

MANTORVILLE CITY COUNCIL MEETING MINUTES
MONDAY, JULY 25, 2016
6:30 PM

1. **Call to Order** – Mayor Bradford called the meeting to order at 6:30 pm.

Members Present: Chuck Bradford, Henry Blair, Sherry Roth, Don Hofstad and Will Lambert.

Others Present: Sharon Davern, Gretta Becay, Dan Trapp, Scott Prins – DCSO, Char Shrager, Kellie Ketzler, Tim Hruska – City Engineer, and Cami Reber.

2. **Pledge of Allegiance** - Done

3. **Additions/Deletions to Agenda** - None

4. **Consent Agenda** – Motion made by Member Blair, second by Member Roth to approve the consent agenda as follows:

- a) City Council Meeting Minute's July 11, 2016
- b) Warrant List July 25, 2016
- c) Dodge County Commissioners Meeting Agenda
- d) Dodge County Planning Commission Public Hearing Notice

Motion passed unanimously.

5. **Public Concerns** - None

6. **Public Hearing** - None

7. **Old Business/New Business**

- a) **Tabled Resolution 2016-08 A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO OPERATE A BED AND BREAKFAST AT 121 5TH STREET WEST**

Motion made by Member Hofstad, second by Member Blair to remove Resolution 2016-08 from the table for discussion. Motion approved unanimously.

Member Roth noted to address concerns in the residential area, attach a conditions to the CUP if it is approved that if there are excessive calls or issues where law enforcement gets involved, that the CUP could be revoked. That could help to provide some extra comfort to those folks that live around that space. And that the state health and building code inspections take place before we can approve this. Member Blair agreed with those items noted. Member Hofstad feels comfortable also with those conditions.

Member Roth asked about the parking and how that will be handled. Ms. Davern noted that they will park in the driveway, her driveway fits six vehicles. She is also looking at building a better structure. The massage clients will not be present when the Air BnB clients are. She made it clear on her profile that they must be out on Friday morning at 8:00 am and can't get back in until 8:00 pm Friday night. Air BnB clients are not allowed on site at the same time as the massage clients.

The State came and inspected and it's fine to do a boarding thing. She wants to be careful with how we are calling it. She doesn't want it to be seen as something that is open to the public where anyone can stop in and stay. That's not how it works. She described the Air BnB process. Requests are made through the website and they are verified along with picture ID. You are also able to review the guests from other places they have stayed. She can decline people from staying in her Air BnB. A regular bed and breakfast may not give her that ability and she wants the ability to screen people. 99% of people arrive between 8-10

pm at night and they are gone at 8 -10 am. All she provides is a bed and a shower, no meals. She does not accept anyone that is a patient at the clinic because she doesn't want that liability. No money exchanges hands, it all goes through the Air BnB. They carry insurance and they police things. The MN Dept of health did come and do an inspection even though they don't regulate Bed and Breakfasts under 5 rooms.

Member Hofstad replied that Ms. Davern explained and answered any questions he had and any concerns he had. He feels comfortable knowing the way they do things. Member Blair wanted to make sure that parking was there and available. Member Lambert has looked into it and doesn't see any objections. Mayor asked if Ms. Davern has reached out to any of her surrounding properties about any concerns. She stated she has not heard any concerns although she has some neighbors that don't like her personally. The Mayor noted his comments as this is not a B and B and she is not serving food, you will be on site when you rent, you do have off street parking, and wondering about adjusting the hours of 8-10; doesn't want people showing up at 10:00 pm. She noted the host has the ability to set the check in but she works till 9 or 10 3x a week. She prefers later because she isn't home much earlier. If they come before she is off work she has someone come to unlock the doors.

The State will send something to the City in writing to be attached to the CUP if the City issues it. Member Roth would like to see us add language regarding excessive police calls; essentially what we have on rental properties. Ms. Davern noted legitimate ones.

Motion made by Member Lambert, second by Member Hofstad to approve Resolution 2016-08, A resolution approving a conditional use permit to operate a bed and breakfast at 121 5th Street West. Discussion to add language relating to disturbance, and add the proper titles to match our code to include guest house and tourism home. The motion was rescinded by Member Lambert. Motion made by Member Blair, second by Member Lambert to remove the cease and desist order on operation of the air bnb facility at 121 5th Street West until the conclusion of the next Council meeting on August 8, pending the passage of the CUP for operation purposes. Change the language to capture it's not just a BnB by Roth, Cami to get with legal team on the verbiage and bring back to the August 8 meeting. Motion passed unanimously.

