

**City of Long Prairie
Council Meeting
7:00 P.M., Monday, October 1, 2012**

The Long Prairie City Council met in regular session at City Hall, 7:00 p.m., Monday, October 1, 2012. Mayor Don Rasmussen called the meeting to order with the following present: Council members Lilah Gripne, Bob Klick, Art Rowan, Tony Towle, and City Administrator/Clerk David Venekamp.

Council member Gripne motioned Klick seconded to approve the council minutes of September 17, 2012, and the September invoices. Motion unanimously carried.

The council discussed how to proceed with the selection of the engineering firm for the city. The city's engineer, Jade Berube, had resigned from Ulteig Engineering and, at the last meeting; the council discussed the possibility of interviewing Jade's new firm, Apex Engineering Group, and Bolten and Menk for engineering services. The consensus of the council was to have the Mayor appoint a committee to interview the firms Bolten and Menk and Apex Engineering Group and then make a recommendation to the council as to which engineering firm the city should use for future projects. Mayor Rasmussen appointed Council Member Gripne, Public Works Director Spieker, City Administrator Venekamp, and himself to the committee to review engineering firms.

The council reviewed a request for annexation by Central Minnesota Credit Union for a parcel of property that they own south of Coborn's grocery store. City Administrator Venekamp stated he had met with the township earlier that day concerning the annexation of the credit union property along with the portion of T.H. 71 that would lie adjacent to the credit union property; running north to the present corporate limits of the city

Council member Rowan motioned Rasmussen seconded to adopt the following resolution for orderly annexation of the Central Minnesota Credit Union property:

**RESOLUTION #12-10-01-12
IN THE MATTER OF THE ORDERLY ANNEXATION BETWEEN
THE CITY OF LONG PRAIRIE AND LONG PRAIRIE TOWNSHIP
PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, a request from all of the property owners of the area proposed for designation and immediate annexation was received.

WHEREAS, the City of Long Prairie and Long Prairie Township jointly agree to designate and request the immediate annexation of the following described land located within Long Prairie _ Township to the City of Long Prairie, County of Todd, Minnesota;

That part of the Southeast Quarter of the Southwest Quarter (SE1/4 of SW1/4) of Section Twenty (20), Township One Hundred Twenty-nine (129) North, Range Thirty-three (33) West of the Fifth Principal Meridian, described as follows:

Commencing at the south quarter corner of said Sec. 20; thence N00 degrees 36 minutes 47 seconds West, assumed bearing, along the east line of said SE1/4 of SW1/4, 1313.75 feet to the northeast corner of said SE1/4 of SW1/4; thence North 89 degrees 28 minutes 51 seconds West, along the north line of said SE1/4 of SW1/4, 4.87 feet to a point on the west right of way line of Trunk Highway No. 71; thence South 01 degrees 51 minutes 44 seconds West, along said west right of way line, 221.16 feet; thence North 88 degrees 08 minutes 16 seconds West, continuing along said west right of way line, 20.00 feet; thence South 01 degrees 51 minutes 44 seconds West, continuing along said west right of way line, 99.40 feet to a point, said point being the point of beginning; thence North 89 degrees 28 minutes 51 seconds West, 467.91 feet to the east right of way line of the former Burlington Northern Railroad; thence South 10 degrees 01 minutes 57 seconds West, along said east right of way line of the former Burlington Northern Railroad, 687.77 feet, thence South 89 degrees 35 minutes 58 seconds East, a distance of 565.71 feet, to said west right of way line of Trunk Highway 71; thence North 01 degrees 51 minutes 44 seconds East, along said west right of way, a distance of 677.33, to the point of beginning and there terminating.

EXCEPTING THEREFROM: Commencing at the south quarter corner of said Sec. 20; thence North 00 degrees 36 minutes 47 seconds West, assumed bearing, along the east line of said SE1/4 of SW1/4, 1313.75 feet to the northeast corner of said SE1/4 of SW1/4; thence North 89 degrees 28 minutes 51 seconds West, along the north line of said SE1/4 of SW1/4, 4.87 feet to a point on the west right of way of Trunk Highway No. 71; thence South 01 degrees 51 minutes 44 seconds West, along said west right of way line, 221.16 feet; thence North 88 degrees 08 minutes 16 seconds West, continuing along said west right of way line, 20.00 feet; thence South 01 degrees 51 minutes 44 seconds West, continuing along said west right of way line, 99.40 feet to a point, said point being the point beginning of the tract to be described; thence North 89 degrees 28 minutes 51 seconds West, 467.91 feet to the east right of way line of the former Burlington Northern Railroad; thence South 10 degrees 01 minutes 57 seconds West , along said east right of way line of the former Burlington Northern Railroad, 443.09 feet; thence South 89 degrees 28 minutes 51 seconds East, a distance of 530.90 feet, to said west right of way line of Trunk Highway 71; thence North 01 degrees 51 minutes 44 seconds East, along said west right of way, along said west right of way, a distance of 437.12, to the point of beginning and there terminating.

