

AGENDA
MAPLE PLAIN CITY COUNCIL – WORKSHOP MEETING
MAPLE PLAIN CITY HALL
JANUARY 27, 2014
5:30 PM

- 1. CALL TO ORDER**
- 2. ADOPT AGENDA**
- 3. MEET THE CITY PLANNER**
- 4. STORM WATER UTILITY CHARGES**
- 5. UPDATE ON THE CITY HALL SITE ASSESSMENT**
- 6. MEETING WITH RICK SHENK (6 p.m.)**
- 7. DISCUSSION OF CITY CODE 30.35**
- 8. WATER METER PROJECT**
- 9. OTHER ISSUES**
- 10. ADJOURNMENT**

Memorandum

To: Mayor and City Council Members
From: Tessia Melvin, City Administrator
Date: January 27, 2014
Re: Storm Water Charges

BACKGROUND

The City updated its Storm Water Drainage Utility Ordinance in 2011. Since that time, the City has received two complaints on the utility billing of storm water drainage. Staff has attached the ordinance.

Two property owners would like consideration to amend the ordinance to remove or down charge. The City Council discussed this issue on October 15, 2013, and at that time it was determined that the Mayor and Interim City Administrator would meet with one of the property owners and attempt a resolution. Attached are the documents included in the October 15, 2013, packet and the second property owner's concerns.

THINGS TO CONSIDER

Staff is asking for City Council to provide guidance on next steps for addressing this issue.

**CITY OF MAPLE PLAIN
ORDINANCE NO. 254**

An Ordinance Amending Chapter 50 Storm Water Drainage Utility

The City Council of the City of Maple Plain ordains as follows:

SECTION I.

A new City Code Section §50.02 is being added with the following underlined materials:

§ 50.02 DEFINITIONS.

The following terms shall have the meanings given to them.

Billable acreage. Total acreage of real property per Hennepin County Recorder's Office minus wetlands.

Resident Equivalency Factor (REF). The amount of runoff generated by a typical single-family residential parcel, which represents the basic unit of the storm water utility charge structure.

Undeveloped, or vacant, land. Any real property upon which there is no structure or hard surface, such as driveways, parking areas, or other intensive uses, which is not used in connection with another piece of property, and where topography and soils of said property has not been altered from its natural condition.

Wetland. Land designation identified by the National Wetland Inventory (NWI).

SECTION II.

Existing City Code Sections §50.02 – §50.08 are hereby renumbered §50.03 – §50.09.

SECTION III.

Renumbered City Code Sections §50.05, §50.06, and §50.07 are being amended by ~~striking~~ the following materials and adding the following underlined materials:

§ 50.05 STORM WATER UTILITY FEE & CLASSIFICATIONS.

The City of Maple Plain hereby establishes a monthly storm water utility fee, to be determined from time to time by resolution of the City Council. Determination of fees is based on the City's approved zoning designation per property. Legal, non-conforming property shall be charged based on that property's use at the time of adoption of this Code. Development of an undeveloped, or vacant, parcel or change in property use shall comply with the appropriate storm water utility fee charge.

John Sweeney, Mayor

Attest:

Jason Ziemer, City Administrator-Clerk

Published in The Pioneer on the 19th day of March, 2011.



Agenda Information Memorandum
October 15, 2013 Maple Plain City Council

VIII. OLD BUSINESS
A. STORM WATER FEES

ACTION TO BE CONSIDERED

To review storm water charges per ordinance and as related to Outlot A, Maple Plain Industrial Park 4th Addition.

FACTS

- In July, we received a letter from the attorney representing McKown, owner of the above-referenced Outlet A, relating to storm water charges.
- The City reviewed, in a closed session, the correspondence and its implications.
- Based on the meeting, the City decided to review to ordinance in general and specifically as it applied to the above-referenced Outlet A.
- The Council must determine whether to amend its storm water ordinance as it applies to vacant properties, or leave to ordinance as it exists.
- Once a determination is made, the City can respond to the correspondence from Attorney Ritts.

ATTACHMENTS

Documents provided at the August closed session meeting.

Attached on page(s) ____ through ____ is a county printout for Outlot A showing property tax and special assessments (storm and water charges); penalty, interest and balances totaling over \$10,000 for the subject property; and other applicable correspondence and documentation.

Jeff Carson

From: Jason Ziemer <jziemer@mapleplain.com>
Sent: Wednesday, August 21, 2013 2:06 PM
To: Jeff Carson (jac@carsoncs.net); Dan Boyum (dan.boyum@stantec.com); Mike Ericson
Subject: Storm water issue: Property taxes
Attachments: pic29213.gif; pic02406.gif

Importance: High

Here are the past taxes for the subject property broken down by property taxes and special assessments (water/sewer utility). I'm also attaching the print out from Hennepin County.

Year	Property Tax	Specials	Total Tax	Penalty/Interest	Balance Due	Unpaid
2013*	\$511.50	\$2,269.18	\$2,780.68	\$139.03	\$2,919.71	\$1,529.37
2012	\$306.12	\$2,678.76	\$2,984.88	\$664.72	\$3,629.60	\$3,629.60
2011	\$287.28	\$2,737.03	\$3,024.15	\$998.00	\$4,022.31	\$3,704.88
2010	\$298.19	\$790.45	\$1,088.64	\$463.36	\$1,552.00	\$1,164.56
						\$10,028.41

* Represents balances through first-half taxes payable.

