City of Stewart Council Meeting Minutes
February 11, 2019

Pursuant to due call and notice the Stewart City Council Meeting was held on Monday, February 11, 2019 in the Stewart Community Center

Mayor Jason Peirce called the Meeting to Order at 7:00 p.m.

Pledge of Allegiance was recited to the flag

Roll call;
Mayor: Jason Peirce - yea
Council Member: Kevin Klucas - yea
Council Member: Curt Glaeser - yea
Council Member: Carol Altrichter - yea
Council Member - James Eitel - yea

Approval of Minutes;
Motion to approve the Minutes with the changes stipulated above, Klucas / Altrichter, all in favor, motion carried

Consent of Agenda;
Motion to approve the Consent of Agenda with the above addition, Glaeser / Altrichter, all in favor, motion carried

Approval of Treasurer Report and Balance Sheet;
Motion to approve the Treasurer Report and Balance Sheet, Glaeser / Eitel, all in favor, motion carried

Approval of Statement of Revenue and Expenditures;
Motion to approve the Statement of Revenue and Expenditures, Altrichter / Glaeser, all in favor, motion carried

Approval of Claims;
Motion to approve the Claims, Glaeser / Eitel, all in favor, motion carried

Approval of Utility Billing Information;
Motion to approve the Utility Billing Information, Altrichter / Glaeser, all in favor, motion carried

Approval of Bank Reconciliations – General Fund, Rehab and Pop
Motion to approve the Bank Reconciliations – General Fund, Rehab and Pop, Altrichter / Eitel, all in favor, motion carried

Petitions, requests and communications
1. Discussion of no payment received for Civil Penalty imposed on Cactus Jacks II for serving minors
   A. The check was received on February 11, 2019
   B. Per the letter the payment was due on January 30, 2019
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C. Council Member Klucas stated to leave this one go by this time because the check was received within thirty days
Motion to approve no fines be given because the check was received within thirty days, Klucas / Altrichter, all in favor, motion carried
D. Mayor Peirce stated by not giving a fine for none payment within the fifteen day time frame the Council is now setting a presidents for others that ask for late fees to be rescinded
Members were poled: Glaeser – yea, Eitel – yea, Klucas – nay, Altrichter – yea, Peirce – yea

2. Discussion of Juan Menchaca’s dilapidated building at 360 Bowman Street
A. Mayor Peirce discussed the issue with the City Attorneys and it was suggested to assist Mr. Menchaca with selling the property and not proceed with the court case
B. The question was asked if the Council wanted to impose jail time and a fine on Mr. Menchaca when he has stated that he cannot afford to fix the property
C. The City may need to take responsibility for the property, the City may need to abate the issues
D. A person has showed some potential interest in the property to Mayor Peirce
E. Mr. Menchaca does not have the funds to fix the property and suggested to the City Attorney that he would be willing to give the property away
Motion to approve staying the court case for 90 days and help Mr. Menchaca sell the property, no monitory assistance will be given only assistance in helping Mr. Menchaca find a buyer for the property, The City Clerk was instructed to bring this issue back to the council after the 90 days has passed, Glaeser / Altrichter, all in favor, motion carried

