City of Stewart Council Meeting Minutes
August 12, 2019

Pursuant to due call and notice the Stewart City Council Meeting was held on Monday, August 12, 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 – absent

Approval of Minutes;
Motion to approve the Minutes, Glaeser / Altrichter, Council Member Klucas opposed (He wasn’t at the special closed meeting and doesn’t agree with the wordage), motion carried

Consent of Agenda – Anyone wishing to speak with the Council that is not already on the Agenda should speak up at this section to be placed on the Agenda
1. Discussion of McLeod County Compost Agreement with Cities – to be placed as number 5 of Petitions, Requests and Communications
2. Resolution No. 2019-74 – Subordination Agreement with Stewart Community One, LLC pertaining to Dwight and Pamela Wiechman Rehabilitation Loan of 1990 – to be placed as number 6 of Petitions, Requests and Communications
3. Notification from MPCA of the tank removal on Bowman Street - to be placed as number 7 of Petitions, Requests and Communications
4. Resolution No. 2019-75 – EMR 44 Plan Training – to be placed as number 1 of Reports of Officers, Boards and Committees; Emergency Services, EMR Report

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

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

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

Approval of Claims;
1. EMR mileage was questioned – Taking a truck in and picking it up for repairs
2. Clerk mileage was questioned – Take in old election equipment and pick up the new one
3. It was requested to put the timesheets back into the packets along with the approved time off sheets

Motion to approve the Claims, Glaeser / Klucas, all in favor, motion carried
Approval of Utility Billing Information;
   1. The services that have been turned off due to non-payment are still turned off
Motion to approve the Utility Billing Information, Altrichter / Glaeser, all in favor, motion carried

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

PETITIONS, REQUESTS AND COMMUNICATIONS
   1. Francisca Phillippi – Request to speak with the Council about approval of Resolution No. 2019-42
      A. Francisca was in attendance and wanted to discuss the decision to not reimburse water line and ask the council to reconsider their prior decision to not reimburse the repair to her personal water line
      B. Mayor Peirce stated her line was broken because of water line issue at a connection point that was not properly installed
      C. According to Francisca her curb stop was turned on and off multiple times due to the street improvement project
      D. The contractor stated that her water line had cracked at the plastic hose clamp that was used to connect her water line on her personal property not at the curb stop
      E. The Council decided to pay for the replacement up to the curb stop
      F. Francisca stated that if the water hadn’t been shut off her line wouldn’t have broken
      G. The Public Works Supervisor stated the water had been shut off and on at the curb stop before her curb stop, not her curb stop
      H. Council Member Klucas stated he felt the City should cover half of the cost because her curb stop was turned on and off multiple times
      I. The contractor stated the break in the personal water line was 10” from the shut stop, it was a plastic fitting that had failed and it wasn’t broken because of the project
      J. The City Council decided since the trench was already dug to repair the waterline the curb stop would also be replaced due to it was hard to turn and an old curb stop and the stand pipe
      K. Francisca felt the City should pay for part of the digging
      L. Mayor Peirce stated the city wasn’t going to replace anything until after the leak was found
      M. Mayor Peirce stated Francisca has the option of putting this bill as an assessment to her property taxes, if she wanted the City to pay for the replacement per a waiver and loan agreement the city was offering to property owners
      N. Mayor Peirce stated the waterline didn’t meet the standards of a water line when it was installed, now the city is supposed to take responsibility for this breakage, proper installation is to connect directly with the curb stop, this one was not
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O. Mayor Peirce stated, if this resolution is over turned to pay for a portion of the repair is setting the city up for future problems
Motion to approve resending the approval of Resolution No. 2019-42 made on July 8, 2019 to the following ruling – Request for a water line repair from Franciska Phillippi to pay half of the bill, an amount of $756.00, Klucas / Altrichter, majority ruled, motion carried
2. Heather Peirce – Request for the removal of boulevard trees located 931 Croyden Street
   A. The maple tree is scheduled to taken down by the Maintenance Department
   B. The apple tree should never have been planted there
Motion to approve removal of boulevard trees located 931 Croyden Street, Klucas / Glaeser, majority ruled, motion carried
3. Jason Peirce – Approval of Resolution No. 2019-64 – Request for reimbursement for loss of use of fenced backyard for over one year
   A. Mayor Peirce recused himself from the Mayors position
   B. Jason stated he charges an extra $30.00 per month for a fenced in back yard and a section of his fence at 700 Main Street has been down for over a year and he would like reimbursement
   C. Latour Construction took down the fence to install the water and sewer connections
   D. Latour Construction should pay the reimbursement
   E. Jason stated he is asking for the reimbursement because he had received a blight notification for weeds on the boulevard and the property across the street has a major blight factor and didn’t get a notice
   F. Jason stated The Blight Inspectors need to look at all blight and not just blight a neighbor has complained about
   G. The contractor needs to put the fence back up and the tracer boxes need to be moved out of private property
   H. It was suggested to deduct this reimbursement from the contractor payment if they don’t pay for it
Tabled until the next meeting until more information is obtained
4. Discussion of removing the pop machine from the Softball Park
   A. The pop machine located at the softball park is losing money, the City pays for the electricity to run the machine and the maintenance to fill it, the machine doesn’t receive enough money to pay for the expenditures
   B. Council Member Klucas stated people don’t want can pop, they want bottled pop
   C. It was changed to canned pop to accommodate storage of the product and shelf life
Tabled, the City Clerk was instructed to keep track of the sales and expenditures and present the facts at the next meeting
5. McLeod County Compost Agreement with Cities
   A. McLeod County is having issues with recycling
   B. There will no longer provide chipping services and they are not going to buy another machine
   C. They are requesting the cities have both compost and recycling in the same area
   D. McLeod County will provide fencing for the area
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E. Have the area monitored and will be open 1 full day and a half day
F. McLeod County will pay half the worker wages
G. The main issue is the recycling product is contaminated by non-valid items
H. The Council stated our compost site isn’t going to work for both, it is not large enough
I. The City has two sites now and would like to continue using both
J. It was suggested to have McLeod County install cameras at the sites to ensure proper use of the recycling site
K. It was asked if there a reason why we have to offer dumpster service, the City has curbside pickup
L. Put the recycling dumpsters for rural areas in a rural fenced in area that is monitored
M. Council Member Altrichter will take this information back to the compost meeting

