



**CITY OF BLUE EARTH MINUTES  
CITY COUNCIL MEETING  
Monday, August 15, 2022, at 5:00 P.M.**

**The Blue Earth City Council convened on Monday, August 15, 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 Erichsrud, Cassem, Cole, Hanna and Ristau Present.

Absent: Councilmember Huisman.

Staff: City Project Engineer Ben Rosol; 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**

No changes to the agenda.

**MEETING OPEN TO THE PUBLIC**

Fiona Green, Faribault County Register; Steve Bakken, Aaron Johnson, Corey Walter, Stephanie Walter, Logan Walter, Dellan Walter, Collin Walter, Ben Eckman, Jacque Drew, Josha Smith, Amy Ihle, James Wirkus, Nicolas Bleess, Ashley Bleess, Steve Brown.

**APPROVAL OF MINUTES**

Minutes from the Work Session & Council Meeting of Monday, August 1, 2022.

***Motion by Hanna, second by Ristau to approve the Minutes from the Council Meeting of Monday, August 1, 2022. The motion was passed unanimously.***

**CONSENT AGENDA**

**Scholtes addressed the Consent Agenda.**

**Sewer Credit Request 521 3<sup>rd</sup> Street E**

Scholtes reviewed the request of the sewer forgiveness request for 521 East 3<sup>rd</sup> Street. Kennedy noted that this credit request is from a tenant and asked that the Council clarify if the one-time

credit is for a property, renter or Landlord. Attorney Frundt advised that the credit should be granted to the person listed on the utility bill. Davis indicated that she had informed the resident at the time of the request that the forgiveness could only be granted by City Council one time. Scholtes, per the review of the information received, stated that the resident would receive a credit of \$58.51 towards the sewer portion of the bill due to the leak of the water softener.

***Motion by Erichsrud, second by Cole to approve the one-time sewer forgiveness request for 521 East 3<sup>rd</sup> Street resident for the total of \$58.51. The motion was passed unanimously.***

### **CORRESPONDENCE**

Nothing

### **PUBLIC HEARING**

#### **517 East 6<sup>th</sup> Street Property -Code Enforcement**

Frundt addressed the Public Hearing for 517 East 6<sup>th</sup> Street, indicating that the Council should consider the issuance of the order, explaining that a timeline should be set for the Court order to expire, advising the time limit be set between 10 and 30 days. Kennedy reminded the Council that we have dealt with this property for the last two years.

***Motion by Erichsrud, second by Ristau for a 20-day timeline for the property located at 517 East 6<sup>th</sup> Street to resolve code enforcement issues and order of abatement. The motion was passed unanimously.***

### **REPORTS FROM STAFF City Attorney Frundt**

Frundt addressed the following ordinances.

#### **Ordinance 22-15 An Ordinance for the Conveyance of Real Property – Hey Renaissance (2<sup>nd</sup> Reading)**

***Motion by Cassem, second by Frundt to approve Ordinance 22-15 An Ordinance for the Conveyance of Real Property to Hey Renaissance.***

Roll Call:

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

***The motion was passed unanimously.***

### **Warranty Deed**

No discussion

#### **Ordinance to Repeal Subsections 360.15 and 360.16 Authorizing Urban Chickens and Urban Honeybees by Permit (1<sup>st</sup> Reading)**

Frundt addressed the first reading of Ordinance to Repeal Subsections 360.15 and 360.16 Authorizing Urban Chickens and Urban Honeybees by Permit.

***Motion by Hanna, second by Erichsrud to move forward to the second reading of Ordinance to Repeal Subsections 360.15 and 360.16 Authorizing Urban Chickens and Urban Honeybees by Permit.***

Scholtes addressed the public for comment. Jacque Drew reiterated the timeline of discussions by the Council, suggesting that these discussions have taken 4 years before anyone had discovered the existing ordinance didn't conform to the current city code, asking the council to reconsider the appeal. Steve Bakken thanked the Council for allowing animals within the city, implying that it has been good for kids to learn from having them. Corey Walter spoke on behalf of his property located on 14<sup>th</sup> Street and the keeping of chickens on his property. Stephanie Walter added the keeping of chickens on their property has been good for their children. Aaron Johnson asked that the permits and fee be reconsidered and possibly waiving the fee, indicating that Fairmont doesn't require a fee for keeping chickens. Scholtes reviewed the application process, suggesting that some neighbors don't want chickens in their backyards. Ihle questioned if there were any complaints of chickens, Kennedy indicated that there have been instances.

