

**City of Stewartville
City Council Regular Meeting Minutes
Stewartville City Hall
June 10, 2014**

I. PLEDGE OF ALLEGIANCE

II. CALL TO ORDER – ROLL CALL – Mayor King called the meeting to order on June 10, 2014 at 7:00 pm. Present: King, Hanson, Stensrud, Timm and Burgr. Also Present: City Administrator Schimmel, Finance Director Neubauer, Public Works Director Stevens, Asst. Fire Chief Mueller and City Clerk Roeder.

III. APPROVAL OF AGENDA – Motion by Timm, second by Burgr to approve the agenda. Unanimously approved.

IV. APPROVAL OF COUNCIL MEETING MINUTES-

Motion by Stensrud, second by Burgr to approve the minutes from the Council Retreat on April 23, 2014. Unanimously approved.

Motion by Hanson, second by Burgr to approve the minutes of the Regular Council meeting of May 27, 2014. Unanimously approved.

V. FINANCE AND BUDGET

A. Accounts Payable – Motion by Hanson, second by Timm to approve the accounts payable listing. Unanimously approved.

VI. PRESENTATIONS/PUBLIC HEARINGS

VII. GENERAL BUSINESS

A. Resolution –Beach Wood North Subdivision Zone Change – Developer Big DE Development has submitted a request to change the current zoning as described in the attached Exhibit A. The property is currently zoned P/SP as it was once owned by the Stewartville School District and has always been used for crop farming. The south portion of the property is proposed to be zoned R1, which would allow for the development of Beach Wood North. The north portion is proposed to be zoned Ag. The Planning Commission held a public hearing on June 3rd and are recommending approval the of the zone changes.

Motion by Stensrud, second by Burgr to adopt Resolution 2014-15, A Resolution Amending the City of Stewartville Zoning Map to Rezone Certain Property from P/SP to Ag and P/SP to R1. Unanimously approved.

B. Resolution – Beach Wood North General Development Plan - Big DE Development is requesting approval of a General Development Plan and Preliminary Plat for Beach Wood North Subdivision. The Planning & Zoning Commission held a public hearing regarding the proposed plat on June 3rd and are recommending approval, subject to the recommendations form City Engineer, David Strauss.

Mark Welch, G-Cubed representing Big DE Development appeared before the Council and gave them a brief update on the project. Council questioned whether the back or North portion of the property wasn't developable. Welch replied that it wasn't feasible at this time, but may be developed at some point in the future. Strauss stated that the developer has agreed to conform to the requests that were laid out in his review letter.

Motion by Timm, second by Burgr to approve Resolution 2014-15, A Resolution Approving the General Development Plan as submitted. Unanimously approved.

Motion by Hanson, second by Stensrud to approve Resolution 2014-16, A Resolution Approving the Preliminary Plat subject to recommendation from City Engineer Strauss. Unanimously approved.

- C. Resolution – Hwy 63 Path Contract-** City Engineer Strauss appeared before Council to present the bid results. Strauss noted that the estimate was \$140,000 and that the lowest bid was \$159,891.72 from Rochester Sand & Gravel. He stated that the grading portion of the bids was higher than estimated. Schimmel stated that the EDA will need to meet to approve additional funding from the Rochester Sales Tax fund but felt that the plan is favorable to the Community and hopes that the EDA and Council will vote to move forward with the path project.

Motion by Hanson, second by Burgr to approve Resolution 2014-17 Receiving Bids and Awarding the Contract for Hwy 63 Path Project, subject to EDA approval of additional financing. Unanimously approved.

- D. Resolution – Commissioner of Transportation Agreement –** The City has received the updated Agency Agreement between Department of Transportation and City of Stewartville for Federal Participation in Construction. The agreement is routinely updated by the Federal government which allows any federal funding for transportation related construction that the city may receive through a state grant be handled by the State Commissioner of Transportation.

Motion by Timm, second by Burgr to approve Resolution 2014-19, A Resolution entering into Agency Agreement with Minnesota Commissioner of Transportation. Unanimously approved.