6. Resolution No. 2019-74 – Subordination Agreement with Stewart Community One, LLC pertaining to Dwight and Pamela Wiechman Rehabilitation Loan of 1990
   A. Per this loan agreement the Wiechman’s will need to repay half of the original amount loaned after the 11th year
   B. The Wiechman’s are under no obligation to pay the amount due back early
   C. The amount due needs to be repaid when the property changes ownership
   D. Stewart Community One, LLC is leasing a section of the property for the installation of a solar garden, per their lease contract they need the City to approve a subordination agreement

Motion to approve Resolution No. 2019-74 – Subordination Agreement with Stewart Community One, LLC pertaining to Dwight and Pamela Wiechman Rehabilitation Loan of 1990, Glaeser / Klucas, all in favor, motion carried


7. The City received notification from MPCA of the tank removal on Bowman Street is compliant and completed

ORDINANCES AND RESOLUTIONS;

1. Approval of Resolution No. 2019-65 – Approval of an application for Rezoning and a Conditional Use Permit for the Maiers property located in the western section of the City
   A. Planning and Zoning Commissioner President Teresa Rosenow presented the Planning and Zoning Commission’s approval of the Conditional Use Permit and Rezoning Applications for the Maiers property located in the western section of the City
   B. The company Stewart CSG 1, LLC has applied to install a solar garden on this site
   C. A Decommissioning Bond is in place

Motion to approve Resolution No. 2019-65 – Approval of an application for Rezoning and a Conditional Use Permit for the Maiers property located in the western section of the City, Klucas / Glaeser, all in favor, motion carried


2. Approval of Resolution No. 2019-52 – Approval of Road ROW Permit Application from Powers Street to Herbert Street then to Highway 212 from CenturyLink for the installation of fiber optics
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A. The Council feels this will be a benefit to our community
B. The Council is concerned about CenturyLink making the City wait for them to move poles and other issues during the current street project
C. The Council has concerns about the repair to the boulevards on Bowman Street when they installed wiring a couple of years ago
D. The City needs to inspect the areas prior to closure and ensure restoration is completed according to the City’s Ordinance
E. A Performance Bond of $10,000.00 is needed to ensure property restoration is completed
F. A Performance Bond of $10,000.00 is in the application

Motion to approve Resolution No. 2019-52 – Approval of Road ROW Permit Application
Powers and Herbert, Glaeser / Altrichter, majority ruled, motion carried
Member poll: Glaeser – yea, Eitel – absent, Klucas – nay (wants a $20,000.00 Bond), Altrichter – yea, Peirce – yea

3. Approval of Resolution No. 2019-66 – Donation to the BLHS After Prom Mustang Golf Scramble
A. The City donated $200.00 to the BLHS Prom Event in January, 2019
B. This is a golf event to raise money for the Prom Event

