

## Municipal Utilities

The council discussed request from Utilities Supervisor pertaining to purchasing radio read system for municipal utilities. This system would be an update. Problems have arisen with the phone read system. With the phone read system lines were unplugged, multiple uses on phones, such as caller ID interference with the operation, as well as cell phone usage only. Other cities gave good reports on radio read system.

The council was told that when Traut drilled the new well, but would have to be redrilled because it was crooked. The pump can't be dropped if it is crooked and the council was told that this did not occur often.

The council was updated on Well #2. An extension has been requested for the completion date on the original contract. Temporary use of the well in high demand peaks were talked about. The current schedule for the pump house is to use during high demand periods. The council approved the change order by motion.

Property owners were approached and discussed proposal of water plant on property next to the cemetery. Owner supported allowing conducting soil borings. Appropriate paperwork would be pursued. Council and staff would take a tour of various facilities as part of the design development study. The type of building could be reviewed by the City Facilities Committee.

There may possibly be easements in place along County Road #147 from Excel Energy. This issue will continue to be pursued and reviewed.

## Church-By-The-River

What are the council's expectations concerning the Church-By-The-River? Money from the grant had been used up and there still is a lot of work to be done. The item should be put on agenda to discuss. Roof should be fixed, electrical work needs to be done, as well as work on the walls is necessary. Public Utilities supervisor and Bob Williams were directed to work up some estimated costs to be reviewed. There was concern expressed regarding meetings held in the Village Hall basement. Once council member expressed that two of the public works staff people should be working at the church when other city projects are slow.

Work on the steeple roof of the structure should be presently being worked on.

## Adult Business Ordinance

The Planning Commission held a Public Hearing on the Adult Business Ordinance and Prohibited Materials on Structures. No one attended the Public Hearing to voice opinions. Recommendation was made for the council to adopt the ordinance pertaining to the Adult Business and Materials on Structures Ordinance.

The council reviewed the Planning Commission's recommendation concerning the adult business ordinance. The council discussed the issue. Motion was made and carried adopting ordinance dispersing sexually orientated businesses and limiting them to a specified zoning district, prescribing definitions, providing for licensing and regulation and providing for additional miscellaneous regulations. The council also adopted ordinance by motion relating to prohibited materials on structures and authorizing publication of these two ordinances.

## Miscellaneous

The council discussed recommendations with property owner concerning bluff issues, restoration and possible land excavation/Reclamation issues. The engineer had scheduled agencies to review restoration. Discussion concerning these types of issues should be planned and scheduled with more foresight to notify property owners affected.

The council discussed briefly the question of final plat going back to the Planning Commission or directly to the council. This issue is to be pursued and recommendations brought back to the council.

## Highway #212 Proposition

The SouthWest Corridor Transportation Coalition has sent the City of Carver a letter re-requesting assistance in establishing state funding for the new Highway #212 project from County Road #147 to County State Aid Highway #4. "The letter stated that the only action needed to advance new Highway #212 from the Year 2001 to 2004 is approval of this year by Legislature and the Governor of additional state transportation funding." Motion was made and carried by roll call vote adopting resolution of Legislative priority: state legislative action 2002 to approve funding to advance construction of new trunk Highway #212 in the south west metro area.

## City Engineer

The Andrade Corporation is preparing a preliminary plat for development west of the city for the Planning Commission and council's review.

A councilman inquired about receipt of a letter from the Soil and Water Conservation District concerning RiverView Estates construction. Another council member inquired if the author had viewed the site physically. Suggestion was made to invite Urban Conservation Technician to the meeting.

Also inquiry was made regarding the city engineers time spent working on developments. Explanation was given that the city is billed, then the city turns around and bills the developer.

## Park Dedication Fees

The council was told that the Park and Recreation Board want Park Dedication Fees increased. The board is to present the council with a plan. Opinion was given also that proposed trails in developments should be recommended to the Planning Commission. Updating and reviewing the Comprehensive Plan was discussed. Suggestion was made that the Planning Commission and Park and Recreation Board meet jointly concerning new developments. Decision was made that before Park Dedication Fees can be increased that the Park and Recreation Board submit Comprehensive Plan update.