And also that portion of U.S. 71 lying adjacent to this property and extending north to the current city limits

and

WHEREAS, the City of Long Prairie and Long Prairie Township are in agreement as to the orderly annexation of the unincorporated land described; and

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure whereby the City of Long Prairie and Long Prairie Township may agree on a process of orderly annexation of a designated area; and

WHEREAS, the City of Long Prairie and Long Prairie Township have agreed to all the terms and conditions for the annexation of the above-described lands; and the signatories hereto agree that no alteration of the designated area is appropriate and no consideration by the Chief

Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED, jointly by the City Council of the City of Long Prairie and the Township Board of Long Prairie Township as follows:

1. **(Property.)** That the following described land is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and that the parties hereto designate the area for orderly annexation; and agree that the land be immediately annexed and zoned as highway commercial (C-2)

That part of the Southeast Quarter of the Southwest Quarter (SE1/4 of SW1/4) of Section Twenty (20), Township One Hundred Twenty-nine (129) North, Range Thirty-three (33) West of the Fifth Principal Meridian, described as follows:

Commencing at the south quarter corner of said Sec. 20; thence N00 degrees 36 minutes 47 seconds West, assumed bearing, along the east line of said SE1/4 of SW1/4, 1313.75 feet to the northeast corner of said SE1/4 of SW1/4; thence North 89 degrees 28 minutes 51 seconds West, along the north line of said SE1/4 of SW1/4, 4.87 feet to a point on the west right of way line of Trunk Highway No. 71; thence South 01 degrees 51 minutes 44 seconds West, along said west right of way line, 221.16 feet; thence North 88 degrees 08 minutes 16 seconds West, continuing along said west right of way line, 20.00 feet; thence South 01 degrees 51 minutes 44 seconds West, continuing along said west right of way line, 99.40 feet to a point, said point being the point of beginning; thence North 89 degrees 28 minutes 51 seconds West, 467.91 feet to the east right of way line of the former Burlington Northern Railroad; thence South 10 degrees 01 minutes 57 seconds West, along said east right of way line of the former Burlington Northern Railroad, 687.77 feet, thence South 89 degrees 35 minutes 58 seconds East, a distance of 565.71 feet, to said west right of way line of Trunk Highway 71; thence North 01 degrees 51 minutes 44 seconds East, along said west right of way, a distance of 677.33, to the point of beginning and there terminating.

EXCEPTING THEREFROM: Commencing at the south quarter corner of said Sec. 20; thence North 00 degrees 36 minutes 47 seconds West, assumed bearing, along the east line of said SE1/4 of SW1/4, 1313.75 feet to the northeast corner of said SE1/4 of SW1/4; thence North 89 degrees 28 minutes 51 seconds West, along the north line of said SE1/4 of SW1/4, 4.87 feet to a point on the west right of way of Trunk Highway No. 71; thence South 01 degrees 51 minutes 44 seconds West, along said west right of way line, 221.16 feet; thence North 88 degrees 08 minutes 16 seconds West, continuing along said west right of way line, 20.00 feet; thence South 01 degrees 51 minutes 44 seconds West, continuing along said west right of way line, 99.40 feet to a point, said point being the point beginning of the tract to be described; thence North 89 degrees 28 minutes 51 seconds West, 467.91 feet to the east right of way line of the former Burlington Northern Railroad; thence South 10 degrees 01 minutes 57 seconds West , along said east right of way line of the former Burlington Northern Railroad, 443.09 feet; thence South 89 degrees 28 minutes 51 seconds East, a distance of 530.90 feet, to said west right of way line of Trunk Highway 71; thence North 01 degrees 51 minutes 44 seconds East, along said west right of way, along said west right of way, a distance of 437.12, to the point of beginning and there terminating.

And also that portion of U.S. Hwy 71 lying adjacent to this property and extending north to the current city limits

2. **(Acreage/Population/Usage.)** That the orderly annexation area consists of approximately 4.8 acres, the population in the area is zero, and the land use type is commercial..

3. **(Jurisdiction.)** That Long Prairie Township and the City of Long Prairie, by submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.

4. **(Municipal Reimbursement).** Minnesota Statutes § 414.036.
a. Reimbursement to Towns for lost taxes on annexed property.

The City of Long Prairie agrees to reimburse the Long Prairie Township the equivalent of two years of township property taxes based upon the 2012 property tax figures for the above described property. The 2012 township property taxes are \$262.90.

5. **(Review and Comment).** The City of Long Prairie and Long Prairie Township agree that upon receipt of this resolution, passed and adopted by each party, the Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

Adopted by affirmative vote of all the members of the Long Prairie Township Board of Supervisors this ____ day of October 2012.