Motion to approve Resolution No. 2019-66 – Donation $200.00 to the BLHS After Prom Mustang Golf Scramble, Klucas / Glaeser, all in favor, motion carried

4. Approval of Resolution No. 2019-67 – Donation to the McLeod County Historical Society & Museum

Motion to approve Resolution No. 2019-67 – Donation of $275.00 to the McLeod County Historical Society & Museum, Altrichter / Glaeser, all in favor, motion carried

5. Approval of Resolution No. 2019-68 – Donation to the Southwest Initiative Foundation

Motion to approve Resolution No. 2019-68 – Donation of $350.00 to the McLeod County Historical Society & Museum, Glaeser / Altrichter, all in favor, motion carried

6. Approval of Resolution No. 2019-69 – PPE #10 of Group C Project

Motion to approve Resolution No. 2019-69 – PPE #10 of Group C Project, Klucas / Altrichter, all in favor, motion carried

REPORTS OF OFFICERS, BOARDS AND COMMITTEES;

1. Building Permit, Planning & Zoning Commission and Blight Notification Report
   Motion to approve the Building Permit, Planning & Zoning Commission and Blight Notification Report, Glaeser / Altrichter, all in favor, motion carried

2. Police Report
   A. Approval of Resolution No. 2019-70 – One-year Police Contract with the McLeod County Sheriff’s Department
      1. The McLeod County Sheriff’s Department is in negotiations so this is a one year contract

   Motion to approve Resolution No. 2019-70 – One-year Police Contract with the McLeod County Sheriff’s Department, Glaeser / Klucas, all in favor, motion carried


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2. Council Member Klucas stated the visibility of the officers is down and the curfew needs to be enforced

Motion to approve the Police Report, Glaeser / Altrichter, all in favor, motion carried

3. Emergency Services Report
   A. Fire Department – no one was present
   1. Approval of Resolution No. 2019-71 – Purchase of a stove and microwave for Fire Hall
      A. The Relief Association has taken in money for filling pools
      B. The City donated funds for the National Night Out celebration
      C. It was agreed a long time ago the Relief Association would cover the cost of replacing the appliances

Motion to deny Resolution No. 2019-71 – Purchase of a stove and microwave for Fire Hall, the Stewart Firefighter’s Relief Association can purchase the appliances, Klucas / Glaeser, all in favor, motion carried


3. Budget Discussion
   A. The firefighters have made no changes to the budget
   B. The Capital Investment Savings Accounts can be utilized for non-budgeted items and training is reimbursable
   C. Equipment purchases – $5,000.00
   D. Building – $2,000.00
   E. Wages – $5,000.00

Motion to approve the preliminary Fire Department Budget as presented with the above stipulated changes, Glaeser / Altrichter, all in favor, motion carried

Motion to approve the Fire Department Report, Klucas / Altrichter, all in favor, motion carried

B. EMR Department – no one was present
1. Resolution No. 2019-75 – EMR 44 Plan Training

Motion to approve Resolution No. 2019-75 – EMR 44 Plan Training, Klucas / Altrichter, all in favor, motion carried


2. Budget Discussion
   A. The EMRs have made no changes to the budget
   B. The Capital Investment Savings Accounts can be utilized for non-budgeted items and training is reimbursable
   C. Wages $1,000.00

Motion to approve the preliminary EMR Department Budget as presented with the above stipulated changes, Glaeser / Altrichter, all in favor, motion carried

Motion to approve the EMR Department Report, Altrichter / Glaeser, all in favor, motion carried

   A. Approval of Resolution No. 2019-72 – Approval for Dominic Kadelbach to attend a MRWA Line Tracing Training
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1. A hotel room will be needed  
Motion to approve Resolution No. 2019-72 – Approval for Dominic Kadelbach to attend a MRWA Line Tracing Training, Glaeser / Klucas, all in favor, motion carried  

B. Approval of Resolution No. 2019-73 – Installation of a Designated Public Sidewalk across the TCW railroad tracks along Prior Street  
1. Only one estimate was received  
Motion to approve Resolution No. 2019-73 – Installation of a Designated Public Sidewalk across the TCW railroad tracks along Prior Street, Klucas / Glaeser, all in favor, motion carried  

C. Discussion of drainage issues along Highway 212 west of the city  
1. MNDOT was out and mowed the road ditches along Highway 212  
2. MNDOT has indicated the City needs to take care of its own water issues that are causing the cattail issue  
3. Less than three acres of city property stormwater is sent to this area  
4. The City needs to install the tile in Wiechman’s property to complete the flow to Round Grove Lake  
5. The Public Works Supervisor suggested installing a holding pond and a “V” ditch instead of a tile, because the tile will restrict the flow, where a holding pond and a “V” ditch would drain more naturally and hold water until it is dispersed to the lake  
6. It was approved to install 300’ of tile, and no changes will be made to that approval  
7. MNDOT has stated they may lower the culverts to allow a more natural flow

