

City of Ellendale
August 8th, 2024
Regular Council Meeting
7:00 pm

Agenda

7:00 Call Meeting to Order

1. Pledge of Allegiance
2. Approve Agenda

7:05 Violation Hearing

1. 306 6th Avenue West: Inoperable Motor Vehicle and Expired Tabs (92.20)

7:15 Hearing of Appeal

This hearing is for the purpose to hear the appeal of the imposed fine of \$50.00 for the violation of Section 152.296, Zoning Permits Required. The property owner was issued a violation citation for not obtaining a zoning permit for placing an accessory structure on the property located at Lageson Court.

7:30 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
 - July 11, 2024: Council Meeting Minutes
 - July 24, 2024 Special Council Meeting Minutes
 - July 31, 2024 Special Council Meeting Minutes
3. Financials

7:35 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.

7:45 Reports

- Fire Department
 - Fire Hall Committee
 - Expenses
 - Side x Side Repair
- Maintenance
 - Partial Collapsed Line on 6th Avenue – *Otto to gather quotes*
 - Expenses
- Park and Trails Committee
 - Park Swings to be Ordered – *Clerk's Office to consult with Mayor regarding order*

- Community Gathering Place Mural Project Committee
 - Update

- Steele Heights
 - Update *MNWFH moved award announcement to 3rd week of September. May allow previous awardees to start construction at announcement time vs waiting for agreement, if awarded new deferred loan for 2024-25.*

- Codification
 - Updates
 - 109 6th Avenue East; 408 7th Avenue West; 199 8th Avenue East – *Updated letter on what has yet to be removed at the properties was sent on 7/12. Council decision needed on next step.*
 - 217 8th Avenue East: Nuisance Parking and Storage (92.19); Inoperable Motor Vehicles (92.20) – *update Owner informed of council decision to give them until August 8th meeting to have the vehicles removed.*

 - Concerns
 - 902 8th Avenue West: Un-mowed Grass (92.38)
 - 712 Simplicity Drive: Un-mowed Grass (92.38)
 - 906 Dutton Drive: Un-mowed Grass (92.38)
 - 904 Dutton Drive: Un-mowed Grass (92.38)

 - Notice of Violation/Warning Administrative Citation
 - 402 2nd Street North: Un-mowed Grass (92.38) - *abated*
 - 306 6th Avenue West: Inoperable Motor Vehicle and Expired Tabs (92.20) – *Citation sent on 7/22 Partially resolved. Sending another letter.*

 - Administrative Citation
 - 601 Lageson Court: Unauthorized Tower (152.102;152.219) - *to be addressed during Hearing of Appeal*
 - 601, 603 Lageson Court; 801, 803, 805 Dale Court: Un-mowed Grass (92.38) - *pending*

- Clerk
 -

8:30 Unfinished Business

1. Budget Workshop
 - August 15th @ 7:00 pm

2. Fall Clean-Up
 - September 7th, 9:00 am – 12:00 pm

8:35 New Business

1. Clerk's Office Repairs
 - Update

2. Banyon Accounting & Payroll Software
 - Updated quote to be discussed

3. Resolutions

- 2024-25: Authorizing Donation of Money from Steele/Waseca Cooperative to the City of Ellendale Fire Department

4. Clerk/Treasurer Internal Applications

- Decision on filling the position

5. Kim Zimprich's proposal for Deputy Clerk/Treasurer position

6. CDs Maturing

- General CD: Renew to a 9-month CD at 4.65%
- Sewer CD: Renew to a 9-month CD at 4.65%

9:05 Mayor/Council Updates

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

9:10 Adjournment

**MINUTES OF ELLENDALE
CITY COUNCIL MEETING
THURSDAY, AUGUST 8TH, 2024
7:00 PM**

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

Absent: Clerk/Treasurer Kim Zimprich; Council Member Derek Bartness

Visitors: City Residents Brian Anderson, Sue Asplund, Laura Krenke, Joel & Connie Meyer, Pastor David Modder, Russ & Cynthia Nelson, Charles & Amy Berg, Wes Schonrock, Ross Aronson, Jo Lerberg, Barb Mrotz, Daniel Petsinger; Independent Investigative Journalist and Advocate Keith Haskell; Star Eagle Reporter Eli Lutgens; Steele County Times Reporter Kay Fate

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

Agenda: Engel added several claims to be addressed during the Clerks section of the agenda. Approvals of the claims and disbursements to be completed next week. A motion was made to amend & approve the agenda, by Council Member Groth. Council Member Asplund advanced. Motion carried, all in favor.

