

**Minutes of the Public Hearing to Consider and possibly adopt proposed assessments for the
2018/2019 Street/Utility Improvement Project
November 12, 2019 at 6:00 PM**

Council members present: Engelmann, Seidl, Schneider, Prokosch

Others present: Dave Woelfel, David Palm & Matt Miller, Bolton & Menk, Inc., Arlene Dooner, Jim van der Hagen, Ed & Annette Raitz, and Mark Glesener

The hearing on the proposed assessment was opened by Assistant Mayor Engelmann.

City Engineer, David Palm, BMI, reviewed the cost summary and basis of the assessments for the improvements, which included one block of new street construction, some water & storm sewer main replacement, mill & overlay on sections of five blocks (maintenance), and reconstruction of eight street blocks. According to City policy, new streets are assessed at 2/3 of the cost to adjacent property owners and 1/3 to the City, and replacement streets are assessed at 20% of total street construction costs; all based on linear front footage, with corner lots being assessed 100% of the long side and 50% of the short side. Arlene Dooner stated her dissatisfaction with the quality of the dirt placed on the boulevard, and the fact that the grass did not grow. The City is aware of the seeding problem and has kept the contract open, holding retainage until the Contractor returns next spring to satisfactorily reseed the problem areas. Should the Council approve the final assessment roll later during the regular meeting, property owners will have 30 days from 11-12-19 to pay the assessment. If not paid by 12-12-19, the assessments will be certified to the County Auditor-Treasurer for collection with property taxes, over 20 years at 5% interest.

The hearing was closed around 6:15 PM by Assistant Mayor Engelmann.

**Minutes of the Regular Meeting of the Bird Island City Council
November 1, 2019 at 7:00 PM**

The regular meeting was called to order by Mayor Sander.

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

Law Enforcement Deputy Tom Swyter was present to review the monthly service call report, which included extra time due to the numerous thefts/burglaries in the area. The case is ongoing with some suspects being identified. There was also a dog bite case in October, with the City Attorney issuing a potentially dangerous dog letter to the dog owner.

Discussion continued on the nuisances/blighted properties and hazardous/unsafe buildings. Regarding 1060 Highway Avenue, the property has not been satisfactorily "cleaned up" and the garage was not tyveked, as was promised by the owner. A motion was made by Schneider and seconded by Engelmann to give the owner until 11-25-19 at 10 AM to remove the nuisance items from the porch and side of the house, and to tyvek the garage, as promised. If not done so by 10 AM on 11-25-19, Police and City Staff will do so, and assess the cost to the property owner. Passed unanimously. Regarding the order to abate nuisances at 615 South 8th Street, notice was posted on the camper, and an order summary was published in the newspaper for four consecutive weeks. Since abatement of the nuisances has not occurred, the City Attorney will be contacted to proceed with filing a motion for summary enforcement with the District Court. According to Deputy Swyter, nuisances still exist at 155 North Main Street and 440 South Main Street. A motion was made by Schneider and seconded by Prokosch to issue an order to abate nuisances at both properties. Passed unanimously. Regarding 860 Highway Avenue, the new owners did not respond to the City regarding their intentions to possibly raze the house; therefore, the City will proceed with demolition of the building. Bids will be requested by local contractors, to

be received prior to the December Council meeting. Police will contact the new owners for permission to enter the building to make sure no one is living there.

Complaints have been received regarding semi trucks and other commercial vehicles being allowed to park on residential streets. The City does have weight restrictions on most residential streets and has a 72 hour parking limit, but does not prohibit commercial vehicles from parking on residential streets. It was stated that the City of Olivia may have such an ordinance. A copy of the ordinance will be requested.

- Resolution 8-19 A motion was made by Engelmann and seconded by Seidl to approve Resolution 8-19, adopting the final assessment roll for the 2018/2019 Street/Utility Improvements. Passed unanimously.
- Zimmerman Assessments Since there was no response from Steve Zimmerman to a letter mailed (certified & regular) on October 22, 2019, a motion was made by Prokosch and seconded by Seidl to certify the full assessment (13th Street grade & gravel, water main, sewer main, bituminous surfacing, curb & gutter and water/sewer service lines) of \$169,055.91, to be paid with property taxes over 20 years at 1.5% interest. Passed unanimously.
- Township Fire Contracts The Council reviewed the Township Fire Contract section rates charged by other cities in the County. Bird Island's \$206 section rate is less than Hector's, but higher than Olivia's. A motion was made by Engelmann and seconded by Schneider to keep the 2020 section rate at \$206, but increase the rate by 2% for 2021. Passed unanimously.
- TLF Lease Agreement The Council discussed the annual lease agreement with The Learning Funhouse, and that the rent had not been increase since 2016. With the roof needing replacement in the near future, and the special assessment for adjacent street improvements, some Councilors felt an increase in rent is necessary. A motion was made by Engelmann and seconded by Seidl to increase the 2020 monthly rental fee to \$600. All voted in favor except Schneider, who was opposed.
- Building Code Enforcement A motion was made by Engelmann and seconded by Prokosch to approve the 2020 Building Code Enforcement Program Contract with 101 Development Resources, Inc. (same as 2019). Passed unanimously.
- Farm Contracts A motion was made by Engelmann and seconded by Schneider to approve the 14 acre (adjacent to cemetery) 2020 Farm Contract with Dick Eiler. Passed unanimously. Regarding the four acre, old dump site land, a motion was made by Prokosch and seconded by Engelmann to table the 2020 farm contract, pending further investigation regarding the possible sale of land to an adjacent property owner. Passed unanimously.
- BMI Invoice Per request of Bolton & Menk, Inc., the Council again discussed the possible payment of a \$6405 invoice for work completed that was not authorized by the Council. The work involved map updates, numbering water valves and creating a log book for valves and hydrants. A motion was made by Engelmann and seconded by Schneider to further examine an itemized bill supplied by Bolton & Menk, Inc. for consideration of payment. Passed unanimously.

Meeting adjourned.
Deb Lingl, City Administrator