

**City of Stewartville
City Council Meeting Minutes
Stewartville Civic Center
January 14, 2020**

I. PLEDGE OF ALLEGIANCE

II. CALL TO ORDER – ROLL CALL Mayor King called the meeting to order on January 14, 2020 at 7:00 pm. Present: King, Anderson, Beyer, Oeltjen and Arndt. Also Present: City Administrator Schimmel, Finance Director Strain, Public Works Director Hale, City Engineer Obernolte and City Clerk Roeder.

Also present: City Attorney Leth.

III. APPROVAL OF AGENDA

Motion by Anderson, second by Oeltjen to approve the agenda. Unanimously approved.

IV. APPROVAL OF COUNCIL MEETING MINUTES

Motion by Anderson, second by Beyer to approve the regular Council meeting minutes of December 10, 2019. Unanimously approved.

V. FINANCE AND BUDGET –

Accounts Payable - Motion by Beyer, second by Arndt to approve the accounts payable listing. Unanimously approved.

VI. GENERAL BUSINESS

A. Annual Meeting -Mayor King presented his 2020 Appointments/Designations along with the 2020 meeting schedule.

Motion by Beyer, second by Oeltjen to approve the 2020 Appointment/Designations & Meeting Schedule. Unanimously approved.

B. 2020 Insurance – Alisha Nelson, First American Insurance appeared before Council to review the past year and to discuss the Municipal Tort Liability options. She stated that once information is received for 2020, she will be able to give the city the final numbers in regards to rate increases but believes that it will be minimal, due to the city's continued good management and safety practices. She advised that the city should continue to not waive the monetary limits on municipal tort liability.

Motion by Anderson, second by Beyer to approve Resolution 2020-1, A Resolution Approving the City's Insurance Agent. Unanimously approved.

Motion by Beyer, second by Anderson to approve Resolution 2020-2, A Resolution on Municipal Tort Liability. Unanimously approved.

C. Knolls of Northridge/Southern Hill Expansion Project- Mayor King stated that the Planning Commission held a public hearing on November 6, 2019 to take comments regarding the expansion of Southern Hills/Northridge Manufactured Home Park. On December 2, 2019 they continued their meeting to consider the Knolls of Northridge Subdivision, Conditional Use Permit as per Section 1335.04, Zoning Change/Map Amendment from R1 to R3, GDP Amendment and Preliminary Plat approval (see minutes from both meetings).

Attached, you will find the revised layout of the plan submitted (12/2), along with their explanation regarding the changes. Also attached, please find additional comments that have been received since the public hearing.

The Planning Commission is recommending to deny the zone change/map amendments from R1 to R3, to deny the GDP Amendment and Preliminary Plat/Conditional Use approval based on the following Findings of Facts:

- Based on public testimony received regarding potholes, broken windows, flooded roads and other maintenance issues in the existing manufactured home park owned and operated by Sun Communities, the proposed project is unlikely to be operated and maintained to be harmonious and appropriate in appearance with the existing and intended character of the surrounding area, particularly the adjacent Peterson Subdivision.
- The proposed project will not be adequately served by essential public facilities and services, including police and fire protection and schools. As discussed by Sheriff Torgerson and Superintendent Selfors during the public hearing held on Nov 6th, Stewartville will most likely need an additional dedicated deputy and the school district would unlikely be able to absorb the increase in students in a short amount of time, as projected.
- The proposed project will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community.
- The proposed project may create additional traffic congestion and interference with traffic on surrounding public thoroughfares by increased traffic.

King asked Justin Crable, Atwell, LLC to present their project to the Council. Speaking on behalf of Sun Communities, Attorney Howard Roston entered into record two volumes of exhibits, which are a compilation of the project documents from the beginning of the project to date. He urged the Council to approve the project and outlined his opinion on why the vote to approve should occur. He noted that the Environmental Assessment Worksheet, which the Council adopted making a negative declaration on the need for an Environmental Impact Statement, concluded that the project would have minimal or nonexistent impact on soils, water resources, traffic or utilities. Roston stated that with respect to traffic, the EAW concluded that the overall impact is minimal compared to the existing traffic volumes and operation at the intersection of Hwy 63 & 20th St. He cited City Attorney Leth's information to the Planning Commission, noting the ordinance language and stated that the City needs to make a decision, based on facts and not public opinion.

