



**CITY OF BLUE EARTH MINUTES
CITY COUNCIL MEETING
TUESDAY, July 5th, 2022, at 5:00 P.M.**

The Blue Earth City Council convened on Tuesday, July 5, 2022, at 5:00pm at the Blue Earth City Council Chambers.

CALL TO ORDER

Mayor Scholtes called the meeting to order at 5:00 P.M.

ROLL CALL

Councilmembers Huisman, Erichsrud, Cassem, Cole, Hanna and Ristau Present.

STAFF

City Engineer, Wes Brown; City Attorney, David Frundt; and City Administrator, Mary Kennedy.

DETERMINATION OF A QUORUM

Quorum present.

PLEDGE OF ALLEGIANCE

Mayor Scholtes led the Pledge of Allegiance.

CHANGES TO AGENDA

The agenda was reviewed, and the following addition was made:

11.4 Approval of Dan Ristau to the Parks and Rec Board.

MEETING OPEN TO THE PUBLIC

Fiona Green, Faribault County Register; Stacy Huntington, KBEW; EJ Murphy, Deb & Craig Weringa, Sue Scholtes, Scott Adams, Ashley Bleess, Mike Gormley, Jason Schultz, Cass Davis, Rob Davis, Cindy Lyon, Kay Bogan, Nick Bleess Sr., Dave Schultz, Nicholas Bleess, Jacque Drew, Bethany Walker, Chase Davis, Emily Davis, Tharen Haugh, Roger Davis, and Tim Stoner, Blue Earth Light & Water.

Former Fire Chief Roger Davis

Mayor Scholtes address Former Fire Chief Roger Davis with his 12 years of service as the Blue Earth Fire Chief. Davis served and continues to serve the Blue Earth Fire Department with his 29 years as a firefighter. Davis thanked the City Council, Faribault County Sheriff's Office, and the Blue Earth Police Department for all their support during his tenure as Fire Chief.

PUBLIC HEARING 5:00pm

205 E 1st Street Beekeeping Permit Application

Mayor Scholtes addressed Jacque Drew, an applicant for a Beekeeping Permit at 205 East 1st Street. Drew implied that there are a lot of misconceptions of honeybees. Drew reviewed the misconceptions advising that she has researched and studied beekeeping. She is asking for approval of keeping one hive in her rear yard.

Sue Scholtes property owner and childcare provider that resides less than 150 ft from the Drew property requested the Council deny the Drew application based upon the safety of the children in her care. Scholtes reviewed information she researched from the USDA.

Mayor Scholtes reviewed City Code 360.04 Farm Animals. Farm animals shall only be kept in an agricultural district of the City, or on a residential lot of at least ten (10) acres in size provided that no animal shelter shall be within three hundred (300) feet of an adjoining piece of property. Scholtes implied that this code would need to be changed as well for bees and chickens to be allowed within the city limits as they are listed as a farm animal. Huisman question why this had not been looked at prior. Frundt indicated that it had been missed when changing the chicken and bee ordinances, recommending this be changed prior to any further approvals of permits as these ordinances need to follow one another.

Motion by Huisman, second by Hanna to approve 205 E 1st Street Beekeeping Permit Application.

Roll Call:

Councilmember Huisman	Aye
Councilmember Erichsrud	Nye
Councilmember Cassem	Nye
Councilmember Cole	Nye
Councilmember Hanna	Aye
Councilmember Ristau	Aye
Mayor Scholtes	Abstain

The Motion Failed 3 to 3 with Mayor Scholtes Abstaining.

Huisman recommended directing Frundt and Kennedy to review the Ordinance 360.04.

Motion by Huisman, second by Ristau to Direct City Attorney Frundt and Kennedy to review and amend Ordinance 360.04.

Councilmember Huisman requested a roll call.

Roll Call:

Councilmember Huisman	Aye
Councilmember Erichsrud	Nye
Councilmember Cassem	Nye
Councilmember Cole	Aye
Councilmember Hanna	Aye
Councilmember Ristau	Aye
Mayor Scholtes	Nye

The Motion Passed 4-3.

The motion was approved unanimously.

MEETING OPEN TO THE PUBLIC

Sailor Street

Scholtes addressed Deb and Craig Weringa. Deb indicated that ever since the street project in 2019 they have had issue with their grass growing as well as have other property owners on the Sailor Street project, questioning what could be done to resolve the problem. Brown reviewed the outcome of the Street Committee meeting decision to not do any further work on those properties. Scholtes indicated that we need to do something and that leaving them would not be the right way to leave this. Holland reviewed a plan that he discussed with entities on how it would be best to remedy this issue, Holland recommended the plan for the City to make a final attempt at remedy of this situation. The plan includes spraying for broadleaves, placing black dirt in settled areas, cultipacking and seeding, with an extensive watering schedule. The cost being around \$6,000.00 or more to fix.

Motion by Hanna to approve \$6,000.00 for the repairs on the 2019 Sailor Street Project.

Scholtes recommended approving up to \$10,000.00 for the repairs.

Motion by Hanna to approve 10,000.00 for repair on the 2019 Sailor Street Project, amending her motion of \$6,000.00, Second by Huisman. The motion was approved unanimously.

APPROVAL OF MINUTES

Minutes from the Work Session & Council Meeting of Tuesday, June 6, 2022.

Motion by Hanna, second by Huisman to approve the Minutes from the Council Meeting of Tuesday, June 21, 2022. The motion was approved unanimously.

CONSENT AGENDA

Event Request – Main Street Sewing Society

Event Request – Thrivent Barrel Train (Giant Days)

Temporary Liquor License – Faribault County Fair

Motion by Cassem, second by Cole to approve the Consent Agenda.

