

**Minutes of the Public Hearing to consider and possibly adopt the proposed assessments for the
13th Street Improvement Project
October 9, 2017 at 6:30 PM**

Council members present: Sander, Seidl, Prokosch, Wolff, Engelmann

The hearing on the proposed assessments was opened by Mayor Sander.

City Engineer, David Palm, Bolton & Menk, Inc., presented a cost summary and basis of the assessments for improvements to 13th Street, which include bituminous surface, curb & gutter and some water/sewer stub outs. The final assessment roll was then reviewed. The proposed assessments would be levied to four private property owners (Zimmerman, Rouse, Tersteeg & Kibble Equipment), with the remainder of the land being owned by the City and the City EDA. The cost per linear foot was decreased significantly by the \$434,900 LRIP grant. Lori Zimmerman, Steve Zimmerman's wife, and Steve's two sons were present to contest the proposed assessment of \$48,650.45 to be levied against 1429 linear feet of their property along 13th Street. It is their feeling that the value of Steve's property will not increase by the cost of these assessments and those assessments (water & sewer main, grade & gravel improvements) previously deferred on the land. The deferred assessments (\$120,406) plus the new proposed assessments (\$48,650.45) would total \$169,056.45. The Zimmermans stated that his large assessment is unfair and a financial burden that one family should not have to bear. Dan Jacobs also spoke on behalf of the Zimmermans, stating the family was kind enough to sell property to the City for development, and didn't expect to have to pay large assessments for improvements to the land. He also felt the City would not be setting a precedent by forgiving or further deferring (over ten years) some of the assessment. He suggested the City only assess for the land by Zimmerman's driveway and defer the rest until platted and sold; which could be never as the family plans to continue farming the land. The Council suggested that Zimmerman's plat out the property and sell lots to recoup the cost of the assessments. A suggestion was also made to continue the \$120,406 deferment for another ten years, but assess all of the current project costs. The hearing was closed around 7:30 PM by Mayor Sander.

The regular meeting was called to order by Mayor Sander.

A motion was made by Prokosch and seconded by Wolff to authorize payment of the claims and to approve the minutes of the last regular meeting, with the following amendment to the fourth paragraph of the "I&I and Back Issues" Section: "also had water and during previous events, had back up in their basement." Passed unanimously. A motion was made by Engelmann and seconded by Prokosch to approve a land use permit for Kibble Equipment (72' x 160' storage building). Passed unanimously. Kibble also committed to compliance with their storm pond outlet details by 9-1-2018.

Resolution 8-17 Discussion continued regarding the possible assessments for the 2016/2017 13th Street Improvements. Zimmermans reiterated their concern regarding the financial burden the assessment would cause their family and suggested the City buy the land along 13th Street for fair market value. The City's EDA had been in discussion with Steve regarding purchase of the property but negotiations stalled. As the Council would like more time to research the deferred and current assessments to the Zimmerman property, a motion was made by Wolff and seconded by Engelmann to table adoption of Resolution 8-17. Passed unanimously. A decision will have to be made at the next Council meeting as special assessments need to be certified to the County Auditor-Treasurer in November.

Law Enforcement Sheriff Hable was present to discuss contract hours and to answer any questions
Contract/ Nuisances/ regarding law enforcement issues. The contract calls for 60 hours of service per week,
Zoning Issues/ with the cumulative actual hours at 61.49 since initiation of the contract, and 65.51

