

Fertile City Council Minutes October 12, 2020

The Fertile City Council held its regular meeting on Monday, October 12, 2020 at 6:30 p.m. at the Community Center. Present were: Mayor Daniel Wilkens, and Council members Linda Widrig, Matthew Massmann, Stanton Wang, and Todd Wise. Also present were City Administrator Lisa Liden, and Public Works Director Kevin Nephew. Present by telephone was Fair Meadow Nursing Home Administrator Angie Leiting. Also present in chambers was Airport Engineer Dan Triller, Mark and Becky Sandness, David Lehmann, and Twylla Altepeter from the Fertile Journal.

The meeting was called to order by Mayor Wilkens at 6:30 p.m. and began with those present reciting the Pledge of Allegiance.

The agenda as presented was approved on a motion by Council member Massmann that was seconded by Council member Widrig and was carried.

Under public comments, Mark Sandness asked to address Council on a building permit matter. Sandness explained that he had been told by Administrator Liden that there would need to be a public hearing for a zoning variance to build a garage now and a house two or three years later on the same lot. He didn't understand why a public hearing would be necessary and that going through the hearing process would take too long for him to get concrete poured for the garage this fall.

Mayor Wilkens explained the reasoning behind the code requirement for not allowing accessory structures to be built too far in advance of a residence in a residential area. Wilkens also explained why the public hearing process was necessary. Discussion was also held on the reasoning for the height restriction of 18 feet for accessory structures. Administrator Liden noted that Council had to use caution in granting variances from the building code since too many variances could be viewed as "spot zoning" which could eventually invalidate the zoning ordinance.

Sandness asked if it would be possible to pour the slab for the garage before the public hearing was held. Mayor Wilkens asked Administrator Liden to check with the City Attorney to get his opinion on the variance and whether it would be possible for Sandness to get his slab poured before the public hearing.

Discussion then returned to the height restriction of 18 feet. Sandness would like to have a 21-foot peak on the garage so that his motor home could be parked inside. Administrator Liden recommended that the height variance be added to the variance request form.

The minutes of the September 14th regular meeting and the September 30th special meeting were up for approval. Administrator Liden noted that she had passed out edited versions of both sets of minutes and that the additions and changes were noted in red. The edited minutes for the September 14th regular meeting and the September 30th special meeting were approved as presented on a motion by Council member Massmann that was seconded by Council member Widrig and was carried.

City Administrator Lisa Liden gave the Treasurer's Report. Liden went over the out of the ordinary deposits and checks for the month of September. The monthly financials were also briefly reviewed as well as the budget to actual reports.

The Treasurer's Report and Bills were approved on a motion by Council member Widrig that was seconded by Council member Wang and carried.

There was no City Engineer report as there was nothing to report.

Dan Triller from Short Elliott Hendrickson gave the Airport Engineer report. The first item discussed was pay application #1 for the airport runway project. Triller explained that the request was straightforward except for line 11 which was higher than anticipated. Triller noted that the contractor had run into bad subsoil so more excavating had been necessary to remove it. The paving was slated to start on October 20th and they would be checking elevations the following day. Triller then gave a brief review of the progress report for the month.

A motion was made by Council member Massmann to approve pay application #1 for the runway paving project. The motion was seconded by Council member Widrig and was carried.

Mayor Wilkens reported that the airport planning group would be meeting on October 21st and that the management plan group would be meeting the coming Thursday. Wilkens noted that work would be moving forward on the utilities changes at the airport. He had met with both Wild Rice and Community Co-op and that Wild Rice would be putting in new underground electric lines. Wilkens stated he would like to wait on getting the natural gas brought in. Community Co-op was willing to dig in the line from Polk County 1 for free and that hook-ups to the line would cost \$500. Normally it would cost about \$7,000 to have a gas line brought in that distance.

Discussion was also held on the signage which the State had approved and the need to talk to the County about where the signs could be placed. Kevin Nephew reported that he was about half done with topping the trees that were obstructions and that as soon as the weather would allow, he would be finishing those up. Triller noted that once the obstructions were removed another flight check would be scheduled with the FAA. Triller ended by giving a brief explanation of upcoming projects in the next State fiscal year.

