

**City of Stewartville
City Council Meeting Minutes
Stewartville City Hall
May 9, 2017**

I. PLEDGE OF ALLEGIANCE

II. CALL TO ORDER – ROLL CALL Mayor King called the meeting to order on May 9, 2017 at 7:00 pm. Present: King, Anderson, Uptagrafft, Beyer and Oeltjen. Also Present: City Administrator Schimmel, Finance Director Neubauer, Public Works Supervisor Hale and City Clerk Roeder

III. APPROVAL OF AGENDA

Motion by Beyer, second by Uptagrafft to approve the agenda. Unanimously approved.

IV. APPROVAL OF COUNCIL MEETING MINUTES

Motion by Anderson, second by Oeltjen to approve the Council minutes of April 25, 2017. Unanimously approved.

V. FINANCE AND BUDGET – Neubauer requested that the invoice from Wapasha Construction be pulled for further review.

Motion by Uptagrafft, second by Oeltjen to approve the accounts payable listing, with the exception of Wapasha Construction. Unanimously approved.

VI. GENERAL BUSINESS

A. Variance Request – Dieser 115 4th Ave. SE: The Planning Commission held a public hearing on May 2nd to consider a 4' variance from the required 10' separation between structures as per Section 1375.05 Accessory Buildings. The applicant is proposing to build a 20x30 garage 6' from the house. It was noted that the Planning Commission was recommending approval of the variance based on their Findings of Facts.

Motion by Uptagrafft, second by Beyer to approve Resolution 2017-9, A Resolution Approving the Variance Request for 115 4th Ave. SE. Unanimously approved.

B. Variance Request – Clement 310 Luella Lane NE- The Planning Commission held a public hearing on May 2nd to consider a 3' variance from the required 3' side yard setback as per Section 1330.03 Accessory Uses. The applicant is proposing to place a 10x12 shed on the property line with the neighbors permission. It was noted that the Planning Commission was recommending approval of the variance based on their Findings of Facts.

Motion by Uptagrafft, second by Beyer to approval Resolution 2017-10, A Resolution Approving the Variance Request for 310 Luella Lane NE. Unanimously approved.

C. Variance Request – Kropp 710 4th Ave. SE- The Planning Commission held a public hearing on May 2nd to consider 4' variance from the required 10' separation between structures as per Section 1375.05 Accessory Buildings. The applicant is proposed to build a deck and will be 6' from the detached garage. It was noted that the Planning Commission was recommending approval of the variance based on their Findings of Facts.

Motion by Uptagrafft, second by Beyer to approve Resolution 2017-11, A Resolution Approving the Variance Request for 710 4th Ave. SE. Unanimously approved.

- D. Public Hearing – Wellhead Protection Plan-** Mayor King opened a public hearing, receiving public comment on the Wellhead Protection Plan that was required by Minnesota Rules, part 4720.5130, subpart 3.

Supervisor Hale and Pat Dailey from the MN Dept of Health stated that they have completed a data and technical analysis of all wells within the City and developed the plan and mapping. Hale stated that there were three areas of concern within the City limits. He stated that the three areas were: 1) at the corner of 2nd Ave SE & 2nd St SE near Well #2, 2) under the Civic Center and 3) Under the building at 202 South Main St. He stated that at some point these wells will need to be sealed off. For those under the buildings, a variance will be needed and then recorded on the deed to make future property owners aware. Daily stated that once the City Council adopts the plan it will be submitted to the appropriate State offices for their comments and the MN Department of Health will give their final approval.

As there was no one in attendance to ask questions, Mayor King closed the public hearing.

Motion by Anderson, second by Uptagrafft to adopt the City of Stewartville Wellhead Protection Plan. Unanimously approved.

- E. Revolving Loan –** Dan Himmer has requested a loan from the City's Revolving Loan Fund. The HRA's finance sub-committee has reviewed and recommended approval of the request with the following terms: Loan amount \$43,000, Term 5 years, Interest 3%, Collateral – PIN#54.27.42.083314. The loan funds will be used for the installation of a turn lane on 20th St. NE onto Clubhouse Dr. NE as required by Olmsted County. It was noted that the benefits were safety, tax base and housing options.

