

## REGULAR MEETING MINUTES

Monday, January 4, 2021

### CALL TO ORDER AND DETERMINATION OF A QUORUM

The Regular Meeting of the City Council of the City of Olivia, Minnesota, was called to order by Mayor Hawkinson at 7:00 P.M.

Council Members Present: Jon Hawkinson, Blanca Ferguson, Tom Kalahar, George Ebberts and Landon Padrnos.

Others present: Dan Coughlin, City Administrator; Christi Weidemann, City Clerk; Jason Krumheuer, Police Chief (via zoom); Brian Stenholm, Police Officer / Emergency Management Director, (via zoom); Aaron Walton, City Attorney (via zoom); Chris Randleman, resident (via zoom); Jasmine Miller, Zoning Administrator, (via zoom); Amber Dale, Utility Accounts Manager, (via zoom); Kari Klages, Finance Director (via zoom); Steve Wordes, Renville.

### AGENDA

**Motion by Ferguson, second by Padrnos:** to approve the Agenda as updated. Motion passed unanimously.

### CONSENT AGENDA

**Motion by Kalahar, second by Ebberts:** to approve the presented Consent Agenda items:

- a) Regular Meeting Minutes of December 21, 2020
- b) Resolution 2021-05, Scheduled Step Increases
- c) Committee Appointments
- d) January Payables #1

Motion passed unanimously.

#### Resolution 2021-01, Annual Resolution

Mayor Hawkinson gave a brief overview of Resolution 2021-01, Annual Resolution. No further discussion was held.

**Motion by Padrnos, second by Ebberts:** to approve Resolution 2021-01, Annual Resolution. Motion passed unanimously.

#### Resolution 2021-02, Commendation of Exceptional Public Service by Suzanne Hilgert

Mayor Hawkinson read Resolution 2021-02, Commendation of Exceptional Public Service by Suzanne Hilgert. Kalahar said he is proud to be part of this resolution regarding Sue's years of service. Kalahar added that Mayor Hilgert has been a great friend to him and a great leader for Olivia. He said he appreciated the Mayor's recognition of Sue Hilgert's service.

**Motion by Hawkinson, second by Ferguson:** to approve Resolution 2021-02, Commendation of Exceptional Public Service by Suzanne Hilgert. Motion passed unanimously.

#### Resolution 2021-03, Extension of Local Emergency Declaration

Hawkinson said that while not technically needed, it has been recommended to the City Council by the City

Attorney that with new members on the Council it was advisable to update and reconfirm the Council's emergency declaration resolution.

**Motion by Kalahar, second by Padrnos:** to approve Resolution 2021-03, Extension of Local Emergency Declaration. Motion passed unanimously.

Resolution 2021-04, Continuation of Temporary COVID-19 Related Utility Account Policies

Hawkinson said that this resolution is an extension of a resolution that had been approved previously which addresses utility late fees and disconnections during the COVID-19 emergency.

**Motion by Ebbers, second by Ferguson:** to approve Resolution 2021-04, Continuation of Temporary COVID-19 Related Utility Account Policies. Motion passed unanimously.

Airport Agricultural Land Lease Update

Steve Wordes from Renville introduced himself to the Council. Wordes said he wanted to talk to the Council in person as he is delinquent on his land rent. Wordes said the past couple years have been difficult, but he believes he will be able to pay off the debt during the 2021 farming season. Wordes said his input costs will be very low this year and his profit will pay for the current and past due rent. Wordes provided the Council with a payback plan. Wordes said he would put a lien or an assignment on the income checks. Wordes said that the Beet Plant will be spreading tare dirt yet this winter and they will pay him \$5,000.

Kalahar asked Wordes if that meant he would be able to pay the City \$5,000 towards his outstanding rent charges yet this winter. Wordes said that is his plan. Kalahar also asked Wordes about how he would pay past-due rents and the current rent with the profits from the 2021 growing season. Wordes offered that he would agree to have the City jointly listed on the contract with Remington Seeds so any checks paid to him would require the City's signature to cash or deposit. He said that would place the City in direct control of the revenues received from the 2021 crops. Wordes said that he and the City could file a landlord lien at the County Recorder's Office which makes landlord payments a priority.

