



**CITY OF BLUE EARTH MINUTES
CITY COUNCIL MEETING
Monday, October 17, 2022, at 5:00 P.M.**

The Blue Earth City Council convened on Monday, October 17, 2022 at 5:00 p.m. 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 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

11.1 Campground moved to Meeting Open to the Public.

MEETING OPEN TO THE PUBLIC

Fiona Green, Faribault County Register; Joshua Kafka, KBEW; Heidi Schutt, Blue Earth Community Library & Fossil Center; Public Works Director, Jamie Holland; Denise Karau, Campground Host; and Jacque Drew.

Scholtes introduced Joshua Kafka as the new KBEW Radio News Director.

Campground Reports

Holland reviewed the Blue Earth Campground report, indicating that hiring a campground host has been beneficial. The campground is capturing revenue unlike previous years and experiencing fewer issues. The Council reviewed feedback from campers, which overall indicated a good experience. Denise Karau plans to return next year to serve as the campground.

Holland recommended discussion with the Go Kart group, as those campers should be utilizing the campground area rather than the area within the track due to campground permitting. Kennedy thanked Karau for her performance and dedication to the campground.

Blue Earth Community Library & Fossil Center

Heidi Schutt updated the Council on the plans for the Pteranodon arrival, noting that a resolution to accept the piece into the Blue Earth Library & Fossil Discovery Center Inventory Catalog would be coming at a later date.

Next, Schutt shared that library staff are preparing to migrate to a new system, by reviewing old patron accounts and removing past due fines for patrons that no longer utilize the Blue Earth library but have returned items. By cancelling or removing the past due fines notice, the inactive patron's library card can be turned off, no longer contributing to membership dues, and aiding in the switch to the new system.

The repairs have been made to the mural damages and frames have been installed.

APPROVAL OF MINUTES

Minutes from the Work Session and the Council Meeting of Monday, October 3, 2022.

Motion by Huisman, second by Hanna to approve the Minutes from the Council Meeting of Monday, October 3, 2022. The motion was passed unanimously.

CONSENT AGENDA

No Consent Agenda

CORRESPONDENCE

No Correspondence

PUBLIC HEARING

No Public Hearing

REPORTS FROM STAFF

City Attorney Frundt

Frundt

Code Enforcement Property

Frundt gave an update on the status of the warrant for the nuisance abatement at 517 East 6th Street. Frundt indicated that the judge gave the approval of the publication. Huisman inquired an updated timeline. Frundt indicated that the City should be able to enter the property by December 1st. Huisman next inquired if City Staff would be doing the removal of items. Kennedy indicated that staff doesn't have the equipment for that process, advising that it would need to be a hired service.

City Project Engineer Ben Rosol:

2022 Street Project Updates:

Project Updates

Safe Routs to School Project

Rosol update the Council on the finishing of the SRTS project with the remaining sidewalk placement and restoration being completed at the railroad crossing.

2022 Street Project

Rosol indicated that all concrete work is complete. Holtmeier's grading crew will continue to prep Gorman Street, 4th Street, Galbraith Street, and 9th Street for paving. Ulland Brothers is planning to place pavement on the remaining gravel streets Thursday of this week, weather permitting. Rosol shared that a letter for sod care and tree replacement had been sent in the mail.

Drew inquired the watering and tree replacement letter, implying that she hadn't received the letter. Scholtes and Huisman agreed they didn't recall receiving a letter either. Rosol indicated that he would look into this and provide an update at a later date.

Next, Rosol addressed North Galbraith Street. Rosol indicated that he had received a complaint regarding that area and how it would be completed and restored. Rosol provided a figure of the area with explanations of Bolton and Menk's proposal. The proposal includes moving the existing barricades up to the yellow line which is indicated on the figure and placing 15 ft of gravel to the railroad right of way, for snow storage. Mayor Scholtes addressed the complaint from the neighboring property, noting that the property owner had made phone calls to Ben several times and Scholtes requests that Attorney Frundt draft a letter which would be sent to the property owner explaining the final decision by the council, which would be to accept the proposal as shared by Bolton and Menk, which would be signed by the mayor.

Motion by Hanna, second by Huisman to approve North Galbraith Street proposal as explained by Rosol, and to direct David Frundt to draft a letter to Teresa Brunette with an explanation of the Council's decision. The motion was passed unanimously.

Professional Engineering Agreement Addendum No.5

Rosol addressed the Professional Engineering Agreement Addendum No.5.

Motion by Ristau, second by Cole to approve the Professional Engineering Agreement Addendum No.5. The motion was passed unanimously.

Televising and Jetting Proposal

Next, Rosol review the areas that the televising would include Circle Drive and Galbraith Street and the 2023 Project Area.

Motion by Huisman, second by Ristau to approve the televising proposal. The motion was passed unanimously.

Monthly Liquor Sales

Included in packet.

Building Permits YTD

Included in packet.

October Library Department Report

Included in packet.

REPORTS FROM BOARDS AND COMMISSIONS

Library Board Minutes 9.12.22

Economic Development Authority Meeting Rescheduled 10.20.22

Housing and Redevelopment Authority Minutes 9.12.22

Rural Entrepreneurial Venture Meeting Rescheduled 10.20.22

Faribault County Fitness Center Board Cancelled 10.10.22

Blue Earth Airport Advisory Commission Minutes 11.4.21

Joint Animal Control Minutes 1.10.22 & 10.4.22

Planning Commission Minutes 9.28.22

Blue Earth Airport Advisory Commission Minutes 11.4.21

Motion by Huisman, second by Erichsrud to approve the reports from the Boards and Commissions.

