**City of Stewartville**

**City Council Meeting Minutes**

**Stewartville City Hall**

**October 10, 2017**

1. **PLEDGE OF ALLEGIANCE**
2. **CALL TO ORDER – ROLL CALL** Mayor King called the meeting to order on October 10, 2017 at 7:00 pm. Present: King, Anderson, Uptagrafft, Beyer and Oeltjen. Also Present: City Administrator Schimmel, City Engineer Obernolte, Public Works Supervisor Hale and City Clerk Roeder
3. **APPROVAL OF AGENDA**

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

1. **APPROVAL OF COUNCIL MEETING MINUTES**

Motion by Beyer, second by Oeltjen to approve the Council minutes of September 26, 2017. Unanimously approved.

1. **FINANCE AND BUDGET –**

Accounts Payable - Motion by Uptagrafft, second by Oeltjen to approve the accounts payable listing. Unanimously approved.

1. **GENERAL BUSINESS**
2. **Conditional Use Permit – Fence – 424 1st Ave SE –**  Mayor King stated that at the Sept 12th meeting, Council tabled the conditional Use permit request for a fence from Jerry Owen at 424 1st Ave Se. The Council has hoped that the two parties could come to an agreement in regards to an access for the detached garage owned by Tom Johnson on the adjacent property.

King asked if there had been any further action between the two parties. Owen stated that he had offered to purchase the garage thru a certified letter. Johnson stated that he didn’t pick up the letter as he felt that since Owen had trespassed his mother-in-law on Sept 13th, the letter was a trespass notification to him. Uptagrafft stated that he wished that an agreement could have been reached between the two parties. King asked why they’re wanting to divide their property only on one corner rather than all the way around. Jan Owen stated that when showing the property, the garage is asked about and people assume they own it. Anderson stated that he believes the construction of the fence could end up creating more problems in the future, as with the air conditioning units that are on the adjacent property.

Motion by Uptagrafft, second by Beyer to approve the Conditional Use Permit with a drive – thru gate that allows access to the two garage doors. Voting in favor: Uptagrafft, Beyer, Oeltjen and King. Voting against: Anderson. Motion carried.

1. **Conditional Use Permit – Peterbilt Sign–** Mayor King stated that LaCrosse Sign Co has submitted an application for a Conditional Use Permit to allow for a Freeway Oriented Ground Sign as Per Section 1375.14 Sub D(4). The proposed sign is 75’ in height and is for Peterbilt – 610 Schumann Dr. NW. It was noted that the Rochester International Airport Zoning lists this location under Zone C and has a maximum height elevation of 1,417. The proposed sign will sit at an elevation of 1,375. The Planning Commission is recommending approval, subject to meeting all regulations of the Rochester Airport – Zone C.

Motion by Anderson, second by Beyer to approve the conditional Use Permit, subject to meeting all regulations of Rochester Airport Zone C.

1. **Fire Relief Association – Gambling Permit-** The Stewartville Fire Relief Association is seeking approval to conduct gambling activity (pull tabs) at Riverview Greens, 1800 Clubhouse Dr. NE. As per State Statute the City Council must approve the license application prior to submitting to the MN Gambling Control Board.

Motion by Uptagrafft, second by Anderson to approve Resolution 2017-25, A Resolution Approving the Stewartville Fire Relief Association’s Request for a Charitable Gambling License at Riverview Greens. Unanimously approved.

1. **Unpaid Current Services –** According to MN Statute 444.075, Sub 3 and 429.101, the City Council can assess for any unpaid charges for current services. These charges include utilities, mowing, cleaning of properties and sidewalk installation. The City also charges the unpaid amount plus 6% interest and the recording fee of $25.00. Council received the property owner listing who have outstanding charges.

Motion by Beyer, second by Uptagrafft to approve Resolution 2017-26, A Resolution Adopting Special Assessments for Current Services. Unanimously approved.

1. **Florence Pond Repair-** The Park Board has been investigating various options to repair the pond due to the continuous leaking that has occurred. Hale was directed to solicit quotes to dredge and rebuild the bottom and sides. Hale reported that clay type soils will be coming from Northridge Mobile Home construction site. Public Works will supply 2 trucks and drivers to haul. The Park Board has recommended contracting with Alcon Construction for “not to exceed $21,500” bid amount.

Motion by Beyer, second by Oeltjen to contract with Alcon Construction. Unanimously approved.

1. **Snow Plow Operator-** Each year the City hires additional snow plow drivers to use on a “as needed basis”. Public Works Supervisor Hale is recommending approval of Scott Emmanuel and Andrew McMahon.

Motion by Anderson, second by Uptagrafft to hire Emmanuel and McMahon as recommended, subject to Drug & Alcohol testing. Unanimously approved.

1. **Snow Hauling Contract-** The City received four bids for snow hauling for 2017/2018 snow season. Public Works Supervisor Hale is recommending the low bid from Brian Larson Trucking at $72/hr.

Motion by Beyer, second by Oeltjen to approve the contract with Brain Larson Trucking. Unanimously approved.

1. **Liquor License Transfer –** The Down Under Bar is requesting to utilize MN State Statute 340A.404 Sub 4, to sell intoxicating liquor at the Civic Center for a wedding on October 14, 2017.

Motion by Anderson, second by Beyer to approve the license transfer as requested. Unanimously approved.

1. **MAYOR, STAFF AND CONSULTANTS REPORTS**
2. Mayor- Mayor King commented on the following:

* Sympathy to Families of: Jerry Tompkins and Bernard Howard
* Happy 20th Anniversary to Duane & April Schumann
* Stewartville Firefighters held their annual breakfast this past Sunday. Thanks to everyone who came out and supported the Fire Fighters! They are also busy getting ready for the open house tomorrow night and have been visiting classrooms this week.

1. City Administrator–
   * Bi-Weekly Report
2. Finance Director -
   * No Report
3. Public Works Supervisor –
   * Bi-Weekly Report
4. Library Director -
   * No Report
5. Fire Chief Report –

* No Report

1. City Engineer **–**
   * Obernolte gave a brief progress to date report on various projects
2. **COMMITTEE, COMMISSIONS AND BOARD REPORTS**
3. Chamber of Commerce: No Report
4. EDA/HRA: Minutes of Sept 19th
5. Finance: No Report
6. Library: No Report
7. Park Board: No Report
8. Personnel: No Report
9. Planning & Zoning: Minutes of Oct 2nd
10. Public Safety/Safety Committee: Deputy Strelow provided the monthly calls for service report and highlighted the Narcotics Task Force recent drug busts
11. Public Works: No Report
12. RAEDI: Minutes of Aug 22nd
13. ROCOG: Minutes of Aug 30th
14. STEW180: No Report
15. Transit Advisory Committee**:** No Report
16. **COMMUNICATIONS**
17. **RECOGNITION OF GUEST(S) OPEN MIC**
18. **ADJOURN –** Motion by Anderson, second by Beyer to adjourn. Unanimously approved.

Respectfully submitted,

Cheryl Roeder

City Clerk