Ferguson asked Wordes if he had discussed the assignment with Remington Seed yet. Wordes said he plans to discuss it with them soon, but wanted to make sure "the cart was on the right side of the horse" before discussing it with Remington. He said he did not want to commit to offering to grow seed for Remington on the land until he talked with the Council to make sure the 2021 growing season was an option for him. Walton suggested the Council table final determination of how to address the past-due rent issue until they were in receipt of something in writing from Remington regarding a potential contract with Wordes to grow soybeans for seed.

Padrnos asked about the crop doubling in price from two years ago. Wordes said that the crop prices have doubled as he sold the previous crop from that field for \$6.86 and they are up to \$12.50 now. Wordes said he had no crop insurance in 2019 as by the time he signed his contract with the City as it was too late to sign up for that program. Padrnos asked what guarantee Wordes has that he will get funding. Wordes said all he needs is the seed and Remington will furnish that. He said that he has sufficient fuel stocks to run his equipment and the past application of fertilizer has the soil conditions in a good place at present so his input costs this season are relatively low.

Ferguson asked Wordes if he thinks he can do this or if this will put him in a bad place. Wordes said this is his only option for paying it off as he doesn't think he can make it work from the level of income from his current job. Wordes said he will have crop insurance through Farm Services. Ferguson said she would like to table this until the next meeting so that Wordes can provide supporting documents for the Council to consider. Walton said the landlord lien could be filed at the courthouse with a minimal fee.

Ebbers said that as someone who grew up on a farm he understands that there are lean years and that without the insurance he started out on a bad foot. Ebbers said he appreciated Wordes coming in person to talk to the Council regarding this situation as it shows his good character. Ebbers said he will be more comfortable with this when Wordes provides support from Remington and the lien is filed at the courthouse. Ebbers said the Council also has to do what's best for the city, but he appreciates Wordes making a reasonable effort to make this right.

Wordes asked about the grass area to the East end of the runway is City property. Coughlin said yes parts of it was. Wordes asked if they could access the fields with trucks through that area. Coughlin said he will work with the Zoning Administrator on providing a suitable map of the airport property. He said he did not see an issue with identifying alternative access points as long as they are available.

Hawkinson asked Klages how she felt about the discussion. Klages said she thought the proposal was a positive one; especially with the supporting documents that Wordes offered to provide.

Hawkinson said that he felt it was right to point out that the rental revenue from those acres helps fund the airport budget and when rent does not get paid, it is the taxpayers of Olivia that have to fill in that gap. Wordes said he understood the Mayor's point and said he intended to resolve this matter.

The consensus of the Council was to further table this discussion until Tuesday, January 19 and for Wordes to provide the additional requested information and documents to the City ahead of that meeting.

#### Resolution 2021-06, Findings and Order for 102 N. 13<sup>th</sup> Street

Hawkinson said that it's come to his attention that this property is on the auction block again. Hawkinson said it's been determined that it is an unsafe property as is and there is documented evidence of that fact. Hawkinson said we need to move forward and take action to make sure the public is kept safe.

Walton gave an overview of Resolution 2021-06. Walton said that in the summer of 2020 the City Council passed a resolution to secure the building as there were instances of trespassers. The City Council has the ability to make findings and order the property owner to either make the repairs that are needed or demolish the building. If the owner fails to comply with the Council's order in the time provided then Walton would be authorized to proceed to a district court to get a court order to allow the city to do the repairs or demolish. Walton said it wouldn't make sense to repair the building. The timeline is up to the Council's discretion but Walton suggested 60 days in the resolution. Once it's passed that timeline it takes some time to get through the court process but in the end, there could be an order to allow the city to proceed with demolition or repair. Walton said if he files with the courts there would be a file a notice with the recorder that would give any potential buyer a notice that there is a lawsuit pending with this building. Walton said it would be a public service to start off in this direction.

Kalahar asked if landowner is delinquent on taxes. Walton said that the property went through tax forfeiture recently and the taxes got wiped out when a new property owner purchased the building for very cheap.

