

MEDINA CITY COUNCIL MEETING MINUTES OF SEPTEMBER 1, 2009

The City Council of Medina, Minnesota met in regular session on September 1, 2009 at 7:00 p.m. in the City Hall Chambers. Mayor Crosby presided.

I. ROLL CALL

Members present: Crosby, Johnson, Siitari, Smith, and Weir.

Members absent:

Also present: City Attorney Ron Batty, City Engineer Tom Kellogg, City Planner Dusty Finke, Public Works Superintendent Steve Scherer, City Administrator Chad Adams and Recording Secretary Amanda Staple.

II. PLEDGE OF ALLEGIANCE

III. ADDITIONS TO THE AGENDA

It was requested to add two items to the City Administrator's Report: Discuss the 116 Trail Project and Discuss the Temporary Location of a Hamel Lion's Concession Trailer.

Motion by Smith, seconded by Weir, to approve the additions to the September 1, 2009 agenda. Motion passed unanimously.

IV. APPROVAL OF MINUTES

A. Approval of the August 18, 2009 Special City Council Meeting Minutes

It was noted on page one, the fourth paragraph, it should state: "...will be no assurance of revenue support or continuous profit from the facility operations; and, in the opinion of the Lion's, lighting the ball fields is a necessity."

Moved by Smith, seconded by Weir, to approve the August 18, 2009 Special City Council meeting minutes as amended. Motion passed unanimously.

B. Approval of the August 18, 2009 Regular City Council Meeting Minutes

It was noted on page one, the members present section, it should state: "City Engineer Tom Kellogg was not present at the meeting." On page two, line 47, it should state, "...meeting presentation for the lakes group lakeshore residents that may want to create an association..." On page three, line 46, it should state, "...improvement bonds, which became available when the law changed in 2004, ..." On page six, line 33, it should state, "Weir questioned if density incentives should be over and above what is spelled out in the comprehensive plan allowed density, or if it incentives should build up to that allowed density. What function would incentives serve if a developer could build out to maximum density anyway? On page six, line 46, it should state, "...Council would need want..." On page seven, line 27, it should state, "...to discuss the a revised ordinance, similar..." On page nine, line 43, it should state, "...there are 23 green acres deferred tracks tracts in regard to green acres that have been deferred." On page nine, line 46, it should state, "...could be paid on simple interest basis and..."

Moved by Weir, seconded by Smith, to approve the August 18, 2009 regular City Council meeting minutes as amended. Motion passed unanimously.

V. CONSENT AGENDA

A. Release Financial Guarantee for Hamel Station

Moved by Smith, seconded by Weir, to approve the consent agenda. Motion passed unanimously.

VI. PRESENTATION

A. Hennepin County Commissioner Jeff Johnson

Hennepin County Commissioner Jeff Johnson thanked the Council for allowing him to come to the meeting. He explained that he was newly elected the previous November and took office in January 2009. He wanted to open the lines of communication between his office and the City and stated that anyone needing to reach his office could call 612-348-7887. He advised that the County budget is set on a calendar year but explained that the budget discussions had already begun. He stated that the budget for the County would be smaller this coming year than even the previous year. He stated that he thought the County should better prioritize their resources in the current economy and he would try to help in that process.

Mayor Crosby stated that the City would also be reducing their budget in absolute dollars. He advised that a recommendation would be made for a tax levy increase of one percent. He stated that he and Administrator Adams may come to speak with Commissioner Johnson privately in regard to the discussions to relocate the Medina public works facility.

B. Resolution Recognizing Mary Verbick for Service on Planning Commission

Adams stated that Mary Verbick was not able to attend the meeting tonight but she had thanked the Council for their recognition. He advised that Mary Verbick had been a member of the Planning Commission from March 2001 through August 2009 and read the resolution for the Council and public.

Moved by Weir, seconded by Johnson, to approve a resolution recognizing Mary Verbick for service on the Planning Commission. Motion passed unanimously.