Kennedy advised the Council that the Thrivent Barrel Train includes the request for a street closure.

The motion was approved unanimously.

CORRESPONDENCE

Senior Center Newsletter

REPORTS FROM STAFF

City Attorney Frundt

Frank Fence Request

Frundt addressed the Frank Fence Request. In 1962 15th Street was vacated creating a 10ft walkway through the area for pedestrians, the area has an approved gravel surface. Steve Frank has requested a fence be installed to help keep pedestrians off his properties. Holland indicated that he has

approximately 70% of the material needed to construct the fence and that his department will work on this later this summer.

Motion by Huisman, second by Ristau to move forward with the fencing. The motion was passed unanimously.

City Engineer Wes Brown and City Project Engineer Ben Rosol:

2022 Street Project Updates:

Rosol addressed the project updates with the 2022 Street project with the project well underway with the grading crew on 1st Street, and the removal of Gorman from 2nd to 5th Street.

Resolution 22-18

Resolution 22-18 Declaring Costs to be Assessed and Calling for Public Hearing on Proposed Assessments.

Motion by Hanna, second by to approve Resolution 22-18 Declaring Costs to be Assessed and Calling for Public Hearing on Proposed Assessments to be held at 5:05 pm on August 1, 2022. The motion was passed unanimously.

Addendum Number 2 Professional Agreement (Airport)

Brown Addendum Number 2 Professional Agreement (Airport) with the bids from Armon Decorating and Ehrich Plumbing and Heating, the funds are from the COVID-19 Grant.

Motion by Ristau, second by Cole to approve Addendum Number 2 Professional Agreement The motion was passed unanimously.

Senior Center Monthly Department Report

REPORTS FROM BOARDS AND COMMISSIONS

Library Board Meeting 7-11-22

Economic Development Authority Meeting 7-14-22

Housing and Redevelopment Authority Meeting 7-11-22

Rural Entrepreneurial Venture Meeting 7-14-22

Street Improvement Subcommittee Minutes 4-13-22

Planning Commission Minutes 2-17-22

Motion by Huisman, second by Hanna to approve the reports from the Boards and Commissions. The motion was passed unanimously.

OLD BUSINESS

Fire Truck Replacement

Kennedy referred to the memo in the pack suggesting that the truck the department is pursuing is a demo/spec truck that Heiman Fire already has on order. This truck is available to anyone on a first come first served basis so the fire department would like to proceed as quickly as possible to obtain this truck. Ashley Bless indicated that the price is \$448,665, but a discount

of \$4,560 will be made available if the company is able to hold the truck for demonstrative purposes until December 2023, which the department is agreeable to. The total truck cost is \$444,105.

Kennedy reviewed with Council payment and terms with the Republic First National.

Faribault County Register City Article for July - Blue Earth Police Department

Garbage Haulers

Kennedy reviewed the memo in the packet of advantages vs disadvantages of the two main types of garbage collection systems for cities to consider. Currently Blue Earth currently uses open collection. The other option is organized collection. Huisman indicated that he would like further research done of other cities and what they are finding with the organized collection and sample of contracts.

NEW BUSINESS

Emerald Ash Borer Treatment

Public Works Director Jamie Holland addressed the Council for discussion of the Emerald Ash Borer and possible treatment, identifying South Main Street as a possible area for treatment and prevention of the Emerald Ash Borer. Holland indicated that the trees at this time are not infected but the Emerald Ash Borer is in Martin County and won't take long if it's not already in Faribault County. Holland presented the treatment plan to the Council that had been discussed the Arborist Jeff Huston. Hanna question why property owners wouldn't be responsible for the treatment, implying it should be the responsibility of property owner and not the city. Holland indicated that most likely would not be able to afford the treatment and not do it. The idea would be to protect the canopy of South Main. Brown mentioned the possibility of a DNR Grant that may help pay to treat and protect trees, recommending identifying additional areas of the city for treatment.

Organization Memberships Coalition of Greater MN Cities and MN Small Cities

Kennedy brought forth information on memberships to Coalition of Greater MN Cities and MN Small Cities organizations and benefits of being a member. Kennedy implied she heard of the organizations at the LMC conference in Duluth. Huisman indicated that he too had attended the MN Small Cities group presentation. Kennedy inquired Council interest and possible joining either group or possibly putting the fees into the budget for next year. Council suggested looking into both.

Blue Earth Light and Water Purchase and Financing Approval 2000kw Generator Proposal.

Blue Earth Light & Water Tim Stoner presented the proposal.

Motion by Huisman, second by Hanna to approve the Blue Earth Light and Water Purchase and Financing Approval 2000kw Generator Proposal. The motion was approved unanimously.

TRANSFER OF FUNDS AND OTHER BUDGETORY MATTERS

Investment Schedule

PAYMENT OF CLAIMS AND APPROVAL OF CLAIMS AND APPROPRIATIONS

Consideration of payment of the bills.

Motion by Hanna, second by Cole to pay the bills. The motion was approved unanimously.

CITY ADMINISTRATORS REPORT

Payroll Summary

Administrators Report

City Administrator Contract Review (Closed Session)

Motion by Cassem, second by Hanna to go into Closed Session for City Administrator Mary Kennedy contract review at 6:50pm.

Mayor Scholtes opened the closed session at 6:57 pm

Scholtes reviewed the terms of the agreement with an increase of salary to \$88,000.00 and increase of vacation.

Motion by Cassem, second by Ristau to approve the City Administrator contract agreement. The motion was approved unanimously.

NEXT WORKSESSION ITEMS

ADJOURN

Motion by Huisman, second by Hanna to adjourn the meeting. The motion was approved unanimously. Mayor Scholtes adjourned the City Council Meeting at 6:59 P.M.