

**City of Mantorville
City Council Minutes
September 27, 2021**

1. Call to Order

Mayor Bradford called the meeting to order at 6:30 p.m.

Present: Mayor Chuck Bradford
Councilmembers Lyle Hoaglund, Jeffrey Ingalls,
Kent Keller (arrived at 6:31 p.m.), and Bill Kinney

Absent: None

Others Present: City Clerk-Treasurer Shirley Buecksler
Public Works Lead Joe Adams
Assistant City Clerk Shelly Jensen-Germundson

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Adopt the Agenda

Motion was made by Councilmember Hoaglund and seconded by Councilmember Ingalls to adopt the agenda, as presented.

Vote: 4 ayes / 0 nays – Councilmember Keller was absent. Motion passed.

4. Consent Agenda

- A. Warrant List for September 27, 2021 in the Amount of \$40,862.85
- B. Dodge County Sheriff's Office Call Report for Mantorville for July 2021
- C. Dodge County Sheriff's Office Call Report for Mantorville for August 2021
- D. City Health Insurance Renewal for 2022

Motion was made by Councilmember Hoaglund and seconded by Councilmember Ingalls to approve the Consent Agenda, as presented.

Vote: 4 ayes / 0 nays – Councilmember Keller was absent. Motion passed.

5. Proclamations, Presentations and Recognitions

Mayor Bradford provided a copy of the proclamation he presented to Kaleb Melcher for his significant efforts to improve our communities through community service, for fulfilling the requirements of the Boy Scouts of America for the Eagle Scout Award and achieving the Eagle rank. Mayor Bradford proclaimed September 25, 2021 as "Eagle Scout Achievement Day."

6. Public Concerns

The following citizens addressed the Council:

- Debra Wilson, 207 3rd Street West, addressed the Council regarding the condition of the sod put in at her property in 2019. She said it's dead and asked if the City can do anything about it.
 - Mayor Bradford said we will be doing annual maintenance at the park where the sod there is also dead. We will have our parks crew look at the sod at her property and come back to a future meeting to discuss.
- Dan Trapp addressed the Council regarding weeds on the berm at 720 County Road 12. They mowed the first 15 to 20 feet but having finished.
 - Mayor Bradford spoke to the Council and said we have asked the Torkelson's to mow the west side of the berm. They are not mowing the back side and not abating the noxious weeds.
 - Councilmember Hoaglund said Ann Torkelson is here and we should give her a chance to speak.
 - Ann Torkelson addressed the Council and said she and her husband were asked to mow from the property line to the back of the trees on the berm. As the trees have grown, it gets challenging. We have sprayed the weeds and are maintaining it.
 - Mayor Bradford asked how they are maintaining the weeds?
 - Ann Torkelson said through manual removal and spraying. She said there is wild parsnip and thistle growing there, just like anywhere else.
 - Councilmember Hoaglund said we would like to get this resolved and asked Dan Trapp and Ann Torkelson if they can come up with a solution?
 - From day 1, Ann Torkelson said we have tried to talk with the Trapp's before we purchased the property seven years ago. We have been civil but it is awful to maintain anything in that area. The use of profanity towards us and taking pictures of us and our daughters. When we purchased the property, we told the City Council that we wanted areas to be natural.
 - Mayor Bradford asked how many times they have sprayed for weeds? And has it been effective?
 - Ann Torkelson said they have sprayed many times. I would love nothing more than to have it be effective, but the stress and anxiety with Dan Trapp is very high, to the point of tears and not wanting to be near him.
 - Mayor Bradford said the concern is any noxious weed will bloom, seed and spread. From a City's standpoint, that is our concern. As long as you're trying to spray and maintain it. How are the saplings doing?
 - Ann Torkelson said this year was hard on the Gingko trees. There are 30 to 35 evergreens at the top of that berm that are now six feet tall. Others we purchased are 12 feet tall.
 - Councilmember Keller commented on thistles he saw in bloom a while back. That was my only concern. The grass underneath is not an issue – I see it all over town. Keeping weeds under control is a responsibility. If

they are there, get them out. This is the most effective time to spray them. Next year, be diligent and do it again.

