

Grand Meadow Council Meeting
March 13, 2023 @ 6:00 p.m.
Grand Meadow Community Center

Present: Mayor James Christian, Councilor Justin Bain via ZOOM, Councilor Blayne Stejskal, Councilor Aaron Myhre, Councilor Ryan Queensland, City Administrator Scott Kerrins, City Clerk Chris Hyrkas, Chief Jim Richardson (GMPD), Officer Domanic Merkel (GMPD), Sarah Burmeister (Library), Joe Gehling (Ambulance), Travis Warmka (Fire), Derek Olinger (Bolton & Menk), Brian and Terri Fruth and Gerald Hoffman.

CALL TO ORDER – The monthly meeting of the Grand Meadow City Council was called to order at 6:00 p.m. followed by the Pledge of Allegiance.

CONSENT AGENDA – Motion by A. Myhre, second by B. Stejskal to approve the consent agenda. Motion carried.

REPORTS

- A. Library** – S. Burmeister reported the library board did not meet the month of March. The annual report for 2022 was submitted to the state library services via email and U.S. Postal service. No questions from council.
- B. Ambulance** – Written report submitted. R. Queensland asked if there was something needing the council's approval. S. Kerrins explained the amount was within his threshold and already approved it. J. Gehling confirmed the same.
- C. Public Works** – Written report submitted. No questions from council.
- D. Police** – Written report submitted. No questions from council.
- E. Fire** – Written report submitted. T. Warmka requested approval to purchase two radios at a cost of approximately \$8,200.00. Motion by R. Queensland, second by A. Myhre to approve the purchase. Motion carried.
- F. City Clerk** – In addition to the written report, C. Hyrkas updated the council that utility billing is up and running in the new software. There are a few kinks to work out, but if you see something strange in your water bill to let her know.
- G. City Administrator** - Written report submitted. B. Stejskal asked if we would need to adjust the edible cannabinoid license fee of \$1,000.00 based on the new bill being proposed by legislation. S. Kerrins confirmed if the bill passed, we would need to adjust the fee to be in compliance with the new law.
 - J. Bain inquired who owns the tennis courts. S. Kerrins responded the owner is Dan and Ronaele Hoffman who own the Grand Meadow Business Center. J. Christian added that he and S. Kerrins met with Dan last fall, and he explained the units were temporarily placed and they would be moved once the courts were cleaned off and match. R. Queensland stated the units appearance are different than the

example submitted in the application and asked if that was brought to his attention and talked about, as they don't look the nicest now. J. Christian confirmed and said these units were a better product, would be moved to correspond with the application layout, painted to match and decals removed. B. Stejskal asked what the layout would be with J. Christian responding a U-shape with a row in the middle. The fence will remain on three sides with access to the units from the West. B. Stejskal asked if that was always their property and sold by the school with the rest of the property, which S. Kerrins confirmed correct.

OLD BUSINESS

- A. Street project update** – D. Olinger reported as things are starting to melt and thaw there are beginning to be struggles with soft soil and wet conditions. There were some issues last week, so the contractor was out addressing those and cleaning things up. D. Olinger had been down the street before the meeting and said things look fine, but as things thaw it's going to become more of a mess. He spoke to the contractor and told them to plan to check the street weekly or when temperatures are rising to manage the conditions for access.
- i. Lift Station pay application #4** – D. Olinger reported not much work has been done the last month with snow conditions. Two air release manhole structures were partially installed with a half payment request of \$32,300.00. Motion by R. Queensland, second by J. Bain to approve pay application #4 in the amount of \$32,300.00. Motion carried.
 - ii. Lift Station change order #1** – D. Olinger explained the need for the change order to adjust the layout of the lift station, due to a conflict of overhead power and underground existing forcemain pipe that is in a different location than expected. The cost of \$9,800.00 is within the contingency budget of the project; however, R. Queensland asked if the maps were wrong when the project was started or how this wasn't known ahead of time, because although there are contingencies it doesn't mean we need to burn it up. D. Olinger confirmed and said that with many older utilities they are unlocatable, or the maps are inaccurate so until you start digging you can't confirm the exact location. He continued to explain had the exact location been known the additional cost would have already been included in the original bid. Motion by A. Myhre, second by B. Stejskal to approve change order #1. Motion carried.
- B. Sidewalk ordinance** – S. Kerrins reported the City Attorney had made an initial draft for a sidewalk ordinance. S. Kerrins informed the attorney the council plans to address this in the Spring so there are plenty of time for changes before final approval. J. Bain inquired if Exhibit A. would be the final sidewalk map, which S. Kerrins confirmed.

