

REGULAR CITY COUNCIL MEETING

August 8th, 2023

Pursuant to due call and notice thereof, a regular meeting was duly held at City Hall at 7:00 PM on the 8th day of August 2023.

Council present: Karen Ruechel, Michael Cherney, Christopher Quale and Ella Noterman

Council absent: None

Mayor: Brian Anderson presided over the meeting.

Agenda:

Motion made by Ella Noterman, seconded by Christopher Quale, to approve the City Council meeting agenda. Votes in favor: Karen Ruechel, Michael Cherney, Christopher Quale and Ella Noterman. Votes against: None Motion carried.

Approval of Minutes:

Motion made by Karen Ruechel, seconded by Michael Cherney, to approve July 25th meeting minutes as presented. Votes in favor: Karen Ruechel, Michael Cherney, Christopher Quale and Ella Noterman. Votes against: None Motion carried.

Approval of Timecards:

Motion made by Michael Cherney, seconded by Ella Noterman, to approve the July timecards. Votes in favor: Karen Ruechel, Michael Cherney, Christopher Quale and Ella Noterman. Votes against: None Motion carried.

Old Business:

The clerk received a response back from the city attorney regarding questions about the annexation of property and about condemning property. The attorney informed the council that any annexation must meet the following requirements: the annexation must advance the public health, safety, and welfare of those who live and use the annexed area, the annexation must be in the best interests of both the city and the annexed area, and finally, the annexed area cannot already be a part of another city. If the city decided to pursue annexation of the area there are a few options that it could consider.

Option one, the city can annex an area through an ordinance that would require one of the following:

- 1.) The annexed area is owned by the city.
- 2.) The annexed area is less than or equal to 120 acres, is not presently served by public sewer service, and all landowners petition the city for annexation.
- 3.) The annexed area is within 2 miles of the city, and it has been approved for platting after 8/1/95 and the platted lots are 21,780 square feet or less.
- 4.) The MPCA has required sewer services to be extended to the annexed area.
- 5.) The annexed area is less than 200 acres, and a majority of owners petition the council for annexation.

Option two, the city can work with the township or county to perform an orderly annexation which would require:

- 1.) The city and township pass a joint resolution designating the annexation area “in need of orderly annexation.” This could also be a joint resolution between the county and city (but this rarely happens).

- 2.) The terms of the annexation would be negotiated between the city and township as part of the joint resolution process. Some of the negotiated agreements could include some tax sharing for a stated period of time to phase in the tax hit the township will take when those taxes start flowing to the city.

The final option, option three, is an annexation by petition, hearing, and an administrative law judge's (ALJ) order. This would be considered a last option due to cost and uncertainty in result.

In the matter of condemning a hazardous property, the attorney directed the city to (Minn. Stat. 463.15) which allows a city to demand a property owner to correct problems, and then allows the city to go onto the premises to correct the problems at the owner's expense if they do not. The attorney suggested that the city start compiling a list of known problems with the site, focusing mainly on the structural issues with the house on the property. The council can then draft a resolution demanding the repairs and can serve the owner.

The Clerk was asked to investigate these matters further.

The Minnesota Historical Society has received and is reviewing Milestone/Condition Report #2 for the grant the City of Adams is trying to get for the building located at 322 West Main Street. The city's grant writer said that there is a 50/50 match grant available if the council wanted to make the repairs to the rook at the 322 building in 2024; otherwise, we would have to wait until 2025 to try and get the grant that would fully cover the cost of the repairs. The council thought that the condition of the roof would be ok until 2025.

Craig Hegge, informed the city council that he would be moving on to another job at the July 25th meeting, and since then he and the city clerk have been working on a suitable job description to find his replacement hire. Craig notified the city that until a replacement can be hired, he is willing to help out.

The clerk reported that the bid opening for the Well #5 Project was moved back to September 12th at 2:00 PM. The results will be conveyed that night to the council at the regular scheduled meeting.

Police Report:

Nothing to report

Fire Department Report:

No calls to report in July.