Council member Wang gave the Fire Department report. Wang noted there had been one call for high winds and a possible tornado. The new ranger was in and was currently getting set up with their equipment. He ended by noting that the fire department would be helping with another food distribution on the fairgrounds. Administrator Liden explained that the food shelf had received \$10,000 from the County in CARES Act funds. The funds had to be spent by November 15th so about half of those funds would be going towards community non-perishable food boxes that the fire department would pack up.

The next item on the agenda was the airport haying lease, but Council member Wise was on his way to the meeting and Mayor Wilkens felt it would be best to have all of Council present for discussion on that. While waiting for Council member Wise, Council took up consideration of liquor licenses for 2021. Administrator Liden noted that all the licenses were up for renewal by current license holders except for Fertile Wine and Spirits. Liden explained that the business was being sold and that Aaron Bakke would be applying for the off-sale license.

After a brief discussion, a motion was made by Council member Massmann to approve the 2021 liquor licenses for Erickson's Smokehouse, Side Street Bar & Grill, The Other Place and Fertile Wine and Spirits. The motion was seconded by Council member Widrig and was carried.

Council member Wise arrived at the meeting so the next item addressed was the haying lease at the airport. Administrator Liden began by noting that the lease was for 114 acres and not the 123 as stated in the lease documents. Mayor Wilkens opened the only bid that had been received and it was from David Lehmann, the current leaseholder, for \$25 per acre. David Lehmann noted that about 9.5 acres were affected by the new taxiway that was being put in as part of the runway project.

After a brief discussion of the matter, a motion was made by Council member Widrig to accept the bid of \$25 per acre submitted by David Lehmann. The motion was seconded by Council member Wise and was carried.

Kevin Nephew, Public Works Supervisor, was next to give his report to Council. Mayor Wilkens asked about the auction items and if everything was gone yet. Nephew stated that most everything had been picked up. Nephew reported that they would be pumping down fire hydrants in the next week. There were 10 or 12 that don't drain down on their own so they must be pumped down to prevent freezing. This was followed by a brief discussion on the improved hydrant flows because of the water project. Some of the flow numbers had increased significantly when they were checked this spring. He ended by reporting that they were busy doing fall work and had cleaned up Senn Park and would move on to the Nature Center next to clean up the campground area.

Discussion was held on the advantages of the City having a payloader with a front-end blower. Mayor Wilkens and Kevin Nephew had both been researching used payloaders for the City to potentially purchase. Nephew said that a payloader with a front-end blower could be used to blow out the alleys, clean out the fire hydrants and to blow and haul away snow piles. In the past few winters, the City had to either rent equipment or hire out for those tasks since the City didn't have proper equipment.

Mayor Wilkens then phoned Angie Leiting so she could give the Fair Meadow report. Leiting reported that the month of September began with 41 residents and ended with 42, operating at 96.19% of capacity. There were 266 home delivered meals served. Leiting reviewed the end of the fiscal year numbers for Fair Meadow. The year ended with the nursing home and assisted living showing a combined loss of \$50,336 with the nursing home showing a profit of \$94,616 and the assisted living posting a \$144,952 loss. Mayor Wilkens asked if the assisted living loss was mainly due to vacancies during the year and Leiting replied that vacancies was part of the problem but that the loss was mainly due to Covid.

Leiting then reviewed the budget to actual report and noted that the nursing home expenses were at 108.6% of budget and the assisted living at 11.5%. When combined, the total expenses for Fair Meadow were at 109% of budget which Leiting felt was not too bad considering all the added Covid costs. Leiting also noted that there was \$60,000 in Medicare that was pending and if that had come through before year-end that Fair Meadow would have shown a profit. Leiting went over the Covid funding report and the Covid testing. They were currently testing once a month at the home but if that anyone tested positive, they would have to test weekly. She also noted that the nursing home still had not received their antigen test.

Next Leiting asked for Council approval on the 2021 health insurance and health savings account contribution. Since the health insurance rates had increased, the Fair Meadow Finance Committee recommended lowering the HSA contribution amount from \$2,000 to \$1,500 per year to keep the total benefit costs down to about 2020 levels.

After a brief discussion, a motion was made by Council member Widrig to approve the health insurance and HSA benefits for 2021. The motion was seconded by Council member Wise and was carried.

