

A regular meeting of the City Council was held on Monday, June 12, 2023, at 6:30pm in the Council Chambers with Mayor Kirby presiding. Council Members present: Huntington, Schlueter, Sullivan, Swanberg, Touhey, and Williams. Also participating: City Administrator, Joe Roby; Police Chief, Aaron Thieke; City Clerk, Lindsey Dhaene; Public Service Director, Rich Kucera; John Hart, 520 Water Street

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Approval of the Agenda:** Motion by Council Member Swanberg seconded by Council Member Williams to approve agenda as presented. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Swanberg, Touhey, and Williams. Motion carried 7-0.
4. **Public Hearing – Nuisance Property 520 Water Street:** Motion by Council Member Sullivan seconded by Council Member Touhey to open the public hearing. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Swanberg, Touhey, and Williams. Motion carried 7-0. John Hart, 520 Water Street, spoke to City Council regarding the condition of his property and contested the abatement by the city. Motion by Council Member Schlueter seconded by Council Member Sullivan to close the public hearing. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Swanberg, Touhey, and Williams. Motion carried 7-0.
5. **Consent Agenda:** Motion by Council Member Touhey seconded by Council Member Huntington to approve the following consent agenda as presented:
 - 5A. City Council Minutes 05/22/2023
 - 5B. Disbursements Through June 12, 2023 Meeting
 1. Purchases over \$25,000
 - i. MMPA c/o Avant Energy- May 2023 Purchased Power - \$657,371.27
 - ii. Abdo- 2022 Audit Prep - \$57,227.00
 - iii. Le Sueur EDA – Bank Reconciliation - \$32,540.00
 - 5C. Approve Payment Application #18 – Well #8 Project
 - 5D. Approve Payment Application #20 – Composite Elevated Water Tower
 - 5F. Approve Easement Agreements – Ridgeview Medical Center
 - 5G. Approve Airport M & O Grant
 - 5H. Approve City Administrator Performance EvaluationVoting in favor: Huntington, Kirby, Schlueter, Sullivan, Swanberg, Touhey, and Williams. Voting no: None. Motion carried 7-0.
6. **Public Comment:** None.
7. **City Administrator Update:**

Administrator Roby informed City Council that he would be attending the League of Minnesota Cities Annual Conference June 21st-June 23rd. City Hall will be closed on Monday, June 19th, for Juneteenth, which is now recognized as a state holiday. The HRA still has one opening left for a new board member. Mr. Roby updated City Council on project progress and added that the seeding at the new water tower and well #8 is complete and the request for retainage for both

projects will be coming. Planning Commission is still accepting application for the vacant seat and is hopeful to bring a recommendation to the June 26th meeting.

8. Regular Agenda:

8A. R2023-025: Abatement of Nuisance Property – 520 Water Street

Administrator Roby presented to City Council resolution R2023-025 that would allow the City to abate the nuisance property located at 520 Water Street. Mr. Roby added the nuisance citation history which includes but not limited to ordinance violations for having inoperable motor vehicles, nuisance parking and storage, and unapproved exterior storage. Council Member Touhey asked for clarification on what the abatement would entail. Administrator Roby clarified that abatement means removal of, so the City would be removing the items that in violation of city code. Council Member Swanberg asked about whether any progress has been made when Mr. Hart receives the citations? Chief Thieke responded that some progress has been made since the notification of the public hearing was served to Mr. Hart. City Council discussed maybe extending the deadline from seven days to fourteen days.

A motion made by Mayor Kirby seconded by Council Member Huntington to approve resolution R2023-025 as presented by staff. After further discussion, an amended deadline was offered but failed for lack of approval by Council Member Huntington, who seconded the original motion. Voting in favor: Huntington, Schlueter, Swanberg, and Williams; Voting against: Kirby, Sullivan, and Touhey. Motion carried 4-3.

8B. First Reading Ordinance 599 Amending City Code Section 110.28

Administrator Roby presented City Council with ordinance 599 which amends language in the city code as it pertains to cigarette sales. The legal age was also amended from 18 to 21 years old and language now includes the sale of electronic cigarettes and cartridges. Council Member Touhey had some concerns regarding the added requirement of a background check and the subjective nature it may present. City Clerk, Lindsey Dhaene, addressed the issue and commented that the background checks would be looking for tobacco related offenses.

Motion by Mayor Kirby, seconded by Council Member Swanberg to approve and waive the first reading of ordinance 599 as presented and hold a public hearing. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Swanberg, Touhey, and Williams. Voting no: None. Motion carried 7-0.

8C. Electric Load Shedding Policy

Administrator Roby and Public Service Director, Rich Kucera, presented to City Council an electric load shedding policy that would allow city staff to maximize control over the city electric utility in case of an energy emergency. The policy will give city staff the ability to maintain the system to reduce the electric load being provided to the city. Discussion was held as to what a reduction would entail with Mr. Kucera commenting that it would be needed if electric users couldn't or wouldn't reduce their energy use in the event of an energy emergency, then city staff would have the ability to reduce the electric system wide.

Motion by Council Member Swanberg seconded by Council Member Touhey to approve the electric load shedding policy as presented. Huntington, Kirby, Schlueter, Sullivan, Swanberg, Touhey, and Williams. Voting no: None. Motion carried 7-0.

9. Comments/Reports/Items of Appreciation:

- Huntington: Congratulate all the homeschooled, online school, LSH, and MNCS graduates.

Congratulations to all the sports teams and individuals for making it to state.

- Schlueter: May 24th attended a Le Sueur County Officials meeting which is the last meeting of the season until September with that meeting being held in Le Sueur. Planning Commission meeting June 8th and finalized questionnaire for city forum and requested Council Members to attend the October forum. Still one vacancy on the Planning Commission.
- Sullivan: None
- Swanberg: Thank you to Dylan Feeney for securing the funding for a new scoreboard at the baseball field and a reminder that the press box dedication to Mike Keenan will be held on Friday between 5 and 6.
- Touhey: None
- Williams: HRA is having HUD compliance taskforce on site. Miss Scott Schroeder, who's leaving the City and enjoyed working with him on RPAC. Summer in the Valley begins on Thursday.
- Kirby: We want your homes to be unique but keep them clean.

Motion Huntington to adjourn meeting at 7:28pm. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Swanberg, Touhey, and Williams. Voting no: None. Motion passed 7-0.

Lindsey Dhaene
City Clerk