



**CITY OF BLUE EARTH MINUTES
CITY COUNCIL MEETING
Monday, August 1, 2022, at 5:00 P.M.**

The Blue Earth City Council convened on Monday, August 1, 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

- 2.1 Buc Youth Wrestling/Average Jo's Event Permit.
- 2.2 United Hospital District Employee Picnic (200 guest).
- 2.3 Whitney Foster to the Planning Commission Board.

MEETING OPEN TO THE PUBLIC

Fiona Green, Faribault County Register, City Project Engineer, Ben Rosol

APPROVAL OF MINUTES

Minutes from the Work Session & Council Meeting of Monday, July 18, 2022.

Motion by Hanna, second by Erichsrud to approve the Minutes from the Council Meeting of Monday, July 18, 2022. The motion was passed unanimously.

CONSENT AGENDA

Scholtes addressed the Consent Agenda.

Buc Youth Wrestling/Average Jo's Event permit.

Motion by Huisman, second by Hanna to approve Buc Youth Wrestling/Average Joes Event permit. The motion was passed unanimously.

United Hospital District Employee Picnic Event (200 guest).

Motion by Huisman, second by Cole to approve United Hospital District Employee Picnic Event (200 guest). The motion was passed unanimously.

Whitney Foster to the Planning Commission Board.

Motion by Hanna, second by Cole to approve Whitney Foster to the Planning Commission Board. The motion was passed unanimously.

CORRESPONDENCE

Senior Center Newsletter for August 2022.

PUBLIC HEARING

10th and Nicollet Street Improvement Project Final Assessment Hearing (5:05pm).

Walnut and Hood Street Improvement Project Final Assessment Hearing (5:05pm)

Scholtes addressed the Final Assessment Hearing for the 2021 Street Improvement project for 10th & Nicollet Streets and Walnut & Hood Streets. Brown reviewed the Process & Authority to bond for the project through Minnesota State Statutes, Chapter 429, and covered the rights to appeal through assessment deferment for eligible applicants. Project financing through general obligation bonds for 15 years (2038) at 1.49% interest with the total project cost of \$5,355,000.00. Brown discussed that for the assessments to be levied against properties, at least 20% must be to the benefitting properties. Brown advised property owners of payment options which include paying the assessment in full on or before November 1st, or to allow the assessments to be added property taxes for 15 years at 3.49%. Brown referred to the appeal process which requires a written objection to the Council, with a written notice served within 30 days after the adoption of the resolution. Brown inquired if there were any questions.

Next, Mayor Scholtes addressed a correspondence from Faribault County Engineer Mark Daly advising a letter was submitted to staff requesting an assessment reduction in the amount of \$51,271.31 based on past good faith partnerships.

Huisman recommended leaving the agreement as it stands and taking no action on the request.

Resolution 22-19 and Resolution 22-20

Brown addressed Resolution 22-19 and Resolution 20-20.

Resolution 22-19 A Resolution Adopting Final Assessments for 10th and Nicollet.

Motion by Huisman, second by Ristau to approve Resolution 22-19 A Resolution Adopting Final Assessments for 10th and Nicollet. The motion was passed unanimously.

Resolution 22-20 A Resolution Adopting Final Assessments for Walnut and Hood.

Motion by Cassem, second by Erichsrud to approve Resolution 22-20 A Resolution Adopting Final Assessments for Walnut and Hood. The motion was passed unanimously.

REPORTS FROM STAFF City Attorney Frundt

Ordinance 22-14 Ordinance to Amend Definition of Farm Animals (Second Reading)

City Attorney Frundt addressed Ordinance 22-14 Ordinance to Amend Definition of Farm Animals. Cassem inquired what would happen if the ordinance would not pass. Frundt i recommended that if that ordinance does not pass, Council should direct for the attorney to draft a repeal ordinance. Kennedy questioned what would happen in the instances where chickens were already permitted. Frundt suggested that those chickens would be grandfathered in until their annual permit expired.