LONG PRAIRIE TOWNSHIP

ATTEST:

By: _____
Chairperson
Board of Supervisor

By: _____
Township Clerk

Adopted by affirmative vote of the City Council of Long Prairie this 1st day of October, 2012.

CITY OF LONG PRAIRIE

ATTEST:

By: _____
Mayor

By: _____
City Administrator

Motion unanimously carried.

Council member Gripne motioned Klick seconded to approve the snow hauling agreement with Chad Twardowski Excavating at the rate of \$80 per hour. Motion unanimously carried.

The council discussed an offer by Ken Thull for the purchase of a parcel of property (parcel #36-4001100) which lies north of Cathedral Press on the north side of County Road 5. The city had previously agreed to an easement for a driveway for the adjoining land owner north of this parcel. Mr. Thull had originally offered the city \$5,000 for the parcel; however, the city would not be able to sell the property for less than its market value or appraised value. After discussing this with Mr. Thull, Mr. Thull agreed to offer the city \$6,300 for the parcel which is the estimated market value for the property.

Council member Towle motioned Klick seconded to accept the offer of Ken Thull of \$6,300 for this parcel of property (36-4001100) lying north of County Road 5. Motion unanimously carried.

The council discussed a backup lift station for the city's main lift station. City crews were in the process of trying to determine if they can reroute the wastewater at this lift station which would save a considerable amount of money in trying to install valves by live tapping the line. If the city is capable of rerouting the wastewater, they would save approximately \$14,000 in trying to live tape the force main. The city has received price quotes on the electrical work and also on the pump for the lift station; however, they're waiting to determine what the scope of work may be in trying to install a bypass section of pipeline for the backup system. Venekamp stated the city is having difficulty with the current lift station and asked the council for approval to award the work to the general contractor for the waste water treatment system once they have an idea what those prices are.

Council member Rowan motioned Klick seconded that due to the nature of the situation and the possible problems it could cause, should the lift station go down, that the city administrator be allowed to contract with Di-Mar Construction for the installation of the pump and bypass piping. Motion unanimously carried.

The council discussed a request by R-Way Trailers to allow them to park some of their completed trailers in the city's industrial park. The consensus of the council was that R-Way would be able to use the lot west of the cul-de-sac for the storage of their trailers at no fee. The council also stated that the city would not be responsible for plowing the lot to allow for the storage of the trailers.

Council member Gripne motioned Rowan seconded to approve application #14 for payment to Di-Mar Construction in the amount of \$155,279.01 for work at the wastewater treatment facility. Roll call: Yes; Gripne, Klick, Rowan, Towle, Rasmussen. Motion unanimously carried.

The council reviewed a quote from Marilyn Bayerl for helping update the city's wellhead protection plan. The city's wellhead protection plan was approved in 2008 and each year the city is to implement certain criteria in keeping the plan current. The city staff has not been able to keep up with the plan and also they do not have some of the expertise in evaluating some of the data required for the plan. Marilyn had provided an estimate of \$2,350 for updating the plan.

Council member Rowan motioned Klick seconded to contract with Marilyn Bayerl for her assistance in updating the city's wellhead protection plan. Motion unanimously carried.

Fire Chief Jim Kreemer stated that on Sunday they will have an open house from noon to 3:00 p.m. and that the Life Link helicopter, as well as other displays, will be available to the public. Jim stated the department has responded to 92 calls so far for this year; where, last year they had 93 calls.

Council member Gripne stated the police department had 254 incidents in September. The squad car has been repaired and is back in service. Part time police officer Dustin Alexander has resigned effective January 1st.

Mayor Rasmussen stated the FAA has responded to a request by Cenex for a waiver for the elevator grain leg that they installed north of the airport. Cenex constructed three grain storage bins and a 150 foot elevator which is approximately 7500' from the end of the runway. The FAA restricts the height of structures within 7500' of a runway. Structures may not exceed a 50:1 ratio of height and distance from the end of the runway. In the FAA letter they determined the elevator was outside the 7500' and therefore not a flight hazard. In addition to the FAA regulation, the airport has a zoning ordinance that restricts structures within 10,000' of the runway. Structures may not exceed 100' in height within that distance. Cenex will need to apply to the county for a variance to the airport's ordinance to allow the structures within 10,000 feet of the runway. Don stated the airport commission will have a meeting on October 3rd to discuss the improvements to the airport runway/apron area. The commission will also discuss a survey to determine the airport usage and possible need for an extended runway.

Council member Klick motioned Gripne seconded to adjourn. Motion unanimously carried. Meeting adjourned at 8:00 p.m.

David Venekamp
City Administrator/Clerk

Don Rasmussen
Mayor