Jason Ziemer
Maple Plain City Administrator
Office: (763) 479-0515
Cell: (612) 490-5829



Proud Past, Prosperous Future.
www.mapleplain.com

CARSON, CLELLAND & SCHREDER
ATTORNEYS AT LAW

PROFESSIONAL LIMITED LIABILITY PARTNERSHIP

JEFFREY A. CARSON
WILLIAM G. CLELLAND
ELLEN M. SCHREDER
DAVID K. ROSS
DAWN E. SPELTZ
JOHN J. THAMES

6300 SHINGLE CREEK PARKWAY, SUITE 305
MINNEAPOLIS, MINNESOTA 55430-2190

TELEPHONE
(763) 561-2600
FAX
(763) 561-1943

August 14, 2013

I. Chris Ritts, Esq.
Dunlap & Ritts, P.A.
7000 Flour Exchange Building
310 Fourth Avenue So.
Minneapolis, MN 55415

Re: Marsh Land Properties, LLC and Bradley McKown vs. Maple Plain

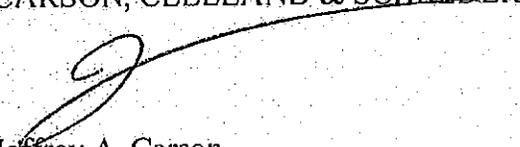
Dear Mr. Ritts,

This letter will confirm our conversation of August 13, 2013, wherein I indicated that the City Council has directed staff to gather information about the Marsh Land property, and other properties similarly situated, for further review. Any change in the policy will require an ordinance amendment.

Because the current administrator is leaving at the end of August, it is difficult to say exactly when the council will get to this review. I anticipate I will be back to you within a month with additional information. Thank you.

Very truly yours,

CARSON, CLELLAND & SCHREDER



Jeffrey A. Carson

JAC:jmw

cc: Jason Ziemer, Administrator, City of Maple Plain

MEMORANDUM

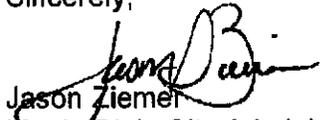
TO: Mayor Roger Hackbarth and City Council
FROM: Jason Ziemer, City Administrator
DATE OF REPORT: July 22, 2013
RE: Storm water letter

Mayor Hackbarth and Council members,

Attached is a letter received today regarding storm water charges being assessed to a property. The property is located behind Proto Labs in the north industrial park. We responded to a similar complaint in 2009-2010; I have attached copies of our correspondence to the property owner's legal representative back then. I have additional information from this time, including meeting minutes and other correspondence that I will forward to you all by e-mail.

Because the attorney for the property owner is threatening possible legal action no Council person should contact either the attorney or property owner. City Attorney Jeff Carson, City Engineer Dan Boyum and I will review the new letter and our past reviews and correspondence regarding this issue and determine a course of action and response. We will advise the City Council of that determination as well as possible next steps regarding this matter and seek direction from you all at that time.

Sincerely,



Jason Ziemer
Maple Plain City Administrator

Dunlap & Ritts, P.A.

Law Offices

John C. Dunlap • Chris Ritts

July 17, 2013

Mayor Roger Hackbarth
Maple Plain City Hall
1620 Maple Avenue
Maple Plain, MN 55359

RE: Marsh Land Properties LLC and Bradley McKown v. City of Maple Plain

Dear Mayor Hackbarth:

I have been retained by Marsh Land Properties and Bradley McKown to commence litigation against the City. I believe that you are aware of the general issues and the meaningless communications that have been going on between the City Administrator and my clients' former attorney. I am not interested in any such future discussions. This letter constitutes a final Settlement Demand and as such cannot be deemed as any admissions of liability. Have your attorney contact me in the future.

Essentially, the City has wrongfully been charging and thereby having Hennepin County assess my clients for storm and water utility fees. These charges are wrongful and violate State law for a variety of reasons.

First, several years of the charges violate the State's Open Meeting and Due Process laws. Your City Administrator unwittingly admitted as much when he remitted several past years of charges after this issue was brought to his attention.

Next, the charges are per se unreasonable because the City Council mandated in 1993 that my clients build and maintain a Storm Sewer Basin Collection Pond for water retention and run-off. My clients are the only entities that are providing the service for which the City wants to charge. The City is not providing any such service or expending money for the same, at least for my clients which my clients already are paying.

What is even more egregious perhaps is that the City owes my client money for the unauthorized use of their Storm Water Retention Pond and System. Since 1993 all of the City's property North and West of Highway 19 has been pouring down into my clients' property and Storm Sewer System. It was expensive to build it and they have to maintain and clean it constantly. Therefore, we demand that the City stop this unauthorized use and pay my client for the same, past and present.

Page -2-

Next is the City has been defaming my clients regarding this issue. The City and County have wrongfully and untruthfully cause my clients' names to be publicly punished for tax delinquencies regarding these fees. They have also damaged and impaired their credit.

If you want to resolve all of these issues now the City needs to remove / waive all past assessments and forgo future ones for storm water fees to my clients. They qualify under the Ordinance's exceptions or create one. My clients will release their damages claims in return against the City and individuals involved.

