

GRAND MEADOW COUNCIL MEETING AGENDA

November 13, 2023 @ 6:00 PM

GRAND MEADOW COMMUNITY CENTER

Present: Mayor Ryan Queensland, Councilor Blayne Stejskal, Councilor Aaron Myhre, Councilor Isaac Tangen, City Administrator James Christian, Clerk Chris Hyrkas, Librarian Sarah Burmeister, and Police Chief Jim Richardson. **Absent:** Councilor Christy Benson

Visitors: Shawn Sween, Cassie & Mike West, Bryan Owens, Pam & Paul Persons, Derek Olinger, Gretchen Mensink-Lovejoy

1. CALL TO ORDER - Mayor Queensland called the meeting to order at 6:00pm, followed by the Pledge of Allegiance
2. CONSENT AGENDA: Motion to approve: Tangen, 2nd by Myhre. Motion passed unanimously.
 - A. Approve additions & corrections to agenda – None
 - B. Approve October regular meeting minutes
 - C. Approve General Fund payments \$490,881.84
3. PUBLIC HEARING – Bryan Owens: Appeal of rezoning denial (CM-1 to R-1) at 113 Main St. N. Mayor Queensland called for a motion to suspend the regular meeting and open the public hearing, moved by Myhre, seconded by Stejskal. Motion carried. Christian explained the rules of the public hearing and asked participants to please speak one at a time, stand up, state name and address for the record, please limit to 3 minutes. Mike West of 100 block Main St. S: “What is the issue with the rezoning?” Queensland explained that the issue is wanting to change the zoning from commercial to residential, as has been discussed many times. West thanked the mayor and stated that he just wanted to add that Owens is trying to help the downtown. With nobody else requesting to speak, Queensland asked for a motion to close the public hearing and resume the regular meeting. Motion by Tangen, 2nd by Stejskal. Motion passed unanimously.
4. OPEN FORUM – None
5. REPORTS
 - A. Library – Next meeting December 6th at 6 pm.
 - B. Ambulance – Report submitted. Stejskal asked how many active members the ambulance service had. Hyrkas wasn’t positive but thought it was about 20.
 - C. Public Works – Report submitted. No questions from the council.
 - D. Police – Chief Richardson requested permission to hire the leading candidate for the soon to be open full-time officer position. Richardson explained the hiring and licensing process, new hire would not work full-time until position is fully open. Stejskal made a motion to approve hiring for the position, Tangen 2nd. Motion carried unanimously.
 - E. Fire – Report submitted, no questions from council.
 - F. City Clerk – Schedule of fees was discussed. Stejskal asked if we had to lower the Cannabis Licensing fee from to meet State requirements, Christian said he would have to go back through the minutes to see if that had been approved. Hyrkas explained the proposed “Snowbird” policy for utility billing, suspending base rates for residents that winter elsewhere. Hyrkas explained the VOTER Funds, allowing county to retain state-allocated funds to be used for the city’s election costs. Motion to approve the agreement between the City of Grand Meadow and Mower County by Myhre, 2nd by Tangen. Motion passed unanimously. Hyrkas also reported that the city received a refund for the city property insurance policy.

- G. City Administrator – Report submitted. Queensland asked if there had been an uptick on customers paying their overdue utility bills since the letter announcing unpaid overdue utility bills would be assessed to property taxes in 2024. Christian stated that there had been an increase. Stejskal asked if the repairs to the interior of the Emergency Services Building had been awarded, Christian stated that they had, to Matt Liebfried, adding that the gutters were to be completed the week of the 13th. Christian also added to his report that he had received noise complaints regarding trucks idling during early morning hours on 4th St NE, and he would be addressing those. Stejskal asked if there was a variance issued allowing semi-truck parking there, Christian stated that it was approved by council, but wasn't sure of the date or whether it was a formal agreement. Stejskal inquired about the semi that parks on 1st Ave NE. Richardson replied that he would get in touch with the driver.