## Fences, Hedges, Retaining Walls Ordinance

The council discussed proposed ordinance amendment concerning fences, hedges and retaining walls. The city engineer agreed that retaining walls over four feet high should be engineered. One council member expressed inquiry regarding where an average individual would find an engineer to design a retaining wall. Motion was made and carried adopting ordinance amending city code relating to fences, hedges and retaining walls.

"Time is a sort of river of passing events, and strong is its current; no sooner is a thing brought to sight than it is swept by and another takes its place, and this too will be swept away."



## Public Works

The Public Works Supervisor inquired about snowbound vehicles enforcement. Cars were ticketed, but towing had not been done as far as he knew. Supervisor inquired about council support in towing of vehicles.

Inquiry was also made regarding results wanted concerning abandoned vehicle ordinance. This issue had been begun by the former administrator, but completion had not been achieved. The sheriff's department was to be contacted to tow vehicles in violation.

The council discussed the front end loader. It was in bad shape due to all the usage throughout the year.

The council was also updated on the street light situation. One street light had rusted and had fallen down. The engineer inspected the other light posts. None were rusted as badly as the one that fell. The staff is working with Carver County to get the down town improvement project going. Hopes are that this project would begin in June.

The Public Works Supervisor inquired about placement of a Stop Sign in Carver Bluffs. The response given was that the developer usually erects these in new additions.

The council discussed computer problems. Authorization to start a web page was thought to have been given in December. Availability of e-mail was held up since it was thought that the League of Cities was waiting for the city to start a web page. The issue needs to be resolved.

In an attempt to keep costs down, various cities are all working together to perform safety training. Scott Gerber has been contacted to update the City's Emergency Plan. Dan Meyer was appointed by council consensus as the Safety Coordinator.

The Public Works Department inventoried the department's equipment needs. Front end load is not in the best condition, but the department need is greater for a dump truck. The issue is to be resolved.

Mowers are needed. Defining areas as parks is necessary for paperwork funding from varying departments. More people are needed to get necessary areas mowed as needed. The present staff cannot complete the mowing and other responsibilities as needed. This issue needs to be reviewed and a solution found. More summer people would be needed to achieve this.

Public Work Supervisor suggested that purchasing another generator would be a good idea. The costs were discussed.

The council discussed use of personal equipment by the city. The attorney advised of the public's perception of such actions. Quotes were to be gotten in order to show equipment rental costs.

## RiverView Estates

The Fire Department has commented that State Fire Code requirements must be a twenty foot street width. The proposed RiverView Estates has fourteen foot street width presently. Since this is a private street, an agreement should be filed on who is responsible for maintenance. Park dedication would be money versus land. Easement were talked about. Developer proposed grading on one lot until a type of home was chosen; in order to determine the type or retaining wall necessary.

Geotechnical soil borings as part of final plat or developer's agreement were discussed. Municipal utilities issues, storm water run off were all reviewed. Fire Department maintained requiring a twenty foot wide street and a turn around.

The County Soil and Water Conservation Service forwarded information to the city. Their concerns could only be received as suggestions until rules were adopted. A Planning Commission member was concerned about the issues brought up by the conservation service personnel. The Planning Commission tabled the issue until questions could be answered regarding the issues brought up by the Soil and Water Conservation Service.

At the council meeting, developer presented the council with an amended plat showing changes to the driveway width from fourteen feet to twenty feet.

Council discussion reverted back to the bluff definitions. Council member stated that an eighteen degree slope ordinance existed since 1986 and that construction since that time this slope degree was done illegally if done without a variance. The developer commented that he is over three hundred feet from water and was not a bluff property.

The private drive issue was discussed. Debate has arisen that a private drive becomes public if an easement is required. The engineer stated that the revised plat appears that the drainage easement is now twenty feet instead of thirty feet. Developer pointed out that the house pad was moved and that the area on the bluff could not be labeled as a conservation easement. Then there was discussion regarding requiring a turn around, but since the drive is not 150 feet long, this may not be necessary. Question was asked why this information was not discussed by the Planning Commission. The council was told that the Planning Commission has tabled the issue.