VII. COMMENTS

A. Comments from Citizens on Items not on the Agenda

There were none.

B. Park Commission

Park Commissioner Janet White reported that the Park Commission had held several events since the last Council meeting, including an open house regarding the Hamel Legion Park plans. She explained that citizens and staff for the project had attended the open house to review the detailed master plan and provide feedback. She stated that adjustments would be made to the plan and an updated version would be reviewed by the Council in October. She advised that during the regular monthly meeting of the Commission, an Eagle Scout project request had been made involving three possible projects for Lakeshore Park. She advised that the park signs had been discussed again by the Commission and she believed that the process was almost complete. She

reported that the Commission had also reviewed the 2009 goals and were on track to complete the goals this year.

C. Planning Commission

Planning Commissioner Robin Reid reported that the amendment to the sign ordinance was the only item discussed at the meeting and reviewed the recommendations of the Commission. She stated that in response to a land use application request the Commission would be reviewing the zoning updates for the business park district at the September 8th meeting.

VIII. NEW BUSINESS

A. Award Contract for Hamel Legion Park Field House

Adams reported that nine bidders had come forward for the project and displayed the results. He advised that the project architect was on hand to discuss the bids in further detail. He stated that the Task Force reviewed the bids at a meeting tonight at 6:00 p.m. and recommended continuing the project with both alternate bids, using Park Dedication funds to fill the budget gap. He advised that the Task Force also recommended that four of the existing park buildings would be moved or relocated in the park. The Park Commission would also need to review their CIP to reorganize their priorities as this project would use more of the designated CIP funds than had originally been planned.

Crosby stated that originally the project was budgeted for \$300,000 and now is showing as \$450,000. He was also concerned that originally contingency had been budgeted but is no longer shown budgeted.

Smith stated that there would not be any contingency in the final bid amount. She advised that the \$300,000 was slated for just the building and not the total project. She stated that additional items, such as soil corrections and a fire safety road, had not originally been included but had to be completed.

Crosby stated that he was disappointed that additional add-on items kept appearing with this project and was concerned that the additions have not stopped.

Adams stated that there had been an increase which included the soil correction work, lift station, and fire lane improvements.

Tim McIlwain explained that \$50,000 had been removed from the plans for the three-phase electric but \$47,000 had been added back into the project for other items, such as City fees and the soil corrections. He advised that when his company bid the project the plans included the building and costs associated to that. He explained that normally companies and/or cities have a separate budget for other items in the project, such as City fees and soil work.

Crosby stated that some items are listed as not included and questioned if those items were truly not needed or just not budgeted at this time.

Adams stated that some items would not be needed, such as netting. He advised that items such as the concession equipment and outdoor grilling area would need to be supported through donations.

Park Commissioner Ben Benson stated that the concession stand could serve food that does not need to be prepared such as pop, candy, chips, and items of that nature until donations come forward to add an outdoor grilling area.

Smith stated that she now understood why business owners complain about opening businesses in Medina, as she has seen the additional City fees that have come forward for this project. She stated that some of the fees were surprising, even though they had expected to pay fees, and felt that some of the fees were a little high.

Adams explained that staff understood most soft cost and fees were planned in the project budget, but some costs were truly additional, such as the soil corrections, lift station, parking lot and fire lane corrections, etc. He advised that \$75,000 would come from the existing donations for the project and the remaining funds would come from the Park Dedication Fund. He explained that the Park Commission would then need to review their CIP to reorganize the priorities going forward.

Smith stated that she believed the Park Commission was in favor of delaying other projects to complete this project at the present time. She stated that she and other members of the Park Commission were not in favor of the field lighting and believed that item could be delayed.

Benson also believed that this project was the top priority of the Commission, as he believed this was the most active park within the City.

Johnson reviewed the bids and wanted to ensure that the winning bidder was qualified as some of the bids varied heavily from one another.

