

City of Ellendale
November 14th, 2024
Regular Council Meeting
7:00 pm

Agenda

7:00 Call Meeting to Order

1. Pledge of Allegiance
2. Approve Agenda

7:05 Appointment to fill Council Member Vacancy

- Council vote on accepting Joel Meyer
- Resolution 2024-33 Filling a Vacancy

7:15 Consent Agenda Items *If there is any item on the consent agenda that a council member feels needs further discussion, please ask for it to be removed and placed on the agenda.*

1. Accounts Payable/Claims
2. Minutes
 - October 10th, 2024: Special Meeting Minutes AIA Contract
 - October 10th, 2024: Special Meeting Minutes Hearing of Appeal
 - October 10th, 2024: Council Meeting Minutes
 - October 24th, 2024: Special Meeting Minutes Fire Hall Financing
 - November 7, 2024: Special Meeting Minutes Fire Hall Financing-Sweeney
3. Resolutions
 - 2024-35: Accepting a Donation of Money from the Ellendale Joint Ambulance Service for a Clothing Stipend for Emergency Responders for Third Quarter 2024
 - 2024-38: Authorizing Donation of Money from the Ellendale Fire Relief Association
4. Financials

7:25 Public Input

Those wishing to speak must state their name and address for the record. Each person will have three (3) minutes to make his/her remarks. Speakers will address all comments to the City Council as a whole and not one individual Council Member. The Council may not act on an item presented during the Public Comment period unless the item is already on the agenda for action. When appropriate, the Council may refer inquiries and items brought up during the Public Comment period to the City Clerk-Treasurer for follow-up.

1. Delinquent Utility Property Owners

7:35 Reports

1. Fire Department
 - Fire Hall Committee
 - MBFTE award amount announced for 2025 \$4,505.00
 - Expenses
2. Maintenance
 - Partial Collapsed Line on 6th Avenue – *Otto to gather quotes*
 - Team Lab Quote
 - Expenses

3. Park and Trails Committee
 - Update
4. Community Gathering Place Mural Project Committee
 - Update
5. Steele Heights
 - Update *Waiting for clarification on prevailing wage requirements from MN DOL. Waiting for clarification on MNWFH agreement- separate from 2021 or new one combining both awards.*
6. Codification
 - Updates
 - 199 8th Avenue East – *Update No change or progress noted as of November 14th.*
 - School Street Complaint – Section 92.15 violations
 - 5th Avenue Complaint – Section 92.16 violations
 - Radel Court-Sections 92.18, 92.19 violations
 - School Street Complaint - Section 71.05 Truck Parking violation
 - Notice of Violation/Warning Administrative Citation
 - 601 Lageson Court – *Conditional Use Permit Violation Letter and Documentation sent to Metronet in Owatonna.*
 - 507 School South – *92.38 Weed Ordinance – ABATED*
 - 513 School Street South – *92.38 Weed Ordinance*
 - 601 School Street South – *92.38 Weed Ordinance*
 - Administrative Citation
 - 109 6th Avenue East; 408 7th Avenue West: *\$50.00 citation issued for each property. Fines paid. Issues not abated.*
7. Clerk
 - CD maturity – new interest rates
 - Sewer
 - Water

8:30 Unfinished Business

1. TNT Public Hearing
 - December 12th at 6:30 pm
2. Clerk's Office Repairs
 - Air Quality Testing
3. PTO Policy
 - Pay Out Policy – *Discussion*
 - Options:
 - i. Increase annual carry over of 80 hours maximum
 - ii. Allow annual pay out of excess hours over the maximum hours allowed
 - iii. Combination of both
 - iv. Leave current policy in place
4. Crown Ridge & Commercial Street Road Improvements
 - Bolton & Menk Engineering Estimate – *Review and Discuss*

