

**CITY OF ZUMBROTA  
COUNCIL MEETING MINUTES  
September 7, 2023  
6:00 P.M.  
TOWN HALL**

Pursuant to due call and notice thereof, Mayor Todd Hammel called the Zumbrota City Council to order at 6:00 PM. PRESENT: Council members Sara Durhman, Joan Bucher, Bob Prigge, and Kevin Amundson, Others present: Public Works Director Mike Olson, Finance Director Kim Simonson, City Attorney Matt Rockne, Sergeant Justin Wallerich, Sergeant Tony Pasquale, Officer Scott Curtis, Officer Shannon Clemenson, Police Chief Pat Callahan, Nick Koverman, Jason Huneke, Library Director James Hill, Sergeant Justin Wallerich, Troy Ness, NewsRecord reporter Holly Galbus, Beth Stumm, Jessica Seide, Lisa Johnson (remote).

**AMENDMENTS/ADOPTION OF AGENDA**

**MOTION** Durhman, Prigge to adopt the agenda as amended to item 9M. Approved 5-0-0

**MINUTES – AUGUST 17, 2023, MEETING MINUTES**

**MOTION** Prigge, second Amundson to approve the August 17, 2023, meeting minutes.  
Approved 5-0-0.

**ACCOUNTS PAYABLE – SEPTEMBER 7, 2023**

**MOTION** Amundson, second Durhman to approve the accounts payable in the amount of \$785,138.82.  
Approved 5-0-0.

**PUBLIC COMMENT**

Troy Ness wanted his water bill adjusted. He would like Council's approval for have 44,000 gallons of usage removed from his bill. City Staff went to his home to look at his water system but didn't discover an obvious reason. He is requesting a new meter and for additional investigation. After discussion the Council will stay late fees until there is resolution. If the bill is not adjusted, then Ness will have the option to make a payment plan.

**PUBLIC HEARING**

**7-A. ORDINANCE 2023-03 ESTABLISHING A MORATORIUM REGARDING THE SALE, MANUFACTURING, OR DISTRIBUTION OF ADULT-USE CANNABIS IN THE CITY OF ZUMBROTA**

The public hearing continued. Andrew Johnmeyer was present and expressed gratitude for the revisions since the last meeting although he still doesn't believe the moratorium is necessary. He asked Council to make findings and recommendations public as they arise. The public hearing was closed at 6:18 pm.

**UNFINISHED BUSINESS**

**8-A. SANITARY DISTRICT UPDATE**

The Council received the minutes from the first meeting of the joint powers for the Sanitary District.

**8-B. BUDGET DISCUSSION**

Grudem and Simonson gave an update and asked Council to come back with questions. There will be one more work session before the levy will be set.

## **NEW BUSINESS**

### **9-A. NATIONAL NIGHT OUT RECAP**

Officer Clemenson gave a recap on National Night Out. 500 people signed in and the event was very well attended. Over \$2,000 was donated for the evening from area businesses. The 2024 event is scheduled for August 6<sup>th</sup>. Chief Callahan then presented a certificate of commendation and a gift from Council and staff to Officer Clemenson in appreciation of her great efforts.

### **9-B. 2023 ZUMBROTA SMALL CITIES DEVELOPMENT PROGRAM SURVEY RESULTS SUMMARY**

Nick Koverman presented the program survey results for the Small Cities Development Program which will be managed by SEMMCHRA. There will be more work to be done as the grant application is processed.

### **9-C. TZD UPDATE**

Jessica Seide and Sergeant Wallerich gave update on Towards Zero Death (TZD) program.

### **9-D. JEFFERSON PAY REQUEST #6**

Scott Huneke, WHKS, gave a brief update on the Jefferson Drive Project. Curb and gutter have been poured from Mayo Clinic to Larson Drive. The sod east of Highway 58 is now the responsibility of property owners as the maintenance period done by contractor is complete.

**MOTION** Amundson, second Durhman to approve the Jefferson Pay Request #6 for \$668,757.67. Approved 5-0-0.

### **9-E. ORDINANCE 2023-03 ESTABLISHING A MORATORIUM REGARDING THE SALE, MANUFACTURING, OR DISTRIBUTION OF ADULT-USE CANNABIS IN THE CITY OF ZUMBROTA**

Amundson had questions about manufacture and production. He wanted clarification that those are the same process. Rockne will come back to the Council with the clarification.

### **9-F. INTERNET CRIMES AGAINST CHILDREN (ICAC) JOINT POWERS AGREEMENT**

**MOTION** Durhman, second Prigge. to approve Internet Crimes Against Children (ICAC) Joint Powers Agreement. Approved 5-0-0.

### **9-G. PARK BOARD SKATE PARK TRANSFER FROM FUND 402 TO PARK FUND 225**

**MOTION** Durhman, second Bucher to move \$4600 from Fund 402 to Park Fund 225 for the Skate Park Rehabilitation. Approved 5-0-0

### **9-H. RESOLUTION 2023-16 AUTHORIZING AND APPROVING A 2023-2024 LOBBYIST CONTRACT FOR THE PROPOSED NORTH ZUMBRO SANITARY SEWER DISTRICT STATE CAPITAL REQUEST**

**MOTION** Durhman, second Amundson to approve Resolution 2023-16 Authorizing and Approving a 2023-2024 Lobbyist Contract for the Proposed North Zumbro Sanitary Sewer District State Capital Request. Approved by roll call: Hammel – Aye, Durhman – Aye, Prigge – Aye, Bucher – Aye, Amundson – Aye.