Roston reviewed city ordinances, noting that they don't agree with some of the criteria, giving an example as the garbage collection and doesn't believe that it is appropriate. He expressed that they will comply with all State and County Health Dept regulations and will comply with all building codes. He explained that they have addressed all eight items that were brought forth from Leth. He went on to explain that the plan presented meets or exceeds the requirements set forth in the city's zoning ordinance. An example was the storm shelter facility and informed Council that the city's requirement was 3,000 sq ft and their plan includes 3,499 sq ft, which exceeds the requirements. He also referred to the city's requirement for open/park space – which is 20,000 per 50 sites. With 300 sites, 120,000 sq ft is required. He stated that their plan submitted on Nov 27.19 provides 390,764 sq ft of open space, which again exceeds the city's requirements.

Roston stated that during the public hearing, comments were received by the public which he doesn't believe are applicable to the Conditional Use Permit. He informed the Council that it is their belief that the meeting minutes do not accurately reflect the statements in favor of affordable housing and their development. He noted that the statements from Sheriff Torgerson and school Superintendent Selfors were not fully reflected and complete.

Roston presented a breakdown of the investment made by Sun Communities in updating the property since they took ownership, which is just under \$2 million dollars. He stated that Sun Communities is well respected and experienced. Roston finished the presentation by stating that there are bias feelings against manufactured homes and respectfully, requested that the city grant the entitlements of approval.

King questioned Roston on whether they were still looking for approval of 300 homes. Roston responded that they will consider any reasonable request to make the project move forward and are willing to work with the city. He stated that they were not willing to make some decisions at a public meeting.

Anderson stated that in his six years on the Council, this has been the most negative project in regards to the concerns from the community. He stated that he does believe in affordable homes and that he has researched the project and doesn't believe that these homes are affordable. He noted that there is a ton of lots crammed into this space, with it filling up in a short amount of time. He is concerned with the statements by the Sheriff and Superintendent and feels that there will be an impact to the community. He mentioned that when 10th St. NW was closed for construction he saw traffic backed up daily and that adding 300 lots will definitely impact traffic. He also stated that he disagrees with the zoning change.

Beyer expressed his disappointment, stating that he felt that after hearing the questions/concerns from the Planning Commission, Sun Communities would come back with other amendments.

Arndt stated that he has also done research, which shows that a manufactured home will depreciate 5% per year, noting that a \$100,000 home would then be valued at \$75,000 in five years, which he doesn't believe to be a good investment for a homeowner. Roston replied that whether these homes are affordable is not a municipal decision but is a decision by Sun Communities.

King asked if they had ever considered selling lots so that the homeowner had a vested interest in the land as well. He stated that everyone has a different opinion on what affordable housing is. He noted that he recently toured a manufactured home park in Rochester and was impressed with it. He said that it was set up like a single-family subdivision and even included stick-built homes mixed within the area. He asked if they would consider something like this. Roston answered that these types of areas do exist and ruled under home owner associations but felt it would be priced out of the market. He noted Sun Communities hasn't set up for this type of development.

Oeltjen stated that he didn't have further questions but was hung up with ordinance language and stated that one of the standards listed was that public facilities and services should not be detrimental to the community. He expressed his concerns that after listening to Torgerson and Selfors, this requirement was not necessarily being met. Roston reminded Council that Selfors did indicate that after the last placement of 70 homes, she didn't see any notable difference.

Anderson replied that Selfors did say that it didn't hit the schools but she does have to be aware of the potential.

King brought up delinquent taxes and questioned Roston on whether Sun Communities pay those. Roston responded that the County and City would have the same rights as they would with single family delinquent taxes.

King asked for further questions from the Council. As there were none, he asked if Council was prepared to vote.