6. OLD BUSINESS

A. Construction project

- i. General project update: Olinger updated council on the construction project. Paving finished for the first layer, sod crews laying sod, driveways to be finished before the end of the year. Some sidewalks will be left until next spring if the weather doesn't allow. The schedule is fluid at this point of the project, and weather will play a role in what gets finished this year. Tangen asked what the weather effects would be on the sod, and how that effects the warranty. Olinger explained that the warranty is for 30 days, and if we get a freeze, the maintenance period is paused, and will resume in the spring. Sod condition will be evaluated in the spring and handled on a case-by-case basis as part of the punch list. Olinger explained the 2-year correction period that begins after substantial completion of the project. Stejskal asked if the southern portion of the project and the storm sewer to County 8 had been seeded yet, and Olinger replied that the grading was not finished yet.
 - ii. Street utility – Change order 3: Revised version. Revised substantial completion date to June 15, 2024. No questions from Council on the change order. Motion to approve: Myhre, 2nd by Stejskal. Motion carried unanimously.
 - iii. Street utility – Pay application #10: Tangen motioned to approve Pay Application #10 to Ulland Brothers, Inc. in the amount of \$566,237.31, Stejskal 2nd. Motion carried unanimously.
 - iv. Lift station – Pay application #12: Olinger reported that project is substantially complete and fully functional, minus some minor punch list items. Queensland inquired as to the gates to close off the pond road, Olinger replied that they were a punch list item. Motion to approve Pay Application #12 in the amount of \$313,946.00 by Myhre, 2nd by Tangen. Motion carried unanimously.
 - v. CR-8 Storm Sewer – Pay Application #1: Motion to approve Pay Application #1 in the amount of \$100,525.67 by Stejskal, 2nd by Myhre. Motion carried unanimously.
- B. Bryan Owens- Appeal of rezoning denial (CM-1 to R-1) at 113 Main St. N.: Brian Owens stated that the appeal was brought before planning and zoning, there had been a petition signed by residents, and anyone that he had talked to is not against the rezoning; the only ones that he is seeing against it is the City Council. Tangen asked if Owens was aware that it was a commercial property when he bought it, Owens replied in the affirmative, and it had sat for 12 years empty. Tangen asked if it was Owens' intention to rezone to residential when he purchased it, Owens replied that there were multiple things on the table with it, there were a few options that if they fell through, that was something that he had thought through before buying it. The initial plan was as a daycare, but that didn't work out. The backup plan was affordable housing. He stated that there is a need for affordable housing in the community, and his first thought was duplex. The neighbor doesn't care for a duplex, but he feels that it would be a perfect building for that, especially for seniors, as it is one level and handicap accessible. He stated that it would also be perfect for a single-family dwelling.

Tangen stated that it sounded to him like the intention was to rezone as residential. Owens stated that it was the backup plan if there wasn't a commercial use for it. He stated that since he's owned it, he hasn't turned anybody away from buying it, but when people hear that it won't be rezoned to residential, they don't want it. He's had 3 or 4 people turn away from it for that reason. Nobody has approached him about commercial. He had one person interested in a daycare, but once they realized what went into it and the money they would have to put into the building, they were out. As far as turning it into a residence, if they have a five-bedroom house and want to have a home daycare, it's more realistic to do that. Owens stated that Council has asked "Who would move in and how do we know that it would get done?" Owens stated that he had already offered to move into it and sell his house. "As far as it getting done, if it gets rezoned you can leave that on me. If I sell it to someone, it's going to get done the way I told them it's going to get done. It's going to have residential siding, reroofed, residential windows, its going to look like a house, not a shouse." He stated that he wasn't trying to push anything over and just get it done, or he would have just done it and asked for forgiveness later. "I tried to do it the right way, and this is the wall I've hit. It's going on 6 months now; I could have already had this place done." Tangen noted that Owens had bought the place in April of this year, and asked if he wanted it rezoned since the second that he bought it. Owens replied that it had been since June; for the first few months they didn't know what they were going to do with it. He had bought three buildings at the same time, so he was preoccupied. He stated that everything that he bought in town had sat empty for extended periods. He stated that council argues that there is a need for commercial space in town, but if that was the case, those buildings wouldn't have sat that long. Owens mentioned that City Administrator Christian had looked at the building for City Hall, and previous Administrator Kerrins had approached him about it for City Hall. He stated he was still willing to sell the building to the City. He then said he doesn't want to, but the building is for sale, and if it is something that would benefit the City, it's for sale. Owens stated that as soon as the property is turned into a house, it will be worth substantially more than it is now, which brings up the tax revenue. Owens stated that everyone would rather see something done with it rather than just sit empty. He stated that he is sick of spending money on it, and has put the other downtown building on hold until this is figured out. Queensland asked Council if they had reviewed the submitted documents, Owens stated that they were floorplans that he was "kicking around." Owens stated, "If I do it the way I want to do it and move into it, it's going to be pretty nice. If I do it as far as resale, I'm not going to actually do the crazy money because I want to keep it a lower number house." Queensland thanked Owens for the info and asked if there were any more questions. Christian stated that Owens had submitted ideas, and talks about what he could do with the building, but has never on the record what he "will" do with the building. "Is it going to be your home, is it going to be sold right away...It's the vagueness of everything." Christian stated that all of the recent rezonings have come to council with a solid plan and have been rezoned to commercial, demonstrating a need for commercial properties. Owens said that was "Apples to oranges," the Clinic was a preexisting building that nobody wants for commercial purposes. Owens mentioned the downtown buildings that have ground-floor living quarters, and Council should make downtown comply [with CM-1 ordinances]. Owens stated that the property should have always been residential because there used to be a house on it, which Christian stated used to be the phone company. Queensland clarified that when the property was residential, it was not the current building, which has always been commercial since it was built in 1972. Owens stated, "As far as a solid plan, it's going to be turned into a house. Whether I live there or somebody else lives there, it's still providing a house for the town." Christian asked if Owens was going to do the work, or sell it to somebody else. Owens said he could do the work, or have the work done. Christian asked if he would then sell it. Owens replied in the affirmative, that was the plan. Owens stated that he wouldn't sell it to someone the way it sits, if it gets rezoned to residential, he'd have to get the work done.

