



**Regular City Council Meeting
Public Hearing for Variance
Monday, November 28, 2022, at 7:00 pm
Adrian Government Center, Council Chars, 209 Maine Avenue, Suite 106, Adrian, MN**

1. **Call to Order:** Mayor John Faber called meeting of the Adrian City Council to order at 7:00 p.m.
2. **Pledge of Allegiance:** The meeting opened with the Pledge of Allegiance.
3. **Roll Call:** City Council members present: Dean VonHoltum, John Faber, Tracy Kunkel, Ron Lonneman, and Joe Hornstein.
Department Heads: Administrator/ Clerk- Treasurer Jill Wolf, Crew Leader- Kendal Kane, and Police Chief Shawn Langseth.
Staff: Deputy Clerk-Treasurer Rita Boltjes
Guests: Residents Merlyn Inglett, Council elect David Edwards and Steve Kellen, Ambulance rep Sarah Lenz, Dhimant Patel, Dave Brown, Orvin Green, City Attorney Zachary Cronen and Nobles County Review Rep Deb Kroon.
4. **Public Hearing for Variance Petition for Zoning Permit**
Call to Order: Mayor Faber called the Public Hearing to order at 7:03 PM.
Hearing Purpose; Brenda Lunt is requesting a variance to construct an 8 x 8 deck and steps, which will replace the existing steps on the front of the home. The construction is to be nineteen- and one-half feet from the Louisiana Avenue Street right of way. PW crew leader Kane indicated there were no issues with the permit
Public Input: After being asked, Mayor Faber acknowledged that no members of the public or Council had input to share. No written correspondence was received. The public input portion of the hearing was closed.
Council Action; motion by VonHoltum, second Lonneman, carried to approve the Variance 5/0
Adjourn: motion by Lonneman, second by Von Holtum, motion carried to adjourn the public hearing 5/0
5. **Consent Agenda:** Motion made by Lonneman, second by Kunkel, carried 5/0, with the exception of the Gambling LG214 premises Permit Application, to approve City Finances, Minutes & Permits/Licenses.
Finance
Accounts Payable; November, 2022
City Finances; October 2022, PUC finances of October, 2022 were acknowledged
Parr-McKnight; Fire Relief Account Balance – October 2022
Cert for Payment #3 for Henning Construction
Cert for Payment #1 for Hulstein Excavating
Cert for payment #3 (review draft) for Central Specialties
Minutes
Approved:
Council – 10/24/2022 Regular, 11/17/2022 Special
Park – no meetings during off season
Ambulance – 11/7/2022
Scheduling was discussed, Sarah indicated much time is spent on the schedule to cover the on-call hours, all hours prove difficult to fill. This issue is also being seen in the Luverne and Worthington squad as well. It was noted Luverne, at this time, is not able to offer mutual aid because of their shortage. The EMT re-certification is in March. Councilmember VonHoltum indicated a willingness to be a driver. Retirement was discussed noting the per run increase would be placed in a separate retirement fund of the City for the Cooper Sam’s match. It will not be labeled for an individual, but rather a pooled fund, with the City also placing funds

into the account at the same fire relief amount, after the County's appropriation. When an EMT retires, whatever the Cooper Sam's retirement amount is, the City will pay the EMT the same amount from the retirement fund. Also noted was the Fire retirement is paid based on the number of years on the Department and members do not receive pay when going on a run or to meetings. Sarah indicated the EMT's requested the increase in run pay due to the amount of time it takes to care for a patient and the amount of paperwork that must be completed for each run, noting when there is a call with multiple patients it increases the care and paperwork, but only one run is paid to the EMT.

Fire Relief Association – 11/2/2022

Fire – 11/2/2022

PUC – 11/15/2022

HRA- 11/16/2022

Permits / Licenses

Zoning:

Brenda Lunt; 509 Louisiana Ave – deck and steps

Adrian Auto; 47 Maine Ave – cold storage addition to shop

Demolition:

Gayle Buss – home at 505 Arkansas Ave

Request for Use

Tom Diekmann – use of fire hall November 1st from 7 to 8 p.m. for gift distribution

Gambling LG214 Premises Permit Application

Robert Dolan on behalf of the TMB Sports Club for gambling at the Sports Page Bar & Grill Resolution #633-2022 required for LG214 applications. It was noted the Adrian Community Foundation is working toward the ability to apply for this permit which would benefit Adrian as 70% of the funds remain in the community. Therefore, the TMB Sports Club permit was again tabled.

