



CITY OF FREEPORT

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August 27, 2019 – Meeting Minutes

A regular meeting of the Freeport City Council was convened at 7:00pm by Mayor Mike Eveslage, and councilmembers Sarah Blake, Ben Etle, Tim Hennen, and Jake Renneker.

Staff in attendance: Clerk-Treasurer Joan Wall, Public Works Director Loren Goebel, Administrative Assistant Lori Austing, City Engineer Dave Blommel, City Attorney Scott Dymoke

Others in attendance:

Troy Frieler (2nd St NW)
Gerald Wiechmann (505 1st Ave N)
Rodney Atkinson (310 8th St SE)
Jerry Butkowski (119 7th St SE)
Andrea Ramacher (720 1st Ave N)
Betty Timp (316 W Main St)
Florian Blenker (Albany)
Carrie Goebel (207 3rd Ave SE)

Carol Moorman (Melrose Beacon)
Jason & Heather Hoeschen (1020 2nd Ave SE)
Branden Roering (421 1st Ave N)
Dave Welle (36762 Co Rd 11)
Al Williams (308 2nd Ave NW)
Matt Merwin (316 2nd St NW)
Wes & Bailey David (312 10th St SE)
Joe Hennen (118 3rd St NE)

Approve Agenda

Etle moved to approve the agenda, seconded by Renneker. Motion carried 5-0.

Public Hearing – Ordinance 2019-03 Rezoning

The public hearing was opened at 7:02pm. Dymoke explained which parcels were being considered for rezoning and stated that notice was given by publishing in the newspaper and by mailing notices to affected property owners. Even if businesses were rezoned to residential, the businesses could still operate as they have been. The business could not be expanded or be changed to a different type of business. If the current use is abandoned for one year or more, the next owner would need to conform to residential use. If the property was destroyed, the owner could rebuild if they get a permit within 180 days and rebuild as it was.

Betty Timp asked about a pie wedge shaped property adjacent to her property and Dymoke confirmed that property would be rezoned if the ordinance was passed.

Dave Welle asked about the reason for changing the zoning. Eveslage explained that for future zoning and development this would be the best outcome for the future of the city. Council has talked about it several times over the years. Welle asked if one section of the creamery could be commercial and one section be residential. Dymoke explained if the owner wanted to subdivide the property, they would need to come to the Council separately and it would not be done in the ordinance.

Timp stated her property is currently zoned industrial so that means she doesn't receive the homestead credit. She is glad to have her property rezoned to residential.

Wes David rents the front half of the creamery and wants to use the office space as an office for commercial use. To get a car dealer's license it needs to be zoned commercial. Eveslage asked if a car dealership qualified as current use. Dymoke stated a car dealership would be a change to the current use and would not be allowed. T Hennen asked for clarification on the type of business W David wants to operate. W David stated he wants to sell cars there – retail or wholesale. He just needs the office and would only sell one or two cars at a time. T Hennen explained that last year the Council heard complaints because there were many vehicles outside the building. W David stated currently most vehicles are stored inside the building and the vehicles outside are working and licensed.

The public hearing was closed at 7:18pm.

Open Public Forum

No comment was given.

Consent Agenda

Ettle moved to approve the consent agenda, seconded by T Hennen. Motion carried 5-0.

Reports

Clerk-Treasurer Report

Council agreed to reschedule the regular December council meeting to Tuesday, December 17.

Ettle moved to make Wall's raise retroactive to 60 days after April 1, seconded by Blake. Motion carried 5-0.

Fire Department Report

No report was given.

Public Works Report

Ettle moved to get the free iPhone 7 if the City doesn't qualify for the Public Safety Plan (where the City can get a free iPhone 8), seconded by Renneker. Motion carried 5-0.

