

**MANTORVILLE CITY COUNCIL MEETING MINUTES**  
**MONDAY, JUNE 13, 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, Will Lambert, and Sherry Roth.

Others Present: Gretta Becay, Joe Waugh – City Insurance Agent, Dan Trapp, and Cami Reber

2. **Pledge of Allegiance** - Done

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

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

- a) City Council Meeting Minute's May 23, 2016 & June 6, 2016
- b) Warrant List June 13, 2016
- c) Fire Department Meeting Minutes June 1, 2016
- d) Dodge County Board of Commissioners Meeting Notice
- e) Dodge County Sheriff's Office May Mantorville Call Report
- f) Notice of SEMLM Membership Meeting
- g) New Rental License – 715 Clay Street
- h) State Demographer Population Estimates

Motion passed unanimously.

5. **Public Concerns**

Dan Trapp, 10 Zumbro Ridge Drive – regarding promises made, when the building was granted, of evergreen trees being planted on the berm. So far there has been nothing done and there are noxious weeds growing that are very tall that include wild parsnip, cocklebur, giant ragweed, nettles and others. They mow everything except for the berm and area immediately next to him. He admits that he isn't very happy about the whole thing, but they made promises to the City Council. The trees that were there were planted around their yard. Evergreens were going to be built on the berm to help shield the building. The Mayor noted that we will reach out to them and see what their plans are and if they have changed we will remind them of what was said in the Council Chamber.

6. **Public Hearing** - none

7. **Old Business/New Business**

- a) **2016/2017 Property/Casualty Insurance Renewal – Joe Waugh**

City Insurance Agent Joe Waugh presented the LMCIT Property/Casualty renewal for June 1, 2016 – June 1, 2017. The renewal is \$19,833. Joe explained the tort limit reform for municipalities which means the public can't sue a city for more than a certain amount of dollars. Motion made by Member Lambert, second by Member Roth to not waive the tort limit reform. Motion passed unanimously.

Motion made by Member Blair, second by Member Lambert to approve the renewal proposal as listed. Motion passed unanimously.

- b) **RESOLUTION 2016-06 A RESOLUTION AUTHORIZING RECERTIFICATION OF OUTSTANDING CHARGES TO PARCEL ID# 25.100.3461 IN THE CITY OF MANTORVILLE**

Motion made by Member Blair, second by Member Roth to pull from the table Resolution 2016-06. Motion passed unanimously.

Mayor Bradford asked Cami for the additional information that Council had requested at the last meeting. The sale of the parcel was \$14,800; the additional fees that the buyer had to pay are over and above that. The City will receive \$2,960 from the sale. The amount of taxes that were forfeited from 2011-2016 is \$2,517.53. The Fire Call Fee that was previously assessed to the property is \$1,580 and the debris removal is \$4,855. The Council discussed the best way to proceed. Discussion from the last meeting noted that the Fire Call didn't really improve the sale of the land but there was value on the cleanup that did follow with the property. Member Lambert noted that if we take the \$4,855 and offset it with the City share of \$2,960, then that would leave the \$1,895. Member Roth noted that the cleanup was a necessary expense and had to be incurred by someone regardless and doesn't think the City should eat that. James Jasperson, owner of the property, noted that he could have done the cleanup for cheaper and feels you are penalizing people who are doing the right thing. Member Blair suggested striking a balance on the tax portion and cut it in half. A motion was made by Member Blair, second by Member Roth, to pass Resolution 2016-06 with a change to the amount to be recertified instead of \$1,895 to \$3,145. Member Blair noted that he feels it is a reasonable compromise from the original \$6,400 that we could have done. Motion passed unanimously.

Member Blair asked about extending a payment plan? Mr. Jasperson asked if there is a way to discuss this again or not with the full council? Mayor Bradford noted that he can ask for reconsideration. Cami noted if he is requesting to pay it off through his property taxes over so many years, the Council can set the years. His tax burden would go up that much over so many years. Because he is appealing the decision, it will come back to the next Council meeting and based on the outcome of that decision, he can let us know how he wants to go forward.

**c) Recommendation for New Fire Department Applicants – Fire Chief, JJ Williams**

Mayor Bradford requested to table the request until JJ is present to present the material.

**d) Request for Contribution and Membership MAOSC**

Consensus of Council to decline membership.

**e) Draft Ordinance Amending Section 150.025 of the Mantorville City Code**

Cami noted that these are still working documents and once the City Council comes up with final drafts, she can then publish a notice of public hearing on the final drafts. A set of recommendations on the draft ordinances are being presented tonight to the Council for discussion.