Scholtes advised that the HRA would likely be requesting additional funding for 2023 to complete remodeling projects for the property on South Galbraith and the property on East 3rd Street. The HRA is researching this further, and the plan would be that as each property is remodeled the HRA would put the property on the housing market for sale and use the revenue to continue to the next property for remodeling.

The motion was passed unanimously.

OLD BUSINESS

School/City Facility Joint Powers Agreement Draft

Kennedy brought forth the City and School District Joint Powers Draft Agreement, advising that the school board had reviewed the agreement at their last meeting and had taken no action, recommending the Council approve the Joint Powers Agreement to engage in moving forward.

Motion by Cassem, second by Ristau to approve the Blue Earth Area School and City of Blue Earth Facility Joint Powers Agreement. The motion was passed unanimously.

Faribault County Joint Powers Animal Control Board Update

Kennedy advised that the Faribault County Joint Powers Animal Control Board met on October 4th, The Joint Powers had received two proposals for the Animal Control Officer positions and after discussion it was determined that both proposals were sufficient to serve as ACOs. The board agreed that the ACOs would be used as contractors and each entity would be able to determine who to contact for ACO services at any given time. Kennedy indicated that she advised the Joint Animal Powers Board of the decision by the Blue Earth City Council that as of November 1, 2022, the Humane Society would need to be out the current pound building with the facility no longer being available to the Humane Society, and that the current pound building would become unavailable for any use as of January 1st, 2023. At that point there was a decision by the Joint Powers Board was to dissolve the entity completely. Kennedy indicated that she shared with each entity of the Joint Powers that they could utilize the same or similar Kenneling Service Agreement that Blue Earth is using with FCHS as a model.

Huisman added that Johnson requested an extension of the November 1st deadline due to scheduling of the floor drains. Huisman recommended the deadline be extended to December 1st. Scholtes advised Huisman to notify Johnson of the extension to December 1st.

LMC Edible Cannabinoid Legalization

Kennedy addressed the 2022 Fall Forum of the LMC and discussions of the Edible Cannabinoid Legalization. Kennedy reviewed the edible cannabinoids products that are now legal in Minnesota adding that the LMC isn't providing any regulations guidelines at this time on zoning or permitting laws. This raising new questions for law enforcement and permitting entities. Huisman added that the amount of THC is so minute, he would recommend holding off on any decisions at this time.

Fruendt recommended a moratorium, suggesting that the city may be able to regulate locations of where these items can be sold. Kennedy recommended that the Council review the information provided and this could be brought forth again for further discussions.

Fire Department Officer Hiring Recommendations

Scholtes reviewed the recommendations of the Hiring Committee with the hiring of the Assistant Chief Andrew Willner, Captain Ryan Vereide, and Lieutenant Jeffery Nowak.

Scholtes advised that the current Assistant Chief and Lieutenant terms will expire at the end of 2022. The recommendation includes Andrew Willner filling the role of Assistant Chief in the upcoming term as well as Jeffery Nowak filling the role of Lieutenant in the upcoming term. Scholtes added that the Officer appointments will become effective immediately upon approval of the Council.

Motion by Hanna, second by Cole to approve the recommendations of the Hiring Committee. The motion was passed with Councilmember Ristau abstaining.

Resolution 14-18 (Councilmember Hanna)

Hanna addressed Resolution 14-18. Hanna has spoken to residents regarding the agreement between the City of Blue Earth and MnDOT from 2014 when the roundabouts were constructed, causing rerouting of traffic and damage to 8th Street, Sailor Street, Domes Drive and Buccaneer Drive. In the agreement it was indicated the sum of \$25,000 would be paid to the City for the repair of damages for the bituminous overly on 8th and Sailor Streets, and gas tax on Buccaneer and Domes Drives. Hanna implied that the residents would like the repairs completed. Scholtes advised that the Street Committee discussed the area and recommended waiting for the reconstruction of the area. Scholtes advised the Council that if the recommendations are not going to be accepted from the Boards and Committees it would be time to dissolve those committees.

Rosol explained the street reconstruction and cost implications, suggesting that the amount from MNDOT would not cover even one street of repairs.

NEW BUSINESS

Faribault County Register City News Article (EDA)

No discussion

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 Huisman, second by Ristau to pay the bills. The motion passed unanimously.

3rd Quarter 2022 Donations for Council Approval

Motion by Cassem, second by Erichsrud to approve 3rd Quarter 2022 Donations. The motion passed unanimously.

YTD Budget Summary

No discussion

CITY ADMINISTRATORS REPORT

Payroll Summary

NEXT WORKSESSION ITEMS

2023 Budget Discussion.

Administrator Report.

Student Councilmember

Scholtes brought forth the idea that Kennedy had pitched to him regarding an Honorary Student City Council member, advising that this would be a nonvoting position which could sit on the council to provide insight and feedback, with the purpose to enhance community engagement and teach about local government. This could be a Senior and/or Junior from the Blue Earth Area High School. Huisman recommended making it a junior implying this would give more time for the learning experience. Scholtes recommended having two individuals, one being a Senior and the other a Junior. Huisman recommended speaking with Jody Eckhardt regarding communication with students. Kennedy stated that she would work on application materials and communication with the school.

ADJOURN

Motion by Huisman, second by Erichsrud to adjourn the meeting. The motion was approved unanimously. Mayor Scholtes adjourned the City Council Meeting at 6:30P.M.