITY OF UPSALA
UNOFFICIAL MINUTES
July 20, 2009**

Pursuant to due call and notice thereof, the City Council of Upsala, MN met in special session on Monday, July 20th, at 7:00 p.m. in the Upsala Fire Hall. (Special session due to regular meeting date changed) In Attendance: Mayor Dan Cheney; Council Rollie Johnson, Robert Maciej, Bethany Malisheske, and Joan Olson Staff: Michele Caron, Frank Koopmeiners. Visitors: Jill Zasadny and Joan Wingert, Attorney Tim Churchwell, Engineer Don Anderson, and CPA Dennis Bacon.

Meeting called to order by the Honorable Mayor Cheney at 7:00 p.m.

Agenda- Mm by Johnson to approve with additions, second by Maciej; unanimously carried.

Minutes-Mayor thanked the council for implementing the regular June meeting in his absence. Typo discussed; mm by Johnson to approve the June 8, 2009 meeting minutes with correction, second by Maciej; unanimously carried.

Visitors, Requests, Petitions

- **Jill Zasadny and Joan Wingert** from 120 Basswood Avenue approached the council with the idea of a small supper club open on a limited basis in their home. It would serve specialty foods with a European emphasis. They submitted a verbal formal request to hold a public hearing on a conditional use of a restaurant in the residential zone, as it would need to be amended to allow this use. They indicated their next step is to check on the requirements needed by other agencies. The city confirmed the land use and liquor license is under their authority. Publication of the public hearing for August 5, 2009 at 6:00 p.m. will be initiated by the clerk.
- A barking dog complaint was sent to two residents on Main Street and both responded back it was not their dog. Dogs barking especially at night are very hard to identify, so residents are reminded if it is their dog to please try to control it because others may not be able to determine which dog is barking.
- **Don Anderson** presented a preliminary estimate of costs for tower road improvements on the south section only with about 50 feet onto Hickory Avenue. Discussion on options and if possible to level out the area coming off of the North Tower Road when the stop is not obeyed by drivers. Mm by Cheney to move forward with the proposal to reclaim the tar currently on the road, second by Johnson; unanimously carried. Funds will be used from the capital improvements balance. Motion by Cheney to allow Don Anderson to move ahead with the usual surveys, etc. to create plans, second by Johnson; unanimously carried.
- **Tim Churchwell**, city attorney addressed tax forfeited property and if there is anything the city needs to do. He is researching this issue, but essentially the owners have it for six years.
- Vacant property of Uptown Café site-statute 463 addresses the right of the city to lawfully gain access in the case of suspected health issues for inspections. Mm

by Johnson to direct the city clerk to send certified letters requesting access to the owners of record, and if no response move forward with legal action, second by Malisheske; unanimously carried.

- **Dennis Bacon, CPA** Audit report given. Budget numbers explained. Water fund rates are not keeping up with expenses. On average we have had 15 vacant properties this past year and the amount of revenue lost by those not using water is approximately the deficit in the account. This means with those homes occupied we are at a break even point. The council will address rates further in Oct-Dec and if determined, the rates will change effective January 2010 to address the issue. A complete copy of the audit may be viewed at the office of the clerk, and a financial statement is posted with the minutes at the library and the senior center, and on the city hall window.

Ordinances and Resolutions

- A correction to resolution 2008-24 stating the incorrect year and amount of raise to Upsala Relief Associations' pension was corrected with a new resolution 2009-8. The correct language reads, "maximum benefit amount for 2009 at \$450" which was an increase from previous years of \$400. No one retired in 2008 so the incorrect amount and year did not affect retirees. The discrepancy was noted by Dennis Bacon in his annual audit. Mm by Maciej to adopt resolution 2009-8, second by Johnson; unanimously carried.
- Motion by Cheney to adopt resolution 2009-7 to accept a donation of \$2,000 for fireworks at the 2009 Heritage Festival from the American Legion Post 350, second by Maciej; unanimously carried.

Maintenance Report

- Water and sewer report given
- Water tower bi-annual clean up completed. Discussion that every ten years is the usual schedule for painting of the tower. It has held up well, and was last done in 1999. The 2011 budget year will be the next scheduled painting as the cleaning is on a bi-annual basis. The bid received to paint in 2009 was \$18,000.
- Power surge on Allen Bradley computer panel at water plant (most likely due to a storm) and a bid for a reconditioned one with a one year warranty was presented in the amount of \$975.65. A new one is \$2,143. Mm by Cheney to purchase the reconditioned panel, second by Johnson; unanimously carried.
- Frank will install pipes for drainage on Maple/Johnson
- Gravel was spread by areas needed after overlays on streets last year
- Painting and striping job was discussed, and L & M Service's manager will be meeting with Frank to discuss the quality of work.
- Bulbs and ballasts were replaced in fire hall with more energy efficient items. Might be replacing them all at one point.
- Concrete by the Covenant Church driveway is breaking up. Frank will check on it to determine responsibility of repairs.
- Hydrant by Recreation Building was leaking and Frank adjusted it awhile ago. He noted that there is a dial which regulates pressure.
- Unauthorized vehicles are driving back on the east end of recreation building. A chain that can only be opened with an access tool will be installed.

Planning Commission

- Minutes from the July 1, 2009 meeting reviewed. Next meeting August 5, 2009 at 6:00 p.m. Upsala City Hall.
- Mm by Malisheske to approve the outdoor boiler ordinance with definition changes, second by Olson; unanimously carried.

Upsala Community Development Commission

- Minutes from the July 6, 2009 meeting reviewed. Next meeting will be August 3, 2009 at the Upsala City Hall at 6:00 p.m.
- Heritage Festival updates. The colorful poster was shown at the meeting. A question from a resident to Bethany regarding whether or not sidewalk sales need permits. Clerk will check on the ordinance.

Recreation Board Report

- Minutes of July 7, 2009 meeting reviewed. Next meeting September 1, 2009 at 7:00 p.m.
- Joan did an excellent job on the cleaning of the recreation building and the board is looking at hiring a person to keep up on the cleaning. The very old refrigerator was removed and no decision made to replace it at this time. Old items were discarded.
- Discussion that a fresh look to the building with flooring, ceiling and paint would make it more desirable to renters for events. Rollie will get bids on upgrades to the building.
- New sandbox constructed by UBA volunteers and sand provided by Upsala Lions.

Unfinished Business

- Thank you note received from Wanda Erickson of the GRRL for help with getting the safety inspection items completed.

New Business

- Budget workshop needed for council to address a 2010 budget for the General Fund. Meeting will be held at city hall on August 17, at 7 p.m.
- Clerk will be closing office at 3 p.m. on July 29th for census training
- Crisis Line and Referral Service agreement for services mm by Cheney to agree on \$250 for 2010 as amount to send them, second by Johnson; unanimously carried.
- Initiative Foundation agreement for services \$150 mm by Cheney on \$150 as amount to send to them for 2010 as the city does receive grants and attends training there, second by Olson; unanimously carried.

Financial Reports, Bills Audited and Paid

- Bills audited and ordered paid in the amount of \$55,058.71. The State Auditor published a new position that claims paid be attached to minutes.

Meeting adjourned by Mayor Cheney at 10:15 p.m.
Respectfully Submitted,

Michele Caron, Clerk