8:45 New Business

1. 2025 CEDA Contract
 - Discuss and approve
2. Pay Equity
 - Approve 2024 Compensation Plan
3. 2025 Staff Hourly Pay
 - Approve Hourly Pay for 2025
4. Additional Part Time Employee
 - Additional person due to unavailability of other employees
5. Resolutions
 - 2024-34 Resolution Approving Property Tax Abatement Applications
 - 2024-37 Resolution Canvassing the Tuesday November 5th, 2024, Municipal Election Returns and Declaring Results
6. Codification draft revision
 - Section 152.219 Telecommunication Towers and Antennae
 - Sections for Zoning Permits Required – Revise requirements on certain exempt structures
7. Water Tower Agreements
 - Discontinuance of any agreements of tower agreements

8:50 Mayor/Council Updates

1. Mayor Bartsch
2. Council Member Asplund
3. Council Member Froman
4. Council Member Groth

9:00 Close regular council meeting

9:05 pm Attorney-Client Closed Meeting

Open Meeting

Close Attorney-Client Closed Meeting

Open regular meeting

9:30 pm Adjournment

**MINUTES OF ELLENDALE
CITY COUNCIL MEETING
THURSDAY, NOVEMBER 14TH, 2024
7:00 PM**

Present: Mayor Matthew Bartsch; Council Members Jon Asplund, Jackie Froman and Scott Groth; City Clerk/Treasurer Steve Engel; Fire Chief Logan Busho; Utilities and Maintenance Supervisor Josh Otto

Absent:

Visitors: City Residents; Joel Meyer, Cynthia Nelson, Laura Krenke, James Crosby, Charles Berg, Amy Berg, Sue Asplund, City Attorney Mark Rahrlick, property owner Daniel Petsinger; Star Eagle Reporter Eli Lutgens; Steele County Times Reporter Kay Fate; Independent Investigative Journalist and Advocate Keith Haskell; Aaron Lane, Steele County Deputy Sargeant Sieffert, Jennelle Heideman & unknown visitor.

Call Meeting to Order: Meeting was called to order at 7:00 pm by Mayor Bartsch. The Pledge of Allegiance was recited.

Appointment to fill Council Member Vacancy Mayor Bartsch introduced Joel Meyer as the person to fill the council member vacancy. Motion to accept Joel Meyer for the appointment of Council Member for the remaining term vacated by Derek Bartness was made by Council Member Groth. Council Member Froman advanced the motion. Motion carried. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Froman aye. All in favor. Motion passed.

Motion to approve Resolution 204-33 Filling a Vacancy made by Council Member Groth. Motion advanced by Council Member Asplund. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Froman aye. All in favor. Motion passed.

City Clerk/Treasurer swore in Joel Meyer to the position of Council Member to fill the remaining term vacated by Derek Bartness.

Agenda: A motion was made to approve the Agenda by Council Member Groth. Council Member Asplund. Motion carried, all in favor.

- **Consent Agenda Items:** A motion by Council Member Groth to remove the Gordy's Tree Removal invoice from the consent agenda for further discussion during the meeting. Motion advanced by Mayor Bartsch. Motion carried. All in favor. Motion passed. The invoice will be discussed during Clerk's items. A motion was made by Council Member Groth to approve the Consent Agenda Items, which included Accounts Payable/Claims in the amount of \$51,022.79, October 10th, 2024: Special Meeting Minutes AIA Contract, October 10th, 2024: Special Meeting Minutes Hearing of Appeal, October 10th, 2024: Council Meeting Minutes, October 24th, 2024: Special Meeting Minutes Fire Hall Financing and the November 7, 2024: Special Meeting Minutes Fire Hall Financing-Sweeney and Financials. Council Member Meyers advanced. Motion carried, all in favor.

Public Input:

- Daniel Petsinger requested the Lageson Court be installed in the cul-de-sac. He also made reference to a data request for documentation on 601 Lageson Court.

