

MANTORVILLE CITY COUNCIL MEETING AGENDA
WEDNESDAY, MAY 27, 2020
6:30 PM

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

Members Present: Chuck Bradford, Henry Blair, Luke Nash, Don Hofstad, Sharon Davern – remotely.

Others Present: Ruth Pettey and Joan Nesvold - remotely, Tim Hruska – City Engineer, Koreen & Cortney Seim, Tod Fyten, Mike Blagge, DCSO Deputy French and Pacheco, City Staff Shelly Jensen-Germundson, Joe Adams, and Cami Reber.

2. **Pledge of Allegiance** - Done

3. **Additions/Deletions to Agenda** – Member Davern requested the Preparedness Plan be moved off of the consent agenda for discussion. It will be added as item 7f.

4. **Consent Agenda** – Motion made by Member Blair, second by Member Hofstad to approve the consent agenda as follows with item c) moved to 7f.

- a) City Council Meeting Minute's May 11, 2020
- b) Warrant List May 27, 2020
- c) Mantorville Preparedness Plan

Motion passed unanimously.

5. **Public Concerns** - None

6. **Public Hearing(s)** - None

7. **Old Business/New Business**

- a) **COVID 19 Update – The Opening up of Local Businesses**

- RESOLUTION 2020-09 RESOLUTION AUTHORIZING THE GRANTING OF REGULATORY FLEXIBILITY TO LOCAL BUSINESSES

Member Davern asked questions about why we aren't letting the Dodge County Public Health Department take the lead on everything. They have everything in place. This puts everything on Cami's shoulders and she doesn't feel that is appropriate or fair. Is she going to be out enforcing things? The County has it all under control, these are the experts. Why are we doing something different.

Member Blair noted that granting flexibility, we do that all the time based on liquor permits, closing streets, etc. We don't use the Department of Health for that. The Mayor noted that The Resolution was drafted by the City Attorneys which allows the City to take some flexibility and be creative which the Governor has encouraged. Member Davern noted the memorandum from the Attorney, page 5, that notes how we are responsible if we violate orders, can be charged with a gross misdemeanor, subject to fines, and imprisonment; this is not something to be taken lightly. Your trying to do apples to oranges when your saying we close for Marigold Days or are we offering City property to be used...what property are we talking about, who gets to use it, etc. What is our liability. Member Davern noted her concerns with our liability in allowing the use of City property for the businesses.

Motion made by Member Blair, second by Member Hofstad to approve RESOLUTION 2020-09, A RESOLUTION AUTHORIZING THE GRANTING OF REGULATORY FLEXIBILITY TO LOCAL BUSINESSES. Member Nash noted a point of clarification, that when there has been some flexibility arranged by the City Clerk, to have it brought to City Council's attention. Motion passed with Mayor Bradford and Members Nash, Blair, Hofstad voting for and Member Davern against.

Koreen Seim, Mantorville Saloon, presented to the Council their proposal for serving outside. They are planning to put the tent up out back (parking lot), tables/chairs 6' apart, no more than 4 to a group, etc. They will have disinfectant wipes, bleach bottles made up, paper towels, and cleaning supplies on hand to keep people safe. They plan to have the tent up on Monday until things change. Member Davern asked if she is going to use the Relay lot as another option. Koreen noted that they will not use that lot. They will use the relay lot for parking if needed. Enforcement will be done by the owners and staff. Member Nash requested that fencing be done around the tent which separates passer bys. Koreen noted that it will be fenced and done the way it is during Marigold days. No one can wander in from the street. Member Nash also addressed music and Koreen noted absolutely no music. Cami will get the forms out to Corine.

b) 2020 Street Projects

Tim Hruska, City Engineer, reviewed the Plans and Specs for the 2020 Street Projects. The projects are as follows:

- Jefferson Street to Stagecoach Road - is a full reconstruct
- Hickory Lane – Drainage only, no pavement, they will be installing a drainage pipe and out letting it further down. The pavement piece of the project is for next year.
- Washington Street is a repave.

The bid opening is scheduled for June 16 with everything being brought back to Council on June 22.

An additional memo was put together with recommendations for additional street projects. Tim, Joe and the Infrastructure Committee did their drive around and are recommending several areas for repairs around town. Council discussed. Tim asked if the Council wants to include any of the items listed on the memo as part of the base bid. They would be included as an addendum to the original bid. The Council can make their final decision on what pieces they want to pursue when all the bids come in. Motion made by Member Davern, second by Member Hofstad to move forward with the bid letting. Member Blair asked if we are moving ahead with only the base project or all of the additional from table 1. Council discussed. An amendment was made to include all items on the memo listed under table 1 and 2 to that motion. Members Davern and Hofstad accepted the amendment. Motion passed unanimously.