The next item to address with the nursing home was participation in the ECPN Program for the coming year. Leiting explained that this program was only available to publicly owned nursing homes and it allowed them to charge higher Medicare rates which increased their revenue.

A motion was made by Council member Massmann to approve participation in the ECPN Program for 2021. The motion was seconded by Council member Widrig and was carried.

Administrator Lisa Liden gave the Administrator's Report. Liden briefly reviewed her report noting that she was working with the engineers and the City Attorney on the airport land acquisitions, worked with residents on seven building permits in September, had assisted with the City equipment auction items, and had participated in committee meetings. In addition, Liden had done extensive research on the CARES Act grants that other cities had offered to small businesses.

Mayor Wilkens reported that the Learning Center Board had met the previous week and that there have been a couple of vandalism incidents at the Center. The AELC Board would be looking at getting a camera system set up in the building area.

The next item up on the agenda under new business was the school's request to close off one lane of traffic on Second St. SW during bus loading and unloading times. Superintendent Clarke had reported that a child was nearly hit by a car and that he felt it would be much safer to limit traffic in the bus area. Discussion of the matter was held and Administrator Liden stated that she felt it would be better to block the street off entirely rather than leaving one lane open. She had already talked to Superintendent Clarke about blocking the entire street and his only concern was finding an arm to block off the street that would be easy to swing to the side and put in place every day.

After discussion of the matter, Council member Massmann made the motion to approve the street closure behind the school during bus loading and unloading times and for Superintendent Clarke to work with Kevin Nephew on how to best accomplish that. The motion was seconded by Council member Widrig and was carried.

The final item up for discussion was the Small Business CARES Act grant program. Administrator Liden reported that she had researched how other cities had administered their grant programs and that most had eligibility criteria that had to be met and that all other cities had a set grant amount. Mayor Wilkens stated that he was not comfortable with the split the pot idea that business owners had demanded at the September 30th special meeting.

After further discussion of the matter, a motion was made by Council member Wang to rescind the motion made at the September 30th meeting that allowed the \$30,000 for the grant program to be equally divided among all the applicants. The motion was seconded by Council member Wise and was carried.

Discussion was held on the eligibility requirements established by most other cities. Administrator Liden explained that businesses who derive their income from gambling, adult entertainment, real estate, and agriculture were ineligible for the CARES Act grants in most cities. Businesses must also be located within the City and be current on their property taxes and in good standing with the Secretary of State's Office.

A motion was made by Council member Wise to adopt the eligibility requirements for the grant program as discussed. The motion was seconded by Council member Wang and was carried.

Discussion of the maximum grant amount was held. Following the discussion, a motion was made by Council member Wise to award grants of up to \$1,500 per business with the grant award not to exceed actual losses. Any leftover grant funds would be given to Fair Meadow Nursing Home. The motion was seconded by Council member Wang and was carried.

Mayor Wilkens then went over the total costs for the RV campground project. After some of the comments made by business owners at the September 30th special meeting, he felt it was important to show that those costs were not even close to the \$5 million that someone had quoted and, in actuality, were less than \$125,000. Wilkens also noted that the sewer and water lines were replaced on Blaine

Street as part of the entire project and that the sewer line had partially collapsed and definitely needed to be replaced. In addition, the water main had been looped into the fairgrounds to provide better water flow and fire protection.

Mayor Wilkens went on to review the role of City Council members noting that the only time they have authority on matters is when Council members are present at a meeting. Between meetings, Wilkens stated that questions and concerns from residents should be referred to the City Administrator. He stated that it's Council's job to set policy and the Administrator's job to run the day to day operations of the City based on set policy.

Mayor Wilkens referred to a Council member Code of Conduct example that he had found on the internet for the City of Eden Prairie that spells out what Council members can and cannot do. He went on to say that there are several examples of these from other Minnesota cities and that he would like to explore Fertile's Council adopting a code of conduct. He said he would continue looking at some other examples and put something together for Council to review and potentially adopt later.

Discussion was held on Council member's email accounts. Council member Massmann stated that he doesn't like getting Council emails on his personal account and he wondered if Council members could get accounts through Garden Valley. Administrator Liden said she would check with Garden Valley on that.

There being no further business, the meeting was adjourned at 8:47 p.m. on a motion by Council member Massmann.

Daniel Wilkens, Mayor

Lisa J. Liden, City Administrator