

City of Cleveland Regular Meeting Minutes – Monday, October 5, 2020

The Regular Meeting was called to order at 5:30 p.m. by Mayor Don McCabe. Councilmembers present were 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 September 8th and 21st, 2020 Minutes and current bills report. Voting yes – all

Police Report – Police Chief Randy Tiegs said he investigated two child protection cases this last month. He also indicated that he made trips to Winnebago, MN to interview a suspect related to the child protection cases. Tiegs indicated that he filled all the part time vacant Officer position on his roster.

Public Works Report – Jared Holland was not present but Mayor McCabe indicated the he received another complaint for discolored tap water. McCabe said he will be working with Jared on correcting this ongoing issue. Clerk indicated that the current rotary broom attachment for the lawn tractor was broken and repairs would have been more than a replacement. Holland ordered a replacement broom from Kibble Equipment for \$2450.00.

Liquor Report – Approved, July gambling rent was \$4635.75.

Small Business Grants Update – Clerk advised that there were roughly six (6) Cleveland area applications that were submitted to NextStage. Nextstage will be vetting the applications in the coming weeks to make sure it meets the criteria approved by council.

Broadband Initiative Update - Clerk provided a Le Sueur County map of what is currently planned for installing underground fiber optic cable. Clerk advised that Le Sueur County will be using CARES dollars to fund a portion of this project. Clerk also stated that Le Sueur county will use the funds to build a wireless network for communities in the county that have low connectivity. A representative from Netwave contacted city staff to get construction plans for the water tower. Netwave will determine if this location will be suitable for 8 radios to provide high-speed wireless internet to the surrounding area.

Radio Read Water Meter System Update – Clerk advised that he had been working with the City Attorney on the legalities of installing water meters. Clerk advised that per city ordinance 4000.11, all water meters shall be installed and controlled by the city, and the cost of installation shall be the responsibility of the property owner. Clerk advised that he spoke with a representative from Blue Sky Mechanical who indicated they could schedule and install water meters for the city for roughly \$175 per water meter connection.

New Business

Proposed Amendment – At the last council meeting it was discussed that city staff would work on a proposed amendment change for ordinance 5500.00 Rental Housing Registration / Licensing. The following are the proposed amendments:

Subd. 5500.02. Definitions.

Proposed:

Rental Housing Unit: Any building or structure, or portion thereof, which is designed, built, remodeled, rented, leased, let or hired out to be occupied, or which is occupied as a home or residence of a person or persons other than the owner or purchaser of record. This definition does not apply to dormitories owned and/or controlled by an established educational institution nor motel or hotel rooms customarily rented on a daily basis, nor does it include nursing home facilities, health care facilities, or assisted-living facilities that are regularly licensed and inspected by state health agencies.

Current:

The term “residential rental property” means any building, structure, room, enclosure, or mobile home including the real property upon which it is located and which surrounds it, which is rented or offered for rent by any person to any other person or any other persons for use for residential purposes by such other person or persons. Residential rental property does not mean on-campus dormitories, hospital units, nursing home units, assisted living units, and hotels or motels with daily rental units, located within the City, all of which shall be specifically exempt from registration and license under this Section.

This proposed amendment was vetted by the Cleveland City Attorney and she recommend the following language be added to the proposed definition: Property classified by the taxing authority for property tax purpose as “full homestead” by the title owner, or as “relative homestead” are also exempt from this ordinance.

The clerk advised the council that the way the proposed amendment was written without the addition from our city attorney would effectively make all properties in which the owner was not living there a “rental property” and be governed as such under this ordinance. The Clerk gave an example if a home was owned by a son and he allowed his mother to live there, it would be considered a “rental property” under this proposed language. The council discussed and determine that it was not in the best interest of the community to consider relatives living in a home that they do not own as a “rental property.” Chief Tiegs indicated that considering these dwellings as “rental property” would give the city more compliance if and when there are problem houses around the community.

Subd. 5500.13 Refuse Removal and Recycling

Proposed:

C. Refuse and Recycling Containers. License holders of single-family or duplex rental units shall provide curbside refuse and recycling containers to each unit. License holders of buildings containing four (4) or more units shall provide and maintain on the premises an adequate number

of rigid, non-absorbent, covered containers for the storage of all refuse and recyclable materials. The containers must be emptied at least once per month.

Current:

C. Recycling Containers. License holders of single-family or duplex rental units shall provide a curbside recycling bin to each unit. License holders of buildings containing four (4) or more units shall provide and maintain on the premises an adequate number of rigid, non-absorbent, covered containers for the storage of all recyclable materials. The containers must be emptied at least once per month.

The clerk advised that this proposed amendment change would prohibit rental properties from using the bagged garbage tag service. There have been issues with a rental property in town having an excessive amount of tagged garbage bags laying on the city street days prior to pick up.

The council discussed both proposed amendments to our rental ordinance. A Motion was made by Beer and seconded by Schabert to approve resolution #30-2020 amending Subd. 5500.13 section C. as proposed and not amending Subd. 5500.02. Voting yes - all

Tile Repair Bid – The clerk provided a bid from Kopet Construction in the amount of \$6,350.00 for tile repair work to the northwest corner of PID# 01.016.7500 property owned by Loren Stauff. Jared Holland who was not present had informed the clerk prior to the meeting that Stauff wanted the city to pay for the repair to the drainage tile as it was city owned property to the west that was causing these water erosion issues. Mayor McCabe indicated that he did not feel the city would be responsible for water erosion issues on Stauff's property. The council will table this issues for now and if Stauff wants to discuss this further he can attend the next regularly scheduled council meeting.

Replacing ½ ton public works truck – Two bids were provided to replace the work truck. Lagers of St. Peter \$24,967 with a trade-in and General Motors \$31,518 with trade-in. The council will table this issue until Holland can provide an estimate on needed repairs to the existing vehicle.

A Motion was made by Schabert and seconded by Danner to approve resolution #31-2020 accepting a donation from Alliance Pipeline to the Fire Dept. in the amount of \$5,000. Voting yes – all

A Motion was made by Schabert and seconded by Beer to approve resolution #32-2020 approving adding Police Officer Storm Davis to PERA. Voting yes – all

New Rain Gutters – Clerk indicated that City Hall was in need of rain gutter on the east side of the building as there are currently none there. Clerk stated that rain gutter on the east side will be approx. \$525 according to a verbal bid from Seamless Gutter. Clerk indicated that an additional \$500 could be spent to replace the existing rain gutters on City Hall. Clerk will obtain one more bid for the rain gutters and go with the most inexpensive option. A motion was made by Schabert and seconded by Beer to approve this expense. Voting yes - all

A Motion was made by Danner and seconded by Schabert to approve the General Election Notice as written. Voting yes – all

The clerk informed the council that he was asked if the council chambers could be used by the girl scouts for their meetings. Council indicated out of caution that they will continue to not rent out the space until further notice.

A Motion was made by Schabert and seconded by Beer to adjourn the meeting at 6:41 p.m. Voting yes – all

Dan Evans
City Clerk-Treasurer

Don McCabe
Mayor