

## **REGULAR MEETING MINUTES**

Monday, June 5, 2023 at 5:30 P.M.

### **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: Jon Hawkinson, Blanca Ferguson, Matt Baumgartner, Landon Padrnos

Council Members Absent: George Ebbers

Others present: Aaron Walton, City Attorney; Mary Jo Halliday, Interim City Administrator; Jodi Gilberts, Administrative Assistant; Ross Okins, Renville County Register; Justin Black, SEH; Pamela Whitmore, Kennedy & Graven; Sarah Vasquez, Guest via Zoom; Imelda Foster, Resident; Travis Lubitz, Fire Department; Tim Seehusen, Chief Fire Department; Todd Howard, Resident; Jack Carlson, Resident; Sue Carlson, Resident

### **PUBLIC FORUM**

Mayor Hawkinson temporarily suspended the regular meeting and opened the public forum at 5:32pm. He clarified the amount of time allocated for public comments and decorum expectations for those who participate in the Public Forum.

Resident Imelda Foster who owns 611 E Lincoln Avenue came forward to ask clarification from the council as to what they needed from her for her property. Walton explained to Foster that seeking permission from the court to proceed with either to repair the property or get rid of the hazardous structure as it is beyond economical repair. Foster shared she does not have the funds or time to fix it in the allotted amount of time. Walton said that Foster could call him and they can discuss this further.

Resident Sue Carlson came to the Council with concern about the water in her neighbor's pool. She stated she and her husband had permission to be on the property and so she collected some water from the pool. She states the smell of water has created a nuisance for the neighboring residents. She also is concerned that the pool doesn't have proper fencing around it. She also stated that as the pool is now it is a hazard to children or even pets that may wander into the yard. The council stated that they would follow up with these concerns with the planning and zoning administrator.

Resident Jack Carlson then addressed the Council about some sewer line issues that they are having at their home at 403 N 9<sup>th</sup> Street. He stated that his sewer line is inadequate and they would like permission from the City to reroute the line to a neighboring line of the Henton Park warming house. They said they have had conversations with Northern Services and Dave Ervin about the best route for the new line and would like permission from City to move forward.

Resident Todd Howard asked about the status of the emergency management position as he hasn't heard an update on it. Hawkinson shared they are still in discussion about what is actually needed by the City and what this job should entail before any decisions will be made.

### **AGENDA APPROVAL**

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

## **CONSENT AGENDA**

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

## **DISCUSSION / BUSINESS ITEMS**

### Kennedy & Graven, Special Legal Counsel – Pamela Whitmore

Whitmore gave a brief update on the current investigation. The legal counsel and investigators are working together on what they need and will have the first report to the Council in approximately 4 weeks. She also stated that the council should look into approving the hiring of a 3<sup>rd</sup> party prosecutor in cases of conflict with current prosecutors. Walton also shared maybe putting a policy in place for this for moving forward would be a good idea.

**Motion by Padrnos, second by Baumgartner:** to approve a 3<sup>rd</sup> party prosecutor in cases of conflict with current prosecutor. Motion passed unanimously.

### Project Updates by Justin Black-SEH, Inc.

Black shared with the Council that there were 6 bids received for the 212 Watermain Improvement Project that all came in below estimate. The lowest bid was from Northdale Construction Company, INC. at \$536,918.69. Black shared that they did a tabulation of the bids to share with Council and a recommendation letter to move forward with the lowest bid.

**Motion by Baumgartner, second by Padrnos:** to approve Resolution 2023-60 to accept bid from Northdale Construction Company, INC. Motion passed unanimously.

**Motion by Baumgartner, second by Padrnos:** to approve the Supplemental Letter Agreement between City of Olivia and Short Elliot Hendrickson, Inc. Motion passed unanimously.

### DePue Ave Project

Black shared the project continues to move forward. They did have to reach out to Lumen via email to let them know they had 72 hours to remove their facilities or it will result in the City removing them and Lumen would be charged for removal. Black said Lumen came and resolved the issue.

### Juneteenth

Halliday shared that with the approval of June 19<sup>th</sup> being a state holiday the City offices will be closed that day. With that we will move the City Administrator interview process to June 20<sup>th</sup> and 21<sup>st</sup>.

### Library Roof

West Central Roofing made reference that the rock should be pushed back, to clean off drain screens and patch multiple times. Halliday is waiting to hear their professional opinion as to what type of repair / maintenance needs to be done at this point.

### Recommend Permanent Easement Through Portion of Henton Park

They continued the discussion with Sue and Jack Carlson about the issue with their sewer line. Walton shared they would need an encroachment agreement with the City to construct an extension line from their property through a portion of Henton Park. Padrnos stated he would want more info on what this

agreement would look like before agreeing to it. Carlson shared it's time sensitive as they don't know when the line will give out. The Council agreed to let them do the leg work to see if the line going would be the best option and then revisit the encroachment agreement once that information is available.

#### Assessment Agreement

Halliday shared that Daniel Landers at 615 E DePue Avenue contacted the City about help paying for the replacement of water and sewer lines on his property. She shared that with the DePue Avenue Project going on right now it is a good time for him to get them fixed and moved to a more convenient area on his property. She stated he doesn't have the money to pay for this project at this time but would make sense for it to get done now with the road already being torn up so they don't have to dig it up in the future for this repair. She stated an assessment on his property would be done to repay the initial costs of the repair. The Council stated they are open to this idea but no decisions were made.

#### **REPORTS**

##### Other Reports of Council / Staff

Halliday shared there was a meeting held between Bold School Staff, Public Works Staff, City staff and representatives from the 212 Baseball League about the up keep of the baseball fields and how we can work together. It was a good meeting and they will continue to work together in the future. Council decided to move the annual Abdo Audit report to July 17<sup>th</sup> meeting instead of on July 3<sup>rd</sup>.

#### **NOTICES AND COMMUNICATIONS**

Halliday shared the City received a grant from the SW Initiative Foundation for purchasing sand, poles and volleyball nets.

Halliday shared the job openings were extended for the Public Works Worker and Water / Wastewater Operator positions until filled.

Hawkinson congratulated Christi Weidemann at the Olivia Police Department for receiving her Certificate for Criminal Justice and thanked her for all her hard work.

Halliday shared a letter was sent to Governor Waltz explaining the City may be interested in the transfer or purchase of the Armory buildings.

Halliday shared a letter was written in support of the SW Corridor Transportation Coalition.

It was noted the next council meeting will be held on Tuesday, June 20<sup>th</sup> at 6:30pm.

#### **ADJOURNMENT**

**Motion by Ferguson, second by Baumgartner:** to adjourn the meeting at 7:01 P.M. Motion passed unanimously.

Attest:

  
\_\_\_\_\_  
Jon Hawkinson, Mayor

  
\_\_\_\_\_  
Mary Jo Halliday, Interim City Administrator