C. Summary enforcement pleading – S. Kerrins reported no improvements have been made with the properties at 317 Main St N and 312 1st St NW so the matter will be forwarded to the City Attorney for action.

D. Travis Warmka

- i. Windmill update** – Travis explained that Tony Warmka was supposed to be present to update the council on the topic, as he had no additional information. Travis stated he was surprised he wasn't there.
- ii. Parcel split – 3rd St SW Industrial Park** – J. Bain asked why Travis wanted to split the parcel. Travis explained the parcel is owned and operated by TMT, which includes Travis, Tony and another partner. The wash bay building is being sold to a company Travis owns so he doesn't have to pay rent to the other two. J. Christian pointed out the property has a restriction on the deed that it can't be conveyed to a different owner for ten years. Since Travis is a current owner and would be the new owner, J. Christian felt the sale could occur, but the ten-year restriction for future sales should stay in place until it expires. Travis said there was no plan to sell either property and agreed to the condition. J. Christian made a motion allowing the split of the industrial property as surveyed contingent with the restriction of sale language be attached both deeds. J. Bain stated he would like to see the property cleaned up before splitting it off. The property is currently one lot and pressure is being put on Travis and his team to clean up the windmills, but now a split is being requested of the same lot as pressure is being applied so he wouldn't be in favor of it until its cleaned up. R. Queensland opined it would be nice to have an update from Tony. He doesn't believe in holding up business, but the property needs to be cleaned up and has been going on long enough to which Travis stated he couldn't agree more. J. Christian stated he could withdraw his motion to which, S. Kerrins replied his motion didn't need to be withdrawn, because if it didn't gain a second it would automatically fail. With no second made, the motion failed.

NEW BUSINESS

A. Warmka Real Estate

- i. Parcel split / building permit – 204 4th Ave NE** – J. Christian noted the Planning and Zoning (P&Z) Committee did not have time to meet prior to this meeting; however, the feedback he received was they wanted all the details up front, such as the parcel split. He also noted, in the past the council has approved permits pending P&Z approval for less complex requests such as a fence. In this case, J. Christian recommended tabling the item until P&Z has met. Travis Warmka asked when that would be. He went on to explain that he has purchased the apartment building to the South and would like to extend

the shop building another thirty feet to the South in order to add another bay. Travis didn't understand why progress is being delayed when he owns both properties and he isn't sure if they're going to move the property line or combine the two parcels together. J. Christian explained there are encroachment issues all over town from this type of action. Travis responded that he didn't understand spending money to have it surveyed to move the property line when in five years they may tear the apartments down and keep extending the shop building so they would have to keep paying to move the property line. He feels that we're splitting hairs. In the end, he's just trying to make room for the shop. R. Queensland added he understands, but there are still setback requirements that must be met. B. Stejskal inquired what the apartment property was zoned, which was determined to be both commercial and residential. R. Queensland didn't have a problem with the application as long as it's done correctly. Again, Travis referred to owning both properties and didn't see why it needed to be fixed now, which will cost more money, when neither property could be sold until they were in compliance. R. Queensland explained as long as there are two separate properties then setback requirements exist, but if the properties were combined that goes away so either the parcels need to be combined or the property line adjusted. Travis understood the theories but didn't see waiting another month and a half to execute one of the options to which R. Queensland replied that a permit cannot be issued if it doesn't comply with ordinances. J. Christian added another option would be a variance, but recommended the combination option. Travis asked if the property line was moved are there any other foreseeable issues. The council did not believe there would be. J. Bain added that he wants to make sure things are being done correctly to be fair and set a precedence moving forward. Motion by R. Queensland, second by J. Christian to table application until property issues are resolved. Motion carried. R. Queensland did state he wanted to make sure the city's response was timely as this a busy time for construction and did not want to delay things any more than needed.

B. Liquor license approval

- i. Motion by A. Myhre, second by R. Queensland to approve liquor licenses for the Grand Meadow Fire Department to be used during Meadowfest and the Grand Meadow Education Foundation auction. Motion carried.

C. Citywide cleanup – J. Christian briefed how the citywide cleanup took place in the fall and felt it would be better served in the Spring after the citywide garage sale. S. Kerrins explained the only issue he foresees is limitation of space at the city shop, due to the construction. Brainstorming and discussion on various locations began, but S. Kerrins said a location will be found. B. Stejskal asked about costs and C. Hyrkas

and S. Kerrins tried to recall the pricing, which will be advertised. S. Kerrins was directed to plan for the cleanup on April 29th.