Motion by Uptagrafft, second by Oeltjen to approve the Revolving Loan Fund as requested. Unanimously approved.

- F. 2017 Pool/Concessions-** Cheryl Terhaar is requesting approval of the lifeguard/concession employees for the pool.

Motion by Anderson, second by Beyer to approve the names submitted and to give approval for additional hires as needed. Unanimously approved.

- G. Resolution Supporting Local Decision Making Authority-** Schimmel submitted a Resolution for approval, noting that the LMC has been concerned about the proliferation of 2017 legislative initiatives aimed at restricting local decision-making authority. He stated that a significant number of bills are advancing in the House and Senate right now that interfere with local decision-making authority in several policy areas. He stated that there were many cities who have been adopting the resolution which supports local authority.

Motion by Uptagrafft, second by Oeltjen to approve Resolution 2017-12, A Resolution Supporting Local Decision Making Authority. Unanimously approved.

- H. Liquor Ordinance Amendment-** MN Statutes 2106, Section 240A.504, Subdivision 4, was amended to read that Off Sale Intoxicating Liquor may not be sold on Sunday's except between the hours of 11 am and 6pm. This new law will require our local ordinance to be changed to give our two off sale license holders the option to be open. The section to be changed in our ordinance is Subd 4, Hours of Operation.

Motion by Anderson, second by Uptagrafft to approve Ordinance 2017-2, An Ordinance Repealing Chapter 4 Alcoholic Beverages Section 420.08 Subd 4, House of Operation – Off Sale and Replacing it with the following Language. Unanimously approved.

VII. MAYOR, STAFF AND CONSULTANTS REPORTS

A. Mayor- King commented on the following:

- Sympathy to the Families of: Dayton Rud, John Hermans, Mert Jacobson, Peter Nelson, Jerry Johnson, Nancy Stankey, Gordon King and Maxine Taylor
- Stewartville Garage Sales will be Thursday/Friday/Saturday, May 11th, 12th & 13th
- The EDA & Community Ed Daycare Forum will be held on May 16th at 7:00 p.m. at the Civic Center to discuss the community needs assessment survey
- Stewartville Clean Up days will be Saturday, May 20th and Wednesday, May 24th. Check the STAR and website for more details
- 2nd Annual Samuel Becker 5K run/walk will be on May 20th – contact Anytime Fitness for more information.

B. City Administrator–

- Bi-Weekly Report
- CIP starting on June 5th
- Limited dump hours during WWTP construction

C. Finance Director -

- Dedicating the TWINS plaque from the grant received on June 12th at Bear Cave

D. Public Works Supervisor –

- Bi-Weekly Report
- Mtg set to look at LED for the HWY 63 street lights – we can no longer get replacement parts

E. Library Director -

- No Report

F. Fire Chief Report –

- No report

G. City Engineer –

- No report

VIII. COMMITTEE, COMMISSIONS AND BOARD REPORTS

- A. Chamber of Commerce: e-news
- B. EDA/HRA: Open house @ Schwikerts on May 23rd
- C. Finance: No Report
- D. Library: No Report
- E. Park Board: Report on mtg
- F. Personnel: No Report
- G. Planning & Zoning: Minutes of May 2nd
- H. Public Safety/Safety Committee: Monthly Call Report
- I. Public Works: No Report
- J. RAEDI: No Report
- K. ROCOG: No Report
- L. STEW180: No Report
- M. Transit Advisory Committee: No Report

IX. COMMUNICATIONS

- A. Sheriff's Newsletter
- B. Regional Training Center Open House

X. RECOGNITION OF GUEST(S) OPEN MIC

XI. ADJOURN – Motion by Anderson, second by Oeltjen to adjourn. Unanimously approved.

Respectfully submitted,

Cheryl Roeder
City Clerk