D. Discussion of 2018-2019 Improvement Project – Group C  
1. There are a hand full of items to complete, traffic control, street signs, seed boulevards and install mail boxes  
2. It is expected to have all items completed by the completion date of August 26th

E. Discussion of 2012-2013 Improvement Project – Group A warranty  
1. Per a letter from Holtmeier Construction the curb repair is to happen in the next few weeks, which is what they told us last month and no one has been in to do the work  
2. Per the letter they will complete the warranty list as soon as possible, which is what they told us last month and no one has been in to do the work  
3. They are now asking for two to three more weeks since the August 5th deadline  
4. It will take five days minimum to complete the cement work  
5. None of these issues are a safety issue, but it is the principal, they have had many months to complete the work and have made no attempt to complete it  
Motion to contact Holtmeier’s bonding company and report the non-compliance with the contract to complete the warranty work by the stipulated deadline, Klucas / Altrichter, all in favor, motion carried

F. Discussion of 2016 Mill Street Project warranty  
1. 95% of the gravel is down  
2. The contract is still open, no final payment has been made
3. Due to the major rains we have experienced, this has caused issues in the Mill Street storm water ponds

The Council is okay with completing the work after the area has dries out

G. Budget Discussion
   1. The Capital Investment Savings Accounts can be utilized for non-budgeted items
   2. Street Maintenance - $10,000.00
   3. Repair and Maintenance – Vehicle and Equipment - $16,000.00
   4. Equipment Rentals - $3,000.00
   5. Equipment Purchases - $2,000.00
   6. Sign Replacement - $2,000.00
   7. Sidewalk Repair - $2,000.00
   8. Bruch Grinding - $1,000.00

Motion to approve the preliminary Maintenance, Sanitation and Park Department Budgets as presented with the above stipulated changes, Glaeser / Altrichter, all in favor, motion carried

H. Plant trees
   1. Trees that are dead need to be removed
   2. Purchase 10 trees at a total cost of $750.00 or up to $1,000.00

Approval of Resolution No. 2019-76 – Purchase of trees

Motion to approve Resolution No. 2019-76 – Purchase of trees up to $1,000.00, Klucas / Glaeser, all in favor, motion carried


I. Damaged tile going to Buffalo Creek
   1. It was discovered the tile was broken at a bend in the piping
   2. The repair cost will be billed to all parties on the recorded tile agreement

J. Dust control is completed, except Yankee Avenue to the ponds, Collins Township has not laid the new gravel

K. Graveled the cemetery roads, the funds will be taken from the Cemetery Savings Account
   1. A lot of limbs in the cemetery have an insect issue, the Public Works Supervisor will contact Plunket to see what can be done
   2. The Public Works Supervisor is looking for a company that will remove the large oak that needs to be removed, many have turned him down because of the size

L. One bypass discharge was completed because the ponds are full

Motion to approve the Maintenance - Water/Waste Water Department Report, Glaeser / Klucas, all in favor, motion carried

UNFINISHED BUSINESS;

NEW BUSINESS;
   1. Budget Discussion
      A. Revenue
         1. Delinquent General Property Taxes - $5,000.00
         2. Building / Zoning Permits - $5,000.00
      B. Expenditures
         1. Computer Supplies - $2,500.00
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2. Office Supplies - $2,500.00
3. Other Professional Services - $500.00
4. Auditing and Accounting Services - $21,000.00
5. Communications – Internet - $1,300.00
6. Assessors Fees - $3,500.00
7. Electric Utilities - $3,500.00
8. Repair and Maintenance – Vehicle and Equipment - $1,500.00
9. Mosquito Spraying - $5,000.00
10. Street Lights - $10,000.00

The City Clerk was instructed to implement the budget revisions as directed by the Council and send a revised spreadsheet to the Council for examination.

MISCELLANEOUS; and

Set a date for a Special Meeting
1. Annual Firefighter, Township and City Council meeting is set for August 27th @6:30 p.m.
2. A property owner along Grove Street is upset that he cannot drive over the full area because of a tarred edge being installed during the street project

9:50 p.m. ADJOURN – Klucas / Altrichter, all in favor, motion carried

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Ronda Huls – City Clerk/Treasurer

Attest:
__________________________
Mayor – Jason Peirce