c) Pre-Demolition Report 5th Street Shop Building

Tod Fyten, owner of the Mantorville Brewery, approached the Council regarding the old shop building. He is still very interested in it for the future. He noted a letter he sent about a couple of old breweries in MN that have been repurposed and turned into tap rooms. That is what he would like to do with this one. Mike Blagge is present who also who works with breweries. He introduced himself and noted his interest in coming into the brewing community. Tod mentioned possible opportunities at the state that they could explore to get things up and going again. Member Nash noted the timeline we are on to make the building safe and that we are in the process of taking this down. Tod noted he is dealing with a lot of stuff which has slowed things down for him. Tod noted the roof being the number one problem with the stability and tuckpointing of the brick next. Member Nash noted we need some efforts on his part to show he is interested. Tod would like to get some local roofing contractor's in to see what we are dealing with on the roof. He has some cost and budgeting to put together. He will get something back to us in the next 30 days. Member Nash noted he would like to see his business expand and grow but we have a hazardous building that needs to be dealt with. Mayor Bradford noted a consensus from Council to allow Tod to get some people into the building to check things out. Member Nash noted to check with the City on the day they are entering. The City will continue with their process until Tod steps up to the plate to head us off. Tod has 30 days to come back to the City with his plan.

Joe Adams reported on the Pre-Demolition report that was put together by Braun Intertec. There was no hazardous material found, just some items that the City could remove. Joe and Cami are planning to attend the MRA meeting in two weeks to get their final input.

d) Tax Forfeit Property Assessments

Cami explained the background on previous assessments placed on a property in the amount of \$28,792.59. That property went into tax forfeiture and the assessments cancel out. There is interest in purchasing of the property and it was asked if the City is planning to reassess those amount. The City Council discussed. They noted it all depends on what the plans are with the property. They don't think they will waive the entire thing. Cami will get more information from the interested party and bring back the information to the Council.

e) RESOLUTION 2020-10 DECLARING MANTORVILLE AS A BUSINESS-FRIENDLY COMMUNITY AND ENCOURAGING REOPENING OF MN BUSINESS

Motion was made by Member Davern to send this Resolution back to the Attorney. The motion died for lack of a second. Motion made by Member Blair, second by Member Hofstad to approve Resolution 2020-10 as presented this evening. Member Davern noted she would like to see this be reviewed by the Attorney and would like to talk to him about this as there are some items she doesn't agree with. There is information in there that is not accurate. We have not flattened the curve, and we need to take out the stuff on the constitution. No further discussion. Motion passed with Mayor Bradford and Members Blair, Nash and Hofstad voting for and Member Davern voting against.

f) Mantorville Preparedness Plan

Member Davern noted the memorandums that the attorney sent us and the language in the memorandums doesn't match the plan. The City "Must" ...the word must is not a suggestion. It is not in the Plan. Why are they not included in the Plan and does it put us in danger of being out of compliance? How has that changed from the memos to the plan. Council discussed words used: Must, Shall, are the ones that matter – May and Can don't matter. She feels there is discrepancy in the language that could put us in some kind of liability. Motion made by Member Blair, second by Member Nash to approve the Version 3 Preparedness Plan as presented by the Attorney in the emails. Member Nash noted that this is modifiable from time to time. If we find we need to amend it, we can do so. Further discussion on this. Member Davern is really recommending that the Attorney look at this. She wants to know if it is really ok to leave this stuff out. Motion passed unanimously.

8. TBD

a) Public Works Report – Joe reported on the following:

- Corn hole bags are out in Riverside Park.
- PB will be moving forward with painting of the pavilions at Riverside Park soon if anyone wants to help out – weather dependent.
- Had to have a boulevard tree taken down at a cost of \$780. It was a hazard tree that needed to be removed.

b) City Clerk Report – Cami reported on the following:

Cami brought forward the request for pool filling by the Fire Department. She spoke with JJ who noted they would be willing to do this if Council was on board. The current cost of bulk water is \$10/M. Council discussed. Member Davern questioned the amount someone would pay for the bulk water versus someone that is charged on their water bill. Member Blair noted discussion on adding an additional labor charge. He was going to propose to roll those dollars back to the Relief to help replace revenue loss in Marigold Days. Cami is proposing to charge the water base fee plus \$10 per thousand gallons. Member Davern wants to make sure its fair to everyone in town. Motion made by Member Nash, second by Member Hofstad to approve the recommended fees with the caveat to offer the same rate to someone who was asked but denied and retro active it to April 1. Motion passed unanimously.

c) Consultant Report – None

d) Committee Report

- Fire Department – Member Hofstad reported they are going to start meeting again and have a plan in place to do so safely.

- Park Board – Motion made by Member Blair, second by Member Nash to approve the proposal for the Park Board to spend up to \$3,000, which is in their budget, for trees for the Park. Motion passed unanimously.

e) Council Member Report

- Member Davern - noted buying a decent computer so people can hear and see things (going on at the meetings). Chances are pretty good that she won't be coming to this small room for meetings and legally she doesn't have to. We have to legally be able to provide this. Member Nash noted he is going to ask Cami to get us a price on the material being discussed. She will bring them back to the Council or try to get it taken care of before the next meeting.

f) Mayor Report – Mayor Bradford reported on the Dodge County Sheriff's Department and the Kasson Police force that headed up a parade for the KM Seniors today.

9. Executive Session - None

10. Adjourn – Motion made by Member Blair, second by Member Hofstad to adjourn the meeting at 8:19 pm. Motion passed unanimously.