Please advise through your attorney within 14 days of this letter's date or we will commence an action for Declaratory Relief and Damages. My direct contact information is (612) 845-7377 or chris@dunlapritts.com

Very truly yours,



I. Chris Ritts

ICR/er



1620 MAPLE AVENUE | P.O. BOX 97 | MAPLE PLAIN, MN 55359 (763) 479-0515
Ph: (763) 479-0515 | Fax: (763) 479-0519 | www.mapleplain.com

March 15, 2010

Michael D. Schwartz
Michael D. Schwartz, P.A.
455 Pond Promenade, Ste 210
P.O. Box 219
Chanhassen, MN 55317-0219

Mr. Schwartz:

I received your letter dated February 18, 2010 pertaining to your questions regarding storm water charges assessed to properties owned by Windmill Properties Limited Partnership; Pioneer Creek, Ltd; and Marsh Land Properties, LLC. Thank you for your inquiry. It is my hope that this letter provides some clarification to issues raised in your letter.

Collection of past & present fees

The City has no intention of seeking payment for storm water charges not previously billed. In discussing the storm water fee calculation, the City Council agreed that any fees not previously billed should not be collected retroactively. Because the City has collected these fees since 2006, the improper billing was of benefit to your clients. Rather, the Council directed staff to notify and begin collecting the fees on all properties, except those listed as exempt under City Code. Collection began with the third quarter 2009 billing cycle.

Storm water charges

As noted in your letter, the City is authorized by Minnesota Statute §444.075 to implement and collect storm water charges for the purposes of operating a storm water system.

To establish a reasonable method of determining these charges, a residential equivalent factor (REF) was assigned to each property type. The REF is then multiplied by the square footage of a property to determine the total storm water charge. The universal definition of one (1) REF, for example, is the ratio of the average volume of water runoff generated by one (1) acre of a single family residential property. (See attached storm water calculation rate chart.)

The method the City uses for determining storm water fees is applied equitably throughout the community. It is also comparable to formulas used by other communities. However, the method for determining REF varies between communities as does the number and type of exemptions and/or credits granted by communities.

Regarding the assessment of charges based on access to storm water pipes: Expenses for operating a storm water system go beyond structural maintenance. Each year the City must comply with annual storm water permitting requirements in addition to working towards achieving local watershed district and City surface water management goals.

Unpaid balances

The City, per code section §50.07, is permitted to charge interest on all unpaid balances. The City may also certify to Hennepin County any unpaid balances, plus penalties, for collection with property taxes the following year. Property owners were notified of any balances due prior to certification, and were encouraged to contact the City to make arrangements to prevent those amounts from being collected with property taxes.

As stated above, the City believes, based on City Code, State Statute and methodology, the storm water charges assessed to property owned by your clients are reasonable and justified.

Enclosed are copies of the meeting minutes pertaining to the City Council discussions regarding the assessment of storm water charges. Since the ordinance was adopted in 2006 City staff was seeking Council interpretation of this section of the code. The minutes are available on the City's Web site under the Special Meeting Minutes subsection of the City Council Agendas & Minutes section.

Hopefully the information above answers questions and provides clarification to you and your clients regarding the City's storm water charges. Feel free to contact me with any other questions you might have, or if there is any else I can do to help. I may be reached at (763) 479-0515 or jziemer@mapleplain.com.

Sincerely,


Jason A. Ziemer
Maple Plain City Administrator



1620 MAPLE AVENUE | P.O. BOX 97 | MAPLE PLAIN, MN 55359 (763) 479-0515
Ph: (763) 479-0515 | Fax: (763) 479-0519 | www.mapleplain.com

October 13, 2010

Michael D. Schwartz
Michael D. Schwartz, P.A.
455 Pond Promenade, Ste 210
P.O. Box 219
Chanhassen, MN 55317-0219

Mr. Schwartz:

We received your previous letter, dated June 18, 2010, seeking additional clarification to storm water charges assessed to properties owned by Windmill Properties Limited Partnership; Pioneer Creek, Ltd; and Marsh Land Properties, LLC. Hopefully this letter provides some clarification to issues raised in your letter.

Council Workshops

City Council workshops are intended for Council to discuss City policies, budgets and other issues in an informal setting, and provide direction to City staff as to how to proceed. The meetings also provide staff an opportunity to seek Council interpretation on City policies. Formal action(s), if necessary, take(s) place at regularly-scheduled or special City Council meetings. Agendas for all public meetings are posted on the City's Web site and at City Hall.

Ordinance No. 203, creating and implementing the City's storm water utility and related charges, was adopted on August 22, 2005. The public hearing took place on August 8, 2005. In discussing the topic at the August 24, 2009 and September 8, 2009 workshops the Council merely reviewed and provided interpretation to its existing code. There was no change to the storm water utility ordinance requiring Council action.

Collection of past & present fees

As referenced in the previous letter, dated March 15, 2010, the City has no intention of seeking payment for storm water charges not previously billed. Collection of storm water fees began with the third quarter 2009 billing cycle. Fees not previously billed will not be collected retroactively.

Open space & storm water charges

Section §50.06 of the Maple Plain City Code defines properties exempt from the storm water fee as: public rights of way, public parks or open space; and school- or city-owned property. Open space, as stated in this code, refers to "public" open space. Therefore, properties that are vacant or "landlocked," undeveloped, including those with or without wetlands or storm water ponds do not meet the exemption criteria.

