

**City of Ellendale**  
**December 8th, 2022**  
**Regular Council Meeting**  
**7:00 pm**

**Agenda:**

**7:00 Call Meeting to Order**

1. Pledge of Allegiance
2. Approve Agenda

**7:05 Consent Agenda Items**

1. Accounts Payable/Claims
2. Minutes
  - November 10<sup>th</sup>, 2022: Council Meeting Minutes
3. Resolutions
  - 2022-36: Designating Annual Polling Place for the City of Ellendale, MN
4. Financials

**7:10 Public Input:**

*Those wishing to speak must state their name and address for the record. Each person will have three (3) minutes to make his/her remarks. Speakers will address all comments to the City Council as a whole and not one individual councilmember. The Council may not act on an item presented during the Public Comment period unless the item is already on the agenda for action. When appropriate, the Council may refer inquiries and items brought up during the Public Comment period to the City Clerk-Treasurer for follow up.*

**7:15 Public Hearing**

- 409 5<sup>th</sup> Avenue West Nuisance Abatement Corrective Action Plan - Property Owner
- Council Consideration of Order to Abate the Public Nuisance

**7:25 Reports:**

1. Fire Department
  - Fire Hall Committee Update
  
2. Maintenance
  - All quotes for the Sewer Lift Station need to be reviewed before purchasing a fence
  - Quote needed to have a 220 installed on the north side of the Ambulance Bay - tabled until next year
  
3. Ellendale Parks and Trail Committee (EPTC)
  
4. Steele Suites
  
5. Codification
  - Meeting
    - Schedule a meeting in 2023 to review codes and procedures
  - Review
    - Master Fine Schedule: Review – how would the Council like to fine repeat offenders?
    - 152.211: Required Trash Areas: Council review for changes to be made, if necessary
    - 508 School Street
      - *Vacant Building Code* - Council to check property

- 113 5<sup>th</sup> Avenue East
  - o *152.226 Non-Conforming Building Materials* - Council to check property
- 513 School Street
  - o *91.06 Kennels* - Property owner has three dogs
  - o *91.07 Nuisances* - Habitual barking
- Notice of Violation/Warning Administrative Citation
  - 609 School Street
    - o *92.18(V) – Public Nuisances Affecting Peace and Safety* - Council to check property
- Administrative Citation
  - 205 5<sup>th</sup> Ave W
    - o *92.20 – Unlicensed and Abandoned Vehicles*
      - \$200.00 citation mailed November 15<sup>th</sup>
      - Contact with owner who is requesting more time to have vehicles moved
- Attorney Letters Sent
  - 409 5<sup>th</sup> Avenue West – Public Meeting scheduled (see above)
  - 109 6<sup>th</sup> Avenue East; 199 8<sup>th</sup> Avenue East; 306 4<sup>th</sup> Avenue West; 408 7<sup>th</sup> Avenue West
    - Attorney to continue contact with property owner

6. Clerk

- Correspondence from Richard and Elizabeth Brown
- Holiday bonus for employees
- Lawn Pro 2023 Invoice approval
- 401 6<sup>th</sup> Ave. E. water leak

**7:55 Unfinished Business**

1. Lagoon Road

- Easement completed
- Attorney to draft a Lagoon Road Ordinance for January meeting

2. Board of Appeal and Equalization Training

- Council Member Asplund

3. FEMA Training

- Council Members

4. CEDA Strategic Planning and Contract

- \$3975.00 EDA payment – EDA approved, money to be transferred to the General fund the first of the year
- Council to review and approve
- Work session scheduled January 4<sup>th</sup> at 6:30 pm

5. EDA Attorney Fees

- \$512.50 – to be presented for approval at December 16<sup>th</sup> EDA meeting

6. EDA Parcel 15-101-0501

- \$2075.00 special assessment payment to the city – EDA approved, to be paid at time of closing