- Councilmember Ingalls asked if she can document the problem ones.
 - Ann Torkelson said I can make a commitment to document.
- Mayor Bradford said I hear agreement on your part. At this point, anything up there yet may need manual intervention. I would suggest spraying in the fall and in the spring.
- Councilmember asked Dan Trapp if the Torkelson's do that, is spraying an issue? Is that acceptable to you? If they do a good job spraying, will you complain?
 - As long as the noxious weeds are gone, Dan Trapp said, I will not complain. I never once got personal about anything that happened.
- Mayor Bradford said that things may have been said on both sides but we will move forward with the plan in place.
- Councilmember Ingalls asked Dan Trapp and Ann Torkelson if both sides agree?
 - Ann Torkelson said she agrees.
- Councilmember Kinney said it would be nice if weeds were taken out before they become tall and go to seed.
- Councilmember Keller said we have a plan.
- Councilmember Hoaglund asked both parties if they are in agreement?
 - Ann Torkelson said yes.
 - Dan Trapp said yes, if the noxious weeds are controlled.
- Amy Johnson addressed the Council regarding the annual Ride for Wyatt. This is an annual snowmobile ride in January and January 29, 2022 will be their third year. Organizers are requesting to use the north shelter in the park.

Motion was made by Councilmember Kinney and seconded by Councilmember Ingalls to allow use of the north shelter for the Ride for Wyatt event on January 29, 2022. The motion was amended to include waiving of the rental fee. Councilmembers Kinney and Ingalls accepted the amendment to the motion.

Vote: 5 ayes / 0 nays. Motion carried.

7. Public Hearings

A. Application from Ron & Deb Pederson and on & Tessa Buck for Platted Lot – Mantor's Addition Block 30; Resolution No. 2021-27

All applicants were in attendance for any questions from Council. Jon Buck addressed the Council and said that he and his wife Tessa will take the east lot. Her parents will take the west lot.

Mayor Bradford opened the Public Hearing at 6:31 p.m.

Hearing from no one wishing to speak, Mayor Bradford closed the Public Hearing at 6:33 p.m.

Motion was made by Councilmember Kinney and seconded by Councilmember Ingalls to adopt Resolution No. 2021-27 Approving a Lot Split for Certain Real Property Located in Mantorville, Dodge County, Minnesota.

Vote: 5 ayes / 0 nays. Motion carried.

8. Old Business/New Business

A. 2022 Budget and Levy

- Set Truth in Taxation Meeting Dates

Motion was made by Councilmember Ingalls and seconded by Councilmember Keller to set the Truth in Taxation Meetings for Monday, December 13, 2021 and Monday, December 20, 2021.

Vote: 5 ayes / 0 nays. Motion carried.

- Resolution No. 2021-26 Adopting Proposed Preliminary Tax Levy

Mayor Bradford reminded Council that we can always go down but that we cannot increase the levy once it is set. He called for a Council Work Session on Monday, October 4, 2021 at 6:30 p.m. in the Council Chambers for the City Council to discuss the budget. Public is welcome to join us.

Motion was made by Councilmember Keller and seconded by Councilmember Hoaglund to set the proposed preliminary tax levy at 10% (\$583,037.40), to schedule a Council Work Session to review the preliminary budget for Monday, October 4, 2021, and to adopt Resolution No. 2021-26, Adopting the Proposed Property Tax Levy Collectible in the Year 2022.

Vote: 5 ayes / 0 nays. Motion carried.

B. Set Fall Council Workshop Meeting

The City Council scheduled their fall workshop meeting for Monday, October 4, 2021 at 6:30 p.m. in the Council Chambers.

