

## REGULAR MEETING MINUTES

Monday, November 6, 2023

### CALL TO ORDER AND DETERMINATION OF A QUORUM

The Regular Meeting of the City Council of the City of Olivia, Minnesota, was called to order by Mayor Hawkinson at 5:30 P.M.

Council Members Present: Matt Baumgartner, George Ebbers, Blanca Ferguson, Mayor Hawkinson and Landon Padnos.

Others present: Elizabeth Torkelson, City Administrator; Jason Krumheuer, Police Chief; Pamela Whitmore, City Attorney (zoom); Ross Okins, Renville County Register; Jasmine Miller, Deputy Clerk.

### PUBLIC FORUM

Mayor Hawkinson temporarily suspended the regular meeting and opened the public forum at 5:31 P.M.

No public comments were offered so Mayor Hawkinson reopened the regular meeting at 5:31 P.M.

### AGENDA

**Motion by Ferguson, second by Baumgartner:** to approve the agenda as presented. Motion passed unanimously.

### CONSENT AGENDA

**Motion by Baumgartner, second by Ebbers:** to approve the Consent Agenda. Motion passed unanimously.

- Regular Meeting Minutes of October 16, 2023
- Special Meeting Minutes of October 30, 2023
- Confirm Mayoral Appointment of Krystle Dillon to the Economic Development Board
- Resolution 2023-105, Step Movement for Shawn Hanson
- Resolution 2023-106, Step Movement for Craig Mages
- Resolution 2023-107, Step Movement for Jesse Zeitz
- Resolution 2023-108, Authorizing Employment to Dustin Stahnke, Public Works Worker
- October Expenditures
- Electric Department Purchase Order – B&B Transformer
- Electric Department Purchase Order – JT Services
- Electric Department Quote – Wesco
- Resolution 2023-109, Authorizing and Directing the City Administrator to Execute and Deliver LMC Liability Coverage Waiver Form Whereby the City Does Not Waive the Monetary Limits on Municipal Tort Liability Established by Minnesota Statutes §466.04
- Electric Department Quote – Chappell Central
- Contractor's Application for Payment No. 10 – DePue Ave Improvement Project
- Contractor's Application for Payment No. 1 – 212 Water Main Improvement Project

## **DISCUSSION / BUSINESS ITEMS**

### Public Hearing for Fee Schedule

At 5:34 P.M. Mayor Hawkinson temporarily recessed the regular meeting and opened the public hearing. Torkelson shared that this item was addressed at the previous meeting and considered the first reading. This item is back to Council for a second reading and a public hearing.

No public comments were offered so Mayor Hawkinson reopened the regular meeting at 5:34 P.M.

### Resolution 2023-102, Updating the Fine and Fee Schedule

**Motion by Ferguson, second by Baumgartner:** to approve Resolution 2023-102, Updating the Fine and Fee Schedule. Motion passed unanimously.

### First Reading of Ordinance 2023-06, Amending Section 92.32 ET.Seq. Weeds

Whitmore shared that there was a legislative change that specifically addressed what cities can and cannot do and that they must allow managed natural landscape area. The Ordinance reflects the statutory changes and requirement that would allow for the property owner to have a managed landscape area and putting parameters in place for setbacks off property lines, and required signage.

### Resolution 2023-110, Amending the City of Olivia Smoke and Tobacco-Free Parks Policy

**Motion by Ebbers, second by Baumgartner:** to approve Resolution 2023-110, Amending the City of Olivia Smoke and Tobacco-Free Parks Policy. Motion passed unanimously.

Whitmore stated that this resolution is amending the policy to reflect a previous discussion about cannabis.

### First Reading of Ordinance 2023-07, Amending Section 152.086 Standards, Home Occupation of Chapter 152

Whitmore shared that the Council's previous discussion about cannabis suggested a desire to make sure that the home occupation restrictions in residential districts would include no retail or commercial sales of cannabis products.

Hawkinson stated that we will hold a public hearing on November 20, 2023 regarding Ordinance 2023-07, Amending Section 152.086.

### First Reading of Ordinance 2023-08, Amending Section 92.17 Public Nuisances Affecting Morals and Decency

Whitmore shared that this ordinance change is a reflection of the discussion of the Council at the October meeting about cannabis.

No additional items or new business items were presented.

## **REPORTS**

### EDA

Ebbers shared that the board had discussed housing at their last meeting. Mayor Hawkinson added that the focus was on Fairview Estates located near Pond Park.

### Other Reports of Council / Staff

Torkelson shared that staff is working to update the Employee Personnel Policy.

Mayor Hawkinson shared that the Chamber has been very proactive with planning Holiday Happenings taking place on December 7<sup>th</sup>.

No additional reports were presented.

**NOTICES AND COMMUNICATIONS**

Mayor Hawkinson urged residents to vote for the school referendum. Mayor Hawkinson also thanked the veterans and highlighted that they will be celebrated on Saturday.

**ADJOURNMENT**

**Motion by Padrnos, second by Baumgartner:** to adjourn the meeting at 5:48 P.M. Motion passed unanimously.

  
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Jon Hawkinson, Mayor

Attest:   
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Jasmine Miller, City Clerk