Reports

1. **Fire Department**
 - **Fire Hall Committee:** Fire Chief Logan Busho reiterated the outcome of the November 7th meeting on financing with Shannon Sweeny, our financial advisor from David Drown Associates. The council voted at the to proceed with GO Bond, Capital Improvement Plan financing. Engel to discuss with City Attorney, the public bidding process, as stated in MN Statute 475. Once that is cleared up, we can move ahead with scheduling the public hearing.

- M.E.P. drawings Logan stated there a couple of changes to the drawings that have been given to APX. He have not heard back if the changes are being made yet.
- MBFTE award amount announced for 2025 \$4,505.00 for the EFD. Logan stated there is usually more funds available, as in the past, some funds go unclaimed. we just need to apply for them to see what we get.
- Expenses
Logan informed the council the tank straps and tank were rusting out on the pumper truck. The tank and straps are not available from the dealer. Derek's in Blooming Prairie can make a new tank and straps. The estimated cost is \$4,600.00. Motion to approve the repairs for \$4,600 was made by Council Member Groth. Motion advanced by Council Member Asplund. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Froman aye, Meyer aye. All in favor. Motion passed.
- Logan informed the council the fire department would like to apply for a grant for new 800 MHz radios. He would like to retain the service of the grant writer we have used in the past at an estimated fee of \$1,500.00. Motion to obtain grant writer services for \$1,500 was made by Council Member Meyer. Motion advanced by Council Member Asplund. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Froman aye, Meyer aye. All in favor. Motion passed.
- The fire department is working on creating a new utility company fire service rate sheet. The utility companies are requiring rate sheets for any future fire calls involving their equipment. We will incorporate this into the City rate policy by resolution when completed and approved.
- Chief Busho is continuing to complete the fire code violation fixit ticket for the Metronet utility building.

2. Maintenance

- Partial Collapsed Line on 6th Avenue: Maintenance Otto was to gather quotes. No quotes obtained yet.
- Team Lab Quote Maintenance, Utility Supervisor Josh Otto explained the bacterium quote. Maintenance/Utility Supervisor Josh Otto went through the quote to explain the different options of the Mega Bugs Bio treatment plan options. He thought the 1 year Bio-Dredge treatment plan for \$2,550.00 annually, would suffice for our ponds. The treatment reduces the sludge very well, which reduces future cleaning/dredging costs. Motion by Mayor Bartsch to approve the \$2,550 annual treatment plan. Council Member Groth advanced. Motion carried. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Meyer aye. All in favor.
- Snowplow cameras Josh Otto requested approval to purchase cameras and monitor for the new snowplow. Estimated cost of \$500.00. Motion by Council member Asplund to purchase the cameras and monitor for \$500.00. Council Member Groth advanced. Motion carried. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Meyer aye. All in favor.
- Street signs. Josh will put up a new Lageson Court street sign once Jeff Schultz is available to help, along with the stop signs on 3rd Ave & 5th Street.
- Old snow plow bids. Engel stated we have not received any bids on the plow after having it on the MNRWA site for the last 2 months. One local person has expressed interest in it but has not submitted a bid yet.
- Expenses: None mentioned.

3. Park and Trails Committee

- Updates No updates

4. Community Gathering Place Mural Project Committee

- Update No updates

5. Steele Heights

- Update: Engel informed the council we are waiting for clarification on prevailing wage requirements from MN DOL.

6. Codification

- Updates

- 199 8th Avenue East: No change noted to this property

- Concerns

- School Street Complaint: Section 92.15 Just received the data and will address at the December meeting.

- 5th Avenue Complaint – Section 92.16 violations. Could not verify the complaint. Engel will contact the person for better details.

- Radel Court-Sections 92.18, 92.19 violations Engel asked the council to observe the property. Several issues are present again. Several members have seen the property and agree the owner should be notified. Motion by Council Member Groth to send a violation notice to the property owner. Motion advanced by Council Member Meyer. Motion carried, all in favor.