- E. Ordinance – Draft Chicken Ordinance-** Council has been presented with a draft ordinance regulating chickens within the city limits. Seven different ordinances were reviewed and one was drafted that would be the best fit for Stewartville. Staff is suggesting that a public hearing be held due to the controversy that an ordinance may create.

Motion by Timm, second by Burgr to approve the draft ordinance language and to set a public hearing for public input on July 8th. Voting in favor: Timm, Burgr, Stensrud and King. Voting against: Hanson. Motion carried.

Burgr asked for clarification from Hanson on why he voted against moving forward. Hanson responded that he wasn't in favor of a chicken ordinance after talking to

citizens. King reminded Council that they need to take into account that it becomes an enforcement issue if adopted. Stensrud stated that he also has concerns with adopting an ordinance.

- F. Proposed Zone Change** – The City has been approached by two builders who are interested in building a duplex/twin home and apartment building at the corner of 2nd Ave SW & 3rd St. SW. Roeder provided background information to the Council, noting that this area is currently zoned B1-Central Business District which does not allow for new residential dwellings. Those homes that are currently in this area are grandfathered in. In 2003 the Planning Commission and City Council passed an amendment to the Zoning Ordinance that would require a conditional use permit in order to build a garage or add structural improvements to a home in the B1 area. At that time, it was the intention of the Council to protect the B1 area so that further non-compliance of the residential parcels wouldn't occur, that would cause an increase in property estimated market value. By making this amendment, Council felt that it may attract commercial development by holding the value of the parcels down.

The Planning & Zoning Commission discuss the possibility of re-zoning this area. They indicated that they would be open to re-zoning parcel by parcel to R3 – Multi-Family High Density Residential but only at the time a building project occurs. The EDA has also discussed this possibility and would be in favor of the zoning changes.

Stensrud asked for clarification on the zoning process. Roeder stated that the Planning Commission would review the plans and consider the zone change along with any variances that may be needed. They would make a recommendation to the Council. Stensrud asked if they would take into account the layout, parking, etc. Roeder stated that they would follow our zoning ordinance. King questioned on whether someone on the west side of 2nd Ave. would be able to build something similar. Roeder stated that they would require a zone change as it is currently zoned R2, noting that the property in question at this time is zoned B1. Strauss stated that when the Planning Commission and City Council look at the Comprehensive Plan and Zoning Map they want to make sure there is a balance of uses. The City may want to consider more R3 Multi-Family housing and this area could be considered a good fit. He noted that the corridor along Hwy 63 was zoned B1 but the reality is that there are still legacy homes in this area and giving up commercial zoning in this area is probably ok. Roeder noted that the R3 Multi-family zoning is typically located close to the downtown business district.

Timm stated that she wasn't completely comfortable with spot zoning. Strauss stated that this was brought to the Council so that they can start thinking about the possibility. Hanson relayed to Council his concerns in regards to on-street parking. Schimmel stated that he would encourage the Planning Commission and City Council to strongly adhere to our parking regulations due to parking issues, such as our winter snow ordinance. The Council agreed to look at potential plans and consider a zone change on a project by project basis.

- G. Accounting Clerk Position**-Mayor King stated that the Personnel Committee is recommending approval to advertise for an Accounting Clerk employee and presented the job description. If approved, advertisement for the position would be in the STAR

and on the City website. Hanson asked if it could be advertised in a wider area, such as the Post Bulletin and LMC website.

Motion by Hanson, second by Burgr to approve the job description. Unanimously approved.

Motion by Hanson, second by Stensrud to advertise the position in the STAR, Post Bulletin and on the City website. Unanimously approved.

- H. Pump House Addition-** The Council has approved a pump house addition project. Bids have been received with the project cost being \$23,091.39. It was noted that this did not include the painting, which will be bid at the end of the construction.

Motion by Stensrud, second by Burgr to approve the bids/contractors as submitted. Unanimously approved.