The department received two offers on the broken-down tanker truck that needs a new transmission and some engine work which is currently sitting at Tim's Repair & Towing in LeRoy, MN. One offer was for \$3000.00 and the other offer from Tim Freerksen was for \$2500.00 and he wouldn't charge the department for the towing or the labor for inspecting/evaluating what was wrong with the truck.

Motion made by Karen Ruechel, seconded by Christopher Quale, to accept Tim Freerksen's offer of \$2500.00 and no towing or labor charges. Votes in favor: Karen Ruechel, Michael Cherney, Christopher Quale and Ella Noterman. Votes against: None Motion carried.

Maintenance Department Report:

The ADA campsites and paths have almost been completed at the city park to wrap up project that has been ongoing in the park for the last couple years.

At the previous council meeting, Craig Hegge informed the council about problems with the 8” sanitary sewer main, which crosses the creek and heads West towards the treatment plant West of the intersection at 6th St. NW and Lewison Street. The main is starting to crack and cave in on itself in multiple places. The maintenance department head received a quote from Craig Shaw to repair the 8” main at \$65.00 / Lineal Foot. There is also some tree removal and approximately 65’ of digging for main replacement at 17 feet deep on the West side of the creek that would need to be done. After everything is said and done it is figured that it will cost approximately \$30,000.00 to repair the 8” sanitary sewer main. Craig was not sure if we would need engineered plans before repairs could be made to the 8” sanitary sewer main but he was going to check into it. The council wants the maintenance department to move forward with repairs as soon as possible. Craig advised that after seeing the video of this main the city should look into televising other mains around the city as well.

Central Tank Coatings conducted its annual inspection of the city’s water tower on August 2nd through August 4th 2023. Findings in the report concluded that the paint film, thickness, and adhesion on the exterior of the roof shell and bowl of the tower were in fair condition. The foundation structure and the concrete footings of the tower need repair work done and the paint film thickness and adhesion in the interior of the roof, shell, and bowl of the water tower were failing. Central Tank Coatings provided the City of Adams with a quote of \$39,000.00 to sandblast and repaint the interior of the water tower.

Craig also notified the city of the current problem arising with ash trees dying around the city because of the ash borer. The clerk was advised to look into the previous Dutch Elm Disease Ordinance and try to write up something similar for this problem.

Prairie Visions Report:

Councilman Quale reported that 110 people attended the Shooting Start Trail bike ride June 17th. He also reported that the Shooting Star Trail did not receive any grant money this year which could have been useful for repairs and maintenance towards the trail.

Approval of Bills:

The bills payable for July were reviewed by the City Council.

Motion made by Karen Ruechel, seconded by Michael Cherney to approve payment of the bills as presented. Votes in favor: Karen Ruechel, Michael Cherney, Christopher Quale and Ella Noterman. Votes against: None Motion carried.

Financial Report:

The city clerk presented the June 30th, 2023, financial statements.

Motion made by Ella Noterman, seconded by Christopher Quale, to approve the financial statement as presented. Votes in favor: Karen Ruechel, Michael Cherney, Christopher Quale and Ella Noterman. Votes against: None Motion carried.

LMC Liability Coverage Waiver:

Motion made by Michael Cherney, seconded by Ella Noterman, to approve and sign the annual liability waiver form through the League of Minnesota Cities (LMC) which states the City of Adams does not waive the monetary limits on municipality tort liability established by MN Statute 466.04.

Building Permit:

Motion made by Karen Ruechel, seconded by Christopher Quale, to approve the issuance of a building permit to Lucas Mandt at 106 Lewison Street to construct a 6-foot-high fence in his backyard. Votes in favor: Christopher Quale, Ella Noterman, Michael Cherney and Karen Ruechel. Votes against: None Motion carried.

Motion made by Ella Noterman, seconded by Karen Ruechel, to adjourn at 8:04 PM. Votes in favor: Karen Ruechel, Michael Cherney, Christopher Quale and Ella Noterman. Votes against: None Motion carried.

Jake Goodale
Clerk/ Treasurer