School Street Complaint - Section 71.05 Truck Parking violation. A tractor/trailer combination is being parked on School Street during the weekend. It can't be verified who the responsible party is for sure. We can't send a letter of violation without verifying who the owner or driver is. Engel suggested contacting dispatch to have an officer check on it if it is parked there again.

- Notice of Violation/Warning Administrative Citation

- 601 Lageson Court Conditional Use Permit Violations: A letter with the CUP violations was sent to Metronet on October 22nd. There has been no reply yet.

- 507 School South – 92.38 *Weed Ordinance* – *ABATED*

- 513 School Street South – 92.38 *Weed Ordinance* It doesn't appear the issue has been abated

- 601 School Street South – 92.38 *Weed Ordinance* It doesn't appear the issue has been abated.

Engel asked the council to observe the properties to determine if either property should be given a violation letter.

- Administrative Citation

- 109 6th Avenue East; 408 7th Avenue West: \$50.00 citation issued for each property. Fines paid. Issues not abated. Motion by Mayor Bartsch to issue another administrative fine of \$50.00 to each property. Motion advanced by Council Member Groth. Motion carried, all in favor.

7. Clerk

- CD maturity – new interest rates

- Sewer Current rate/term is 3.6%-18 months. Would go down to 3.01% at 18 months.

- Water Current rate/term is 4.75%-12 months. Would drop to 3.5%. Engel suggested we move both CDs to 7 month terms. Rate will be 4.35%. Motion by Council Member Meyer to Move both CDs to the 7 month term at the current rate of 4.35%. Motion advanced by Council Member Asplund. Motion carried. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Meyer aye. All in favor.

- Gordy's Tree Removal Invoice Council Member Groth asked the invoice was for \$1,800.00. The council approved the park tree removal for \$400.00. Otto explained that he had Gordy remove and trim several other trees around town, since we could not do it earlier this summer, with Gordy not being available. The tree removal was in the budget. Motion by Council Member Groth to approve the invoice for \$1,800.00. Council Member Asplund advanced. Motion carried. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Meyer aye. All in favor.

Unfinished Business:

1. TNT Public Hearing December 12th at 6:30 pm.
2. Clerk's Office Repairs:
 - Air Quality Testing. Engel obtained a quote for \$1,200.00 to clean the heat/ac ventilation in the office, as the air quality report showed concerns with the air quality. It was thought cleaning ventilation system may help. Council Member Groth we should probably hold off on the cleaning and look at other cleaning options first. It was agreed to hold off on the vent cleaning.
3. PTO Pay Out Policy: Engel explained the following options the council can take to address the concern of excessive PTO hours.
 - i. Increase annual carry over of 80 hours maximum
 - ii. Allow annual pay out of excess hours over the maximum hours allowed
 - iii. Combination of both
 - iv. Leave current policy in place

It was decided to table a decision until the December meeting to look at an amendment to the current policy.
4. Crown Ridge & Commercial Street Road Improvements
 - Bolton & Menk Engineering Estimate – No action taken at this time by the council.

New Business:

1. 2025 CEDA Contract
 - Motion by Council Member Groth to approve the contract. Council Member Froman advanced, Motion carried. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Meyer aye. All in favor.
2. Pay Equity
 - Approve 2024 Compensation Plan. Motion by Council Member Groth to approve the 2024 Comprehensive plan. Council Member Meyer advanced, Motion carried. All in favor.
3. 2025 Staff Hourly Pay
 - Approve Hourly Pay for 2025. Motion by Council Member Groth to approve the 2025 Staff Hourly Pay increases of 6.65%. Council Member Froman advanced, Motion carried. All in favor.
4. Additional Part Time Employee
 - Additional person due to unavailability of other employees. Engel informed the council of the continuing issue of availability of our current part time employees, due to their full time job responsibilities and overtime requirements. Josh has asked to post for another person, who could fill the position and/or be willing to work some of the hours when needed. If we had a pool of people who are on the city employee list, he would have more options when the workload requires additional help. Council Member Asplund made a motion to post for the Part Time Utility-Maintenance position. Council Member Meyer advanced the motion. Motion carried. All in favor. Engel will post for the position.
5. Resolutions
 - 2024-34 Resolution Approving Property Tax Abatement Applications. Motion by Council Member Groth to approve Resolution 2024-34. Council Member Asplund advanced, Motion carried, all in favor.
 - 2024-37 Resolution Canvassing the Tuesday November 5th, 2024, Municipal Election Returns and Declaring Results. Motion by Council Member Asplund to approve Resolution 2024-37. Council Member

Meyer advanced, Motion carried. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Meyer aye. All in favor.

