

Holdingsford City Council Meeting and Public Hearings Minutes October 14, 2019

The Public Hearing was opened for comment at 7:00 p.m. by Mayor Sue Marstein to hear comments, questions, and concerns regarding the proposed variance for the fence on City property for Opatz Metals. Mayor Sue Marstein introduced Dave Anderson, our city attorney of Kennedy & Graven. She asked him to clarify information regarding a variance not being the correct avenue for solving the fence on city property issue. He said as the fence is on public right of way, a variance is not the appropriate way to resolve this issue as a variance once granted goes with the property and the city would not be able to use the property if needed for any purpose. His recommendation was to use an encroachment agreement in case the city needs to use the right of way for any purpose. Another option would be to vacate the property, which would allow Opatz Metal to use the property and it would then be expanded into their property. A public hearing would need to be called in order to vacate the property. If a decision is not made, it is considered consent is granted. A short discussion followed about vacating the property, having the fence removed, or propose an encroachment agreement with Opatz Metals. Mayor Sue Marstein asked if there were any questions or comments from the public. No public questions or comments. Dave Anderson responded to questioning if the city could ask to have the fence moved. He stated that as it is a platted street, there is an argument that the fence could remain as the city is not using the property. There were no further questions or comments. This part of the public hearing was closed.

The second variance request for a 10' setback instead of a 20' setback at the corner of Main Street and Washington Street for the addition of a building for Opatz Metals was opened for public questions or comments. As a building permit for the building has not been completed, and as a variance is permanent and goes with the property, Dave Anderson recommended the variance request should have the condition that it requires a building permit be completed to take effect. Mayor Sue Marstein asked if there were any questions or comments from the public. There were none.

Robb Berscheid made a motion to close the public hearing, seconded by Bob Sanchez. The hearing was closed at 7:20 p.m.

The Holdingsford City Council meeting was called to order by Mayor Sue Marstein at 7:20 p.m. The pledge of allegiance was recited.

Present: Susan Marstein, Eric Berscheid, Robb Berscheid, Mike Odden, Bob Sanchez, Julie Warren, Scott Lange, Dorine Rausch, Steve Horvath, Dave Anderson, Jeremy Freudenrich, Gary Opatz, Jordy Opatz, Gordy Sjaheim.

Mike Odden made a motion to approve the consent agenda and monthly claims, financial reports, and minutes for the September 9th Council Meeting. Eric Berscheid seconded the motion. AIF

Department Reports

The Liquor Store report was given by Mayor Sue Marstein. Welcome to Bill Shank as new manager for the Municipal Liquor Store. September income was \$33,185.61; gross income for 2019 is \$340,480.88, expenses are \$334,836.08. Lottery is bringing in more than expected. Bids for work on the backroom and floors are upcoming. Entertainment has been planned for October 26 and November 3. Bill Shank and possibly a couple of other bartenders will be attending alcohol compliance training.

The Fire Department report was given by Dorine Rausch. She reported they had 92 calls so far this month. The retirement gathering went very well. The Fire Department Open House on Thursday had a better turnout than expected. They had 170 people attend. They still have batteries and will install them in detectors in homes of elderly, or those who cannot do so. Residents should call City Hall if they need batteries installed and it will be relayed to the Fire Department. The Fire Department is collecting the ad money for the annual calendars, all of the ads have been sold. The Department has applied for three grants this year. They received one from the DNR, which is a matching grant they will use for firehose. They also reapplied for the Compeer Financial (Ag Star) grant they did not get last year, and received a \$3,000.00 grant this year that will be used to purchase a vitals machine. Currently, they bring along separate pieces of equipment to collect patient vitals. This machine is all in one and will do a printout of vitals. They have also applied for a grant with the State Fire Marshall for a washing machine and dryer. The Fire Department toured the new addition at Polar Manufacturing in Opole.

City Emergency Manager Dorine Rausch noted they will be hosting an Emergency Managers meeting at City Hall tomorrow evening, October 15th, at 6:30 p.m.

