

**CITY OF ZUMBROTA
COUNCIL MEETING MINUTES
AUGUST 3, 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, Community Development Director Kurt Meister, City Attorney Matt Rockne, City Engineer Bill Angerman, Sergeant Justin Wallerich, Police Chief Pat Callahan, Beth Stumm, Brian Streimer, and Chris and Shannon Staub.

AMENDMENTS/ADOPTION OF AGENDA

MOTION Amundson, second Prigge to adopt the agenda with the addition of “9-F Striemer Property Sewer Connection”. Approved 5-0-0

MINUTES – JULY 12, 2023, WORK SESSION MEETING MINUTES

MOTION Durhman, second Amundson to approve the July 12, 2023, work session meeting minutes. Approved 4-0-1 (Prigge abstaining).

MINUTES – JULY 13, 2023, MEETING MINUTES

MOTION Prigge, second Durhman to approve the July 13, 2023, meeting minutes. Approved 5-0-0.

ACCOUNTS PAYABLE – AUGUST 3, 2023

MOTION Amundson, second Durhman to approve the accounts payable in the amount of \$935,268.44. Approved 5-0-0.

PUBLIC COMMENT

PUBLIC HEARING

UNFINISHED BUSINESS

8-A. ANNEXATION OF ½ OF 460TH STREET

When the Wobig annexation was done ½ of 460th Street was annexed into the City from Pine Island Township. According to Zumbrota Township representatives there was an agreement in place where Pine Island Township maintained a portion of road for Zumbrota Township in exchange for Zumbrota Township maintaining this stretch of road. Zumbrota Township representatives Roger Ballstadt and Jason Lohmann has expressed concern about the way communication was handled during this annexation and stated Zumbrota Township had maintained that portion of road after annexation and should be made whole for any costs associated. The Council asked for copies of receipts for the maintenance as well as the maintenance agreement with Pine Island Township for the portion of road. Staff had received the requested documents and upon review it was discovered very few of the expenses were incurred after the annexation date. Grudem said the City would be responsible for approximately \$45 of costs even though there was no agreement with the City to maintain or share any costs. **MOTION** Durhman, second Amundson to approve the annexation of ½ of 460th Street. Approved 5-0-0. **MOTION** Durhman, second Amundson to approve paying Zumbrota Township \$45 for maintenance on ½ of the road for 1/3 of a mile. Approved 5-0-0.

NEW BUSINESS

9-A. SET A PUBLIC HEARING FOR ORDINANCE 2023-02 ESTABLISHING A MORATORIUM REGARDING THE SALE, MANUFACTURING OR DISTRIBUTION OF ADULT-USE CANNIBIS IN THE CITY OF ZUMBROTA

MOTION Amundson, second Prigge to set a public hearing for Ordinance 2023-02 establishing a moratorium regarding the sale, manufacturing, or distribution of adult-use cannabis in the City of Zumbrota. Approved 5-0-0.

9-B. JEFFERSON PAY REQUEST #5

9-C. JEFFERSON CHANGE ORDER REQUEST #3 & #4

Angerman gave an update of the Jefferson Project. Currently the project is slightly under budget and ahead of schedule. He presented the pay request which included Change Orders #3 and # 4. Change Order #3 is for extra reinforcement of driveways with additional rebar for \$4200. Change Order #4 is for the removal of a large cottonwood tree for \$10700. Prigge asked about the tree cost and was told the tree, on the corner of Mill and Jefferson, was not in the original bid and is huge in diameter and height. **MOTION** Durhman, second Amundson to approve the Jefferson Pay Request #5 including change orders #3 and #4, for \$658,144.31. Approved 5-0-0.

9-D. PAINTING THE CITY HALL BUILDING

The City Hall building has not been painted since it was built. The following two quotes were received:

Nickelson Painting \$9,974 Building \$13,274 building plus steel siding

Garry Ring Painting \$8,000 Building \$10,000 Building plus steel siding

MOTION Prigge, second Durhman to approve the painting of the City Hall building by Garry Ring Painting for \$8,000. Approved 5-0-0.

9-E. FIRE BOARD DISCUSSION

Hammel and Simonson spoke with the Council regarding the July Fire Board meeting. At that meeting Zumbrota Township presented a letter to the Board asking for a dispute resolution. Zumbrota Township would like to see the funding metrics changed to a more per capita basis. If that were the case the City of Zumbrota would be responsible for 76% of the dues and would only have one vote. Hammel asked Council to consider options.

9-F. STREIMER PROPERTY SEWER SERVICE

Brian Striemer, 914 West Ave, and Chris and Shannon Staub, 909 Main Street, have shared water and sewer services. The sewer is failing and is causing backup in the Staub residence. Public Works recommends the homes establish separate sewer services which would connect on 9th Street. This is what is spelled out in City Ordinance. Since Mr. Striemer's property was not hooked to service on East Avenue during the East Avenue project staff could support paying from the main to the easement. The Staubs and Mr. Striemer have asked for an exception to the ordinance due to cost and timeliness. Council discussed the issue and agreed it was a special circumstance but strongly iterated that shared lines will need to be fully disclosed in any future land sales as well as the cost will be borne entirely by the property owner. The offer for the City to extend service from the main to the easement will be off the table. **MOTION** Durhman, second Prigge to grant an exception to the ordinance requiring a separate sewer service for 914 East Avenue and to allow a shared service with 909 Main Street with the understanding this will need to be fully disclosed at time of sale and expense will be entirely the homeowners' responsibility. Approved 5-0-0.

COMMENTS

Police Chief Pat Callahan

Thanked Officer Clemenson, Zumbrota businesses, Zumbrota Fire Department and Zumbrota Ambulance for the success of National Night Out. It was the largest event ever and over 500 people were served.

City Engineer Bill Angerman

Gave an update of the Sanitary District. A joint powers agreement has been approved and the executive committee had their initial meeting the previous day.

Mayor Todd Hammel

Thanked everyone for the great National Night Out even. There had been a meeting and picnic with legislators and sanitary district participants the prior evening. He thanked all those involved for their support.

The meeting adjourned 6:57 p.m.

City Administrator Brian Grudem