Motion made by Member Hofstad, second by Member Blair to table Resolution 2016-08. Motion passed unanimously.

b) WW Project Bids – Tim Hruska, City Engineer

City Engineer Tim Hruska discussed the bid opening last Wednesday. The City received 8 bids with the low bid received from Ryan Construction at \$1,095,881 and high bid was \$1,855,000. The numbers will be submitted to the MPCA. They have to review those numbers for the funding mechanism. We have 60 days to act on the bids. The completion date was extended to June 1, 2017 because the Kasson tank construction timeline pushes us back to middle of December and in order to allow for weather delays, a second completion date was added. Tim also explained the current situation with the State Bonding Bill and our meeting with Senator Senjem and Representative Quam.

c) 5th Street East/Stagecoach Road Temporary Fix – Tim Hruska, City Engineer

City Engineer Tim Hruska discussed with the Council a temporary fix to both 5th Street East and Stagecoach Roads due to the road condition and the reconstruction not taking place until September. There would be some extra cost in sign rental but it will be minimal. We would need to maintain it for the next month, month and half. The biggest issue will be dust control and possibly additional grading by the City. Council discussed. Consensus of Council to move forward with it.

- d) **RESOLUTION 2016-09 A RESOLUTION SUPPORTING A SPECIAL SESSION OF THE MINNESOTA STATE LEGISLATURE FOR CONSIDERATION OF THE 2016 BONDING BILL**
Motion made by Member Blair, second by Member Hofstad to approve RESOLUTION 2016-09, A RESOLUTION SUPPORTING A SPECIAL SESSION OF THE MINNESOTA STATE LEGISLATURE FOR CONSIDERATION OF THE 2016 BONDING BILL. Motion passed unanimously.

Member Hofstad mentioned about inviting Governor Dayton down for lunch to explain to him for the betterment of our citizens. Mayor Bradford will send a letter.

- e) **Draft Ordinance 01-2016 Amending Section 150.025 Titled Accessory Buildings**
The Council discussed the proposed changes they asked Cami to run by the City Attorney. Member Roth noted that you will never come up with an ordinance that will cover all the lot sizes in the City. Mayor Bradford noted it will never happen that variances will go away, even if they were all the same size. Let's get some reasonable guidelines in there. After further discussion, the Council agreed that the greenspace piece of it should be defined in this section of the ordinance, along with the wording on keeping the structure architecturally compatible to the main structure. Cami will take this information back to our legal team to come up with the right verbiage.
- f) **Draft Ordinance 02-2016 Amending Section 150.044 Titled Bed and Breakfasts**
No further comments, ok to proceed with this draft to the public hearing.
- g) **Draft Ordinance 03-2016 Amending Section 150.071 Titled Transitional District**
No further comments, ok to proceed with this draft to the public hearing.
- h) **Set Budget Levy Hearing Dates**
The Council set the annual Truth in Taxation hearing dates for Monday, December 12, 2016 and the continuance one for Monday, December 19, 2016 for the second meeting.

8. **TBD**

a) **Public Works Report** - None

b) **City Clerk Report**

- Cami reported on the training and licensing for Joe Adams. Motion made by Member Hofstad, second by Member Roth to approve Joe Adams to attend Water and WW School. Motion passed unanimously.
- She gave an update on Torkelson property complaint. The weeds are taken care of and she was told that they also planted the trees. What was planted is not what the Council understood that is going to be planted. Member Lambert asked if the stipulation specified 10' trees? Cami noted she doesn't believe it was written out in the variance or CUP but it was what was presented to the Council in their decision. Council would like to inquire with the Torkelson's what their plan is for the screening. Member Hofstad asked about the grading plan and what is the timeline for final grade and grass. Member Lambert is under the impression that they are planting wild flowers. Member Blair noted that wild flowers and weeds is a grey line.
- NNO – Tuesday, August 2, 6-8 pm in Riverside Park. She encouraged Members to attend and bring food and donations.
- She noted her vacation and dates out of the office.
- Noted the dates of the primary and when filing opens for the 4 council seats.

c) **Consultant Report** – none

d) Committee Report

- EDA – Member Blair reported on the request for a loan from the Revolving Loan Fund and the plan for the Saloon to have a shuttle for Marigold Days to go between Mantorville and the Big Iron Classic. It will run only in the evening though as its not available during the day. They are looking for donations.
- MRA – Member Lambert reported on the construction of the proposed structure in the Historic District and gambling seems to be going well.
- Township – Member Hofstad reported on the upcoming meeting he and Tim Hruska will be attending.

e) Council Member Report

- Member Roth – noted the poor behavior that needs to stop. We will hear things we don't want to hear but it needs to be done respectfully.
- Member Lambert – noted a training program about trees he read about and how you can become a tree inspector. We owe it to our citizens to be able to give them the best advice. Cami noted that Joe had expressed interest in doing this. Member Lambert will bring the information to Cami.
- Member Blair – none
- Member Hofstad – agreed with Sherry's comments and it is hard to work on things when you're being disrespected.

f) Mayor Report - none

9. Executive Session - none

10. Adjourn – Motion made by Member Blair, second by Member Lambert to adjourn the meeting at 8:17 pm. Motion passed unanimously.