- 6. Rebuild Adrian Program; Demo of House:** An application for the Rebuild Adrian Program for the demo of the house on Arkansas Ave. Per the HRA minutes, their vote approved the grant. Motion by VonHoltum, second by Kunkel, carried to approve the grant. 5/0
- 7. Liquor License; Year 2023 Applications:** Motion by Kunkel, second VonHoltum, carried 5/0 to approve the 2023 applications for liquor, 3.2 beer, dance & pool table, contingent on receiving the necessary certificates of insurance and successful completion of background checks for liquor license applications.
Sunday Off-Sale Liquor Sales: A written request from Dhimant Patel and David Brown was received requesting a change in the City's Code to allow Off-Sale liquor sales on Sunday's between the hours of 11:00 a.m. and 6:00 p.m., which is now what State Statues allows. This would apply to exclusive off sale establishments and Sunday on-sale license holders. Staff was directed to draft an Ordinance change to mirror the State Statues.
- 8. Assessment Roll; Taxes Payable year 2023:** Council reviewed the assessment roll which will be certified to the Nobles County Auditor for collection in 2023 for the 2008 Street and 2021/2022 Street Improvement Projects. Staff will determine the procedure for the 2021/2022 assessments for those properties which an appeal was filed.
Lien for Unpaid Mowing Charges: Council reviewed Resolution #636-2022, which places a lien on Parcel #21-0150-000 for \$150 in unpaid mowing charges. It was noted there was another property with mowing charges, however that property has been in transition, so assessing those fees would be futile.
Request for Deferment: Council discussed the Request for Deferment on parcel #21-0468-000 in accordance with Res #634-2022. It was noted the Council could require payment of the annual interest. Deferments that must be applied for each year and upon sale of the property, the entire assessment is due. After discussion, motion by VonHoltum, second by Lonneman, carried to certify the assessment roll for 2008 & 2021/22 Street Improvement Projects, pass Resolution #636-2022 for collection of unpaid mowing charges and to approve the request for deferment without requiring the payment of the annual interest. RCV 4-yes, 1-no (Hornstein)
At this writing, the following is Subd. 3 of Res #634-202; Subd. 3. The option to defer the payment of special assessments shall terminate *and all amounts accumulated plus applicable interest shall become due*

upon the occurrence of any one of the following events: (1) the death of the owner when there is no spouse who is eligible for deferment; (2) the sale, transfer, or sub-division of all or any part of the property; (3) loss of homestead status on the property; (4) determination by the Council for any reason that there would be no hardship to require immediate or partial payment; or (5) failure to file a renewal application within the time prescribed by Subdivision 1.

9. Nobles Home Initiative for years 2023 – 2027: The Council reviewed information from Nobles County regarding the NHI continuation, noting only minor changes – it remains at a five-year abatement of the taxes on residential structures. After discussion, motion by VonHoltum, Second by Hornstein, carried 5/0 to adopt Resolution #637-2022 which acknowledges participation in the NHI tax abatement program for years 2023 to 2027.

At this writing, there have been a total of sixteen NHI abatements for the City of Adrian, three of those properties have completed the abatement and will be added to the tax rolls, there will be two additional properties completing abatements each year in years 2023 through 2027 and three in 2028.

10. Property, Vehicle & Liability Insurance Coverage: Council was informed the Property in the Open (PIO) throughout the City needs to be listed on the property schedule, with values to be covered for loss. That property is as follows, fence and lights around pool, baseball and softball fields. Playground equipment at Grove Park, Lower Park and Campground Park which includes jungle gym's swings, merry-go-rounds, and spring rides. It was noted if one piece of equipment is damaged, the deductible would probably negate any insurance payment. However, if a storm damages several pieces, the one deductible would most likely result in an insurance payment. After discussion, motion by Kunkel, second by Lonneman, carried 5/0 to have staff list the PIO on the property schedule for coverage. Council also informed the following properties are not included on the schedule, but rather self insured; The open shelter and game shed at the Campground, the brick restrooms by the softball field and at Grove Park, the new small warming house at Grove Park, the old warming house at the skating rink and the old scoreboard at the softball field.

11. Community Concerns: Council reviewed the concern about parking. It appears cars from the adjoining automotive shop may be parked against City Code regulations. Shawn has spoken to the resident and business owner.

12. Staff Reports:

Police:

The Council reviewed the legal services agreement with Nobles County for assuming the responsibilities of the City's prosecuting attorney. It was noted this is a renewal of the previous four-year agreement. Motion by VonHoltum, second Kunkel, carried to approve the agreement 5/0. It was noted the radios are ordered with an approximate ten-week arrival time. The vehicle forfeiture paperwork has been sent to the state for a title, once obtained it will be placed for sale on MNBid. Part-time staff is in the process of being hired, waiting for all required testing.

Administration/ Community Development:

Last Day Administrator Wolf's last day will be Friday, December 2nd.

2021-22 Street Project & Assessments: The final certificates of payment are being processed, so the project should be finalizing. Attorney Dennis Simpson served the City of Adrian with appeals filed in district court for 26 parcels, involving 23 property owners. City legal counsel will be reviewing the next steps that need to be taken, including appraisal of the properties and the benefit of the street project to each property owner.

Childcare Crisis: HRA Board Member, Kate McCann has been asked to serve on the taskforce until a new Administrator can assume the position. Molly Schilling is also serving as a community member.

Grocery Store: A committee to continue the progress of the grocery store was formed and comprised of two HRA board members (McCann & Heidebrink), two Council members (Faber & Lonneman), three at-large community members (Christine Bullerman, Lezlee Roemeling and one spot open), realtor Al Cox and Nobles County SHIP coordinator, Claire Henning. This committee will work with Cox to determine needs to attract and retain a potential buyer for the grocery store. The representatives from the HRA and Council will represent their boards and bring information back to their respective meetings. It was noted Cox will do the coordinating until a new Administrator is hired.

