

**Minutes of the Regular Meeting of the Bird Island City Council  
July 10, 2017 at 7:00 PM**

Council members present: Sander, Engelmann, Prokosch, Wolff

The regular meeting was called to order by Mayor Sander.

A motion was made by Engelmann and seconded by Prokosch to authorize payment of the claims and to approve the minutes of the last regular meeting. Passed unanimously.

**Land Use Permits**      Jeff and Curt Weis were present requesting a land use permit for the following, at their 215 Hwy. Avenue property: Placement of a 4000 gallon above ground tank directly adjacent to the south property line, next to the 20' City R.O.W., and a 29' x 34' canopy over 2 diesel fuel islands 35' from the front property line. The City's Zoning Ordinance for B-2 Highway Commercial properties requires a 45' front setback and a 30' rear setback, to include ½ the width of the alley; therefore, a variance is required. Provided written approval is obtained from adjacent neighboring properties, and the Council agrees to the setbacks, a public hearing would not be necessary. It was felt that an opportunity now exists for landscaping improvements to be made that would help alleviate the drainage issue at the SW corner of the Paur Agency property. A motion was made by Engelmann and seconded by Wolff to approve the land use permit contingent upon written approval of the variance by MnDOT and the Paur Agency. Passed unanimously.

A land use permit application was submitted by Jacob Vogelpohl, 1060 Hwy. Avenue, to put a fence around his property, 10' from the sidewalk in front and on the property line in the rear/sides. There was concern raised as to the correct locations of the property lines, as the only property pins available are located at the ends of the large City block where the property is located. A motion was made by Engelmann and seconded by Prokosch to deny the permit until if/when a certified survey of the property is completed, at which time the application can be revisited. Passed unanimously.

Regarding the land use permit for the Rehab Wraps addition that was approved on 8-8-16, it was reiterated that the permit was approved contingent upon written approval from Al Lidbeck for the 0' side setback, and MnDOT agreeing to the front setback.

**Law Enforcement  
Contract/Nuisance/  
Dangerous Dogs**      Deputy Tom Swyter was present to discuss any law enforcement issues and to update the Council on the progress to abate nuisances on identified properties in town, including 1060 Hwy. Avenue. On June 20, 2017, the Judge granted enforcement of the Abatement Order, giving the property owners at 1060 Hwy. Ave. one week to be compliant. Clean up of the property is underway, with some small items still remaining. The Abatement Order will remain in effect until the property is totally compliant. Regarding other properties in town, Deputy Swyter revisited 15 previously identified as not compliant with the City's Nuisance Ordinance, and determined that 6 (including 1060 Hwy. Ave.) are still noncompliant. Pictures will be taken of the noncompliant properties and "orders to abate" will be served. Further discussion took place on commercial properties that may be noncompliant with City Ordinance, specifically 350 Hwy. Avenue East. A letter will be sent to the property owner asking that they voluntarily clean up the property. The Council also discussed the possibility of amending the Nuisance Ordinance to include limiting the number of vehicles that can be parked

outdoors and disallowing parked vehicles on front lawns. Councilors Wolff and Engelmann will meet with the Administrator to compile a list of nuisance ordinance amendments for the Council to consider. A “potentially dangerous dog” notice was served on a dog owner at 150 North Main Street, requiring certain criteria to be met. The owner has 14 days to appeal the designation. A ticket will be issued for not having the dog licensed.

**Hwy 212 & 4<sup>th</sup> St.  
Storm Sewer  
Improvements**

The City received only one bid for the Hwy. 212 and 4<sup>th</sup> Street Storm Sewer improvement options and alternatives. A motion was made by Engelmann and seconded by Wolff to reject the one bid and to again request bids on the project, utilizing an engineered diagram for the two Ash Avenue catch basin alternative. Passed unanimously. Geri Vick, MnDOT, will be notified on the project delay, as both options require a drainage permit from MnDOT.

**Island Market  
Sidewalk**

To comply with the City’s Purchasing Policy, two bids were received for the Island Market sidewalk project: Randy Vogt - \$9451.00 (does not include removal) and Salonek, Inc. - \$6900.00, excluding removal, with an additional \$2687.00 to remove/dispose of the existing sidewalks. A motion was made by Prokosch and seconded by Engelmann to accept the low bid of \$6900.00 from Salonek, Inc. and the \$2687.00 bid for removal/disposal. Passed unanimously.

**Watermain  
Loop Project**

The MN PFA recently notified the City that \$355,200 (80% of the certified 2014 cost estimate of \$444,000) in grant funds is available to construct a watermain south of 212 out to the water treatment plant, giving redundancy to the system. The Engineer now estimates the cost to be \$547,000. The PFA can issue low interest loan funds for the remainder of the project costs. A motion was made by Engelmann and seconded by Prokosch to accept the PFA grant funds and to proceed with engineering services to complete the plans and specs. Passed unanimously.

**BMI PER Proposal**

A proposal to provide a Preliminary Engineer’s Report (PER) for a 2018-2019 Street & Utility Improvement project was submitted by Bolton & Menk, Inc. (BMI), with a not-to-exceed cost of \$5500. The City’s Assessment Policy for street repairs/maintenance/reconstruction was discussed. A motion was made by Engelmann and seconded by Prokosch to accept BMI’s proposal. Passed unanimously.

Meeting adjourned.  
Deb Lingl, City Administrator