As noted in your letter, the City is authorized by Minnesota Statute §444.075 to implement and collect storm water charges for the purposes of operating a storm water system. According to

said Statute, Subd. 3b(4), storm water charges may be fixed "on any other equitable basis, including any combination of equitable bases referred to in clauses (1) to (3)." Clauses (1) and (2) allow charges based on square footage and classification of premise types. Maple Plain uses a combination of those two clauses.

The variable used to determine quarterly storm water charges is the *Residential Equivalent Factor (REF)*. Each parcel in Maple Plain is assigned a certain REF. Commercial and industrial have an REF of three (3). Explanation of the storm water utility charge was provided in the letter to you dated March 15, 2010.

Residential equivalent factor (REF) is a generally accepted basis used in determining storm water runoff and applicable charges. REF means the ratio of the average annual volume of stormwater runoff, in inches, generated by one acre of land devoted to single family residential use as compared to the average annual volume of stormwater runoff, in inches, generated by one acre of land devoted to another land use. The definition and assignment of REF values varies between communities as does the number and type of exemptions and/or credits issued to properties.

The method used by the City for determining storm water fees, as stated in the March 15, 2010 letter to you, is applied equitably throughout the community. Any change in the calculation method or exemptions would require City Council action.

Feel free to contact me with any other questions you might have, or if there is any else I can do to help. I may be reached at (763) 479-0515 or jziemer@mapleplain.com.

Sincerely,

Jason A. Ziemer
Maple Plain City Administrator

cc: Maple Plain City Council
Jeff Carson, City Attorney
Dan Boyum, City Engineer



1620 MAPLE AVENUE | P.O. BOX 97 | MAPLE PLAIN, MN 55359 (763) 479-0515
Ph: (763) 479-0515 | Fax: (763) 479-0519 | www.mapleplain.com

March 18, 2011

Michael D. Schwartz
Michael D. Schwartz, P.A.
455 Pond Promenade, Ste 210
P.O. Box 219
Chanhassen, MN 55317-0219

Mr. Schwartz:

The Maple Plain City Council has proposed adjustments to the City's Storm Water Drainage Utility ordinance. A public hearing to consider these changes will take place on Monday, March 28 at 7 p.m. Council may also consider adopting the ordinance that night, thereby approving the proposed amendments.

The proposed amendments include the following:

- Creation of an undeveloped land category for commercial/industrial property; land in this category would be charged at 1.5 REF. The current charge is 3 REF.
- Wetland adjustment for properties with wetlands per the National Wetland Inventory.

Undeveloped land with hard surfaces (i.e. parking, storage, etc.) would not be eligible for the proposed reductions. All applicable storm water utility fees would resume upon development of those properties. There are also no adjustments for storm water ponds.

Enclosed is a copy of the public hearing notice and draft ordinance showing the proposed revisions. The amendments will take effect upon their passage.

Feel free to contact me with questions. I may be reached at (763) 479-0515 or ziemer@mapleplain.com.

Sincerely,


Jason A. Ziemer
Maple Plain City Administrator

cc: Jeff Carson, City Attorney

CITY OF MAPLE PLAIN

NOTICE OF PUBLIC HEARING

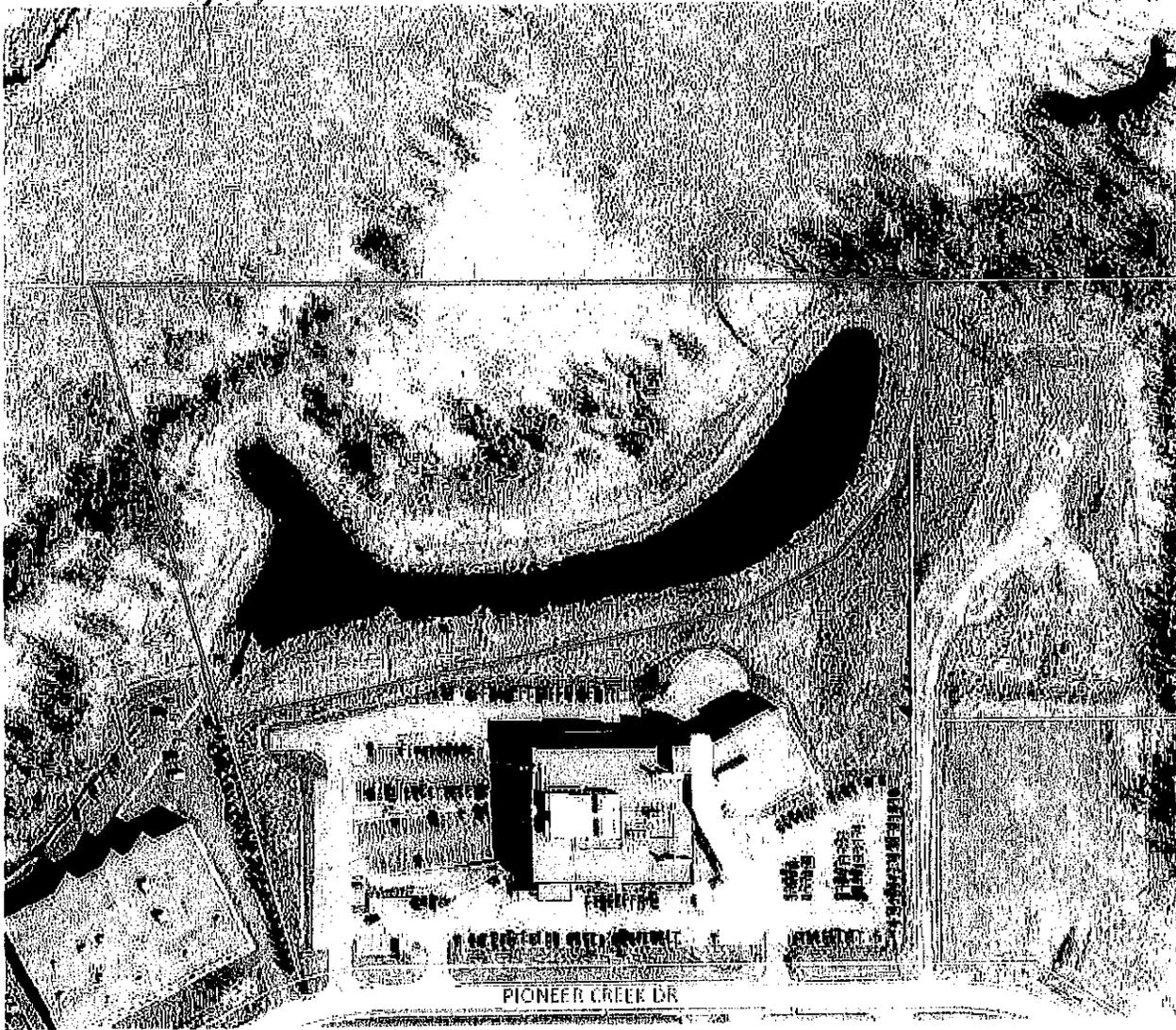
Notice is hereby given that the City Council of the City of Maple Plain will conduct a public hearing at 7 p.m. on Monday, March 28, 2011 at City Hall, 1620 Maple Avenue, to consider a proposed revision to the City's Storm Water Utility ordinance. The change would create an undeveloped (vacant) land classification for commercial and industrial properties, and provide an adjustment for commercial and industrial properties with wetlands identified on the National Wetland Inventory.