McILwain stated that he reviewed six previous projects that the company had completed recently. He advised that he had actually worked with the company owner a few years prior when he was working with his family's company. He stated that he had been satisfied with the work. He advised that in some of the bids the costs were higher because of Union costs. He stated that he also spoke with the next bidder who reported that there have been several bid swings lately because of the volatile market. He stated that he believed it was important to gauge the past work of the companies and references to ensure quality work comes along with the price.

Smith stated that she was comforted by the fact that the next lowest bid was \$16,000 higher and was Ebert Construction, who helped to build the community building. She thought the prices were in a close proximity and was comfortable with the low bidder.

Crosby questioned if there was any question on whether or not the alternates would be included.

Smith commented that the market was supportive to include the alternates at this time and thought that if the alternates were held off for another two years the projects could cost almost twice as much.

*Moved by Smith, seconded by Weir, to recommend that the field house project be funded with an estimated cost of \$400,000, with the bid, and alternates one and two, awarded to Project One Construction, Inc.. **Motion passed unanimously.***

Crosby commented that the reason the City connection fees were so high was because it had previously been determined that the costs should be spread out to future users of the system so that the current users of the system would not have to fully support the cost.

Smith stated that two of the projects that substantially increased the cost were the addition of code correction items, such as correcting the existing parking lot and providing a fire access road.

Adams clarified that four of the existing storage facilities would be moved or relocated, the Park Commission would review the CIP, 25% of the donations received would be earmarked as fund for the operations of the field house, and that donations would be needed to support the facility equipment and outdoor grilling area. The Council agreed with the items listed by Adams.

Adams suggested approaching an organization that may be interested in operating the facility, with a non-exclusive contract, meaning that if they chose not to provide concessions to an event another group could provide concessions. He also stated that if the food needed to be moved from the concession building it could not be moved to another City owned building.

B. 2010 Proposed Budget

Crosby stated that the Council has held two worksessions and an open house to discuss the 2010 proposed budget. He stated that the information may be reviewed quickly tonight but that is only because the item has been discussed three times previously.

Adams stated that a tax levy needed to be established by September 15th and explained that the value could be lowered before the end of the year but the established value could not be raised once set. He displayed information regarding the market value and tax rate of the City, along with comparisons. He then compared the per capita tax spending of Medina and neighboring cities. He reviewed the major 2010 budget issues, such as tax levy caps and a shortfall of other revenues and need to cut the expense budget. He briefly summarized the mandates and legislative changes for the 2010 budget and reviewed some possible budget strategies. He reported a proposed tax levy of \$2,756,158. He explained that long-term planning had been used to establish a tax levy rate including the financial management plan, pavement management plan, CIP, capital equipment needs, and transfers. He summarized key notes in regard to expenditures, such as no new staff for 2010, no backfilling of existing staff positions, and no salary/wage increases for City employees. He advised that the City would not use any taxpayer money for the field house construction, including the next three to five years of operational costs. He advised that similarly tax payer funds would not be used to obtain the German Liberal Cemetery in 2010 or for future operational costs.

1. Resolution Approving 2010 Preliminary Tax Levy

*Moved by Johnson, seconded by Weir, to approve the resolution approving the 2010 preliminary tax levy. **Motion passed unanimously.***

2. Resolution Approving 2010 Preliminary General Fund Budget

*Moved by Weir, seconded by Johnson, to approve the resolution approving the 2010 preliminary general fund budget. **Motion passed unanimously.***

3. Establish Public Discussion Date for Final 2010 Tax Levy and Budget

Moved by Weir, seconded by Johnson, to establish the 2010 final tax levy and budget discussion for December 1, 2009, at 7:00 p.m. in City Hall. Motion passed unanimously.