Ebbers asked if in the interim is there anything city can do to make the area a little safer to prevent people to go in? Krumheuer said they've tried to secure windows and doors, but people keep breaking them. Krumheuer said an expensive route would be to put a chain link fence around the building, but for the most part there is no way to keep people out other than barricading it. Ebbers asked about wireless cameras, Krumheuer said they could put cameras out there, but he's more worried about the safety.

Kalahar said he believes we will get stuck with this building and we need to be creative and move forward.

Padrnos asked if this is a repeat deal with delinquent taxes. Walton said that there have been title issues, but the building has been secure. Walton said we are trying to find a funding source to have the building demolished.

Coughlin said that the City has been exploring options for demo and repurposing. Coughlin said this building is all asbestos and after walking through with the building inspector, it will be around six-figures just to remove the asbestos.

**Motion by Padrnos, second by Kalahar:** to approve Resolution 2021-06, Findings and Order for 102 N. 13<sup>th</sup> Street. Motion passed unanimously.

#### Public Safety Addition Building Committee

Coughlin said that a building committee will be established to help move the process forward. Coughlin said that he and Hawkinson along with two other Council Members, Police Chief, Fire Chief and a staff member from City Hall will be part of the committee. Hawkinson suggested that Ferguson and Kalahar be part of the committee as they have been there for the previous building discussions. Both Ferguson and Kalahar agreed to be part of the committee.

#### MN Department of Revenue Board of Appeal and Equalization

Coughlin reported that a couple of years ago the City lost its powers on the Board of Appeal and Equalization. Coughlin said that the previous Board member was a Council member who was no longer on the Council. Coughlin said if the member trained was no longer a voting member the County would take over for two years. Coughlin suggest that at least one member of the current Council take the training. Hawkinson, Ferguson, Padrnos and Ebbers all agreed to take the training.

#### COVID-19 Update – Brian Stenholm / City Staff

Stenholm said he didn't have a lot to report, but gave a brief overview on the COVID numbers. Stenholm also reported that law enforcement officers are now able to schedule their COVID vaccinations.

Ebbers said the ambulance service has had the opportunity to receive the vaccine.

#### After Action Report, Dec 23 Blizzard

Stenholm reported that the Armory was opened to people who were stranded during the recent December 23 blizzard. Stenholm said that they don't open the Armory until the local hotels are full. Stenholm said there were 27 people who were housed in the Armory until weather allowed them to leave.

#### Public Safety / City Hall Department Building Subcommittee

Coughlin said he and Barbara Marks met with the Police Department, Fire Department and City Hall staff regarding the potential City Hall addition. Krumheuer said he feels the building is heading in the right direction.

#### Corn Capital Committee

Ebbers reported that it was a short meeting, but they are slowly gearing up from Corn Capital days. Ebbers said if COVID allows, the plan is to get Corn Capital Days back to normal. Ebbers said that the committee is looking at doing sponsorship packages. Ebbers said the committee is also looking to do raffle tickets, similar to the Sacred Heart Jaycees.

Ebbers wanted to publicly acknowledge Nancy Mathison for her tenure with the Corn Capital Days Committee. Ebbers said Mathison changed Corn Capital Days for the better and the last several years wouldn't have been what they were without Mathison. Coughlin echoed Ebbers comments.

#### Parks and Trails Report

Coughlin said there will be no park board meeting in January. Coughlin said they are working behind the scenes with Century Link on the DePue project as there is a conduit running under DePue.

Kalahar said he's been receiving calls about the snow pile at the hospital site. Kalahar said it costs little or nothing and it's nice to provide an opportunity to the kids

Ebbers asked about clearing off the pond for skating. Coughlin said it's been thought about it, but public works' priority is clearing the streets. Coughlin said that it would take an outside group of community members to help clear snow in order for the pond to be turned into a skating rink.

#### Other Reports of Council

Coughlin said that he and the Mayor will meet early next week to discuss the potential reopening of City Hall on January 19. Coughlin said that City Hall staff are currently working staggered schedules in the office and it's worked out very well.

#### **ADJOURNMENT**

**Motion by Ferguson, second by Kalahar:** to adjourn the meeting 8:52 P.M. Motion passed unanimously.

Attest:

  
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Dan Coughlin, City Administrator

  
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Jon Hawkinson, Mayor