Motion by Beyer, second by Anderson adopt Resolution 2020-3, A Resolution to Deny the Zoning Map Amendment and Conditional Use Permit as requested, based on the Findings of Facts:

- Based on public testimony received regarding potholes, broken windows, flooded roads and other maintenance issues in the existing manufacture home park owned and operated by Sun Communities, the proposed project is unlikely to be operated and maintained to be harmonious and appropriate in appearance with the existing and intended character of the surrounding area, particularly the adjacent Peterson Subdivision.
- The proposed project will not be adequately served by essential public facilities and services, including police and fire protection and schools. As discussed by Sheriff Torgerson and Superintendent Selfors during the public hearing held on Nov 6th, Stewartville will most likely need an additional dedicated deputy and the school district would unlikely be able to absorb the increase in students in a short amount of time, as projected.
- The proposed project will create excessive additional requirements at public cost for public facilities and services and will be detrimental to the economic welfare of the community.
- The proposed project may create additional traffic congestion and interference with traffic on surrounding public thoroughfares by increase traffic.

Unanimously approved.

Motion boy Beyer, second by Arndt to adopt Resolution 2020-4, A Resolution to Deny the General Development Plan revision and Preliminary Plat based on the Findings of Facts:

- The application for a Conditional Use Permit for the property as a manufactured home park has been denied.
- Based on the testimony received regarding the condition of the existing Manufactured Home Park, the development would not create a neighborhood which will be of lasting credit to the community.
- The development could adversely affect the local tax base.

Unanimously approved.

VII. MAYOR, STAFF AND CONSULTANTS REPORTS

A. Mayor_ Mayor King commented on the following:

- Sympathies to the Families of: Mary Ann Thompson-Williams, Lucille Daggett, Melvin Eickhoff, Douglas Coen, Sharon Radke, Sue Lund, Frances Andrist, Violet Gleason, Joyce Norlin, Sharon Murray, Sandy Fritz and Warren Severtson.
- Happy 80th Birthday to Ruth Klahn!
- Congratulations to Payton Maas! She created an art installation designed to capture the essence of what it's like to live in small-town Stewartville. The project is called Through Our Eyes!
- The Sportsman's Club will be holding their Wild Game Fee on Saturday, Jan 19th

B. City Administrator–

- Bi-Weekly Report

C. Finance Director -

- 2020 Budget books were presented and to contact her with any questions.

D. Public Works Supervisor –

- Bi-Weekly Report
- Update on Capital Equipment Plan
- New plow truck is now on-site
- Received news of a potential 2009 tandem that Rochester is selling. He stated that the price was significantly lower than anything he has seen and would like to present an RCA at the next meeting. Schimmel noted that the Finance Committee, just over a year ago, approved Hale to look into purchasing a truck for approximately \$50,000. Council agreed to consider the purchase at the next meeting.

E. City Engineer-

- Update on 20/21 CIP plans. Noted that digging will be occurring in Florence park by the river in case anyone calls on this. She stated that they are considering lowering the sanitary sewer to make improvements, depending upon rock and cost.

F. Library Director – No Report

G. Fire Chief Report – No Report

VIII. COMMITTEE, COMMISSIONS AND BOARD REPORTS

- A. Chamber of Commerce: No Report
- B. EDA/HRA:
 - CEDA Newsletter
- C. Finance: No Report
- D. Library: No Report
- E. Park Board: Minutes of Nov 18th
- F. Personnel: No Report
- G. Planning & Zoning: Minutes of Dec 2nd
- H. Public Safety: No Report
- I. Public Works: No Report
- J. RAEDI: No Report
- K. ROCOG: No Report
- L. SCCC/STEW 180: No Report
- M. Transit Advisory Committee: No Report

IX. COMMUNICATIONS –

- A. SEMLM – January 30th Mtg

X. RECOGNITION OF GUEST(S) OPEN MIC - None

XI. ADJOURN – Motion by Oeltjen, second by Beyer to adjourn. Unanimously approved.

Respectfully submitted,

Cheryl Roeder
City Clerk