A brief presentation will provide background information on the site plan and proposed project. Following the presentation, the Planning Commission will accept oral statements from the public. Written comments may also be submitted, but must be received no later than 4:30 p.m. on Monday, March 28, 2011. Written comments may be mailed to: Maple Plain City Hall, 1620 Maple Avenue, P.O. Box 97, Maple Plain, MN 55359; or e-mailed to cityhall@mapleplain.com. A copy of the proposed site plan will be available by calling City Hall at (763) 479-0515.

Jason Ziemer
City Administrator



Property Map



Parcel ID: 24-118-24-32-0015

Owner Name: Marsh Land Properties Llc

Parcel Address: 77 Address Unassigned
Maple Plain, MN 00000

Property Type: Land Industrial-Preferred

Home-stead: Non-Homestead

Parcel Area: 8.78 acres
382,434 sq ft

A-T-B: Torrens

Market Total: \$8,500

Tax Total: \$2,780.68
(Payable: 2013)

Sale Price:

Sale Date:

Sale Code:

Map Scale: 1" ≈ 200 ft.
Print Date: 7/25/2013



This map is a compilation of data from various sources and is furnished "AS IS" with no representation or warranty expressed or implied, including fitness of any particular purpose, merchantability, or the accuracy and completeness of the information shown.

COPYRIGHT © HENNEPIN COUNTY 2013
Think Green!

1088825

3583371

3/86

OF THE REGISTRAR
OF TITLES
IN COUNTY, MINNESOTA
TRIED FILED ON

JUN 2 2002

REGISTRAR OF TITLES
DEPUTY

5c
5m

Certificate of Real Estate Value No. 1

PATRICK H. O'CONNOR COUNTY AUDITOR
HENNEPIN COUNTY, MINNESOTA

JUN 28 2002 County Auditor
by [Signature] Deputy

DEED TAX DUE: \$ 1.70

Date: June 12, 2002

(reserved for recording data)

FOR VALUABLE CONSIDERATION, Maple Plain Industrial Park, Inc.

a corporation under the laws of Minnesota
Grantor, hereby conveys and warrants to Marsh Land Properties, LLC

Grantee, a limited liability company under the laws of Minnesota
real property in Hennepin County, Minnesota, described as follows:

Hennepin Co SD1
KAS # 108954
6/28/2002
Paid \$1.70

Outlot A, Maple Plain Industrial Park 4th Addition

Total consideration for this transfer is \$500.00 or less.
together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:
easements, covenants, restrictions and conditions of record, if any.

Check box if applicable:

- The Seller certifies that the seller does not know of any wells on the described real property.
 - A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

24-118-24-32-0015 ST

Maple Plain Industrial Park, Inc.
By [Signature]
Its President
By Les Nielsen
Its Secy / Treas.

Affix Deed Tax Stamp Here

STATE OF MINNESOTA
COUNTY OF Carver } ss.

This instrument was acknowledged before me on

by C. Paul Lindholm and
the President and
of Maple Plain Industrial Park, Inc.