Motion by Huisman, second by Ristau to move forward with Ordinance 22-14 to Amend Definition of Farm Animals.

Mayor Scholtes requested a roll call.

Roll Call:

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

The motion Failed 4-3.

Next, Frundt addressed work on the repeal of the Ordinance 22-14.

Motion by Hanna, second by Cassem to approve City Attorney Frundt to work on the repeal of the Ordinance 22-14.

Huisman requested a roll call.

Roll Call:

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

The motion passed 4 to 3.

Ordinance Sale to Hey Renaissance (First Reading)

City Attorney Frundt addressed the first reading of the Ordinance for the Sale of City Property to Hey Renaissance.

Motion by Hanna, second by Huisman for the calling of the hearing for August 18th 5pm for the sale of city property to Hey Renaissance.

Kennedy addressed the utilities with Tim Stoner of Blue Earth Light & Water, indicating that the Council would have the decision on how they would like the line to run, both options would have an additional expense to the city. The Council advised they would like the line ran underground.

The motion was passed unanimously

Warranty Deed

Frundt addressed the Council for the review of the warranty deed.

517 East 6th Street Property -Code Enforcement (*Calling for Hearing*)

Frundt brought forth the calling for the Code Enforcement Hearing of the property located at 517 East 6th Street.

Motion by Huisman, second by Erichsrud for the calling of the Code Enforcement Public Hearing for August 15, 2022, of the property located at 517 East 6th Street. The motion was passed unanimously.

City Engineer Wes Brown:

2022 Street Project Updates:

Brown advised that the seal coat project was completed.

Brown gave 2022 Street Project updates, noting that 7th Street will be closed until August 8th for concrete pouring. Curb is being installed from Gorman along 7th to 5th Streets and crews will be working on pouring sidewalk on 1st Street.

REPORTS FROM BOARDS AND COMMISSIONS

Library Board Special Meeting 7.26.22

Economic Development Authority Meeting 8-11-22

Housing and Redevelopment Authority Meeting 8-8-22

Rural Entrepreneurial Venture Meeting 8-11-22

Planning Commission Minutes 7-21-22

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

OLD BUSINESS

Nothing

NEW BUSINESS

Kato Roofing

Kennedy indicated that in 2021 the City of Blue Earth put out a Request for Proposals for a roof inspection contract. The proposal from Kato Roofing selected as the contractor. The Council approved a two-year contract with Kato Roofing for inspections to occur in the Spring of 2021 and 2022. At this time the contract has expired, and Kennedy requested direction from the Council if they would like a new RFP or if they would like to sign a new contract with Kato Roofing.

Motion by Cassem, second by Cole to approve a new contract with Kato Roofing for an additional 2 years. The motion was passed unanimously.

Joe Comes- Pizza Hut Lot Split & Variance Request

Kennedy reviewed the Planning Commission's recommendation for the Joe Comes lot split and variance request, with the recommendation for the approval of the request. City Engineer Wes Brown cautioned the Council on approval of this zoning request due to the lot restrictions.

Motion by Cassem, second by Cole to approve the Joe Comes- Pizza Hut Lot Split & Variance Request. The motion was passed unanimously.

Resolution 22-21 Primary & General Election judges.

Scholtes addressed Resolution 22-21 Primary & General Election Judges.

Motion by Erichsrud, second by Cassem to approve Resolution 22-21 Primary & General Election Judges. The motion was passed 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

Kennedy informed the Council that the Library Board has a pending offer for the Library Director position, but the offer has not yet been accepted.

Kennedy reported on the missing storm drain cover issues, costing the City an additional \$1300.00 in overtime pay for the Public Works Department.

Kennedy reminded the Council of the required Board of Appeals and Equalization online training for Councilmembers.

NEXT WORKSESSION ITEMS

ADJOURN

Motion by Huisman, second by Erichsrud to adjourn the meeting. The motion was approved unanimously. Mayor Scholtes adjourned the City Council Meeting at 6:00 P.M.