9. Reports

A. Public Works Report

- Mayor Bradford asked if the City will be doing a fall brush pickup?
 - Joe Adams said residents can call Public Works and he will work with them.
- Regarding the electric pole at Riverside Park, Joe said he is getting estimates to tie all of the meters and poles into one junction box. This is pending.
- Joe discussed projects that he is working on including Walnut Street, and the work that needs to be done at Zumbro Ridge. The road needs to be dug down or rebuilt. East Drive also needs fixing.

- Joe would like to use some of the American Rescue Plan Act (ARPA) funds on the watermain on the Walnut Street project. SL Contracting, Inc. came in at \$19,000.00 and Rochester Sand & Gravel at \$24,000.00. What are Council's thoughts?
 - Councilmember Hoaglund asked if he received a bid from Snow Contracting? Joe said Snow uses Rochester Sand & Gravel.
 - Mayor Bradford said it sounds like a reasonable approach to fund this with ARPA and directed Joe to move forward with this.

Motion was made by Councilmember Ingalls and seconded by Councilmember Keller to approve the use of ARPA funds to fix and repair the streets and discussed.

Vote: 5 ayes / 0 nays. Motion carried.

- Wade Schroeder will start as the new Public Works Street Worker on Monday, October 4, 2021.

B. City Clerk Report

Shirley Buecksler said my daughter is due with her baby any day now. When she delivers, I am planning to be there for her and will be out for three to five days, if it works to do so. I will be bringing the laptop to work remotely but could come back down for the next meeting, if that's necessary.

- Mayor Bradford recommended setting up a virtual meeting (Zoom or WebEx) so Shirley can connect to the meeting and not have to travel.

C. Consultant Report

No report.

D. Committee Reports

- 1) Chamber
- 2) Economic Development Authority – Mayor Bradford stated:
 - The EDA looked over the budget numbers reflected in the City's budget spreadsheet. The Minnesota Fiddler's Association provided approximately \$500.00 for the Fiddle Contest. And \$1,400.00 in SEMAC (Southeastern Minnesota Arts Council) grants. We will continue to pursue other funds.
- 3) Finance/Budget
- 4) Fire Department
- 5) Infrastructure
- 6) Kasson Mantorville Joint Powers
- 7) Mantorville Restoration Association
- 8) Park and Recreation Board – Next meeting is tomorrow, September 28, 2021
- 9) Personnel
- 10) Relief
- 11) Township

E. Councilmember Reports

Councilmember Hoaglund said the Dodge County Historical Society will be coming in for sign permits.

Councilmember Keller said the Finance Committee's budget meeting this past week was a learning experience for him.

F. Mayor's Report

- Mayor Bradford said he is still working on getting a quote for the tractor. He should see it soon and will share it with Joe Adams.
- Working with the original members of the movers and shakers to get creative at not putting things on poles, such as corn stalks, lights, banners.
- Reminder that City flags will be taken down soon.
- Mayor Bradford was approached by the middle school for a community service project to clean the park. He directed them to work with Joe Adams and Shirley Buecksler.

10. Tabled Items

The following items were discussed out of order from the agenda, with Item 10b) discussed first.

- b) Application from Mark and Ann Torkelson for a Variance from Section 150.025 of the Mantorville City Code to Allow the Construction of an Accessory Structure on a Lot without a Principal Structure (tabled 08.23.2021; 09.13.2021)

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to remove Item 10b) from the table.

Vote: 5 ayes / 0 nays. Motion carried.

Applicant Ann Torkelson came to the podium to answer any questions from Council.

Discussion:

Council asked what 1127 on the drawing means.

- Ann Torkelson said 1127 is the known elevation at the edge of the property line and the level of the building. The pad will be extended. It will be level with the 1127 level.

Mayor Bradford asked if the accessory structure will be on a floating slab?

- Ann Torkelson said it will have footings to lift it up out of the flood fringe.