**8:10 New Business**

1. Resolutions
  - 2022-37: Approving the Final Tax Levy for 2023
2. Hill, Benda, Skov & Bernau 2023 Engagement letter

**8:25 Mayor/Council Updates**

1. Mayor Bartsch
2. Council Member Asplund
3. Council Member Bartness
4. Council Member Froman
5. Council Member Groth

**8:40 Adjournment**

**MINUTES OF ELLENDALE  
CITY COUNCIL MEETING  
THURSDAY, DECEMBER 8TH, 2022  
7:00 PM**

**Present:** Mayor Matthew Bartsch; Council Members Jon Asplund, Derek Bartness, Jackie Froman and Scott Groth; Clerk/Treasurer Kim Zimprich; Deputy Clerk/Treasurer Steve Engel; Attorney Mark Rahrlick; Fire Chief Logan Busho; Utilities and Maintenance Supervisor Josh Otto

**Absent:** None

**Visitors:** Star Eagle Reporter Jessica Lutgens

**Call Meeting to Order:** Meeting was called to order at 7:00 pm by Mayor Matthew Bartsch. The Pledge of Allegiance was recited.

**Agenda:** Fire Contracts were added to the Fire Department Report and Ordinance 2022-5: An Ordinance Declaring and Laying Out a Public Street was added to New Business. A motion was made to approve the Amended Agenda by Council Member Groth. Council Member Bartness advanced. Motion carried, all in favor.

**Consent Agenda Items:** A motion was made by Council Member Bartness to approve the Consent Agenda Items, which included Accounts Payable/Claims in the amount of \$117,401.22, November 10<sup>th</sup>, 2022: Council Meeting Minutes, Resolution 2022-36: Designating Annual Polling Place for the City of Ellendale, MN and Financials. Council Member Froman advanced. Motion carried, all in favor.

**Public Input:** No one was present during public input.

**Public Hearing:** At 7:15 pm, the property owner was not present; therefore, the Council continued with the Fire Department Report. The Public Hearing was open at 7:27 pm and the property owner was not present.

1. 409 5<sup>th</sup> Avenue West Nuisance Abatement Corrective Action Plan – Property Owner: The property owner was not present for the Public Hearing.
2. Council Consideration of Order to Abate the Public Nuisance: A motion was made by Council Member Groth to adopt the Order Relating to Property at 409 5<sup>th</sup> Avenue West. Council Member Bartness advanced. Motion carried, all in favor. The Order will be signed and sent from the Attorney's Office.

A motion was made by Council Member Bartness to close the Public Hearing and open the Public Meeting. Council Member Asplund advanced. Motion carried, all in favor.

**Reports:**

1. Fire Department

- Fire Hall Committee Update: The committee has not met since they are waiting on a quote from Joey at APX. Joey reached out to local businesses without success. He suggested that the project be put on hold until spring, 2023 since prices should decrease, and businesses may be looking for work in the spring. At this time, the project is tabled until spring, 2023 due to the above concerns.
- Fire Department Expenses:
  - A motion was made by Council Member Groth to approve the purchase of a case of power service in the amount of \$96.00 and two jugs of algae treatment in the amount of \$82.00 for truck maintenance. Council Member Asplund advanced. Motion carried, all in favor.

- A motion was made by Mayor Bartsch to approve the purchase of an axle seal and replacement fluid for the side by side for repair, a total amount of \$70.00. Council Member Bartness advanced. Motion carried, all in favor.

- Fire Department Members: Fire Chief Busho stated two members are stepping down from the Fire Department and there will be four spots available. There will be 18 members after the two members leave; a fully staffed Fire Department has 22 members.
- Fire Contracts: A motion was made by Mayor Bartsch to approve the Township Fire Department Contracts as presented. Council Member Bartness advanced. Motion carried, all in favor.

