

**CITY OF HAYDEN LAKE
MINUTES OF REGULAR MEETING
JANUARY 7, 2014**

CALL TO ORDER

Mayor Beck called the meeting to order at 5:10 p.m. Present at the meeting were Council members Ed Graves, Tom Gorman and Jim Ackerman. Councilman Tommy Frey was absent. Attorney Pete Bredeson and Matt Gillis from Welch Comer were present as representatives of the Council. Visitors present were Annie Van Valin from Anderson Bros. C.P.A., John Magnuson and Derek Fredericks.

Mayor Beck led the pledge of allegiance.

AGENDA / CONSENT AGENDA

Councilman Gorman moved to approve the agenda and the consent agenda including the minutes of December 17, 2013 and the invoices for payment. Councilman Graves seconded the motion. The motion carried.

Mayor Beck swore in the Councilmen Gorman and Ackerman for their new 4 year terms. Mayor Beck then entertained a motion to elect Councilman Gorman as the President of the Council. Councilman Graves moved to elect Councilman Gorman as President of the Council, seconded by Councilman Ackerman. The motion carried.

FENCE VARIANCE

Mr. Magnuson, representing Pine Cone Properties LLC, 10291 Fir Lane, addressed the Council regarding the previously denied fence variance. Mr. Magnuson stated that there are three components of the fence variance request. One part of the fence is between the Tidyman carport and one is the fence on the north side of the property which Mr. Magnuson stated is the least esthetically appealing of the three fences. Mr. Magnuson informed the Council that Pine Cone Properties will withdraw the variance request for the fence on the northern part of the property. This limits the remaining request to the 6 foot fence on the Tidyman's property line along with the 5 foot fence and 6 foot internal lattice gate that run parallel to the Pine Cone driveway. Mr. Magnuson argued that the fence is consistent with the neighborhood.

Mr. Magnuson informed the Council that he had sent out letters to property owners and received a letter back from one of the neighbors, Mrs. Porte. Mrs. Porte stated they had never received a letter before regarding this issue. They have no opinion on the variance and no other responses were received. Mr. Magnuson feels the two sections of fence still remaining on the variance application are consistent with the neighborhood.

Councilman Gorman questioned the height of the fence on the north side out to the front of the house and Mr. Fredericks replied that this section will be cut down to 4 feet tall. Councilman Gorman then questioned the height of the other fence sections where there was lattice work. Mr. Fredericks, the contractor explained the fence was 5 feet tall. Councilman Gorman stated that there is no other fence in the front on this street and if there is to be one it should be 4 feet tall. Mr. Magnuson stated that this is a lattice fence and it is encompassed by trees and would be consistent with the character with the home.

Councilman Graves stated there was no permit taken out for the fence and asked Mr. Wichman to explain to the Council what it would take to make the fence comply with City Code. Attorney Bredeson informed the Council that not applying for a permit is a violation of City Code subjecting the party to civil penalty or possible misdemeanor charges. The fee for the fence permit will have to be paid regardless of the outcome of the variance. A permit will not be issued until the outcome of this variance. Mr. Wichman explained if there is no variance granted the 6 foot sections of the fence would need to be cut down to 4 feet in height where needed. Mr. Wichman felt that it would be more effort to rebuild the side fences.

Councilman Ackerman questioned if the north side fence would be cut down to the correct height. Mr. Magnuson replied that it would. Councilman Ackerman questioned the area around the gate, which is 5 feet in height. Councilman Ackerman would like to have this continue at the same height. Council Gorman made some suggestions for alterations that could be made to the fence and Mayor Beck asked Mr. Magnuson if this would be acceptable to the applicant. Mr. Magnuson stated that he will have to speak with his clients.

Mayor Beck summarized that Pine Cone Properties are withdrawing the variance for the fence on the north side of the property and the rest of the variance stands. Councilman Gorman moved to conditionally grant the variance with the condition that the solid fence on the south side of the lot be cut down to match that same height of the adjacent 4 foot lattice fence back to the post closest to Tidyman's carport. Councilman Graves seconded the motion. The motion carried.

STORM WATER

Matt Gillis from Welch Comer Engineers informed the Council that he had met with Mr. and Mrs. Hodge regarding their concerns with the storm water on Lakeview Dr. The City installed a swale system in 2012 to try to divert the water from the property owned by the Walkers and the Hodges. Mr. Gillis stated that when he met with the Hodges he was shown pictures of the erosion. Mr. and Mrs. Hodge feel that the City has not done enough.

Mr. Gillis explained what was happening with the storm water and felt that a high percentage of the water was being contained in the ditch that was put in by the City and all of the water is out of Mr. Walter's basement. Some of the rock face has chipped away with the heavy rainfall and the home owners feel there could be some structural damage. Mr. Gillis discussed the option that was previously shown to the Council which was to place a pipe down the hill and then into a lateral and infiltrate down the hill.

Mayor Beck asked if the City could discharge at or above the high water mark and not put the lateral in. Mr. Gillis felt this could be done, however he also stated that the reason to use a pipe is to spread out the water so there is no point discharge. Mayor Beck asked if the cost would be less for one pipe versus the lateral. Mr. Gillis felt it would be similar.

Councilman Ackerman questioned the distance of the drop. Mr. Gillis replied it would be 15 feet and the cost would be approximately \$15,000. Mayor Beck questioned if the water on the Hodge property that was previously eroding the tram supports was picked up with what the City did or is it continuing to flow. Mr. Gillis replied that the water was caught with the swale.

Mayor Beck discussed the option of having Welch Comer to review this further and come back with alternative and recommendations later in the year. Mr. Gillis discussed storm water for the entire area. Mayor Beck felt that this would be the option of an LID. Attorney Bredeson

explained that the City does have a storm water ordinance. Attorney Bredeson felt that a potential claim form be sent to ICRMP. Councilman Gorman would like to explore another alternative to the lateral. Mr. Gillis stated that they could look at this but feels the lateral will be the least expensive. Councilman Ackerman felt that the Council should discuss an LID. Clerk Hagman and Attorney Bredeson discussed LID procedure and possibly a storm water fee instead of an LID. Mayor Beck directed the clerk to place this issue on the next agenda for further discussion.

AUDIT

Annie Van Valin from Anderson Bros. C.P.A. reviewed the 2013 annual audit and explained some changes in the financial reporting. Councilman Gorman moved to approve the audit as prepared, seconded by Councilman Graves. The motion carried.

CLERK

Clerk Hagman reported citizen concerns with deer along Strahorn Rd. near McCall Park. Clerk Hagman suggested the City contact Lakes Highway District about cutting back the bank for better vision. Mayor Beck agrees and will speak to Mr. Shanley at Lakes Highway District.

Clerk Hagman requested approval to attend the IIMC conference in Milwaukee this year. It was confirmed the Sewer District will pay for one half the cost. Councilman Graves moved to approve the conference, seconded by Councilman Gorman. The motion carried.

ADJOURN

With no further business before the Council, at 6:25 p.m. Councilman Gorman moved to adjourn, seconded by Councilman Graves.

Chris Beck, MAYOR

Lynn Hagman, CITY CLERK