June 12th, 2002
(Date)
Les Nielsen
Secretary / Treasurer

a corporation
on behalf of the corporation.

under the laws of Minnesota
[Signature]

SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK):



Check here if part or all of the land is Registered (Torrens)

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):

Bradley W. Solheim
Melchert Hubert Sjodin, PLLP
121 West Main Street

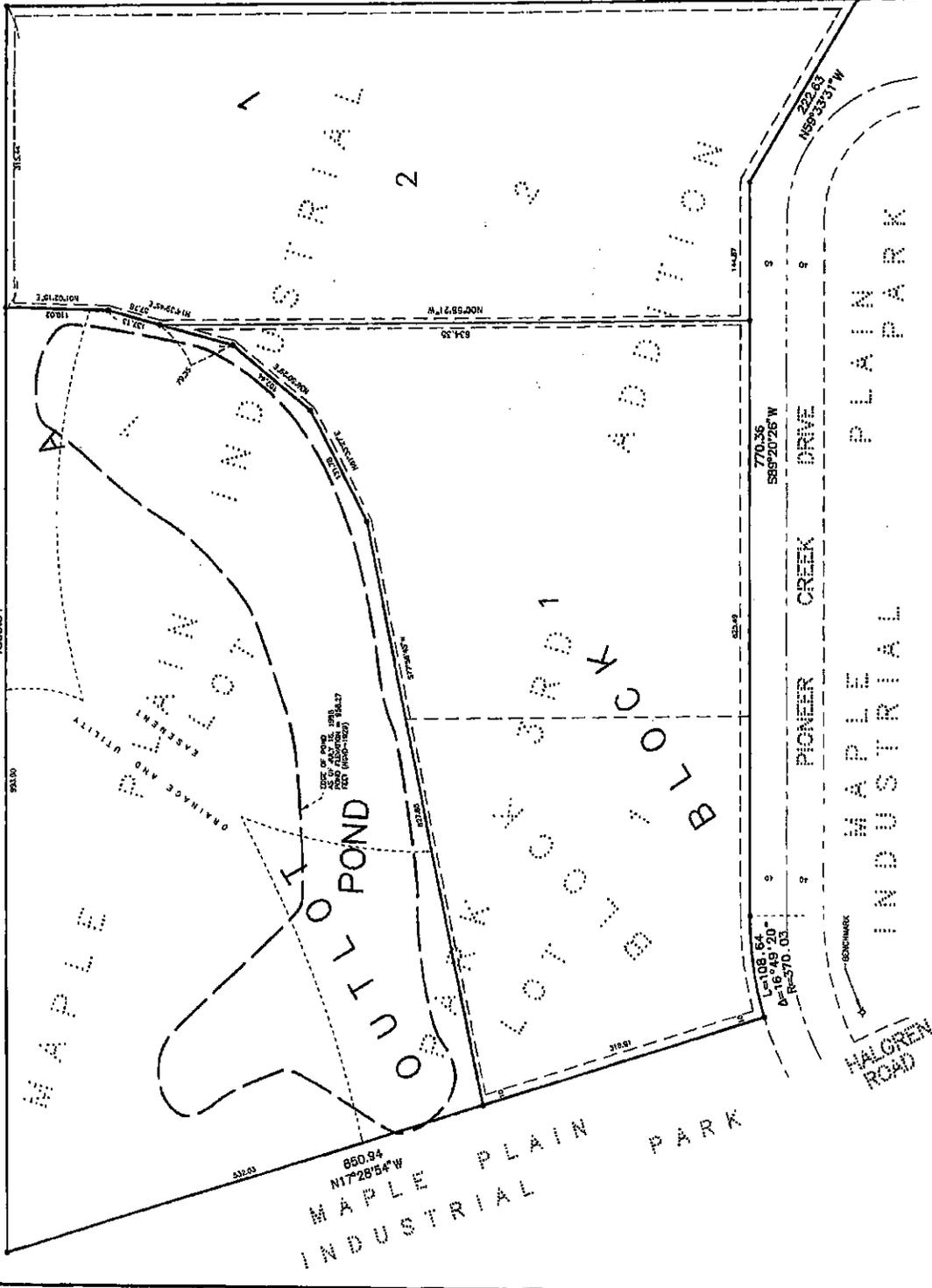
Marsh Land Properties, LLC
2015 Budd St. N.
Maple Plain, MN 55359

1073186

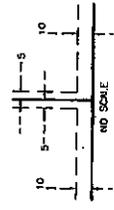
MAPLE PLAIN INDUSTRIAL PARK 4TH ADDITION

3712
 R.T. DOC. NO. 8172489
 CERTIFICATE NO. 102139

N85°15'47"E
 1309.34'



• - Denotes iron monument
 Bearings shown are based upon an assumed datum.
 Drainage and Utility Easements are shown thus:



915.47
 S00°56'21"E

RESPONSES:
 Top red hydrant located at the SE corner of Halgren Road and Pioneer Creek Drive. Elevation = 585.35 feet. (MVD-1993)

SCHOELL & MADSON, INC.
 ENGINEERS • SURVEYORS • PLANNERS
 SOIL TESTING • ENVIRONMENTAL SERVICES

maple plain lawsuit

To: Mayor Hackbarth
From: Dwight Post
Re: Potential litigation 1270 County Rd 19

Mayor Hackbarth;

Approximatly 3 years ago my Mini Storage business in Maple Plain started receiving bills for Storm Water Management from your city. I found it interesting that I would be billed for that considering I do not even have access to city water, nor is there any city storm water infrastructure anywhere near my property. I discussed this with your City Manager Jason at the time and got nowhere.

I now have decided to right this matter by whatever steps are necessary.

Let me give you some background on the property in question.