- I. Olmsted County Equipment Contract-** The annual equipment/operator contract has been submitted by Olmsted County. This agreement allows us to be able to call the County to furnish equipment/operators during the year for maintenance such as blading, snow plowing, etc. Some rates have increased slightly and some have decreased from last year.

Motion by Hanson, second by Burgr to approve the contract as submitted. Unanimously approved.

- J. Summerfest Fireworks-** Hanson stated that funding from a past private donor has ceased. He stated that it was his opinion that our fireworks are a part of Stewartville's identity and would like to see the City donate \$4,000 to the Chamber to help cover the shortfall. He also suggested that this become a consideration during budget meetings. Stensrud stated that he agreed and that it was an unexpected shortage for the Chamber this year. Timm questioned whether it was legal for the City to contribute and asked Staff to check into this. King stated that he has no problem with contributing but also reminded Council that it's a point that needs to be considered during budget preparation. He stated that we are only 6 months into the year and we have already added a number of projects that were not budgeted for. He asked members of Council to remember this at budget time and reminded them that it might mean raising taxes or the levy limit. He also stated that he felt contributing was a very worthwhile project.

Motion by Hanson, second by Burgr to contribute \$4,000 to the Chamber and to consider future contribution to be included in the yearly budget, subject to legally being able to contribute. Unanimously approved.

MAYOR, STAFF AND CONSULTANTS REPORTS

- A. Mayor-** King commented on the following:

- Sympathy to the Families of: Steven Stephenson, Vesta Loy, Dave Nelson, Dick Halvorson, LaVaine Parsons, Jo Hess, Aryle LaPolice, Cyril Rathbun and Betty Jensen.
- Happy 50th Anniversary to Victor & Marlice Boland
- Happy 50th Anniversary to Frank & Jean Weber
- Happy 85th Birthday to Dave Ewald
- Happy 57th Birthday to Mark "STAR" Peterson
- Happy 60th Birthday to Mark Stevens
- Thank you to Stephen Nelson and the Stewartville Key Club for their June 3rd Service Day to our community – lots of hard work went into this and many benefited from it.
- Congratulations to the Class of 2014! Remember that the "trouble with learning from experience is that you never graduate"!
- Our pool is open for the summer
- Farmer's Market is now open
- Stewie Cruisers Car Show has started every Friday night.

B. Administrator–

- Bi-Weekly Report
- Joint mtg with City/School on July 14th – 5:00pm
- July 4th parade route will be changed to follow 4th St. NE to 4th Ave. NE due to work being done on 2nd Ave. NE.
- Started discussion on the need to remove the city hall tree and replacing it with a tree from Meadow Park. After considerable discussion it was the consensus of the Council to follow the recommendations from Public Works to remove/replace the tree.

C. Finance Director –No Report

D. Public Works Director –

- Curb will be poured this week on the 2014 CIP
- Final lift will be put down on the 2013 CIP
- Path at Florence Park will be completed once the ground firms up

E. Library Director –Councilmember Timm updated Council on Summer programs at the Library.

F. Fire Chief – No Report

VIII. COMMITTEE, COMMISSIONS AND BOARD REPORTS

- A. Care Center- No report
- B. Chamber of Commerce – Minutes of May 6th
- C. EDA/HRA – Minutes of June 3rd
- D. Finance- No report
- E. Library- No report
- F. Park Board – Annual Park Tour to be held next week
- G. Personnel- No report

- H. Public Safety/Safety Committee- Deputy Breitenbach reminded everyone to lock their cars/homes. An evacuation drill was held with the high school – thanked public works for their help with blocking traffic, etc.
- I. Planning & Zoning –Minutes of June 3rd
- J. Public Works- No report
- K. RAEDI – No report
- L. ROCOG- No report
- M. SCCC/STEW19 – No report
- N. WWTF – No report

IX. COMMUNICATIONS

XI. RECOGNITION OF GUEST(S) OPEN MIC

XII. ADJOURN – Motion by Burgr, second by Timm to adjourn. Unanimously approved.

Respectfully submitted,

Cheryl Roeder
City Clerk