Member Blair asked about the strike out of the location of detached accessory building. Cami noted that it is listed already in the ordinance so that is why it is shown that way. He also asked about the section of the code that talks about location of detached accessory buildings, and was it temporary structures that are allowed to be in the front yard if they are more than 100 feet away? Cami noted that that section of the code refers to non-permanent structures such as toy houses, ice fish houses, stuff like that. Did we consider anything about buildings being built at the same time; the accessory structure at the same time as the primary structure? Member Blair feels it would be a good clean up thing to add and that there is reasonable allowance for that. We should set reasonable expectations. Cami noted that same verbiage she read in other city ordinances. She will pull a sample and add it to the draft for Council to review.

Dan Trapp noted that another part in Kasson's ordinance that says the accessory structure shall not be larger in square footage size than the principal building, the principal building being the house, and that the accessory building shall not be taller than 16 feet in overall height. If we are going to grab stuff, let's grab the spirit of another community's ordinance, not cherry pick out small little pieces. Just to say 10%, that's not how they (meaning Kasson)

are working, how they are defining an accessory structure, simply by lot size. The Mayor noted why we are not simply cutting and pasting in the entirety is because we want the ability to allow a larger accessory structure on a larger lot. Mr. Trapp noted that is a sticky way to go especially if you have a 4 acre lot. Is that really the way we want to go? The Mayor noted that is something to consider and there are also other areas of the code to consider such as green space. Member Roth ask for clarification on the 120 and 200 sq. ft. requirements listed and what about the sizes in between; what are the requirements. Member Blair noted it is issues related to building permit. Member Lambert concurred that you could get into trouble and maybe we could limit it to the square footage of the principal building; not to exceed it. The Mayor noted we could change the 10% of the lot to cannot exceed the principal building because on bigger lots, you could have bigger principal buildings which allow you bigger accessory structures. Or we could keep both and not to exceed 10% which then puts more restrictions on smaller lots. Member Roth noted it is difficult to place rules on a community with various lot sizes and outside areas with wooded lots that are larger. People that live in the outer perimeter are likely to have the larger buildings when they have larger lots. Members continued the discussion. Mayor Bradford noted that this is an area that we need to think more about.

Member Roth commented on the height portion being proposed. We are limiting someone with a smaller home from building a taller structure. Mr. Trapp asked if you could ask everyone in the neighborhood, would you like to live next to a big tall building, don't they count? Member Blair responded that based of Legislative ruling, we are not able to take surveys and votes as to the specific public opinion on individual items like that. Council continued discussion.

Member Blair asked is the height of the principal structure a good starting point? Or is there something different that would be a good starting point? The Mayor asked that Council Members review the drafts and any edits and ideas be sent to Cami for more discussion at future meetings. We will continue to have these discussions going forward.

**f) Draft Ordinance Amending Section 150.044 of the Mantorville City Code – tabled**

**g) Draft Ordinance Amending Section 150.071 of the Mantorville City Code - tabled**

**h) Temporary Family Health Care Dwellings**

Cami updated the Council on the new law passed regarding Temporary Health Care Dwellings. The new law does give counties and cities the choice to opt out if they pass an ordinance by September 1. Council Members discussed. Mayor Bradford noted that his concern is a very small structure for a perceived medical need. Why would you not want that person closer to you than a detached structure? You're isolating them from the family. Member Blair noted, it doesn't necessarily say who is going to reside in it. Maybe it's not the distance but making the space available. Seems like a good idea, not a bad idea, as long as limits are put in. We could use it as a good base of our own for an ordinance. Mayor Bradford noted a small structure like this, temporary in nature is a detractor in the neighborhood. So what happens if it is a person living in it and at the end of the year, they say, we've been doing this for a year and you're going to kick us out when we need it the most? Motion made by Member Lambert, second by Member Roth to opt out. Cami needs to bring forward an ordinance for this action. Motion passed unanimously.

## **8. TBD**

**a) Public Works Report** – Scott is on vacation this week; anytime will work for the Kasson WW Plant Tour, Council discussed and set a time for Cami to check with Kasson on.

**b) City Clerk Report** – Cami reported on the SEMLM Meeting, property complaints going out, update on 7<sup>th</sup> and Monroe property and the campground is extremely busy.

**c) Consultant Report** – None

**d) Committee Report**

- EDA – Mayor Bradford noted that they are working on finalizing LOGO items and 1 of the Revolving Loan Fund Loans was paid off so we have additional funds for a loan.

**e) Council Member Report** - None

**f) Mayor Report** - None

**9. Executive Session** - None

**10. Adjourn** – Motion made by Member Blair, second by Member Lambert to adjourn the meeting at 7:57 pm. Motion passed unanimously.