Ordinances and Resolutions;
1. Approval of Ordinance No. 172 – Repealing Ordinance No. 171 and changing the number of dogs & cats allowable at a single residence
   A. Any dog or cat that was licensed in 2018 would be grandfathered in
   B. Any dog or cat that was not licensed in 2018 and over the allowable number of three dog or cats will need to receive a variance
   C. The owner of the dog or cat over the allowable number will need to bring a request to the City Council to receive a variance
   D. This cost of a variance will be a onetime fee, as long as it is the same animal that was approved by the City Council
   E. If a dog or cat dies or is given away and a new dog or cat is obtained a new variance will need to be obtained
   F. The maximum number of grandfathered or varianced dogs or cats is two over the allowable number of three dogs or cats in any combination for a total of five dogs or cats allowed on one property
Motion to approve Ordinance No. 172 – Repealing Ordinance No. 171 and changing the number of dogs & cats allowable at a single residence, the maximum number of grandfathered or varianced dogs or cats in any combination is two over the allowable number of three dogs or cats in any combination for a total of five dogs or cats allowed on one property, Glaeser / Eitel, motion carried
Members were poled: Glaeser – yea, Eitel – yea, Klucas – abstain, Altrichter – yea, Peirce – yea
2. Approval of Ordinance No. 173 – Repealing sections of Ordinance No. 147, 149 and 151 that pertain to blight factors, abandoned vehicles and other articles and general building requirements that are referenced in other ordinances
   A. The changes that are under discussion are sections of the rental ordinance that duplicated in other ordinance
   B. These duplicates pertain to blight factors, abandoned property and exterior appearance
Motion to approve Ordinance No. 173 – Repealing sections of Ordinance No. 147, 149 and 151 that pertain to blight factors, abandoned vehicles and other articles and general building requirements that are referenced in other ordinances, Glaeser / Eitel, motion carried
Members were poled: Glaeser – yea, Eitel – yea, Klucas – nay, Altrichter – nay, Peirce – yea
There was a discussion between Council Member Klucas and Mayor Peirce pertaining to Mayor Peirce voting on this Ordinance change
   A. Council Member Klucas felt Mayor Peirce should not vote on this matter because he owns rental property and a Mayor can only break a tie vote
   B. Mayor Peirce stated that he was not benefitting from these changes because the changes were just removing duplicate sections. There was no personal or financial benefits for him as an owner of rental property
3. Approval of Ordinance No. 120 Rev Q – Fee Schedule
   A. A new section will be added to include a charge for turning on/off of a water service for a snow bird resident, realtor or plumber if there is snow and ice on the ground
   B. The variance fee for each dog or cat over the allowable number of three per property will be set at $25.00 per animal on an annual basis, with a total number of two varianced dogs or cats
   C. A new section will be added to include a charge for snow and ice removal from the public sidewalk route at $75.00 per hour for a minimum of one hour
   D. The section of Rentals will be set at a minimum of ½ hour increments, including drive time to and from the site, except the Jetter use will remain at 1 hour increments, including drive time to and from the site
Motion to approve Ordinance No. 120 Rev Q – Fee Schedule, Glaeser / Klucas, all in favor, motion carried
Members were poled: Glaeser – yea, Eitel – yea, Klucas – yea, Altrichter – yea, Peirce – yea
4. Approval of Ordinance No. 174 – Repealing section 71.03(F)(4) of Other Parking Resections and updating Chapter 76: Parking Schedules of the Stewart Municipal Code
Motion to approve Ordinance No. 174 – Repealing section 71.03(F)(4) of Other Parking Resections and updating Chapter 76: Parking Schedules of the Stewart Municipal Code, Altrichter / Klucas, all in favor, motion carried
Members were poled: Glaeser – yea, Eitel – yea, Klucas – yea, Altrichter – yea, Peirce – yea
5. Notification from McLeod County from the Speed Study on CSAH7
   A. McLeod County did a study and found the speed limit on County Road 7, between Highway 212 and the end of the city limits is adequate at 30 miles per hour
   B. No speed limit change will be made on County Road 7 between Highway 212 and the end of the city limits
6. Results from of Pay Equity Compliance
   A. The City has met all the requirements of Pay Equity and is compliant
7. Approval of Resolution No. 2019-15 – Setting a date for a Public Hearing to process a Rezoning Application
   A. The application is to rezone 805 Powers Street from a Commercial / Retail District to an R1 – Residential District
   B. The date for the Public Hearing is set at March 11, 2019 at 6:30 p.m.
   C. The Planning and Zoning Commission will hold the Public Hearing then submit their findings and ruling to the City Council for final approval
   Motion to approve Resolution No. 2019-15 – Setting a date for a Public Hearing to process a Rezoning Application, date is set for March 11, 2019 at 6:30 p.m., Altrichter / Glaeser, all in favor, motion carried
   Members were poled: Glaeser – yea, Eitel – yea, Klucas – yea, Altrichter – yea, Peirce – yea