Maintenance Report was given by Steve Horvath. Annual pump inspection of all six pumps was completed. All the pumps passed inspection. DOT inspection and maintenance have been completed on the plow truck; it is ready for winter. They repaired the washed-out culvert and road behind the Waste Water Treatment Plant. Steve attended the level IV bio-solids classes and completed his testing. Dan Lahr tested for his Class D Waste Water certification. Testing was completed for the water system. Bio-solids analysis testing is completed. They will start working on the Annual Report due to the MPCA in October. They replaced the third WWTP mixer and dropped off the bad one for a rebuild. The rebuild should be less costly as it is just the motor this time. This will be the last rebuild for a while as they last approximately 10 years and they do not want a rebuild sitting for that long. A sink hole that developed in the Triangle Park near Main Street and CR 17 was repaired. It will be seeded and landscaped after it settles. They have completed hydrant flushing. They pulled the mixer from the water tower and checked it; everything looks good. They also flushed the tower at that time. Water numbers will be skewed again due to all the flushing of hydrants and the tower. In October, Steve

Horvath and Andy Bartkowicz will be going to continuing education training at St. John's. Nelson's will be contacted to clean out lift stations of fat, oil, grease and debris. Bio-solids will be applied to the field once the field has dried out some and the crops are harvested. Two trailers that have been at Veteran's Park for over a week will be checked on by Steve Horvath. People have been dumping furniture, mattresses, exercise equipment, etc. by Tom's Refuse containers; this is not allowed. Signs will be posted stating No Dumping, and a motion sensor camera may also be installed to record vehicles coming and going. 2,838,900 gallons of well water were pumped. 2,850,000 gallons of wastewater was treated.

Guests

Scott Lange updated the council on active projects. Sanitary sewer lining was completed on September 23rd, the work went well and should help a lot with water run-off in the spring.

The Safe Routes to School (STRS) project site design is continuing.

Main Street reconstruction update. Scott Lange requested approval for Steve Horvath to contact Nelson's regarding quotes for televising the Main Street sewer and also the storm sewer system. A motion was made by Eric Berscheid to authorize televising the Main Street sewer system and the storm water system based on the pricing received and Mayor's approval, seconded by Bob Sanchez. AIF.

For next month, Scott Lange will meet with the County to determine project cost sharing, final scope of the project, schedules, and to bring an engineering proposal to the November meeting for Council consideration.

Will set a meeting for capital improvement planning in November/December.

We did not receive the grant to improve the Well House, so will meet in November/December to determine a course of action for a locally funded project.

Will continue to monitor water I & I to determine the cause of so much flow through the system and what can be done to reduce it.

Introduction and welcome for Dave Anderson of Kennedy & Graven. He has currently been with Kennedy & Graven for three years and stated the firm is grateful for the opportunity to serve the city of Holdingford. They have over thirty lawyers with many different areas of expertise to help with whatever needs the city may have.

Unfinished Business

The Opatz Metals variance for the fence on city property was brought forth. Due to the information received earlier from the attorney, this is not the appropriate measure. A motion was made by Eric Berscheid to deny the variance request, and have the city staff write up a facts and findings resolution to be presented at the November meeting. Motion was seconded by Robb Berscheid. AIF

The encroachment agreement for the fence on city property was reviewed. This agreement would allow the fence to remain in place unless the city needs the right of way, at which time the fence would need to be removed. The Council reviewed the encroachment agreement presented by Dave Anderson. A motion was made by Bob Sanchez to approve the encroachment agreement. After discussion, this motion was amended to approve the encroachment agreement, allowing for minor changes with approval from our attorney. Motion was seconded by Robb Berscheid. AIF

A motion was then made by Robb Berscheid for an extension for the fence to stay in place for fourteen days to give Opatz Metal time to review the encroachment agreement and decide if it was agreeable for them, seconded by Bob Sanchez. Mayor Sue Marstein, Robb Berscheid, Eric Berscheid, and Bob Sanchez voted in favor of the motion. Mike Odden opposed the motion. Motion passed.