C. Driveway Waiver Request at 4517 Trillium Drive South – Joseph Kucala

City Planner Dusty Finke stated that the request was a waiver for a driveway. He explained that unlike land use applications, the driveway ordinance is separate within the code and no Planning Commission review had taken place prior to the Council review. He reported the location of the property and explained that the request would be for a waiver from the maximum driveway width of 22 feet. He explained that a building permit obtained on September 29, 2008 noted a 22 foot width maximum on the permit and survey. He explained that the public purpose of the maximum width was in regard to the impervious surface of the property, culvert maintenance, and aesthetics control.

Batty advised that snow storage was also an issue in regard to driveway width.

Finke stated that the builder posted \$10,000 escrow in February of 2009. He reported that on the as-built survey, submitted on July 24, 2009, staff noted that the driveway was constructed 30 plus feet in width. He provided site details to the Council, along with a picture of the property. He reported that the site otherwise meets the standards of the City. He then noted other Bridgewater driveways, approximately ten, that exceed the maximum width of 22 feet. He advised that applicants are now being notified, at the time of permit, of the driveway regulations. He stated that some homeowners had been made to narrow the width of the driveway and reported that another property is also being reviewed at this time that exceeds the 22 foot maximum.

Smith stated that she was struggling to understand why the builders in this neighborhood were not following the rules.

Crosby also believed that it was inconsistency with City staff which has helped to cause these errors.

Finke stated that staff recommends denial of the request as they are unaware of any circumstances or hardships that apply to this property uniquely. He explained that if the Council is supportive of the 30 foot driveway maximum staff should then review the driveway ordinance to allow that width to all the homes.

Crosby questioned when the properties were made to change the driveway width to meet the City regulations.

Finke explained that the property owners were made to narrow their driveways within the past two years.

Sjoraker questioned if the driveway width had an effect on snow storage and safety.

Scherer reported that it not only has an effect on the amount of snow piled by the homeowner but also by the City.

Johnson stated that he found it challenging that staff originally pointed out that the driveway was too wide in the permit process and that the builder still continued to build to plan, not to City regulations and recommendation.

Joseph Kucala, 4517 Trillium Lane South, stated that he and his wife did not see the red marked copies of the plans that the City had reviewed and commented on. He advised that his builder suggested an asphalt company to work with and advised him to speak directly to the asphalt workers regarding the design. He stated that he had shown the original plan that he had, with the 30 foot driveway, to the asphalt worker. He reported that his neighbor also has a 30 foot wide driveway, so he did not know that it would be an issue. He stated that when he spoke with a staff person he was given the reasoning that the width was put into position for aesthetics, snow storage, and impervious surface. He stated that he has a young child and his neighbors across the street also have five young children. He explained that if the driveway needs to be narrowed it could become an issue for safety in regard to those children. He felt that the current driveway design provided additional options for safety when backing out of the driveway. He reported that he would need to remove 72 square feet of driveway. He believed that his driveway fit nicely within the development and noted that there were 20 homes in the development with driveways between 25 feet or higher in width. He stated that he also drove around some of the neighboring developments within the City and noted dozens of other properties with driveways wider than 22 feet. He reported that 16 driveways were constructed after 2006 and had driveways that were more than 22 feet in width. He provided pictures of the properties to the Council. He requested that the Council grant a waiver for his property, as had been done with several other properties in the City.

Adams reported that the driveways being referenced over 22 feet had not previously been inspected as a City service, but have been added as an inspection service by the City since 2006.

Finke stated that he was not aware that any permits had been issued for driveways on Elm Creek recently and thought that the work could have been done with the recent roadwork.

Mr. Kucala's builder explained the bonding and landscaping process.

Mrs. Kucala acknowledged that there had been a communication error between her, her husband, and the builder regarding the City notes on the driveway. She wanted to explain to the Council that this was not an intentional decision to go against the request of the City.

Smith stated that she was concerned that there were a number of driveways that were out of compliance and felt that discussion was whether one person should be forced to narrow their driveway. She stated that she felt awkward making one person complete the change when others are not made to follow the rules. She felt that the City should have done more in terms for enforcement and compliance checks.