The "storm sewer" that serves my property is actually just a grass ditch. During a heavy rainfall the water gushes through the ditch as my property handles an immense amount of water runoff coming from Maple Plain itself. This ditch requires constant maintenance, which has NEVER been provided by the City. Every year culverts must be dug out from leaves, sand and debris accumulating in them. This has been done for over 10 years now BY ME. If that work is not done the water will back up on MY property and has in fact flooded my building on two occasions.

During construction of my property I was forced by govt. agencies to reduce the size of my buildings in order to construct a storm water runoff pond and drainage system on my property. Not only does that reduce my ability to earn, it also is another burden that has to be maintained by me at my expense on an annual basis. This system ensures that all the water runoff from my property is handled on site and would not burden any storm water removal system should there actually be one in place.

So even though I am self sufficient and create zero burden on a storm water system that doesnt even exist anywhere near my property I am being billed for it. In addition to the \$18,000.00 in taxes Im already paying for metal pole sheds on property that has no city water or sewer, and you can see why I am questioning the additional billing for services the city doesnt provide for me.

The last thing I want is to settle this matter thru litigation as that would be costly for me and extremely wasteful of taxpayers money. However I will do whatever it takes to right this situation.

I ask that the city refunds the amount Ive paid to date on this matter and permanently exempts my property from this charge.



Dwight Post
Owner Maple Plain Mini Storage
PO Box 85
Maple Plain MN 55359

+++++

cc Chris Ritts

Memorandum

To: Mayor and City Council Members
From: Tessia Melvin, City Administrator
Date: January 27, 2014
Re: Update on City Hall Site Assessment

BACKGROUND

The City Council met with Bossardt Corporation on Monday, January 13, to discuss possible options for the relocation of City Hall when the current site is developed. Mark Hovelson provided a brief update with a proposed draft of a Maple Plain Fire Department addition and City Hall building. The draft drawing is attached.

THINGS TO CONSIDER

Hovelson also met with Tom Stringer, Business Manager of Orono Public Schools. Stringer updated Hovelson that the District is looking to do building updates to the entire building and these plans may determine where the City Hall could be located. Stringer said that he would provide more details in February.

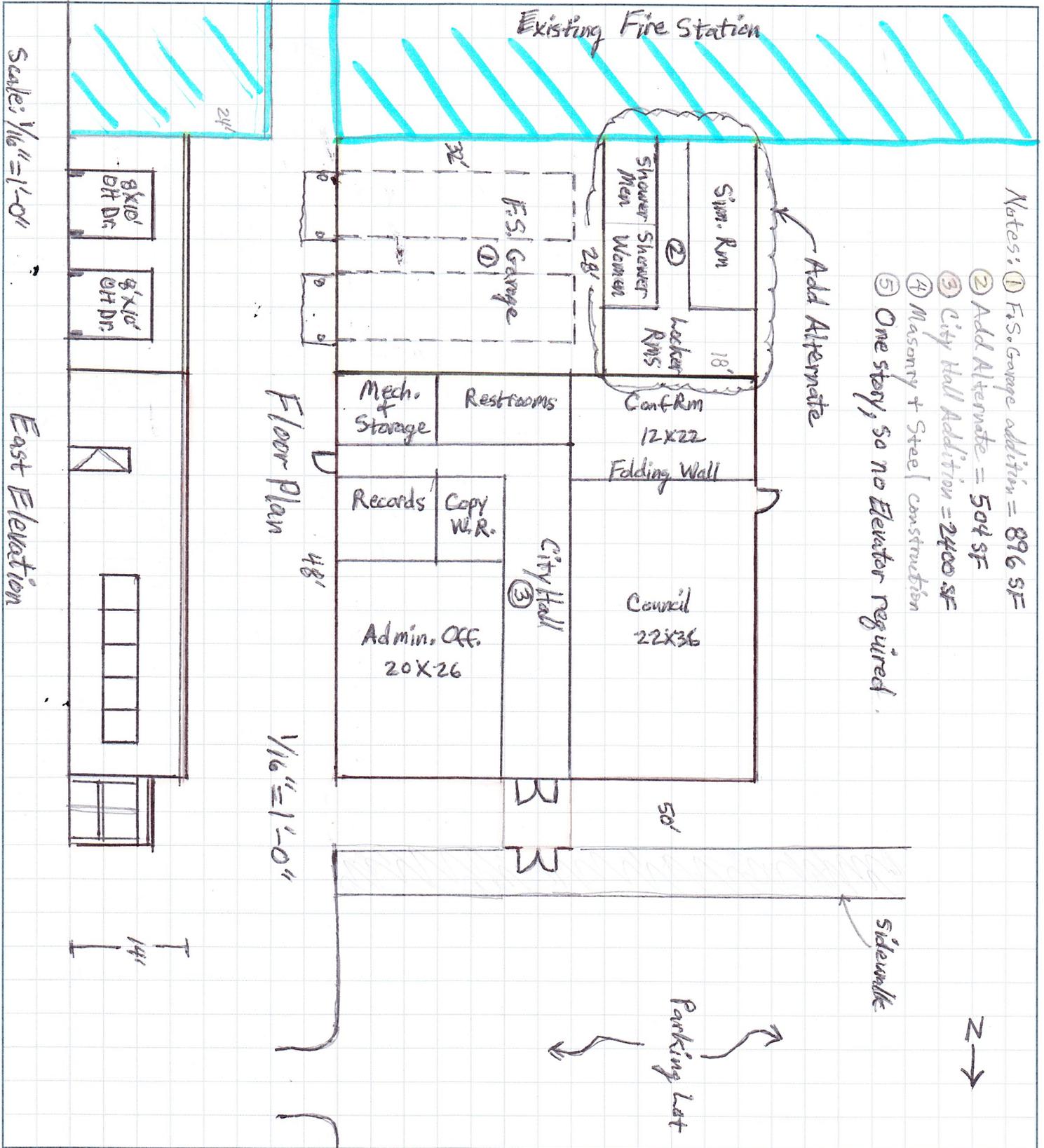
Staff would like feedback on the drawing and other options as determined by Bossardt.