- Owens stated that roofing was to be done in the next week, he had already bought the siding, and if this didn't go through, he might have to make it a month-to-month rental, which falls under C-1. Owens stated that he was just trying to do it right, get it rezoned and turned into a house. Queensland asked if there were anymore questions, and stated that there was a lot of information and it had been discussed quite a bit over the past few months, it had gone through planning and zoning, and had the public hearing. Queensland asked if there was a motion to rezone, or motion to deny the rezoning. Stejskal motioned to deny the rezoning, 2nd by Tangen. Queensland asked if there was any more discussion, Owens stated by state statute, the City was supposed to submit to him in writing the reason for the denial within 60 days, and if it wasn't done, it was an automatic approval. Owens stated that if Council was going to deny it, "I guess we will be tying it up in court." Queensland called for a vote, motion carried unanimously.
- C. Warmka- Windmill Blades: Christian brought Council up to date on where the process for abatement of the illegal storage of the windmill blades on property owned by TMT Properties LLC in the Industrial Park. In May of 2023, Council sent the second notice of violation and the blades were to be removed by June 11, 2023. Christian stated that they (the property owners) had started making some progress with removal, and at the July meeting, Council wanted to see where it went, but it hasn't gone anywhere since then. Christian stated that if Council chose to proceed, it would then go to the courts for abatement, which could mean the City would be able to remove the blades at the City's cost, and assess that cost to the property. The estimated cost is \$585,000 to have the blades removed. Christian mentioned another option that other communities have done is to report them to the MN Pollution Control Agency as an unlicensed dump. Stejskal asked if Christian needed action from Council to take that step, and Christian said he would prefer that it come from the Council. Christian recommended following both courses of action. Queensland stated that it would be interesting to know if the landowner had cancelled the lease with the blade owners yet, because that would show good faith from the landowner that they wanted them gone as well. Stejskal asked Christian to ask the landowner what the status of the lease was. Queensland asked for a motion to give Christian permission to contact the MPCA regarding the blades. Motion by I. Tangen, 2nd by B. Stejskal. Motion carried unanimously. Christian stated that a motion wasn't need to continue the abatement process, because one had been made previously. Queensland stated that it was also important that anyone that didn't like the blades being stored there should also reach out to the landowners to let them know.
- D. Schedule Budget Workshop: Motion to schedule budget workshop with Mike Bubany on November 20 at 6pm by A. Myhre, 2nd by B. Stejskal. Motion carried unanimously.

7. NEW BUSINESS

- A. Building Permits
- i. 5XX Main St. S- PSS Properties: Christian stated that Planning and Zoning found no issues with the permit and recommended approval. Shawn Sween gave a summary of the project, which consists of moving a house from 240th St west of town to a vacant lot that they own in the 500 block of South Main St. Sween submitted plans showing the house as a duplex and discussed the renovations. Motion to approve the building permit by A. Myhre, 2nd by B. Stejskal. Motion carried unanimously.
- B. Water Bill Liens: Christian presented the list of Utility customers that were overdue on water and sewer bills. Letters had been sent to customers that if overdue bills were not paid by December 12th, they would be submitted to the county for assessment on the property taxes. Stejskal asked if there were a service charge for overdue bills, Christian responded that there is a penalty interest charge. Queensland asked if customers could pay electronically with the new software system, Christian affirmed that. Stejskal asked if there were a lot of customers signed up for electronic payments. Hykas stated there were about 95 customers signed up for

automatic debit, credit cards have to be entered manually unless customers do it online. Stejskal asked how many services the city has total, Hyrkas responded about 485. Hyrkas also stated that customers can sign up for paperless bills. Tangen asked if there were any additional fees to using ACH withdrawal, Hyrkas stated that there were not but there is a fee for credit card. Queensland asked if a reminder could be added to the water bills about the availability of ACH withdrawels.

- C. Employment Policy Updates- 1st Reading: Christian outlined the changes to the employment policy due to the new Safe and Sick Time law that the state enacted earlier in the year. The City's current policy is more generous than the new law; the only difference is that part-time employees will now accrue time. Christian stated that the policy will be on the agenda for approval at the December meeting.
- D. Resolution Accepting Donation- Gehling: Wayne and Carol Gehling's donation of \$1796.97 to GMAAS. Motion to approve Resolution 2023-008 Accepting a Donation to GMAAS by Myhre, 2nd by Stejskal. Motion carried unanimously.
- E. Appoint Thomas Oehlke to Planning and Zoning: Stejskal asked if this meant a member was stepping down, Christian replied that the board may have seven members, and is currently at five, and three reliably show up. Motion to approve by Myhre, 2nd by Tangen.
- F. Walk-on item: Queensland asked if the ditch project from the lift station to the creek was going to happen this year or next. Christian stated that it may be a winter project, but may wait until spring.

8. ADJOURN: Motion by Stejskal, 2nd by Myhre. Motion carried. The time was 7:13 pm.