### **9-I. PARK BOARD/LIBRARY BOARDS APPOINTMENT CHANGE**

Motion to move Prigge to Park Board and Amundson to Library Board. **MOTION** Durhman, second Bucher. Approved 5-0-0

### **9-J. CHRIST LUTHERAN MINISTRY CENTER DEVELOPERS' AGREEMENT**

Olson asked for clarification on the ownership water line. Huneke said it is designated on the plans.

**MOTION** Durhman, second Bucher to approve the Christ Lutheran Ministry Center Developers Agreement. Approved 5-0-0.

**9-K. RESOLUTION 2023-14 ACKNOWLEDGING THE NONCOMPETITIVE NATURE OF WATER METER AND RADIO EQUIPMENT FOR WATER METER AND READER UPGRADE TO EXISTING SYSTEM**

The new water meters would be very difficult to bid on as Sensus is the sole distributor of the meter. If a different vendor were used all the meters and readers would need to be replaced. The project would be completed over three years and would replace all the meters and readers as needed.

**MOTION** Durhman, second Amundson to approve Resolution 2023-14 Acknowledging the Noncompetitive Nature of Water Meters and Radio Equipment for Water Meter and Reader Upgrade to Existing System. Approved by roll call: Hammel – Aye, Durhman – Aye, Prigge – Aye, Bucher – Aye, Amundson – Aye.

**9-L. RESCHEDULE COUNCIL WORK SESSION**

**MOTION** Durhman, second Bucher to reschedule the work session to September 12, 2023, at 7pm. Approved 5-0-0.

**9-M. 460<sup>TH</sup> ANNEXATION/JOINT RESOLUTION/ROAD AGREEMENT**

The City met with representatives of Zumbrota Township to discuss the settlement the City was offering after reviewing the costs of the road annexed into the city. \$1313.42 and a maintenance agreement is what the township is asking for.

**MOTION** Durhman, second Amundson to rescind the \$45 original payment. Approved 5-0-0.

**Motion** Durhman, second Amundson to approve Resolution 2023-17 In the Matter of the Orderly Annexation Between the City of Zumbrota, Minnesota and Zumbrota Township Pursuant to Minnesota Statutes § 414.0325. Approved by roll call: Hammel – Aye, Durhman – Aye, Prigge – Aye, Bucher – Aye, Amundson – Aye.

**Motion** Durhman, second Amundson to approve the agreement between the Township of Zumbrota and the City of Zumbrota for the annexation of road (460<sup>th</sup> Street). Approved 5-0-0.

**9-N. LPP GRANT ENGINEERING PROPOSAL**

To process the grant for the Rabid-Flashing Beacon on 2<sup>nd</sup> and 4<sup>th</sup> streets on highway 58 some engineering will need to be done. This is an agreement with WHKS to do the engineering in the amount of \$10,000. **MOTION** Durhman, second Prigge to approve the LLP Grant Engineering Proposal. Approved 5-0-0

**9-O. POST TWO POLICE OFFICER POSITIONS**

Callahan requested permission to post two positions. He is anticipating two positions will need to be filled as two staff have accepted positions within Goodhue County. **MOTION** Amundson, second Durhman to approve the posting for up to two vacant officer positions pending need. Approved 5-0-0.

**9-P. ORDINANCE 2023-02 AN ORDINANCE OF THE CITY OF ZUMBROTA, MINNESOTA AMENDING THE CITY ZONING CODES PERMITTING THE KEEPING OF URBAN CHICKENS & LAYING DUCKS IN RESIDENTIAL ZONING DISTRICTS MODIFYING DISTRICT R1, R1A, R2, R3 AND R4: SUBDIVISION 3(E)**

All the necessary hearings and publishing have been done. Four ducks will be allowed with a total of ten chickens and ducks. **MOTION** Prigge, second Durhman to approve Ordinance 2023-02 An ordinance of the City of Zumbrota, Minnesota amending the city zoning codes permitting the keeping of urban chickens and laying ducks in residential zoning districts modifying Districts R1, R1A, R2, R3 and R4: Subdivision 3(E). Approved 3-1-1 (Hammel voting nay, Amundson abstaining).

**COMMENTS**

**Chief Patrick Callahan**

Reported he is working through new policies on Lexipol due to changes in legislation.

**Mayor Todd Hammel**

Told the Council he had been interviewed by KMSQ in Austin for a documentary about the Covered Bridge.

**Council Member Kevin Amundson**

Amundson gave an update on the most recent Zumbrota Area Ambulance meeting. There has been some damage to the parking lot, and they are assessing the issues. He said the Park Board is discussing when to present a possible referendum for a new pool.

**SERGEANT JUSTIN WALLERICH** There was a pedestrian hit on Main Street recently who suffered significant injuries. The driver was at fault. Wallerich said there are additional TZD monies available which could be used for enforcement and education.

The meeting was adjourned at 7:30 p.m.

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City Administrator Brian Grudem