Statement was made that if a new home is being built over 150 feet from a fire hydrant width requirements need to be met. A private driveway over 150 feet long requires a turn around. The sewage system was discussed. The engineer explained possible options, however, the developer had not responded with decision of which plan to pursue.

Council member inquired if developer's comment regarding knowing it was the city's priority to what's best for the city was made because one house plan was for the developer. Developer responded that it was his opinion that the property was not bluff property.

The developer's attorney was of the opinion that the final plat stands on its own after reviewing the Subdivision Ordinance. It was his opinion that the plat is simple and a conservation easement cannot be attached. Further stating that if an easement were necessary on a private driveway, then it becomes public. The attorney put a 12 foot conservation easement in because the developer stated that 30 foot was too much. Attorney pointed out dictionary's definition of a bluff, stating that the city's ordinance should be changed to define bluff better. Developer's attorney also pointed out that there would also be a road maintenance covenant. The attorney further stated that the Planning Commission reviewed the plat and it was his opinion that the Subdivision Ordinance does not allow that commission to table the issue. Council member stated that it was his opinion that the Planning Commission had not received enough information to make a decision. The Developer's attorney stated that the commission is only an advisory capacity to approve or deny. The attorney stated that the City Planner had advised the Planning Commission to table the plat until the county adopted their rules. The City Planner stated that the issue had been tabled because the developer had not gotten the information to the city engineer as requested by January 8<sup>th</sup>, rather submitting information four days prior to the meeting date.

Developer's attorney further stated that the proposed covenant has issues that should be in the developer's agreement instead and conditions which do not belong on the final plat. The developer stated that if the plat is not approved, he may have to go to court. If the plat can be approved, the other issues could be worked out later. The city attorney disagreed stating that the Planning Commission has time to act on the plat and that the council did not have the authority to act on the plat at this time.

The city attorney drafted a resolution of approval, but disagreed that the resolution would be bound into the final plat. If the council accepted the drafted resolution by the developer's attorney, the city attorney stated that it does not have regulatory coverage. This resolution did not give the city the authority to maintain water lines and that the conservation easement was inadequate. It was the city attorney's opinion that the council did not have the authority to adopt a final plat at this meeting.



The two attorneys continued to debate conditions, final plat resolution and developer's agreement. Council member commented that he was tired of all this and saw the whole issue as simple. Continuing as acting mayor to present a motion adopting resolution approving final plat for four residential lots as RiverView Estates. Discussion continued with council member pointing out that in the past, the issue was important enough to change ordinances and procedures. Question was asked what a past ordinance had to do with the present ordinance. It was one council member's opinion that the entire issue had been rammed down the city's throat. Acting mayor pointed out that ordinances had not been changed. Three council members had viewed the property separately agreeing that it was a unique piece of property. Question was asked how the council could be acting in the city's best interest when the majority of people approached the council opposed the decision made.

City attorney pointed out that amendments were necessary to the motion presented by the acting mayor. Changes were agreed to and the motion was carried with roll call vote of three ayes and one nay.

## *Carver County Water Management*

The attorney updated the council on the county's water management since it could impact future developments. Concern was expressed that County could be reviewing plats at the same time as the city and this fact could cause problems with the sixty day rule. The attorney also expressed concern regarding enforcement of rules. The county indicated that the cities would be principally responsible to ensure that projects and activities are conducted with all portions of the Draft Rules, other than enforcement of erosion and sediment control issues. The attorney commented that the WaterShed Districts typically exercise their own enforcement authority. To date cities throughout the county have submitted comments to the county. This information will be compiled and a Public Hearing will be scheduled.

## *Proposed Liquor Store*

The council reviewed request and proposal for liquor store. Requirements were in order for request. Motion was made and carried approving an off sale license. Proposed hours were 10 AM to 10 PM.

## *Wanted*

Volunteer needed to chaperone in the Village Hall gym on Saturday mornings from 9 AM - 12 PM. Area youth play basketball in the gym. Anyone interested, contact City Hall at 952) 448-5353.