Councilmember Ingalls asked what the difference is between flood fringe and flood plain.

- Ann Torkelson said the fringe is the edge of the flood plain. It would not be in the flood plain or fringe when it's lifted.

Councilmember Ingalls asked why items cannot be stored in the other building?

- Ann Torkelson said we have equipment in the other building. A building with hay and ag attracts mice and pests that cause damage. It is not used for that purpose.

Councilmember Keller asked why store hay if you don't have animals to feed it to?

- Ann Torkelson said the first cut was sold. Hay equipment is stored in there.

Mayor Bradford asked if anyone in the audience wished to speak. No one spoke.

Mayor Bradford said we need an explanation for the practical difficulty situation and I am struggling to find it.

Councilmember Ingalls said I think it's the storing of ag, hay and equipment.

Councilmember Keller said, given the location of it, it's an enhancement and an attractive building and gets rid of the storage container. We should help them accomplish this and not stand in a citizen's way. They've given us reasons.

Mayor Bradford said he is concerned about issuing numerous variances for one property.

Councilmember Kinney said he is concerned that the previous variances haven't been followed.

Mayor Bradford said there is community unity. What does the most good or most harm?

Councilmember Keller said my understanding is half is for business equipment, but to limit it from being a large business, part of it had to be personal. Hay being incompatible with equipment in the building – that is a practical difficulty. It is good that we maintain consistent in that respect.

Councilmember Hoaglund said most planning and zoning ordinances are designed to allow variances. If you're building tax base, you're doing good for the community. It's our job to consider variances carefully.

Councilmember Ingalls asked if it increases their tax base? Does it decrease anyone else's tax base? If it increases the rest of the neighborhood, would you deny the variance?

Motion was made by Councilmember Keller and seconded by Councilmember Ingalls to approve the variance and direct Staff to bring back a draft resolution for approval at the next City Council meeting. The resolution approving the variance for the accessory structure must include the condition that the storage container currently on the property will be removed within 12 months of adoption.

Vote: 3 ayes / 2 nays – Mayor Bradford and Councilmember Kinney voted against.
Motion carried.

- a) Code Enforcement Regarding Storage Container at 720 County Road 12 (tabled 07.26.2021)

Mayor Bradford said the storage container will go away upon completion of the accessory structure.

Motion was made by Councilmember Keller and seconded by Councilmember Ingalls that, as stipulated in Item 10b), the resolution approving the variance for the accessory structure must include the condition that the storage container currently on the property will be removed within 12 months of adoption.

Vote: 5 ayes / 0 nays. Motion carried.

Mayor Bradford said the City expects to see the storage container gone within 12 months.

11. Executive Session

There was no Executive Session.

12. Adjourn

Motion was made by Councilmember Keller and seconded by Councilmember Ingalls to adjourn the meeting at 7:55 p.m.

Vote: 5 ayes / 0 nays. Meeting adjourned.

Respectfully Submitted,



Shirley R Buecksler
City Clerk-Treasurer

Proclamation

Whereas, Kaleb Melcher
has made significant efforts to improve our communities through community service and
Whereas, these Scouts have fulfilled all the requirements of the Boy Scouts of America for The Eagle Scout Award and
Whereas, the Scouts above have taken an oath to support their faith, their country and fellow citizens through service and
Whereas, the achievement of the Eagle rank is a seldom and a special occasion that deserves to be recognized.

NOW, THEREFORE, I, Chuck Bradford, by virtue of the authority vested in me as Mayor of the City of Mantorville,
do hereby proclaim Friday, September 25, 2021, as

“Eagle Scout Achievement Day”

This day, I call upon all the people of our communities to join in recognition of the four Scouts above,
for their accomplishments and commitment to community.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fifth day of September,
in the year of our Lord two thousand twenty one, and of the State of Minnesota the one hundred and sixty-fourth.



Trail to the Past. Road to the Future.

Chuck Bradford
Mayor, City of Mantorville