Violation Hearing

1. 306 6th Avenue West: Inoperable Motor Vehicle and Expired Tabs (92.20) The resident was not present at the meeting. Engel informed the council the tabs have been placed on the vehicle, but the vehicle is still inoperable. He suggests writing another letter to address the needed repairs. The council agreed to write letter to inform the owner of the remaining violation issues.

Hearing of Appeal: The hearing's purpose was to hear the appeal of the imposed fine of \$50.00 for the violation of Section 152.296, Zoning Permits Required. The property owner was issued a violation citation for not obtaining a zoning permit for placing an accessory structure on the property located at 601 Lageson Court.

Mr. Petsinger addressed the council. He stated he was not officially informed of this hearing. Engel verified that he was correct. A formal letter was not sent. Mayor Bartsch postponed the hearing. A new date was set for Wednesday, August 28, 2024, at 6:30 pm in the City Council chambers. Mr. Petsinger was present to hear the new meeting time and date. No objections to the scheduled meeting were heard.

Consent Agenda Items: A motion was made by Council Member Groth to approve the Consent Agenda Items, which included Accounts Payable/Claims in the amount of \$280,850.70, July 11th, 2024: Council Meeting Minutes, July 24th and July 31st, 2024, Special Meeting Minutes and Financials. Council Member Froman advanced. Motion carried, all in favor.

Public Input:

- Cynthia Nelson requested information from the property owner who has surveillance cameras on his property, regarding the radius of the camera's views. It is a serious concern of data privacy and confidentiality of citizens using the program Food Shelve program, which is a state & federal funded program that must adhere to data privacy rules. No information was given by the landowner at this meeting.
- Joel Meyer inquired as to how long the city's violation process was going to take, to get the tower & cameras removed.
- Dan Petsinger stated it is his right to protect his property and does not have to remove the cameras and tower. He also asked why the council has not addressed other towers in the city.
- Charles Berg remarked the other tower was installed prior to this council being in office and that it was done prior to the new tower ordinances were in effect. His understanding is the previous tower installations met code and are legal to have.

- Mayor Bartsch responded that Berg's statements are correct, to the best of his knowledge. There are statements in the new code that grandfather in, some items that met code under the old code. He asked Engel to look up the sections of code that apply and furnish the information to Petsinger.

Reports

1. Fire Department

- Fire Hall Committee: Engel stated the engineering detailed drawings should be done next, according to Mitch Roling of APX. They will create bid packages to solicit subcontractor quotes next. The draft AIA contract is being reviewed by City Attorney Mark Rahrick.
- Expenses:
 - Side x Side Repair: Logan Busho said the starter had to be replaced. The cost estimate is \$400.00. A motion was made by Council Member Groth to approve the \$400.00 side x side repair. Council Member Asplund advanced. Motion carried. Roll call vote.
Asplund Aye; Bartsch Aye; Froman Aye; Groth Aye. Motion passed.
- Chief Busho stated the truck body painting is done, and the frame sandblasted. He presented an invoice for the painting material needed to paint the tanker truck frame. The sand blasting company, Valek, does not paint frames. Busho will do the painting. Total invoice included hydraulic oil also. Engel stated the invoice is included in the Clerk's invoice for approval later.

2. Maintenance

- Partial Collapsed Line on 6th Avenue: Maintenance Otto was to gather quotes. No quotes obtained yet.
- Sewer main break: Maintenance Supervisor Otto reported a main sewer line fracture in the alley between 3rd and 2nd streets, behind the Ellendale Café area. It was fractured by Empire Pipe, when televising and clean outs were being done. The pipe was partially plugged with other issues also. Empire has agreed to pay for 50% of the cost. The intent is to repair is next spring or early summer.
- Water valve replacement: Maintenance Supervisor Otto informed the council we have two watermain service valves that must be replaced asap. He presented the estimate for the material cost of \$2,825.00. He asked Brandon Flatness of Olson Excavating, if he could do the digging. No estimate is available for the labor. Motion by Council Member Groth, to approve the material cost of \$2,825.00, along with Olson's to do the digging. Council Member Froman advanced. Motion carried. Roll call vote.
Asplund Aye; Bartsch Aye; Froman Aye; Groth Aye. Motion passed.
- FEMA meeting: Josh and Jerry Ibberson attended the FEMA meeting on August 6th. The purpose was to file our intent to turn in expenses related to the June-July rain events in Steele County. Information was given for setting up our FEMA account and how to apply for funding. Josh will work with Engel on the expenses and completing the applications.
- Tower valve repair: Otto reported that a valve was replaced in the water tower on Tuesday. This required draining the tower completely to make the repair. Some portions of the city were without water for a short time.