***The motion was passed unanimously.***

#### **City Project Engineer Ben Rosol:**

##### **2022 Street Project Updates:**

Rosol gave 2022 Street Project updates.

Holtmeier Construction will continue to install sanitary sewer and watermain along 4<sup>th</sup> Street from Galbraith to Gorman and on Gorman Street from 4<sup>th</sup> Street to 2<sup>nd</sup> Street.

Starting next week the underground crews will begin storm sewer and sanitary and water services along these blocks with work progressing until Mid-September.

Rosol indicated that with the concrete crew being so busy it is difficult to determine that schedule.

#### **Monthly Liquor Sales**

#### **Police Department July 2022 Calls for Service & Incident Analysis Report**

#### **Building Permits Year to Date**

#### **REPORTS FROM BOARDS AND COMMISSIONS**

**Library Board Minutes 7.11.22 & 7.26.22**

**Economic Development Authority Meeting 7.14.22**

**Housing and Redevelopment Authority Meeting 6.13.22**

**Rural Entrepreneurial Venture Meeting 7.14.22**

**Senior Center Board Minutes 7.20.22**

**Parks and Recreation Subcommittee Minutes 2.23.22**

***Motion by Cassem, second by Ristau to approve the reports from the Boards and Commissions. The motion was passed unanimously.***

## **OLD BUSINESS**

### **Liquor Store Remodel Quotes**

Scholtes addressed Blue Earth Wine and Spirits Manager Dave Olson for discussion of retail counters. Olson recommended the double counter quote of \$10,958.00 from Dan Welder for the remodel of the counter space.

***Motion by Cole, second by Erichsrud to approve the double counter quote of \$10,958.00 from Dan Welder for the remodel of the space. The motion was passed unanimously.***

## **NEW BUSINESS**

### **Senior Center Lunch Program**

Scholtes addressed the Senior Center Lunch Program meal increase to \$4.25. The Senior Center will continue to host fundraisers for the meal program, bringing the total to \$3.50 per meal for the Senior Center lunch program.

### **Special Assessment Deferment Application**

Scholtes reviewed the Special Assessment Deferment Application for Thomas & Linda Taylor.

***Motion by Ristau, second by Erichsrud to approve the Special Assessment Deferment Application for Thomas & Linda Taylor. The motion was passed unanimously.***

## **TRANSFER OF FUNDS AND OTHER BUDGETORY MATTERS**

Investment Schedule

Budget Year to Date

## **PAYMENT OF CLAIMS AND APPROVAL OF CLAIMS AND APPROPRIATIONS**

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

## **CITY ADMINISTRATORS REPORT**

Payroll Summary

Kennedy noted that the 2023 certified distributions of LGA were posted, with Blue Earth receiving a 1.8% increase, bringing the 2023 amount to \$2,104,825.

### **Personnel – Fire Department (Closed Session per Minn. Stat. § 13D.05)**

***Motion by Cassem, second by Erichsrud to go into closed session at 5:47. The motion was approved unanimously.***

Scholtes indicated that Fire Chief Steve Brown is meeting the requirements of his job description and fulfilling the expectations of the City Council and Administrator, with the decision to not move forward with an investigation.

***Motion by Hanna, second by Cole to not move forward with an investigation. The motion was approved unanimously.***

**NEXT WORKSESSION ITEMS**

Budget

**ADJOURN**

***Motion by Hanna, second by Cole to adjourn the meeting. The motion was approved unanimously. Mayor Scholtes adjourned the City Council Meeting at 6:13 P.M.***