

## City of Cleveland Regular Meeting Minutes – Monday, June 1<sup>st</sup> 2020

The Regular Meeting was called to order at 5:30 p.m. by Mayor Don McCabe. Councilmember present were Nancy Gens, Fred Danner and Glenn Beer. Not present Justin Schabert.

Amendments to the Agenda – Glenn Beer wanted to discuss poor cell phone reception in the city.

A Motion was made by Danner and seconded by Beer to approve the May 4<sup>th</sup> 2020 Minutes and current bills report. Voting yes – all

Police Report – Police Chief Randy Tiegs indicated that calls were up in May to 103 calls for service. Tiegs provided a three (3) year history report to the council and stated that typically May is a busy month for the PD. Tiegs indicated that they are doing extra foot patrols at the school because of the previous thefts in that area. Tiegs said there have been a high number of animal at large complaints and he continues to give administrative citations to the animal owners. Tiegs indicated that his department helped out with the Cleveland School graduation parade.

Public Works Report – Jared Holland was not present.

Liquor Report – Clerk indicated that monthly revenues were up approximately \$3000 dollars from April. Clerk indicated that per Govern Walz’s executive order patio seating would be able to start on June 1<sup>st</sup> with a max occupancy load of 50 customers outside. Clerk said that customers will not be allowed inside other than to use the restroom. With this change there will need to be an addition of a second bartender to serve and take orders in the patio area. Clerk advised that the patio hours would likely be limited to Thursday thru Sunday. Clerk advised that city staff has been working on the mandated preparedness plan and that will be implemented prior to starting patio service.

### New Business

On May 26<sup>th</sup> the Planning and Zoning Commission held a public hearing and heard four (4) requests. The Commission made a recommendation for each of the requests and they are as followed:

(I) Owner/applicant Christine Thomas and applicant Megan Smith applied for a Conditional Use Permit (CUP) or a rezone for the building/property of 1007 Broadway Street. The recommendation is to re-zone the property from a B-2 General Business District to an R-1 Residential District. A Motion was made by Gens and seconded by Beer to approve resolution #15-2020. Voting yes – all (see resolution for full details)

(II) Owner William Miller and applicant/builder Jon Schabert requested a variance for the home/property of 1008 E Main Street. The recommendation is to approve a three (3) foot variance contingent upon William Miller purchasing a two (2) foot strip of land from the adjacent landowner Al Hertaus, and building a retaining wall to specifications agreed upon by the adjacent landowner, said retaining wall to be built approximately four (4) feet east of William Miller’s foundation and at William Miller’s sole expense. A Motion was made by Danner and seconded by Beer to approve Resolution #16-2020. Voting yes –all (see resolution for full details)

(III) Owner Charles and Becky Puchta applied for a variance for the home/property of 915 3<sup>rd</sup> Court. It should be noted that this property was sold just prior to the hearing but the request would follow the land. The recommendation is to approve a ten (10) foot variance on the drainage and utility easement. A Motion was made by Gens and seconded by Danner to approve Resolution #17-2020. Voting yes – all (see resolution for full details)

(IV) Owner Lea Ness requested an alley vacation for the building/property of 600 7<sup>th</sup> Street. The recommendation is to approve the alleyway vacation in Block 102, that abuts eastern portions of lots 3 and 10 and all abutting lots of 4,5,6,7,8,9. A Motion was made by Gens and seconded by Beer to approve Resolution #18-2020. Voting yes –all (see resolution for full details)

Justin Lutterman who lives at 804 Broadway Street addressed the council to request to have chickens on his property. City of Cleveland current ordinance 5310.08 prohibits farm animals and poultry within city limits. The Council discussed and determined that Lutterman’s property is probably ok to house chickens but are hesitant to potentially change the ordinance and open it up to others to have chickens. Changing the ordinance would require a public hearing and the council stated there would likely be opposition for the request. It was discussed that there are potential smells and noises that go along with having poultry in the city. No further action will be taken by council on this matter.

The city clerk advised that 2020 elections are still going to take place with the current COVID-19 pandemic going on. It was recommended by Le Sueur County to encourage voters to fill out an absentee ballot to limit the number of voters entering the polls on election day. Clerk advised that in an effort to reduce the spread of COVID-19 election judges will take training online and personal protective equipment would be available to election judges. Clerk said that he would be constructing temporary germ barriers as well for the election judges. Clerk stated that because of the current pandemic, food would not be catered in for the election judges but ask the council to approve a pay rate. A Motion was made by Beer and seconded by Danner to increase the election judge pay rate from \$10 to \$15 an hour. Voting yes – All, Gens abstained from voting as she is currently an election judge.

The city clerk advised the council that the assistant clerk was in the process of updating the electronic versions of our city ordinances. It was noted that many of the chapters did not follow the same codification layout. In an effort to keep these documents consistent city staff will need to re-codify these ordinances. The council agreed and the assistant clerk will now re-codify the ordinances. When the process is complete a resolution will have to be passed by the council on these changes.

Other approved business – Glenn Beer wanted to discuss the lack of cell phone coverage specifically Verizon Wireless in the city limits. The clerk advised that he attempted to contact Verizon Wireless via an online complaint form to see what could be done to remedy the lack of cell phone coverage. Clerk advised that two (2) attempts have been made through this system but have been unsuccessful in speaking with anyone. The clerk stated that he will now call to see what could be done to fix this issue.

Don McCabe advised the council that there are two five (5) foot storm water culverts underneath the cul-de-sac area on our 6<sup>th</sup> street extension project. DMI the contractor for the project indicated to city staff that sections of this culvert are separating and causing sink holes near the cul-de-sac. DMI said they could replace the pipe but McCabe said the bid was high so he had Selly Excavating come look to see if they would rework the existing pipe in an effort to save money. McCabe said that he just received a bid from Selly Excavating just prior to the meeting starting this evening, he did not review it completely but the bid was approximately \$34,000. McCabe stated that if the council wanted to fix the culvert it would need to be done fairly soon as DMI would start paving the road in early August.

A Motion was made by Danner and Seconded by Gens to adjourn the meeting at 6:37 p.m. Voting yes – all

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City Clerk-Treasurer

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Mayor