## 2. Maintenance

- Fence at Sewer Lift Station: Resler Electric has yet to submit the invoice for the transformer. However, there is enough money for the fence at the sewer lift station. A motion was made by Council Member Groth to approve the purchase and installation of having a fence placed around the sewer lift station in the amount of \$5152.13. Council Member Bartness advanced. Motion carried, all in favor.
- Panel at Sewer Lift Station: The wrong sticker was placed on the panel regarding voltage, and this was flagged by the state. The state is recommending the panel be returned to be updated with the correct voltage sticker. The plan is to contact the company for a service call because the panel cannot be taken out since this would shut down the lift station.
- Ellendale Days: A quote is needed to have a 220 installed on the north side of the Ambulance Bay for use during Ellendale Days. A quote will be submitted by Resler Electric in spring of 2023.
- Cold Storage: A quote will be submitted by Resler Electric for electricity at the cold storage building in the spring of 2023.
- Thiele Sand/Salt: A load was delivered this date. This was in the budget and approved previously.
- Christmas Decorations on Main Street: Council Member Groth and Maintenance Otto were thanked for putting the decorations up. A thanks was given to Gordy Ebnet as well for his help with the decorations.

## 3. Ellendale Parks and Trails Committee (EPTC)

- The next meeting is scheduled for the month of January 2023.

## 4. Steele Suites

- There has been activity at the property, and it was shared that the contractor will begin building in the spring of 2023.

## 5. Codification Committee

- Meeting
  - A workshop was scheduled for January 12<sup>th</sup> at 6:00 pm to review codes and procedures.
- Review:
  - Master Fine Schedule: The Council reviewed and it was asked how they would like to fine repeat offenders. They decided on having fines doubled up to five times for Council initiated fines. As for Sheriff initiated fines, they will stay at the one-time rate. The plan is to have the Master Fine Schedule adopted at the January Council Meeting.
  - 152.211: Required Trash Areas: Council reviewed and decided on a change to 152.211(B). This edit will state that garbage receptacles shall not be stored in the front yard, however, can be stored

within five feet of the house. Attorney Rahrlick will draft the Ordinance change, to be presented at the January Council Meeting.

- 508 School Street: 117.01 Vacant Building Code (in regard to barn/garage not being secured). The Council checked on the property and decided this property is in violation of this citation. There has been activity at the property in regard to updating the home. However, no updates have been made to the barn. Deputy Clerk/Treasurer Engel will call the property owner to inquire of his plans to secure the barn.
  - 113 5<sup>th</sup> Ave East: 152.226 Non-Conforming Building Materials (in regard to a temporary canvas garage) was included in the Council Packet for review. The Council checked on this property and the canvas has been removed. In regard to this Ordinance, it will be reviewed at the Codification Workshop scheduled in January.
  - 513 School Street:
    - 91.06 Kennels: A complaint was filed regarding the property owner having three dogs. At this time, the Council decided not to take action and review this Ordinance at the January Codification Workshop.
    - 91.07 Nuisances: A habitual barking complaint was filed. The Council directed to have the property owner contact the Sheriff's department with this complaint.
  - 507 School Street: A complaint was filed regarding proper storage of garbage receptacles and empty paint pails stored on the side of the house. Council Member Froman will contact the property owner regarding these concerns.
  - Notice of Violation/Warning Administrative Citation:
    - 609 School Street: 92.18(V) Public Nuisances Affecting Peace and Safety. The Council did not review this property before the meeting. Mayor Bartsch will take updated pictures at this site for the next meeting.
  - Administrative Citation:
    - 205 5<sup>th</sup> Avenue West: 92.20 Unlicensed and Abandoned Vehicles. Clerk/Treasurer Zimprich has had contact with the property owner who is requesting additional time to have the vehicles removed. The property owner stated the plan is to sell the vehicles and she is requesting at least an additional 30 days. It was proposed to have a deadline set for January 11<sup>th</sup>, the day before the next Council Meeting.
  - Attorney:
    - 409 5<sup>th</sup> Avenue West – This was addressed in the Public Meeting (see above).
    - 109 6<sup>th</sup> Avenue East; 199 8<sup>th</sup> Avenue East; 306 4<sup>th</sup> Avenue West; 408 7<sup>th</sup> Avenue West – A plan was submitted for cleanup of all four properties above by one of the property owners, Linda Aronson. The Council decided on setting a June 1<sup>st</sup> deadline to the properties 109 6<sup>th</sup> Avenue East and 408 7<sup>th</sup> Avenue West. Otherwise, they approved of the plan. Attorney Rahrlick will continue communication with Linda Aronson regarding the cleanup plan at all four properties.
6. Clerk
- Correspondence from Richard and Elizabeth Brown: A correspondence was included in the Council Packet from Richard and Elizabeth Brown, future residents of Ellendale, complimenting the City of Ellendale and Deputy Clerk/Treasurer Engel for being helpful in their decision to buy a residential lot in Ellendale.