## *Carver Youth Softball/ Baseball Association*

If you have not signed up yet for softball and/ or baseball and want to participate, you can pick up a Sign-Up Form in the City Hall during normal business hours.

Final registration date is March 22<sup>nd</sup>. If you have any questions, you can call Jane at 952) 492-2907 or Debbie at 952) 448-5271.

## *Carver Lions*

No report this month

## *Yellowstone Raccoons*

No report this month

## *Fire Department and Community Calendar*

### *March 2002*

- March 2<sup>nd</sup> - Happy Birthday Cindy!  
Happy Birthday Sunny!
- March 4<sup>th</sup> - Council Meeting 6:30 PM
- March 5<sup>th</sup> - Happy Birthday Karen!
- March 7<sup>th</sup> - Heritage Preservation Commission Meeting  
Drill Night
- March 10<sup>th</sup> - Happy 50<sup>th</sup> Birthday Sandy!
- March 11<sup>th</sup> - Park and Recreation Board Meeting
- March 13<sup>th</sup> - Happy Birthday Andrea!
- March 15<sup>th</sup> - Happy Anniversary Karen and Ron!
- March 17<sup>th</sup> - St Patrick's Day
- March 18<sup>th</sup> - Council Meeting 6:30 PM  
Drill Night
- March 20<sup>th</sup> - First Day of Spring
- March 24<sup>th</sup> - Palm Sunday  
Happy Birthday Keith!
- March 25<sup>th</sup> - Happy Birthday Bettel
- March 26<sup>th</sup> - Happy Birthday James!  
Happy Birthday Beth!  
Planning Commission Meeting
- March 28<sup>th</sup> - Passover  
Meeting Night/Fire Department
- March 29<sup>th</sup> - Good Friday
- March 31<sup>st</sup> - EASTER!

*Courage is the power to let go of the familiar.*

*- Raymond Linquist*

*That is what learning is.*

*You suddenly understand something you've understood all your life, but in a new way.*

*- Doris Lessing*

## *Black Sox Bingo*

*Friday, March 22<sup>nd</sup>*

*At the Village Hall From 7 - 11 P.M*

*Food and Beverages Available*



## *Park and Recreation Board*

The council discussed the number of board members on the Park and Recreation Board. Three seats were vacated by expiration on December 31<sup>st</sup>, 2001. All three individuals were interested in continuing volunteering their services on the board. Increase of board members should be discussed by the board as well. The board discussed increasing members. The board's decision was to recommend to the council that at present an increase was not wanted.

### *Bluff Park*

The mayor told the Park and Recreation Board that park boundaries at Bluff Park are the issue to be dealt with. Postponement of checking into boundary of the park is required since the city is without an administrator presently. An alternative would be hiring the city attorney. However, those costs would be taken from the Park and Recreation Boards' budget.

### *Comprehensive Plan*

The Park and Recreation Board talked about dedication fees. The board needs to update their budget and the Comprehensive Plan. Suggestion was submitted to work with the city planner pertaining to the Comprehensive Plan. Engineering firm's representative, Gary Kristofitz, specializes in parks, ball fields, parking lots and ice rinks, etc. The board reviewed and submitted suggestions regarding updating the Comprehensive Plan.

### *Community Park*

The grant was forwarded to the MN Amateur Sports Commission. The Park and Recreation Board had several issues to review. Comment was made that the fields were too close together and specific distances were recommended. Trails were not shown on layout and this needed to be addressed. A buffer area between the property lines and fields also needed to be considered. Concern was expressed of field location that infringes well into the high water level point of the adjacent wetland. Parking spaces required was looked at.

Board member stated that there was some sense of urgency using the grant money for the soccer field. The board was reminded of work that still needs to be done in the area. Lighting being a definite need was commented on. Discussion was held on installation of storm sewer piping systems. Question was asked by the engineering representative about irrigation being in place at the Community Park site. Engineer was asked about drafting field costs for the board.

## *Park And Recreation Board continued -*

The board also discussed Village Hall rental fees. The board recommended to the council to increase rental fees.

The board also reviewed immediate and future park equipment needs. A list is to be submitted to the council.