Weir questioned if the Council wanted to allow 30 foot driveways going forward.

Crosby stated that he believed that a number needs to be chosen on driveway width. He stated that the process has been monitored more consistently for the past two years, and that some of the homes mentioned had been built before that time. He stated that

the City was being asked to be responsible for a lack of communication between the homeowner and the builder.

Johnson stated that he did not believe that the City should follow the logic that Smith was using. He stated that in normal cases if a property does not comply with regulations the owner would either need to obtain a waiver, or changes would need to be made to ensure that the property does comply. He stated that he did not see why this issue would be any different.

Crosby suggested that the Council further discuss this issue, at which time an acceptable number for the width of a driveway could be chosen. He advised that the decision whether or not to grant the waiver could be made at that time as well.

Johnson agreed that an acceptable driveway width should be chosen by the Council and also believed that the Council should then be consistent in applying the regulations.

Finke advised that cities range in the limitations of driveway width from 20 to 28 feet. He explained that some cities do not even limit the width of the driveway and control that regulation in other ways, such as impervious surface limitations.

Crosby suggested putting this request on hold until such time when the Council could further review the information and make a determination on the driveway width.

Mrs. Kucala stated that the escrow of the builder was currently being held and requested that the waiver be issued for their driveway tonight. She felt that there was rational support for the waiver. She explained that although the Council was not in favor of the four stall garage and wide driveway, the development does not allow vehicles to be parked overnight on a person's driveway.

Crosby stated that one of the major problems that he had was that there was an approved plan that was not followed.

Moved by Johnson, seconded by Weir, to table the driveway waiver request at 4517 Trillium Drive South until a time that staff can review driveway standards. Motion passed unanimously.

Mr. Kucala stated that one of his bigger fears in bringing this item to the City was that he was threatened by a staff person. He stated that he was told that if he brought this issue forward everyone in the City would be required to change their driveway and would also know who brought the request forward.

Batty stated that some people do not obtain permits for driveways and he did not foresee a grand campaign from the City to narrow driveways.

Weir stated that she did not think that anyone would "come after" Mr. Kucala because of the request for a driveway waiver and suggested Mr. Kucala discuss the issue with Administrator Adams.

Crosby briefly recessed the meeting at 9:10 p.m.

Crosby reconvened the meeting at 9:17 p.m.

D. Planning Services Appointment

Adams stated that for the mixed use ordinance proposal it would be more cost effective to enter a contract with a consulting firm and recommended the service agreement approval with Northwest Associated Consultants, Inc. He added that all of the part-time applicants interviewed and consultant proposals reviewed/interviewed were well qualified to provide services. He advised if the City were to choose a part-time position there would be a risk that the person hired could leave the position for a full-time position. He advised that the consulting firms interviewed had deep pools of resources that could be utilized for a longer period of time. He stated that work space is also limited within the Planning offices.

Crosby stated that he was concerned with different staff people being moved around a firm to complete the work for the City.

Adams advised that the firm would use a team approach for the ordinance, explaining that different talents could be used. He stated that this ordinance has been bid by the firm and thought that the process could be repeated in the future for additional ordinance work. Staff discussed the quote with Northwest Associated Consultants and expects future quotes on ordinances to be similar.

Smith questioned if the applicants and firms had ideas in regard to green technology and a good understanding of Low Impact Development (LID) options.

Adams stated that component was discussed and all applying persons and firms had experience and/or knowledge in sustainable practices.

*Moved by Smith, seconded by Weir, to approve a contract for Professional Planning Services for preparation of the mixed-used ordinance regulations with Northwest Associated Consultants, Inc. **Motion passed unanimously.***

*Moved by Smith, seconded by Weir, to approve a contract for Professional Planning Services for general land-use application review with Northwest Associated Consultants, Inc. **Motion passed unanimously.***

E. Ordinance Related to Permitted Signs in the Public/Semi-Public and Residential Zoning Districts Amending Section 815

Finke stated that the Planning Commission and staff recommend approval of the proposed changes to the sign ordinance. He summarized the proposed changes to the ordinance, including the addition of pylon signs as acceptable signs and changes to font size.