Pool Committee: It is the Park Board's intent to form a committee to start researching and fundraising for a new pool. Kane and Wolf have been working with Burbach Pools out of Wisconsin (as

recommended by DGR), to compile cost estimates and requirements. If a bath house doubled as an emergency shelter for the campground, there could potentially be Hazard Mitigation funding to help share the cost of the building.

Schafer Land: The City of Adrian has opportunity to purchase 29.13 acres of land along I-90, west of Highway 91. The property owner is motivated to get this sold and would consider all offers. The HRA is looking into the feasibility of purchasing the land in the capacity of the AIDC.

Commercial Property: The sign has been received and the specs have been given to Kevin Ranney which will then be forwarded to the HRA for determination of possible lot size(s)

Public Works:

Kane indicated the skid loader is traded every other year – on the even year, the tractor is traded every other year on the odd year. In looking at skid loaders, the cost is much higher than years past, however we still want to stay with our trade schedule. It was noted the unexpected line truck purchase took funds from the equipment revolving account, an adjustment of future budgeted transfers to the ER fund might be needed. After discussion Motion by VonHoltum, seconded by Lonneman to approve the purchase of a skid loader.

- 13. 2023 Board Positions:** The Council was informed of the following board terms expiring; Park Board Lori Klosterman's second term. PU Commission Chad Loosbrock's first term. HRA Kate McCann's first term. It was noted board terms are limited to two consecutive terms. As Loosbrock and McCann have indicated a willingness to serve a second term, staff was directed to advertise for the Park Board opening to be appointed in December for term beginning January 1st.
- 14. Staff:** Administrator-Clerk/Treasurer (ACT) Jill Wolf submitted written resignation effective December 2, 2022. Applications closed at 4:00. It was noted interviews for the Community Assistant Associate (CAA) position would be held Wednesday. The hiring committee for the CAA position are Kunkel, VonHoltum and PU Commissioner Henriksen. After discussion, the hiring committee for the ACT position will be Hornstein, VonHoltum, Henriksen and Mayor elect David Edwards, the first review of ACT applications will be Thursday. It was noted applications are not public, once they are reviewed and interviews scheduled, those individual applications are considered public.
Acting Administrator/Clerk-Treasurer: After discussion, motion by Lonneman, second Kunkel, carried to appoint Deputy Clerk-Treasurer Boltjes as the Acting Administrator/Clerk-Treasurer. This appointment includes acting as the City of Adrian's Responsible Authority and all other authorities that is required with the Administrator/Clerk-Treasurer position. Boltjes indicated her position as Deputy Clerk-Treasurer is an exempt position and with the current turn-over 50-hour work weeks have been necessary to complete the work. Boltjes also noted she would not be able to do all the work of the ACT and CAA positions, Public Works Crew Leader Kane would be taking on more responsibility. After discussion, motion included to pay Boltjes for all hours worked beginning November 9th, at current DC wage, straight time. Boltjes' wage after December 2nd would be at the current ACT wage. Any hours Kane works on ACT tasks would also be paid at the current ACT wage. 5/0
- 15. 2023 Budget:** The final costs for the Street Project, which will affect the bond fund have not been calculated, there were no changes made to the budget at this time
- 16. IRS Mileage Rate:** Council was informed the mileage rate has been increased from .585 to .625 for all business miles.
- 17. Closed Session:** Pursuant to Minn. Stat. § 13D.05, subd. 3(b) for confidential legal advice regarding litigation arising out of the appeal of special assessments and the City's options and strategy in response to the same. Mayor Faber asked for a motion to enter into a closed session; Lonneman moved, second Hornstein, carried 5/0. Mayor Faber announced the council meeting entering into a closed session at 8:25 p.m. All guests left the meeting. Those present included all Council members, staff ACT Jill Wolf, DCT Rita Boltjes, Attorney Zachary Cronen. Attorney Cronen reviewed the case indicating the number of property owners that have formally appealed the assessment(s), and the number of parcels included. The next steps were reviewed with potential actions from both sides. After discussion and review of proceedings, Mayor Faber asked for a motion to end the closed session; Kunkel moved,

second VonHoltum, carried 5/0. Mayor Faber announced the ending of the closed session at 8:55. No individuals returned to the meeting.

18. Other Business: Timecards for the 2022 stipend and special meetings were distributed to Council members.

19. Upcoming City Council Meeting(s): By consensus, the Council acknowledged Monday, December 19th, 2022 at 7:00 PM, within the Council Chambers of the Adrian Government Center, as their next Regular Meeting date, time, and location. It was noted the meeting will include the required Truth in Taxation public input meeting for the 2023 Budget and Levy, which will include approval of the final levy via Resolution.

20. Adjournment: Meeting adjourned at 9:05 p.m. Motion made by Hornstein, second VonHoltum. 5/0.