Johnson Jet Line was in town last week and did the Industrial Park section. They will come back after Kotzer does their work on the lift station in the next month. Tri-State Pump & Control was in town to do their inspections and fixed impellers. Wadena Water Tower Cleaning will be fixing the cement we talked about last year at base of the water tower. Next week the County will be putting up the other three speed signs. The first sign was put up to make sure the pole would hold the sign. The radar isn't reading speed and Goebel is working on getting it up and running. Goebel and Blommel met with Jason Hoeschen about cleaning out his pond. This will probably be a winter dig. The County dug out Jerome Hartung's storm drain. Their water guy said there was no standing water behind the storm drain and there should be.

Ettle asked how bad the alleys were when they were flushed out. Goebel said they are running good now. Renneker asked if Charlie's put in a grease trap. Goebel said Johnson Jet Line did find some chunks of grease, but not as bad as it has been. Goebel cleans it out monthly to keep it maintained. If Johnson Jet Line did the alley every year, they would charge \$200 if they did it when they came to do the City's annual cleanout.

Engineer Report

Blommel stated that J Hoeschen's pond does need to be cleaned out and he is waiting on a quote from Kotzer. It will probably be winter work, as it is more efficient that way. J Hoeschen said we can leave the sediment on his property if it is spread out. This work will help some of the water problems in the pasture.

Blommel reported that DEED recommended not to proceed with an income survey. They rank on how many low-income households there are in town and Freeport is well below the 51% threshold DEED wants. It is on a case by case basis if they will even allow it. The City's best hope is to qualify for federal funding through the USDA and then ask DEED to also let us qualify.

Blommel met with Duane Pung, who is looking at building a new home on 7th Avenue NE. Blommel showed him the right of way and where to hook up to sewer. It is in Pung's court to pull a permit with the City.

Attorney Report

See discussion under Old Business for Ordinance 2019-03 Rezoning.

Old Business

Ordinance 2019-03 Rezoning Properties

Eveslage opened the discussion by saying the City is going to outlast any individual or business. Their family place is one of the properties involved and he can't think of a reason why to leave it zoned I-1 when he has residential all around. Rezoning all these parcels is the best course of action for the City since businesses can keep operating as they have been. T Hennen stated this isn't an inconvenience to anyone and no one is being pushed out of town. Spot zoning was talked about a long time ago. Eveslage added his property used to be on the edge of town, but now it makes sense to change the zoning. Renneker asked how difficult it would be for the creamery's zoning to be changed. Dymoke said the creamery can come to Council to ask for rezoning in the future. The process would be the same as this one, including having a hearing. The community would be notified and would have the opportunity to speak to the rezoning. It could take up to two months for this process to occur. If the Council wished to, they could remove the creamery from the ordinance being considered tonight.

Rodney Atkinson asked if a renter leaves can a new tenant operate a different industrial use? Dymoke said no, it must operate as the current use even if a new tenant rents the space. The same is true if a business is sold. T Hennen asked, right now the creamery is just cold storage? Dymoke said yes.

Blake stated she hasn't heard any reason not to rezone.

Ettle moved to approve Ordinance 2019-03, seconded by T Hennen. Motion carried 4-0, with Eveslage abstaining.

Dymoke explained that the Council would need to approve the summary of Ordinance 2019-03 by a 4/5 vote. The summary is used for publishing the ordinance.

Ettle moved to approve the summary of Ordinance 2019-03, seconded by Renneker. Motion carried 4-0, with Eveslage abstaining.

Parking Regulations

Dymoke pointed out the changes from last month's version of the proposed parking ordinance. The Council agreed to the updated wording and asked Dymoke to bring it in ordinance form to the September meeting.

Waste Management

Eveslage spoke to Jason Hartman from Waste Management (WM) about Freeport's commercial accounts. Waste Management is sending a letter to all 39 commercial accounts. Eveslage read the letter during the meeting and it states:

“Dear Freeport Customer,

I am sending this letter to apologize for the recent price increase you have just received. When we took over the accounts from Danny's Disposal the commercial accounts were set up incorrectly, causing the billing issues you have been going through. We have pinpointed the problem and have fixed it. I can assure you this will not happen again. We will be issuing credits on your next invoice for any increase that was charged to your account.