BOSSARDT CORPORATION
Professional Construction Services

5270 West 84th Street • Suite 550 • Minneapolis, MN 55437-1386 • 952-831-5408 • 800-290-0119 • Fax 952-831-1268 • www.bossardt.com

Project M.P. Fire Station & City Hall Additions at the Fire Station By MA Date 1/21/04



- Notes:
- ① F.S. Garage addition = 896 SF
 - ② Add Alternate = 504 SF
 - ③ City Hall Addition = 2400 SF
 - ④ Masonry + Steel construction
 - ⑤ One story, so no Elevator required.

→ Add Alternate

Side Walk

Parking Lot



Scale: 1/16" = 1'-0"

East Elevation

Floor Plan

1/16" = 1'-0"

24'

32'

28'

18'

Conf. Rm
12x22

Folding Wall

Council
22x36

City Hall
③

Admin. Off.
20x26

Records

Copy
W.R.

Mech.
Storage

Restrooms

F.S. Garage
①

Shower
Men
Shower
Women

Sim. Rm
②

8'x10'
CH DR

8'x10'
CH DR

14'

Memorandum

To: Mayor and City Council Members
From: Tessia Melvin, City Administrator
Date: January 27, 2014
Re: City Code 30.35

Background

Current City Code 30.35 states the following:

30.35 SALARIES OF MAYOR AND COUNCILMEMBERS.

(A) *Mayor salary.* From and after the effective date of this section, until otherwise changed pursuant to law, the salary of the Mayor of the city shall be in the sum of \$350 per month.

(B) *Council member salary.* From and after the effective date of this section, until otherwise changed pursuant to law, the salary of a Council member of the city shall be in the sum of \$250 per month.

(C) *Payment for meetings and business.* In addition to the salaries pursuant to divisions (A) and (B) above, the Mayor and the City Council shall be paid \$25 for each official meeting attended and mileage at the business rate authorized by the federal government.

(D) *Coverage in Worker's Compensation Act.* Pursuant to M.S. § 176.011, Subdivision 9, clause 6, as may be amended from time to time, the Mayor and City Council are included in the coverage of the Worker's Compensation Act for all acts performed in their official duties with the city.

(Ord. 223, passed 6-23-2008)

The City Administrator would like some guidelines on what are considered official meetings.

Research

In order to prepare for auditing the City Administrator would like some guidelines on what events would be considered "official meetings." The City Administrator researched neighboring cities to determine how other Councils are compensated.

Independence	Mayor \$3,000 per year (\$250 per month) Council \$1,800 per year (\$150 per month)
--------------	--

	No additional compensation for meetings
Orono	Mayor \$4,200 (\$350 per month) Council \$3,500 (\$292 per month) No additional compensation for meetings
Medina	Mayor \$4,250 (\$354 per month) Council \$3,000 (\$250 per month) No additional compensation for meetings
Corcoran	Mayor \$1,800 (\$150 per month) Council \$1,200 (\$100 per month) No additional compensation for meetings

The issue of the amount of total compensation is not at question, but for auditing purposes, the City of Maple Plain should provide guidelines for official meeting compensation or create a set monthly salary.

Recommendations

Option One: Set a monthly compensation to cover the average of meetings for Mayor and Council

Option Two: Create a list of approved official meetings and business

Below is suggested language and guidelines that the Council may want to consider:

An Official Meeting, is any meeting that a Councilmember attends that proper public notice is provided. Meetings may include:

- Boards
- Commissions
- Special Council Meetings
- Council Meetings and Workshops

Memorandum

To: Mayor and City Council Members
From: Tessia Melvin, City Administrator
Date: January 27, 2014
Re: Water Meter Replacement Program

BACKGROUND

Due to the age (35+years) of the City's water meters for residential and commercial, the City has bonded for and scheduled the replacement of water meters in 2014. The City owns nearly 700 water meters, which measure water use and provide basic data for utility billing.

THINGS TO CONSIDER

The replacement of water meters is expected to occur March-May, with the hope to be completed by May 1. This installation is important to complete in a timely manner as the City has multiple projects going on this year that will affect staff.

Staff would like the Council to consider possible options to billing residents during the installation period. See possible options below:

1. Delay the utility billing one month to include the old read and the new one for all residents. This will allow all residents to be billed at the same time, but will require staff to marry the old meters with the new readers.
2. The City could continue its quarterly billing, and use the previous meter read for all accounts. This may cause over and under reads.
3. As the contractor installs the meters, we could read old meter readings and bill residents. Residents would receive their bills at different time, but the City could continue with quarterly billing by third quarter.

Staff would also like guidance of utility billing after the installation of the new meters. Some have suggested going to a monthly billing cycle. This would require additional administrative assistance with billing, but would create more accurate bills and allow staff to better determine if there are any issues with water meters or leaks.