

## MINUTES OF COUNCIL MEETING

May 6, 2013

A regular council meeting was duly called to order at 5:00 p.m. by Mayor Dorothy Behne on Monday, May 6, 2013 with members Jeff Ross, Carroll Behne, Kurt Olson, Dorothy Behne, and Brad Ringnell present. Also present City Admin/EDA Director Samuel Hansen, and Deputy Clerk Nicole Steffensen.

In Public Comment, Richard Zehms inquired about addressing drainage issues at South Street and Warehouse Avenue.

Motion by Ringnell to approve the agenda, second by Ross, carried.

Motion by C. Behne to approve the minutes as written and sent to each council member for study, second by Olson, carried.

Consent agenda including payment of bills and fence permit for 306 S Lake St was declared approved.

At this time the Public Hearing for the rezoning of 1 Kirby Drive from business to industry was called to order. City Admin/EDA Director Sam Hansen presented the Council with three options: deny the request, accept the request and spot rezone the lot, or evaluate the zoning map and rezone this property along with other surrounding areas. A question was raised as to the difference between the business and industry zones. City Admin/EDA Director Hansen explained the permitted uses of each zone. Another concern was raised regarding the gravel road this property is located on, and that the additional travel may require more maintenance. With no further discussion, the Public Hearing was declared adjourned at 5:11 p.m.

Motion by Ross to evaluate the zoning map and rezone this property along with the surrounding areas, second by Ringnell, carried.

At this time the Public Hearing for a display lot on the property located at 106 Front Street was called to order. A concern was expressed about not having the property turn into a junkyard. City Admin/EDA Director Hansen presented the conditional use permit that had been drafted to allow the display lot which included the following conditions: no more than 10 cars on the premises, there shall be no incapable vehicles, no additional lighting, all signage must be in accordance with City Code and the permit is subject to review and revision in one year. With no further discussion, the Public Hearing was declared adjourned at 5:17 p.m.

Motion by Olson to accept the conditional use permit as drafted, second by Ringnell, carried.

At this time the Public Hearing for a sign variance at 10 N Main Street was called to order. City Admin/EDA Director Hansen explained that the variance is for the south side of the building where the owner would like to have four vinyl signs of advertising for the purpose of generating revenue with a center sign with the school logo. This proposed signage is not currently in accordance with the City Code. The two options given were to either amend the City Code to allow this type of signage for any business or deny the request. A concern was expressed about the unintended effects of amending the ordinance. With no further discussion, The Public Hearing was declared adjourned at 5:28 p.m.

Motion by Olson to table the sign variance until further research can be done to handle the City Code issues, second by C. Behne, carried.

City Attorney Jim Wilson has recommended that the Council pay Civil Ag Group the final retainage of \$8,347.87. City Engineer Greg Mitchell of Bolton & Menk explained that we had been ready to make the final payment until a blister in the pavement appeared. We were going to deduct the cost of repairing the pavement from Civil Ag Group's final payment. There are still punch list items that have not been taken care of. Motion by Ringnell to approve the final payment to Civil Ag Group in the amount of \$8,347.87 pending completion of the punch list items, second by Olson, carried.

Councilor Ringnell inquired about repairs to the railroad crossing on Main Street. City Engineer Mitchell said we can communicate with the railroad to get on the list and we can coordinate having the patching done at the same time.

Motion by Ringnell to approve Resolution 2013-06 Donation of \$3,254.01 From Sherburn Task Force for the Purpose of Upgrading Theatre Equipment to Digital Projector and Manual Roll-up Screen, Second by Ross. Ringnell, yea; Ross, yea; C. Behne, yea; Olson, yea; D. Behne, yea. Resolution 2013-06 approved.

Administrator report:

- March theatre report has been received.
- The audit will be presented at the next meeting
- Investigating if we can piggyback with a township on gravel belly dumps.
- Looking into which roads will require patching this summer.

In other business, Councilor Olson expressed concern about a right-of-way being farmed. Councilor Ringnell inquired about cleaning up the old dump area by burning out the weeds and taking out some trees. Council Ross expressed a need to hire out for help grading the roads until we can get our current employees properly trained. Mayor Behne mentioned that the Cup & Saucer had been awarded and the new owners are hoping to have an open house in July.

Motion to adjourn by Ringnell, second by Olson, carried. Meeting declared adjourned at 6:10 p.m.

Deputy Clerk Nicole Steffensen