Hazardous Buildings	<p>hours per week in 2017. Prior to this meeting, Sheriff Hable met with City officials to discuss possible amendments to the City’s Nuisance (185) and Zoning (153) Ordinances. The Committee felt it necessary to limit the number of “vehicles” that could be parked or stored outside on residential use property to five, and to also regulate the maintenance and appearance of buildings, fences & other structures in town. It was also discussed that the City’s Zoning Ordinance be amended to add a “Dwelling Unit Restriction” section that would disallow the use of model homes, garages, tents, accessory buildings and campers as living quarters. A motion was made by Engelmann and seconded by Seidl to adopt Ordinance 216 (adding Dwelling Unit Restrictions to Zoning Ordinance 153) and Ordinance 217 (adding sections for public nuisance parking & storage, and for building maintenance and appearance, to Nuisance Ordinance 185) contingent upon approval from the City’s Attorney. Passed unanimously. The possible presence of hazardous buildings in town was again discussed. A sample letter was reviewed that would be sent to property owners requesting repair/clean up/removal of possible hazardous structures. A motion was made by Engelmann and seconded by Wolff to instruct that letters be sent to owners of property at 1060 Hwy. Ave., 860 Hwy. Ave., and 151 North Main Street. Passed unanimously. It was reported that the illegal U-turn sign was demolished. It was also stated that the problem still exists, noting that the sign did little to deter violations.</p>
October 2 Storm Storm Event/ I&I Issues/Back Up	<p>During the October 2nd storm event, it was discovered that a 4” intake behind 420 Ranchwood was draining into the City’s sanitary sewer system, likely causing the back-ups on Ranchwood. Woelfel will contact the property owners to advise on corrective actions. Staff did bypass pumping from 9 AM to 11 AM, lowering the sewer level to 100 inches. It was suggested that pumping begin before the system can’t keep up, and to draft written standard operating procedures which include a “trigger” that would initiate bypass pumping. Manholes were pulled on 9th Street and discussions held with residents on the consequences of allowing sump pump water to discharge into the sanitary sewer system. A quote of \$14,288 was received from Quality Flow Systems, Inc. for a 900 gpm KSB model submersible pump with a vortex impeller, for the City’s lift station. According to John Graupman, BMI, the proposed pump would increase pumping capacity by 15-20%, would improve resistance to plugging with rags and would replace an older pump. Although this new pump would help the situation, it was stated that the City would still need to continue searching for cross connections, doing sump pump inspections and bypass pumping when necessary.</p> <p>A motion was made by Prokosch and seconded by Engelmann to approve purchase of the 900 gpm KSB model pump from Quality Flow Systems, Inc., provided that further conversations with our Engineer and Quality Flow confirm that this is the right choice of pump for the City. Passed unanimously.</p>
Sewer Televising	<p>A motion was made by Engelmann and seconded by Prokosch to authorize Empire Pipe Services to televise various sanitary and storm sewer pipes in town, including Ranchwood, Grove and 5th Street from Cherry to Birch. Passed unanimously.</p>
PER 2018-2019 Street & Utility Imp. 2020 Seal Coat	<p>The completed Preliminary Engineering Report (PER) for the proposed 2018-2019 Street & Utility Improvements and 2020 seal coat was presented to the Council. Palm provided an overview of the various projects and estimated construction costs, which total \$2,550,670. The plan would be to complete all utility work, excavation & gravel</p>

base in 2018 and construct curb & gutter, sidewalks and bituminous paving in 2019. Seal coating and fog sealing would be done in 2020. Following comments and questions by Staff and Council, a motion was made by Engelmann and seconded by Prokosch to adopt Resolution 9-17, receiving report and calling hearing on the improvements, to take place at 6:00 PM on November 13th. Passed unanimously.

Water Main Loop Project

The Engineer gave an update on the water main loop project. MDH has approved the minor changes to the plans and the Townships have approved directional boring under 400th Street without a casing pipe. We are still awaiting permits from the Railroad & MnDOT, and three easements need to be approved and signed by the City and affected landowners. When complete, the City can move forward with ordering advertisement for bids.

Tax Forfeited Property

Parcel #28-02375-00 in Bird Island has been forfeited to the State for nonpayment of property taxes. The County has requested that the City approve the parcel for public auction, auction to adjacent owners or request conveyance to the City. A motion was made by Wolff and seconded by Prokosch to approve the sale of the property via auction or sale to adjacent owners. Passed unanimously.

Assessment Policy

A motion was made by Engelmann and seconded by Prokosch to adopt Resolution 7-17, establishing a special assessment policy. The only change from the current policy was to correctly define how street footage is assessed (2/3 to adjacent property owners, 1/3 to City). Passed unanimously.

Firefighter Hire

A motion was made by Wolff and seconded by Engelmann to approve the hiring of new firefighters Tom Elfering, Ryan Ziller and Andrew Markgraf, with a one year probationary period. Markgraf is a firefighter in Hector, has completed Firefighter I&II training and works daytime hours in Bird Island; therefore, will be available for fire calls during the day. Motion passed unanimously.

Rescue Team

Wolff reported on a countywide meeting he attended regarding the establishment of a high tech rescue team that could assist with emergencies where firefighters are not qualified. The project may require financial assistance from Renville County cities.

Meeting adjourned.

Deb Lingl, City Administrator