D. Election judge wage – S. Kerrins explained election judges currently get paid \$10.00 per hour, but there is no limit on what they can be paid. Grand Meadow currently only has three judges, which is the minimum, and makes for a very long day. C. Hyrkas will be advertising for additional judges, but another option to attract candidates would be to increase the wage. J. Christian asked what others are paid to which Travis replied that Frankford Township pays \$22.00. C. Hyrkas said the pay ranges anywhere from \$15.00 to a very high wage in metro. S. Kerrins explained if more judges are not recruited the only other option would be switching to mail in only voting, which is not recommended. Motion by B. Stejskal, second by A. Myhre to increase election judge wage to \$20.00. Motion carried.

OPEN FORUM – Gerald Hoffman 229 1st St SW addressed the council regarding his second water meter. He stated three months ago a call had been placed to city hall to disconnect his second service and was told that an electrician or plumber or something would need to be sent out, but he didn't know if that was true. He has continued to receive a bill with late fees for the last three months. S. Kerrins said he believed they were told a plumber needs to come out and remove the meter to which Gerald responded that's what someone said, but didn't know if that's the case. S. Kerrins confirmed if he wanted to terminate the second service a licensed plumber would need to remove the meter and cap the line. Gerald replied that nobody said they had to do that; rather, the city would have to send out a plumber, but didn't know if they could get there in the next couple days. S. Kerrins responded that it appears there's some miscommunication to which Gerald said his wife has called every month and no one has replied. S. Kerrins asked C. Hyrkas if she had told Gerald's wife they had to get a plumber to go out there. C. Hyrkas said yes to which Gerald interjected she hasn't told my wife that, no you haven't. Gerald said he hears about it every time she calls, and nobody said they had to call a plumber to take it out. They didn't have a plumber put it in. C. Hyrkas stated Tom and Cameron from maintenance don't install or remove meters, since they are not licensed. Gerald again said they did not call a plumber to install the meter. He went on to say, literally it doesn't get used all winter, so they weren't worried about someone getting out there right away, but they've always paid the meter fee when a drop of water doesn't go through it, but you still have to pay for it and they're still paying for it now, but she doesn't want it. S. Kerrins recommended if service were to be terminated, the fees could be refunded, but it would be on the homeowner to get a plumber for the removal. J. Christian asked if that would just be the meter fee. S. Kerrins replied it would be the meter fee, connection fee, and tax. B. Stejskal asked if we were talking about three months. R. Queensland stated three months had been referenced so it be December, January and February. Gerald asked as far as taking it out does the water line need to be capped, which was confirmed. He asked if he could take it out and was told no that a licensed plumber needed to

perform the work. Gerald responded this city is something and departed. Motion by A. Myhre, second by B. Stejskal to refund three months of fees once the meter is returned.

S. Kerrins informed the board he received a letter from Gary Keim requesting a refund of his water bill for 317 Main St N, because he hasn't lived there. This will be on the agenda next month.

Brian Fruth, 405 Main St S, asked D. Olinger when they start construction next Spring if they will be finishing Main St with curb and gutter so they have a place to park before tearing up 1st St and 3rd and 4th Ave. D. Olinger confirmed that was correct, but he could not promise that would be done, because he's not the contractor dictating the work. However, the contract calls for damages so there are motivations in place to make this happen. J. Christian asked for confirmation that the curb, gutter and first layer of asphalt would be applied, but not the final. D. Olinger stated the final layer does need to be in place by June and it will be the first discussion when they show back up to start work. Ultimately, it is up to the contractor to do the work. Brian's concern is not having access to the alley if they began tearing all the streets up at once. D. Olinger said access will be provided one way or the other.

A. Myhre asked if the buildings South of OnSite were zoned commercial and if so why were people living there. J. Christian thought that the council had previously rezoned those to residential. A. Myhre pointed out they also need to be cleaned up. S. Kerrins viewed the properties on the Mower County GIS website and confirmed they were commercial, which should not be used for residential purposes. S. Kerrins was directed to add this item to the workshop agenda to be held in the Spring.

B. Stejskal inquired who was responsible for handling nuisance pets such as dogs and cats roaming. J. Richardson replied they field calls, but are not dog catchers; however, they do have live traps. S. Kerrins explained the city is responsible for sending violations of ordinances. B. Stejskal asked if you still need a license for dogs and cats, which was confirmed.

ADJOURN – Motion by A. Myhre, second by B. Stejskal to adjourn the meeting. Motion carried. The time was 6:59 p.m.