Brenda is our local contact who can assist with any questions may have (320-762-9608).

Sorry for the inconvenience.

Sincerely,
Jason Hartman
Waste Management Public Sector Representative
952-229-5333”

Eveslage explained that he told Hartman residents were upset. WM already had a meeting planned for last Friday and this letter resulted from that meeting. Atkinson asked what the problem was. Eveslage didn't get that answer from Hartman because it was a short phone call.

Atkinson explained that three different businesses are being charged three different prices for 96-gallon cart service. The contract says it should be \$0.10 per pound. Recycling is charged different rates as well, plus Freeport Screen Printing doesn't even have a recycle bin.

T Hennen asked if the City can call Hartman about this pricing issue. Eveslage has already talked to Hartman and Hartman responded with the letter. Gerald Wiechmann stated he has seen the WM truck driver use a weight meter when he picks up the garbage. Joe Hennen stated WM told Hennen Flooring they can fill a dumpster with feathers or bricks and they will be charged the same price. They are charged by size, not by weight.

T Hennen asked what would happen if the City decided to change garbage haulers before the contract is up. Dymoke replied the City would be in breach of contract and WM could sue the City for damages. Atkinson stated the City holds the contract, but the user gets the bill. Dymoke explained it's like a franchise where the City allows WM in the City at certain rates. Eveslage wondered if it would help if every commercial account called Hartman. Blake noted the bills are from March and April and wondered if the administrative fee had been fixed already.

Eveslage explained that Hartman said WM screwed up by removing the admin fee, but the other lines on the bill went up. If residents see August or September bills that are still messed up, Eveslage would be happy to call Hartman again. At some level, it is also buyer beware. If people see their bills are different, shouldn't they notice and call WM? Etle added Council needs to be made aware if residents have concerns about their bills. Dymoke stated it sounds like Council needs to follow up. Blake and Eveslage requested residents to keep the Council aware of billing problems. J Hennen stated he would be happy to bring carpet

store bills for the whole year to Council. Renneker asked if Council could see the most recent bill to see if it has been fixed by the next meeting.

Council would like to have Hartman come to the September meeting. Council directed staff to add a note to the newsletter requesting residents to bring bills to City Hall if they have issues.

Old Water Tower

Austing explained that in her research, it is recommended to organize fundraisers to raise money to paint the water tower. The City wouldn't be allowed to do it, but the Lions or other community organizations would be good options to organize fundraisers. Heather Hoeschen asked whether a community festival or concert could be organized for the 100-year celebration as a fundraiser. She believes it is important to keep the water tower in Freeport.

Eveslage asked who we should the City talk to about quotes. Blommel stated Goebel has a contractor coming next week. Blommel could also find other contractors for quotes.

New Business

Robert Hoeschen Sewer Bill

H Hoeschen explained that R Hoeschen went into assisted living on 8/1/19 and the house is in rough shape. They intended on fixing it up and moving in, but there were more issues than they expected. They want to build on that property eventually, but for now they don't think it's fair to pay a sewer bill when no one is living there.

T Hennen stated the sewer could be cemented shut. Renneker added if the sewer could be capped, he would be fine with stopping the bill. Eveslage agreed that it makes sense not to charge for sewer. Blommel explained there are not a lot of good ways to seal a sewer. They could put a balloon down it to stop it up. Atkinson stated the Hoeschens could pay a plumber to seal it up and let the City know when it was done.

Rental Licensing Follow-up

Wall explained that there is one landlord who hasn't responded to letters or phone messages requesting that he fill out the rental application and pay the fee. Blake asked where we were at with rental property inspections. Wall stated she is aware that at least one property is done and will follow up with the building inspector. Council agreed to get Dymoke involved if the landlord won't respond to the City.

2020 Preliminary Budget

Council reviewed the preliminary budget and didn't suggest any changes.

Adjourn

At 8:47pm Etle moved to adjourn, seconded by T Hennen. Motion carried 5-0.

Mayor, Mike Eveslage

City Clerk-Treasurer, Joan Wall