Crosby suggested changing the dimensions of the construction signs allowed from 64 square feet to 32 square feet.

Finke displayed pictures of signs currently found in the different zoning districts, including pylon signs. He reported that the primary objective for the Council is whether or not to allow pylon signs within the ordinance. He reviewed the proposed height and size limits for pylon signs within the different zoning districts. He stated that the Planning Commission recommended removing the font size regulations from the sign regulation, with the exception of dynamic signs. He then displayed proposed sketches

of the park signs currently in development by the Park Commission. He reported that the Planning Commission recommended that the pylon signs be constructed with natural appearing material, such as wood. He reported that the Park Commission was not in favor of that recommendation as they were more interested in the type of material used by Three Rivers Park District.

Smith stated that the Park Commission is not in favor of the natural appearing material comment, as they do not want to use redwood. She commented that maintenance is an issue that needs to be considered.

Finke explained that the Planning Commission had envisioned a metal sign with metal posts, and was not in favor of that type of appearance. He commented that the Planning Commission also recommended the use of posts that are 10 percent of the sign width.

Crosby stated that the Council appeared to be in favor of the 10 percent post size. He also stated that he was in favor of the materials being natural in appearance, but was concerned that wood would be the only option.

Finke stated that staff could work with the language to state that the sign would appear natural in appearance, meaning that not all the materials would necessarily be natural. He confirmed that the Council was in favor of removing the font size regulations with the exception of dynamic signs. He explained to the Council that the size regulations only apply to the message portion of the sign, not the total sign area. He stated that staff could make adjustments to the sign area and size per the direction of the Council, as there was concern that the total size of the sign was not being regulated. He reported that this change would make a lot of the signs in these zoning districts nonconforming. The Council then agreed to a maximum size of 20 square feet for signs. He confirmed the changes agreed upon by the Council. He stated that there would also be landscaping requirements for the area surrounding the sign. The suggestion made by the Council for determining the amount of landscaping was to multiply the full width by two.

Moved by Johnson, seconded by Smith, to adopt the ordinance related to signs in the public/semi-public and residential zoning districts amending section 815, as amended. Motion passed unanimously.

1. Resolution to Publish the Ordinance by Title and Summary

Moved by Johnson, seconded by Weir, to approve the resolution authorizing publication of the ordinance by title and summary. Motion passed unanimously.

F. Ordinance Related to Tobacco, Tobacco Products and Tobacco Related Devices Amending Section 615

Adams stated that there were a few technical changes that needed to be made to the ordinance. He advised that the fee schedule had changed and suggested that the ordinance be updated annually to match the fee schedule. He advised of some duplicate information that had been removed and grammatical errors that were changed.

Batty pointed out some language that needed correction.

*Moved by Weir, seconded by Siitari, to adopt ordinance amending section 615 related to tobacco, tobacco products and tobacco related devices, as amended. **Motion passed unanimously.***

1. Resolution to Publish the Ordinance by Title and Summary

*Moved by Weir, seconded by Siitari, to approve the resolution authorizing publication of the ordinance by title and summary. **Motion passed unanimously.***

X. CITY ADMINISTRATOR REPORT

A. City Liquor Ordinance

Adams stated that the current ordinance states that a liquor license cannot be issued within 300 feet of a church or school. He questioned if this item was something that the Council agrees with, or if the Council felt the statement could be removed from the ordinance.

Weir stated that she thought the statement seemed outdated.

Finke commented that local churches actually get a liquor license for special events.

Adams reported that staff would prepare an amendment to remove the restriction and would bring the item back to the Council for approval.