A building permit project needs to be completed within a year of the application. As a building permit has not been submitted, Jordy Opatz questioned if the second variance request for the reduced setbacks on the corner of Main Street and Washington Street for the building should take place. She noted they will not be building in the next year. She questioned if a condition for approving the variance application could be longer than a year, possibly five years. A discussion was also held determining the conditions, the time frame of a building permit being submitted and the variance application. A brief discussion ensued regarding the fees and what they covered. After discussion, Eric Berscheid made a motion to approve the variance request with the condition of a building permit being completed within two years from the signing date of the resolution for the variance request, motion was seconded by Bob Sanchez. AIF

Resolution 19-10-14-1 Finding of Fact and Approval for Variance of Holdingford School ISD #738 was brought forward. A motion was made by Eric Berscheid to approve the resolution, seconded by Robb Berscheid. AIF

Resolution 19-10-14-2 Accepting Donation From Holdingford Lions Club (Equipment for Playground at Veterans Park) was brought forward. Mike Odden moved to accept the resolution, seconded by Robb Berscheid. AIF

Nuisance property was discussed. At Ridge Way, they will hold off until next spring to locate the buried shut off valve and correct it to be accessible. Other properties in violation of nuisance ordinances have been contacted to correct the issues.

Sump pump monitoring policy was discussed. There is a real need to get the issue of sump pumps being pumped into the sewer system under control as the plant is at maximum capacity with all the extra water being pumped into the system. After discussion, the council determined it would like to offer a free service by the maintenance department to go into homes to help homeowners determine where their sump pump drains or pumps to. As some people may not be aware after purchasing a home where the sump

goes, or that the sump is not supposed to pump into the sewer system, this will be the first course of action to help educate homeowners

The dump station to be installed for the campground was discussed as part of parks update. Ideas were discussed for safety, prevention of dumping anything but waste water, and ways to monitor the area. The possibility of having the area locked with maintenance people monitoring the site, charging a fee for dumping, setting certain time periods of availability were discussed. Bardson Excavating will be doing the installation. The city had flowering and maple trees planted along the ballpark/Opatz Metals fence line. Setting up the ice rink was discussed. It was recommended to try the infield at the ballfield as it is a level surface and will not put holes in the liner as the previous site did, requiring the purchase of a new liner. This also allows for lights from the ballfield to be used.

New Business

The sign permit for the Dollar General was reviewed. A motion was made by Eric Berscheid to approve the sign permit, seconded by Mike Odden. AIF The sign permit for the American Legion was also reviewed. As it was under the size requiring council approval, no official action was required.

The hiring of an Assistant Manager at the Municipal Liquor Store was discussed. After reviewing the job description, it was recommended the job be posted as part-time for up to 25 hours per week, beginning at the pay rate of \$14.19 per hour. The purchasing of a Point of Sale (POS) system for the Municipal Liquor Store is moving forward. Robb Berscheid and Bill Shank will schedule times to see area systems in action to help narrow down one that is most suitable for the Municipals needs.

The transfer of funds from the general account were reviewed. A motion was made by Mike Odden to transfer the following from the general fund in the amount of \$10,000.00 into the Parks Savings account, \$15,000.00 into the Capitol Savings Equipment account, and \$22,383.00 into the Rural Development Savings account. Motion was seconded by Bob Sanchez. AIF

Residents who are delinquent on their utility payments are: Duane Young \$315.17, Mel Nierenhausen \$433.07, Sandra Ross \$314.08, Jacob Hanebuth \$388.85, and Jessica Marquedant \$369.53.

