

City of Cleveland Regular Meeting Minutes – Monday, August 3rd, 2020

The Regular Meeting was called to order at 5:30 p.m. by Mayor Don McCabe. Councilmembers present were Nancy Gens, Justin Schabert, Fred Danner and Glenn Beer.

Amendments to the Agenda – None

A Motion was made by Danner and seconded by Beer to approve the July 6th, 2020 Minutes and current bills report. Voting yes – all

Police Report – Police Chief Randy Tiegs said that a Le Sueur County Deputy did a walk through at the school in the new construction portion and located a male subject inside that fled the scene through a window. Evidence was collected to help obtain the identity of the subject. Tiegs stated that on 8-2-2020 there was a meth overdose at a residence in town, Cleveland FD and EMS were requested. Tiegs indicated he searched the residence and located pieces of paraphernalia. Tiegs is actively working a criminal sex case. Staff update – Three Officers left the dept. and Tiegs said he hired two new officers to fill those vacant positions. Tiegs said the City Attorney has voiced to him that she is potentially looking into retirement, unknown time frame. Tiegs indicated there have been police cases where he felt should have been prosecuted, but were not. McCabe indicated that the council could review its appointment of the City Attorney to evaluate.

Public Works Report – Jared Holland stated that the brush pile was ignited this morning and will be closed for a few days to residents. Holland inquired if the “antenna space available” sign can be removed from the grounds near the water tower. The sign has been there for a number of years and community members asked if it could be removed. No objections to the removal of the sign, public works will remove it. Clerk indicated that he followed up with Dave Tiegs, the county highway engineer about the “caution children at play” signs on CSAH 47 and 49. These signs are in very rough shape and can be removed by public works. No objections to the removal of the two signs, public works will remove them.

Mayor McCabe stated that the condition of 5th street between Washington St. and where the school parking lot begins is in bad shape. There are several spots where the pavement is busted up. McCabe wanted the council to be aware of the condition of the road. McCabe said that the public works capital outlay fund will not be able to cover the expense now because of the culvert repair on the 6th street extension.

City clerk updated the council on expected CSAH repairs through town. Le Sueur County will be doing a thin maintenance overlay on 2nd street from south of Walnut Street to just south of Maple Street. They will be skim patching where feasible along Broadway Street. Dates of repair are expected to be in late August.

Liquor Report – Clerk indicated that sales were up approximately \$2500 from last month.
Approved

CARES Act Funding – Clerk indicated that he submitted the coronavirus relief fund certificate form to the state of Minnesota. The city is allocated roughly \$55k towards COVID-19 related expenditures. The clerk anticipated the city would only be eligible to use a few thousand dollars from that fund for qualified COVID-19 expenditures. The clerk stated that the rest of the funds could be used to potentially issue small business grants to local businesses. The clerk has been communicating with the Le Sueur County administrator about the possibility of relinquishing the CARES Act money to the county so they would be the facilitator of the fund. The Clerk advised that because we are a smaller community the county would be better equipped to administer small business grants. The Clerk will be communicating with the county in the coming weeks to see how this partnership would potentially be structured.

SAC fees from the West Jefferson Sewer District – Clerk indicated that sewer hookup fees from this project will be deposited into the sewer fund before the end of the year. The Clerk advised the council that he would like to use a portion of the SAC fees to purchase roughly fifty (50) radio read water meters and the software/hardware from Core and Main. Clerk indicated that he wanted to change out meters in homes where readings are hard to obtain. Clerk will get an updated bid from Core and Main on the meters and hardware and will report back at the next council meeting.

Cleveland Fire Relief – Last month the Council voted on resolution #19-2020 and #20-2020 as it pertained to pension amounts and city contributions to the fire relief. After that meeting it was discovered that pension rules don't allow a municipality to establish a multi-year benefit level proposal. Annual ratification of any benefit level change is required by law, therefore:

A Motion was made by Beer and seconded by Gens to approve Resolution #23-2020. Voting yes – all

A Motion was made by Gens and seconded by Danner to approve Resolution #24-2020. Voting yes – all

Purchase inquiry for platted street – Clerk advised the council that he was approached by a resident inquiring if he could purchase the platted 11th street north of Columbia Street. City Attorney advised the clerk prior to the meeting that platted city streets that are undeveloped should not be sold. Platted streets should be vacated to adjacent landowners if the city deems the road will likely not be developed. The council discussed and determined it would likely not vacate the street in the near future but would wait until the planning and zoning commission meets and discuss other platted streets that could potentially be vacated all at once.

Utility Billing Upgrade – The Clerk advised the council that the “lite” version of the utility billing program it purchased is not going to fit the needs of the city. This program is limited in features and only allows one meter serviced per home. With the growing popularity of outside irrigation meters, the city needs to be able to meter more than once service. The upgrade is very simple as the lite version is just a limited version of the full program. Initial one-time upgrade cost will be \$800 and then an additional \$400 annual for the support of the program. A motion was made by Gens and seconded by Schabert to approve the upgrade. Voting yes – all

A Motion was made by Schabert and seconded by Danner to approve Resolution #25-2020 adding new officer James Johannsen to PERA. Voting yes – all

A Motion was made by Beer and seconded by Schabert to approve Resolution #26-2020 adding new officer Nicholas Mincks to PERA. Voting yes – all

A Motion was made by Schabert and seconded by Danner to approve the 2020 road maintenance agreement with the Le Sueur County Highway Department. Voting yes – all

A Motion was made by Schabert and seconded by Gens to approve Resolution #27-2020 accepting a \$500 donation into the Cherry Creek fund from MN Valley Federal Credit Union-Mankato Branch. Voting yes – all

Solar array – The clerk had a meeting with Rich Ragatz a representative of iDEAL Energies an on-site solar array company. Rich indicated that he met with the Cleveland school board to discuss on-site solar for the school. Rich stated that the school currently does not have the real-estate to have an on-site solar array and wanted to know the process of constructing an array in a nearby farm field. Clerk advised that there are currently no zoning ordinances that pertain to regulating solar arrays. If the council saw fit to have this array within city limits, planning and zoning would need to call a public hearing and possibly amend the current zoning ordinances. The council discussed and determined it would not allow the solar array within the city limits but would possibly consider an array just outside of city limits. If this solar array was outside city limits it would be considered county jurisdiction and iDEAL Energies would have to obtain the proper permitting with the county. Current county zoning ordinances states that there is a two (2) mile buffer for solar arrays but the city council could approve an array within that two (2) mile buffer if approved by council. A public hearing would likely be needed to get input from residents. Clerk will contact Rich and inform him of the council’s decision and ask that he attend the next regular scheduled meeting to provide more information.

Reminder to the council that the city-wide clean-up day is August 29th at 7am. Clerk will post more info on website and Facebook to let residents know.

A Motion was made by Schabert and Seconded by Beer to adjourn the meeting at 6:49 p.m. Voting yes – all

City Clerk-Treasurer

Mayor