B. 116 Trail Project

Kellogg stated that although the project is making progress, staff would not be able to go for bids on the date previously specified. He advised that staff is still obtaining and clarifying easements; and that Hennepin County needs to approve the plans, as they are cost sharing the project. He explained that Hennepin County may have suggestions; and final bids could not be put together until the County approval is granted. He stated that the City could still try to construct a portion of the trail this year. He advised that the bid date could be changed to the end of September and the bid could be awarded at the first meeting in October, with the understanding that a portion of the trail would be built this year. He stated that another option would be to go for bid in November with the intention that the whole trail would be built next year. He stated that options at this point would be to try to obtain easements for the private property the trail appears to cross, to move the trail to the existing right-of-way, or to move the trail further onto the County owned property.

Crosby stated that he would be in favor of going out for bid in November with work to be completed in the spring of 2010.

Kellogg stated that he would also be in favor of that option as there is additional work to be completed at this time. He felt that a better price could be gained in bidding the project to be completed at one time. He reported that the funds being contributed by Hennepin County would not be in jeopardy by delaying the start date. He stated that the bid dates could be set so that the Council would be able to accept the bid at the first meeting in December.

C. Temporary Location of the Lion's Concession Trailer

Crosby stated that the Lion's concession trailer is currently kept near the new field house location during the summer season. He explained that the Lion's would like to

temporarily move the trailer near the garage in the Park through the month of October and would also like to plug the trailer into the electrical hook-up.

Adams stated that Staff saw no public purpose to granting the request. He added in previous years the Lion's had parked the trailer in the park without approval and Staff requested the trailer to be removed. He stated that there had been an agreement for the trailer to be stored through September in the field house area, because the Lions were going to hold a tournament in September. He explained that the tournament has been canceled and he did not see a reason for the trailer to be parked at that location any longer. He explained that there had also been an issue with the Lion's using an air conditioning unit in one of the storage buildings during the past summer to keep concessions cool, at the cost of the City.

Smith stated that she would not be in favor of the request and acknowledged it was not acceptable to be air-conditioning a storage shed for concession materials.

Crosby stated that he would be in favor of the request. He explained that this would be the last time that the Lion's would be using the trailer at the park location because of the new concession building.

Weir questioned if the trailer could be stored near the Ballroom, as she believed, it was intended for the concession trailer to be used at the flea market. She also questioned if the City would be paying the electric bill should the Lion's be allowed to use the electrical hook-up in the City's park.

Adams stated that staff did not support allowing entities to use City property for non-public uses.

Crosby stated that the Lion's were a non-profit group and contribute to the community.

It was the consensus of the Council to allow the Lions to park their trailer at the park location through the month of October 2009, with no access to the electrical hook-up.

XI. MAYOR & CITY COUNCIL REPORTS

Weir stated that she was in favor of having a representative from the Watershed District present an update to the Council once or twice a year. She advised that there had only been one attendee at the budget open house and suggested noticing special City meetings through email to attempt to gain better attendance.

Adams advised the budget open house was advertised in the City's e-mail agenda/minutes distribution list on August 14th.

Smith agreed that a special meeting should be noticed in the same manner as a regular Council meeting.

Adams reported that there were several special City meetings held in the past few months and questioned which types of meetings the Council would like to be noticed.

Smith stated that she believed that notice, through email, should be given for all City Council meetings.

XII. APPROVAL TO PAY THE BILLS

Moved by Johnson, seconded by Weir, to approve the bills, EFT 000542-000552 for \$34,830.53 and order check numbers 034433-034484 for \$258,186.43 and payroll check 020212 for \$1,447.71 and EFT 502241-502266 for \$41,215.69. Motion passed unanimously.

XIII. ADJOURN

Moved by Johnson, seconded by Smith, to adjourn the meeting at 10:30 p.m. Motion passed unanimously.

T.M. Crosby, Jr., Mayor

Attest:

Chad M. Adams, City Administrator-Clerk