Admin Reports

Mayors/Council Discussion notes:

- Discussed possible water and sewer rate increases. This will be placed on the agenda for November.
- The possibility of prohibiting the sale of tobacco within a certain distance of the school was discussed. Mayor Sue Marstein has communicated with the League of MN Cities in regards to this matter. She will forward links pertaining to this to everyone.
- The Stearns County Municipal League Meeting is Tuesday, October 15th. Mayor Sue Marstein is planning on attending.

Clerk's Report:

- Currently getting pricing for Microsoft Office 365 and email options
- Need to replace office computers to update as Windows 7 will no longer be supported by Microsoft

Announcements

Next council meeting: Tuesday, November 12th with a work session beginning at 6:00 p.m.

Robb Berscheid made a motion to adjourn the meeting. Bob Sanchez seconded the motion. Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Julie Warren
Deputy Clerk, Holdingford

September 2019	
Department	Gross Pay
General	\$ 7,963.63
Public Works	\$ 9,937.61
Liquor	\$ 6,515.07
Fire	\$
Total	\$ 24,416.31
2 pay periods ending	
9/13, 9/27	

For The Date Range From 9/1/2019 To 9/30/2019
For All Vendors And For Outstanding, Cleared, Voided Checks - Computer Generated, Hand Written, eCheck