Reports of Officers, Boards and Committees;
1. Building Permit, Planning & Zoning Commission and Blight Notification Report
   A. The City Clerk asked for a list of property owners that could serve on the Planning and Zoning Commission
   B. The Commission is absent one commissioner
   Motion to approve the Building Permit, Planning & Zoning Commission and Blight Notification Report, Altrichter / Eitel, all in favor, motion carried
2. Police Department Report
   A. The members were informed that feral cats will be taken care of by the Sheriff’s Department
   Motion to approve the Police Department Report, Glaeser / Eitel, all in favor, motion carried
3. Emergency Services Report
   A. Fire Department – Dean Nelson
      1. The new truck will be ready soon
      2. The old truck is still here, the City Clerk will notify the owner again to ask his time frame of picking it up
      3. The insurance coverage has been taken off of the old truck and put onto the new one
      4. The Fire Department personnel will be attending the Pipeline Safety Seminar in Hutchinson, it was suggest that Dominic attend this seminar also
   Motion to approve the Fire Department Report, Altrichter / Glaeser, all in favor, motion carried
   B. EMR Department – Carol Nelson
   Motion to approve the EMR Department Report, Klucas / Altrichter, all in favor, motion carried
   A. Approval of Resolution No. 2019-16 – Purchase of a flooring for the concession stand at the ball field
      1. All the old underlayment will come out
      2. A few Lions members where consulted and are okay with the product
      3. The ¼” black is the chosen width and color
   Motion to approve Resolution 2019-16 – Purchase of a flooring for the concession stand at the ball field, Eitel / Altrichter, all in favor, motion carried
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B. Discussion of the LMC Loss Control Findings and recommendations
   1. The department has two flammable cabinets already, Dominic will check into whether they are adequate and large enough and meet all the requirements
   2. The Council stated they had approved the purchase before
   3. The City Clerk was instructed to discover if a resolution had been approved already

C. ADA requirements
   1. Dominic was instructed to check into the Public Sidewalk route to see if there is a need for ADA ramps in the future

D. Arsenic is within the state required limits

E. The state DNR paperwork will be submitted by Friday

F. Michael talked with the City Engineer about the phosphate elimination at the sewer ponds

G. Dominic is going to request Michael come more often and start more training

H. Matthew was asked to come in and demonstrate to Dominic and Michael how to backwash all the filters at the Water Treatment Plant
   1. The Council asked for documentation be written down on how to backwash the system for future references
   2. There has been some piping changes from the original blueprints

I. The plow truck was MN DOT inspected and passed
   1. Dominic informed the Council that he is looking for a different truck, because this truck is very old and falling apart

J. Backstop at the softball park
   1. Dominic talked with the LMC and was advised to hire a company to install this backstop because the City would be liable for any accidents that might occur if the City had volunteers or city personal install it
   2. Dominic will continue to look for a company to install the backstop
   3. The City does not have the equipment or personal to install the backstop

K. Install a gate by third base
   1. The Council wants a hinged gate installed
   2. The City Clerk was instructed to discover if a resolution had been approved already

L. David Palm has given the PW Department a set of as is finished blue prints for A & B projects and updated maps of the water and sewer hookups

M. David submitted the stand pipe work on the water tower with Kathe Barrett from PFA
   1. At the time of this meeting no information had been received

N. New water tower
   1. At this time the water capacity of the current water tower doesn’t meet the city needs
   2. The Council will need to look into this further

Motion to approve the Maintenance - Water/Waste Water Departments Report, Altrichter / Eitel, all in favor, motion carried
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Unfinished business;
New Business;
Miscellaneous; and
   Set a date for a Special Meeting
      1. No special meeting is needed this month

8:10 p.m. ADJOURN – Glaeser / Eitel, all in favor, motion carried

Ronda Huls – City Clerk/Treasurer

Attest:

Mayor – Jason Peirce