- Holiday Bonus for Employees: A motion was made by Council Member Groth to approve a \$100.00 holiday bonus for the City of Ellendale employees. Council Member Bartness advanced. Motion carried, all in favor.
- Lawn Pro 2023 Invoice Approval: A motion was made by Mayor Bartsch to approve the 2023 Lawn Pro invoice in the amount of \$1600.70. Council Member Bartness advanced. Motion carried, all in favor. Let it be noted, the invoice increased \$100.00 due to product fees rising. A point was made that when budgeting, adding 10% to such services to cover inflation costs may be in the best interest of the city.
- 401 6<sup>th</sup> Avenue West Water Leak: There was a water leak at this property last month and has now been fixed. The water portion of the bill was \$891.00. Since the water leak was fixed, the Council voiced wanting to help the property owner. A motion was made by Council Member Asplund to adjust the water portion of the bill to \$100.00. Council Member Bartness advanced. Motion carried, all in favor.

### **Unfinished Business:**

1. Lagoon Road: The Easement has been complete, and Attorney Rahrlick drafted an Ordinance which was to be presented under New Business, however, was addressed at this time. Council direction was to have Ordinance 2022-5: An Ordinance Declaring and Laying Out a Public Street posted for ten days, to be approved at the next meeting.
2. Board of Appeal and Equalization Training: Council Member Asplund has yet to complete this training. This is due to be completed by February 2023.
3. FEMA Training for Mayor and Council: The Council has yet to complete this training. They plan to have this training completed by the next Council Meeting.
4. CEDA Strategic Planning and Contract:
  - The EDA approved \$3975.00 for CEDA and the money will be transferred to the General fund the first of the year.
  - A motion was made by Council Member Groth to approve the CEDA Strategic Planning and Contract. Mayor Bartsch advanced. Motion carried, all in favor.
  - A Strategic Planning Work Session is scheduled for January 4<sup>th</sup> at 6:30 pm.
5. EDA Attorney Fees: The \$512.50 attorney fees will be presented for approval at the December 16<sup>th</sup> EDA Meeting.
6. EDA Parcel 15-101-0501: Regarding the \$2075.00 special assessment payment to the city, it was approved by the EDA and will be paid at the time of closing.

### **New Business:**

1. Resolution 2022-37: Approving the Final Tax Levy for 2023: A motion was made by Council Member Groth to approve Resolution 2022-37. Council Member Froman advanced. Motion carried, all in favor.
2. Hills, Benda, Skov and Bernau 2023 Engagement Letter: A motion was made by Council Member Groth to approve the engagement letter. Council Member Bartness advanced. Motion carried, all in favor.
3. Ordinance 2022-5: An Ordinance Declaring and Laying out a Public Street: This was addressed under Unfinished Business.

### **Mayor/Council Updates:**

Mayor Bartsch: He stated the Christmas lights look nice on Main Street.

Council Member Asplund: Nothing to present.

Council Member Bartness: Nothing to present.

Council Member Froman: She would like to have an extra meeting a month for any updates or approvals. This will be added to the next Council Meeting for discussion.

Council Member Groth: He stated Santa will be at the Community Center at 3:30 pm on Saturday.

A motion was made by Council Member Bartness to adjourn the Council Meeting. Council Member Groth advanced. Motion carried, all in favor. The meeting was adjourned at 9:12 pm.

  
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Kim Zimprich, Clerk/Treasurer

1/12/2023  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Matthew Bartsch, Mayor

1/12/2023  
\_\_\_\_\_  
Date

The Minutes are a true and exact copy of the Minutes as they appear in the City of Ellendale Minutes Book.