Check #	Type	Date	Vendor Name	Amount	Status
34963	C	9/9/2019	691 Allstream	\$221.93	C
34964	C	9/9/2019	824 American Solutions for Business	\$163.41	C
34965	C	9/9/2019	9 Bernick's Pepsi-Cola	\$226.90	C
34966	C	9/9/2019	828 Brian Zapzalka	\$650.00	C
34967	C	9/9/2019	18 C & L Distributing, Inc	\$4,082.90	C
34968	C	9/9/2019	817 C Emery Nelson, Inc	\$263.27	C
34969	C	9/9/2019	24 Central McGowan, Inc	\$37.76	C
34970	C	9/9/2019	909 Chemical Brokers, Inc	\$280.00	C
34971	C	9/9/2019	48 D & D Beverage	\$362.60	C
34972	C	9/9/2019	70 Frito-Lay, Inc	\$116.85	C
34973	C	9/9/2019	80 Gopher State One-Call, Inc	\$100.00	C
34974	C	9/9/2019	787 Granite City Jobbing Co	\$477.59	C
34975	C	9/9/2019	90 Harry's Frozen Foods	\$52.00	C
34976	C	9/9/2019	91 Hawkins, Inc	\$100.00	C
34977	C	9/9/2019	92 Headley Hardware	\$447.14	C
34978	C	9/9/2019	481 Heggies Pizza	\$95.40	C
34979	C	9/9/2019	614 Holdingford Gas and Grocery	\$197.35	C
34980	C	9/9/2019	119 Johnson Brothers Liquor C	\$2,991.52	C
34981	C	9/9/2019	998 Julie Warren	\$190.74	C
34982	C	9/9/2019	136 League of MN Cities	\$914.00	C
34983	C	9/9/2019	730 Midcontinent Business Solutions	\$235.66	C
34984	C	9/9/2019	174 MN Mayors Assn	\$30.00	C
34985	C	9/9/2019	752 MN Valley Testing Labs	\$435.00	C
34986	C	9/9/2019	993 Deanna Palzine	\$300.00	C
34987	C	9/9/2019	821 RDJ Specialties, Inc	\$463.56	C
34988	C	9/9/2019	671 Ripplinger Plumbing	\$1,095.00	C
34989	C	9/9/2019	685 Star Publications, LLC	\$1,029.62	C
34990	C	9/9/2019	804 Toshiba Financial Services	\$120.71	C
34991	C	9/9/2019	271 UC Lab	\$918.00	C
34992	C	9/9/2019	281 Viking Coca Cola Bottling	\$1,695.20	C
34993	C	9/9/2019	360 XCEL ENERGY 51-5655037-5	\$1,302.35	C
34994	C	9/9/2019	359 XCEL ENERGY 51-5655038-6	\$1,296.91	C
34995	C	9/9/2019	358 XCEL ENERGY 51-5655040-0	\$2,394.41	C
34996	C	9/9/2019	383 XCEL ENERGY 51-5655041-1	\$896.44	C
34997	C	9/9/2019	519 XCEL ENERGY 51-8242904-3	\$42.85	C
34998	H	9/23/2019	537 MN Bureau of Criminal Apprehension	\$15.00	O
34999	C	9/25/2019	704 AFSCME Council 65	\$175.80	O
35000	C	9/25/2019	517 Alex Air Apparatus, Inc	\$1,330.72	O
35001	C	9/25/2019	824 American Solutions for Business	\$127.12	O
35002	C	9/25/2019	6 AmeriPride Linen	\$80.36	O
35003	C	9/25/2019	856 Andy Bartkowicz	\$75.00	O
35004	C	9/25/2019	8 Becker Septic Pumping	\$200.00	O
35005	C	9/25/2019	9 Bernick's Pepsi-Cola	\$40.25	O
35006	C	9/25/2019	18 C & L Distributing, Inc	\$1,723.50	O
35007	C	9/25/2019	24 Central McGowan, Inc	\$37.76	O
35008	C	9/25/2019	873 CenturyLink	\$66.04	O
35009	C	9/25/2019	958 Dan Lahr	\$75.00	O
35010	C	9/25/2019	53 Ecolab	\$86.85	C
35011	C	9/25/2019	1007 Ecowater Systems	\$964.23	O
35012	C	9/25/2019	70 Frito-Lay, Inc	\$68.44	O
35013	C	9/25/2019	787 Granite City Jobbing Co	\$382.47	O
35014	C	9/25/2019	90 Harry's Frozen Foods	\$199.25	O
35015	C	9/25/2019	481 Heggies Pizza	\$198.60	O
35016	C	9/25/2019	948 Henry's Foods, Inc	\$882.41	O
35017	C	9/25/2019	524 Knife River	\$42,922.18	C
35018	C	9/25/2019	911 MN PEIP	\$1,052.62	O
35019	C	9/25/2019	821 RDJ Specialties, Inc	\$1,102.70	O
35020	C	9/25/2019	815 Rocks to Roses Landscaping	\$1,000.00	O
35021	C	9/25/2019	999 Roof 1 - RBR Inc.	\$692.00	O
35022	C	9/25/2019	223 S.E.H.	\$6,424.31	O
35023	C	9/25/2019	465 Sandra Meer	\$110.20	C
35024	C	9/25/2019	225 Schlenner, Wenner & Co	\$20,150.00	O
35025	C	9/25/2019	750 St Cloud Times #1076	\$25.00	O
35026	C	9/25/2019	242 Stearns Cty Auditor-Treas	\$2,000.00	O
35027	C	9/25/2019	915 Steve Horvath	\$75.00	C
35028	C	9/25/2019	937 Sylva Corporation, Inc	\$723.00	O
35029	C	9/25/2019	263 Tom's Refuse	\$6,277.90	O
35030	C	9/25/2019	266 Traut Wells	\$2,570.00	O
35031	C	9/25/2019	728 Tri-State Pump & Control, Inc.	\$640.00	O
35032	C	9/25/2019	276 United Systems Technology	\$3.76	C
35033	C	9/25/2019	903 Upper Lakes Foods, Inc.	\$172.68	O
35034	C	9/25/2019	339 Verizon Wireless	\$117.08	O
35035	C	9/25/2019	281 Viking Coca Cola Bottling	\$1,300.00	O

35036	C	9/25/2019	359 XCEL ENERGY 51-5655038-6	\$319.15	O
35037	C	9/25/2019	361 XCEL ENERGY 51-5655039-7	\$862.20	O
35038	C	9/30/2019	95 Heiman Fire Equipment, Inc	\$132,879.00	O
				Cleared	\$67,425.06
				Outstanding	\$184,949.59
				Void	\$0.00