3. Park and Trails Committee

- Park Swings to be Ordered: The Clerk's Office to consult with Mayor regarding this order. Mayor Bartsch to meet with city staff to order the equipment.
- MnDOT meeting: Engel asked for any Committee members to join in on a Team meeting call on Friday at 10:00 am, to discuss the intent to complete the reconstruction project of Ellendale main street in 2031. This meeting is to discuss any walking and bike path routes the city would like to see installed on TH30 at this time. He will attend the meeting at the city office at 10:00, if anyone can attend.

4. Community Gathering Place Mural Project Committee

- Update: Jo Lerberg stated the canned light wiring is in place in the new canopy. The SMIF grant deadline was extended to allow for construction completion by SMIF. The committee has received a commitment from a group to fund an interpretive sign to be installed, with information on the sign and its history. She

asked the council to add the Ertl tree decision to the next council meeting so they could start phase 2 of the project. Council Member Groth asked what the phase 2 plan consisted of and if we could get a copy of it for review. Jo said the committee meets on the 20th and will work on the plan. There should be a document available for the September council meeting.

5. Steele Heights

- Update: We were advised that the 2024-25 award announcement date has been moved to the 3rd week of September. The MnWFH board is considering allowing cities who have previous awards in place but have applied for the additional award, may be allowed to start construction upon the announcement of the awardees, rather than having to wait for the agreement to be in place. This may allow developers to start construction this fall, rather than have to wait until the spring of 2025.

6. Codification

○ Updates

- 109 6th Avenue East; 408 7th Avenue West; 199 8th Avenue East – An updated letter on what has yet to be removed at the properties was sent on July 12th. Engel reported there has been good progress on the 199 8th Ave. East property. Some cleanup has taken place on the 408 7th Avenue West site as well. They agreed to give the property owners another month and review the progress at the September council meeting.

- 217 8th Avenue East - Nuisance Parking and Storage (92.19); Inoperable Motor Vehicles (92.20): Update. Engel advised the resident the council would allow him up to August 8th meeting to address the issues. As of this morning, August 8th, the vehicles were still parked. A motion was made by Mayor Bartsch to issue an Administrative Citation to the owner. Council Member Groth advanced. Motion carried, All in favor.

○ Concerns

- 902 8th Avenue West – Un-mowed Grass (92.38): Engel reported the issue is abated.

- 712 Simplicity Drive – Un-mowed Grass (92.38): Engel reported the issue is abated.

- 906 Dutton Drive – Un-mowed Grass (92.38): Engel reported the issue is abated.

- 904 Dutton Drive – Un-mowed Grass (92.38): Engel reported the issue is abated.

○ Notice of Violation/Warning Administrative Citation

- 402 2nd Street North – Un-mowed Grass (92.38): This violation has been abated.

- 306 6th Avenue West – Inoperable Motor Vehicle and Expired Tabs (92.20): The citation was sent on July 22nd. Engel reported the vehicle license tabs had been applied but the vehicle still remains inoperable and parked in ROW. He recommended writing the owner another letter to explain the remaining violations. The council agreed.

○ Administrative Citation

- 601 Lageson Court - Unauthorized Tower (152.102; 152.219): This was addressed under the Hearing of Appeal. Postponed until hearing on Wednesday, August 28th at 6:30 pm in the council chambers.

- 601, 603 Lageson Court; 801, 803, 805 Dale Court – Un-mowed Grass (92.38): This citation is pending. Engel recommended the council drop the fine as the lots have been mowed. The citations were not sent, pending clarification on the reported conflict of ordinances by the owner. City Attorney Mark Rahrick notified Engel of his opinion and interpretation on Wednesday. A motion was made by Mayor Bartsch to rescind the fines. Council Member Groth advanced. Motion carried, All in favor.