6. Codification draft revision

- Section 152.219 Telecommunication Towers and Antennae. Motion by Council Member Asplund to table the draft discussion. Motion advanced by Mayor Bartsch. Motion carried, all in favor.
- Sections for Zoning Permits Required – Revise requirements on certain exempt structures. Engel will work with City Attorney Mark Rahrack on this.

7. Water Tower Agreements

- Discontinuance of any agreements of tower agreements. Mayor Bartsch remarked that we have one agreement. Engel said yes, we have one agreement in place and we also have another local business that inquired about installing optional internet equipment for their private use, which is currently on hold. We had an incident this summer where equipment was damaged during the tower maintenance. He explained the concern by our tower maintenance contractor of the equipment mounted on the top of the tower. They suggested we have no equipment up there since it is hard to work around the equipment when doing maintenance. A motion to discontinue any tower agreements we have for equipment on the water tower was made by Council Member Meyer. The motion was advanced by Council Member Asplund. Motion carried. All in favor. Motion passed.

Mayor/Council Updates:

1. Mayor Bartsch: Thanked everyone for attending the meeting and welcomed Joel Meyer to the council.
2. Council Member Asplund: No comments
3. Council Member Froman: No comments
4. Council Member Groth: No comments

Close regular council meeting:

A motion was made by Council Member Groth to close the regular council meeting. The motion was advanced by Council Member Asplund. Motion carried. All in favor. The regular meeting was closed at 8:38 pm.

The audience was asked to leave as the council was going into a closed Attorney-Client meeting. Per MN Statute 13D.05.

Attorney-Client Closed Meeting

Open Meeting:

Motion to open Attorney-Client meeting was made by Council Member Groth. Motion advanced by Council Member Asplund. Motion carried. All in favor. The meeting was opened.

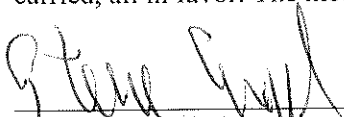
Motion to close the Attorney-Client meeting was made by Council Member Groth. Motion advanced by Council Member Asplund. Motion carried. All in favor. The meeting was closed.

Motion to open the Regular Council meeting was made by Council Member Groth. Motion advanced by Council Member Asplund. Motion carried. All in favor. The regular council meeting was opened.

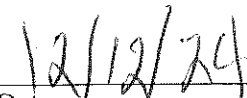
A motion was made by Council Member Groth, to hire Jason Kuboushek, Attorney at Law, with Iverson Reuvers Law Firm, to represent the City of Ellendale in litigation matters involving Daniel & Carrie

Petsinger. Motion advanced by Council Member Meyer. Motion carried. Roll call vote: Mayor Bartsch Aye, Council Members: Groth aye, Asplund aye, Froman aye, Meyer aye. All in favor.

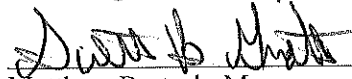
A motion was made by Mayor Asplund to adjourn the Council Meeting. Council Member Asplund advanced. Motion carried, all in favor. The meeting was adjourned at 8:52 pm.



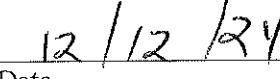
Steve Engel, Clerk/Treasurer



Date



Matthew Bartsch, Mayor



Date

The Minutes are a true and exact copy of the Minutes as they appear in the City of Ellendale Minutes Book.