The council by motion appointed Paul Reimer, Kerry Peterson and Robert Low for three year terms on the Park and Recreation Board.

The council was told that the Park and Recreation Board recommended approval to obtain quotes for the soccer fields so that grant money would not be forfeited. Statement was made that the board wants to do the entire area and that the grants are for the soccer fields only. Council member stated that local contractors gave estimate for leveling area. Question was asked if information was being put together for the council to review the entire picture. The engineer stated that some was being drafted by the engineering firm.

## *State Aid Reduction Proposal*

The council held a special work session to discuss State Aid Reductions proposed. The attorney was of the opinion that this impact of reduction would be critical to the city. The governor has recommended that local Government Aid be cut to Minnesota cities to defray the state deficit.

A goal setting meeting was suggested to be scheduled. It would be important to prioritize. The council reviewed projects that had been started, but not completed. A list was composed. The proposed fire station and referendum was discussed. Residents vote should be attempted once more.

Future development of County Road #147 was reviewed. This development would include residential, multi-housing and commercial. An update should be made to the Comprehensive Plan.

Question was asked that if there are state budget cuts then is the Park and Recreation Board affected with park and church grants. The budget cuts will not have any affect on grants already approved.

*Too hange and to improve are two different things.*

*- German Proverb*

## *Administrative Requirements*

The attorney suggested vocalizing qualifications required from an administrator. Each stated qualification sought which included qualified to work, able to work with and manage staff, people and carry out council directions diplomatically and sternly. Communication is important. Responsibility is needed to direct and complete projects.

The council interviewed candidates for the administrative position. Two candidates were scheduled for a second interview.

The end of January, the council conducted second interviews with candidates for the administrative position. The council discussed the their qualifications. Council consensus was to offer the position to one of the candidates. Since the administrative position would not be part of the union, any requests were negotiable. Council members Webb and Chalupsky were to be the committee negotiating with the candidate. Motion was made and carried to authorize extending the job offer to the chosen candidate.

Diana Murack accepted the City of Carver's offer for the administrative position. She is scheduled to begin in February.

### *Carver Ridge*

The Planning Commission held a Public Hearing on the preliminary plat for Carver Ridge. Proposed subdivision is near Carver Bluffs. Subdivision proposes fifty two lots on almost forty acres which has been annexed. This proposal is consistent with the Comprehensive Plan. Rezoning the property was requested at the Planning Commission meeting. Bluff lines were discussed with the Planning Commission. There were some issues to be resolved with the preliminary plat which then were discussed. These included a couple of cul-de-sacs, turn around, sidewalk, bluff conservation and sewer system design.

The engineer told the Planning Commission that there was a street issue. The city requires 60' width and the developer proposed 50' width. The county will be realigning County Road #40 which will be coordinated with the developer. The possibility of trails and/or walk areas were talked about.

The watermain from Carver Bluffs and another trunk waterline were discussed. Some lots could be gravity sewer. However, recommendation was submitted to draft a feasibility study. Three builders were proposed to do construction in the development. The Planning Commission tabled the whole issue relating to Carver Ridge.

Motion was made and carried directing the city engineer to conduct a feasibility study at the developers expense for Carver Ridge.



## Tentative Agenda

City of Carver Council Meeting  
Monday Evening 6:30 PM  
March 4<sup>th</sup> 2002

- 1) Call to Order
- 2) Approve Agenda
- 3) Petitions From Residents
- 4) Consent Agenda
- 5) Public Safety
- 6) Public Works & Public Utilities
- 7) Administrative Services
- 8) Liaison Reports
- 9) Other Business
- 10) Adjourn



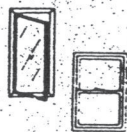
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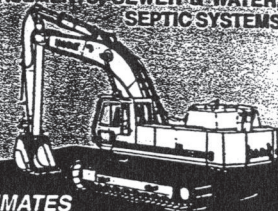
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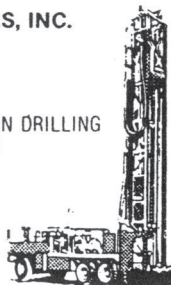


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Carver Lions



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