- Council Member Groth asked to notify the owner at 205 5th Ave. West of grass and weeds that need to be cut. Engel will send the owner a Notice of Violation and Warning letter.

7. Clerk

- Engel received 5 invoices after the claims report was completed. The total amount of the claims is \$2,859.44. A motion was made by Council Member Groth to approve the claims for payment. Council Member Asplund advanced. Motion carried, All in favor.

Unfinished Business:

1. Budget Workshop: This is scheduled for August 15th at 7:00 pm.
2. Fall Clean-Up: This is scheduled for September 7th, 9:00 am – 12:00 pm at the City Maintenance

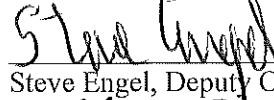
New Business:

1. Clerk's Office Repairs: Update. Sonic Concrete has agreed to complete the north side sidewalk and steps. Engel presented the council with the precast step invoice of \$1,450.00. This is one of the claims presented above, for payment upon receiving the steps in 1-2 weeks. This is part of the original costs that was approved in the Marvin Purrier quote last spring. The company will place the steps once Sonic Concrete has put in the new pad. J K Routh has agreed to take on the south entrance project. He will meet with a concrete contractor and Amber Brooks, the Steele County building inspector, to determine what needs to be done regarding the ADA compliance of the ramp. He stated he can get this done this fall.
2. Banyon Accounting and Payroll Software: An updated quote was presented. Engel asked for approval to purchase the software at a reduced cost of \$1,345.00 less than the quote received on February 5th. Banyon has agreed to extend the payment of \$3,695.00 of the total of \$6,225.00 until January 2025, to allow us to budget for it in 2025. We would pay \$2,530.00 at the time of purchase. That would be for the annual support fees for both packages and the on-line training services along with installation assistance. A motion was made by Council Member Groth to purchase the new software with the terms listed in the quote. Council Member Asplund advanced. Motion carried. Roll call vote.
Asplund Aye; Bartsch Aye; Froman Aye; Groth Aye. Motion passed.
3. Resolutions
 - 2024-25: Authorizing Donation of Money from Steel Waseca: A motion was made by Council Member Groth to accept Resolution 2024:25. Council Member Asplund advanced. Motion carried, all in favor. Motion passed.
4. Clerk/Treasurer Internal Applications: There was only one internal application for the Clerk/Treasurer position submitted. A motion was made by Council Member Groth to appoint Steve Engel as Clerk/Treasurer at the hourly rate of \$28.59, effective August 26th. Council Member Asplund advanced. Motion carried, all in favor.
5. Kim Zimprich's Proposal for Deputy Clerk/Treasurer Position: Mayor Bartsch suggested the council should post the job internally as was done for the Clerk/Treasurer position. A motion was made by Mayor Bartsch to post the job for one week and hold a special meeting on August 15th to make a final decision. Council Member Asplund advanced. Motion carried, All in favor. The meeting will be Thursday, August 15, 2024, at 6:30 pm in the council chambers.
6. CD Maturity
 - General CD: A motion was made by Council Member Groth to renew the General CD that is up for maturity to a 9-month CD at a 4.65% interest rate. Council Member Asplund advanced. Motion carried, all in favor.
 - Sewer CD: A motion was made by Council Member Groth to renew the Sewer CD that is up for maturity to a 9-month CD at a 4.65% interest rate. Council Member Asplund advanced. Motion carried, all in favor.

Mayor/Council Updates:

1. Mayor Bartsch: Mayor Bartsch commented that the NNO was a success with approximately 110 floats served by the council. An estimated 150 people attended. A thank you to Jackie Froman, the fire department and Jerry Ibberson for participating and making it a successful event.
2. Council Member Asplund: Nothing to add.
3. Council Member Bartness: He was absent.
4. Council Member Froman: Nothing to add.
5. Council Member Groth: Nothing to add.

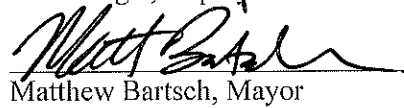
A motion was made by Council Member Asplund to adjourn the Council Meeting. Council Member Froman advanced. Motion carried, all in favor. The meeting was adjourned at 8:15 pm.



Steve Engel, Deputy Clerk/Treasurer

9/12/24

Date



Matthew Bartsch, Mayor

9/12/2024

Date

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