

## Mission of the City of Courtland

We envision Courtland as a city with managed growth which offers a high quality of life for individuals, families and businesses at an affordable cost.

### City Council Minutes

Regular Meeting

November 3, 2022

Members Present: Mayor Al Poehler  
Council Member Ralph Bents  
Council Member Pam Rodewald  
Council Member Justin Kraus  
Council Member Kandyce Peton

Members Absent:

Others Present: Julie Holm Dave Ubel Doug Sellner Richard Krohn Mark Fiemeyer

The regular city council meeting was called to order by Mayor Poehler at 7:00 pm on November 3, 2022 in the Council chambers in City Hall.

**Bents made a motion to approve the agenda. Peton seconded the motion. The motion carried with all in favor.**

**Peton made a motion to approve October 6, 2022 regular Council minutes. Bents seconded the motion. Motion carried with all in favor.**

**Kraus made a motion to approve monthly bills. Peton seconded the motion. Motion carried with all in favor.**

Check#	Vendor	Date	\$AMT	Description
EFT	MICROSOFT	08-Oct-22	\$8.86	office 365 subscription
EFT	IRS	12-Oct-22	\$744.54	federal payroll taxes
EFT	MN DEPT OF REVENUE	12-Oct-22	\$132.00	mn payroll taxes
EFT	PERA	12-Oct-22	\$486.35	PERA contributions
EFT	IRS	27-Oct-22	\$720.81	federal payroll taxes
EFT	IRS	27-Oct-22	\$0.00	federal payroll taxes
EFT	MN DEPT OF REVENUE	27-Oct-22	\$127.00	mn payroll taxes
EFT	PERA	27-Oct-22	\$452.87	PERA contributions
21970	ALLINA HEALTH	06-Oct-22	\$532.00	new firefighter physicals
21971	BADGER METER	06-Oct-22	\$30.88	beacon web program support
21972	BANYON DATA SYSTEMS, INC	06-Oct-22	\$3,110.00	fund,payroll,utility billing annual software support fee
21973	CLEARWAY COMMUNITY SOLAR LLC	06-Oct-22	\$2,382.65	solar subscription
21974	COMCAST, INC	06-Oct-22	\$81.36	COMMUNITY CENTER, FIRE HALL INTERNET SVC
21975	COURTLAND FIRE DEPT RELIEF-GEN	06-Oct-22	\$15,708.13	fire state aid, supplemental fire state aid
21976	GOPHER STATE ONE-CALL	06-Oct-22	\$17.55	13 TICKETS
21977	HACH COMPANY	06-Oct-22	\$45.40	WATER PLANT SUPPLIES
21978	HAWKINS,INC	06-Oct-22	\$1,574.90	WATER PLANT CHEMICALS
21979	LOFFLER	06-Oct-22	\$57.64	mfp maintenance contract 9/24-10/23/22, color copies
21980	LUEPKE OIL & TRUCKING LLC	06-Oct-22	\$68.21	gas
21981	SOUTH CENTRAL NEWS & MEDIA	06-Oct-22	\$434.75	publish notices
21982	VOID	06-Oct-22	\$0.00	VOID
21983	Nuvera	06-Oct-22	\$507.23	office,fax,fire hall,lifts,wells,wtr twr,wtr plnt intnet,wbste host
21984	Holm, Julie	06-Oct-22	\$1,149.03	Payroll 9/18-10/1/22
21985	Ubel, David	06-Oct-22	\$1,321.12	Payroll 9/18-10/1/22
21986	Voges, Jessie	06-Oct-22	\$275.48	Payroll 9/18-10/1/22
21987	ALLINA HEALTH	19-Oct-22	\$344.00	firefighter physicals
21988	CITY OF COURTLAND	19-Oct-22	\$275.23	fire hall,community center,main shed,city office utilities
21989	CITY OF NEW ULM	19-Oct-22	\$7,306.90	flow to new ulm
21990	CITY OF NEW ULM.	19-Oct-22	\$5,360.30	oct-dec2021 permit fees
21991	COMCAST, INC	19-Oct-22	\$91.37	internet svc city office
21992	COURTLAND FIRE DEPT RELIEF-GEN	19-Oct-22	\$3,000.00	annual contribution
21993	COURTLAND MART	19-Oct-22	\$716.43	gas, batteries
21994	ECOWATER SYSTEMS OF NEW ULM	19-Oct-22	\$14.33	softner salt fire hall

21995	HAROLD REINHART JR	19-Oct-22	\$408.00	ditch mowing 2022
21996	IMMENSE IMPACT, LLC	19-Oct-22	\$914.95	new website setup, 1 year hosting & support
21997	JULIE HOLM	19-Oct-22	\$688.00	remiburse purchase postage
21998	METERING & TECHNOLOGY SOLUTION	19-Oct-22	\$3,693.57	cellular endpoints for water meters
21999	MN LIFE INS COMPANY	19-Oct-22	\$5.00	dave life ins
22000	RIVER VALLEY LAWN CARE	19-Oct-22	\$308.52	lawn care svcs red shoe & main st parks, fire station
22001	SCHAEFER WELL CO	19-Oct-22	\$33.32	hydrant meter parts
22002	UNITED NATURAL GAS	19-Oct-22	\$69.54	main shed, firehall,wtr plant,cityoffice natural gas
22003	XCEL ENERGY	19-Oct-22	\$1,592.67	office,firehall,wtrtwr,park,lifts,wtrplt,mainshed,st lights
22004	Holm, Julie	19-Oct-22	\$896.16	Payroll 10/2-10/15/22
22005	Ubel, David	19-Oct-22	\$1,321.12	Payroll 10/2-10/15/22
22006	Voges, Jessie	19-Oct-22	\$206.85	Payroll 10/2-10/15/22
			\$57,215.02	

Utilities Report: Sidewalk easements have been signed, work on sidewalk will begin in spring 2023.

Council Report: None

Mayor Report: None

Clerk Report: Investment CD's have been purchased as discussed last month. The new city website is live. Reminder next Tuesday Nov 8<sup>th</sup> get out to vote. Clerk has received request from Dakota 38 for waiver of rental fee for community center for their ride next month December 22-23<sup>rd</sup>. Early this year the decision was made to require a deposit of \$500 along with their rental fee as there was some damage and was not cleaned after use. Clerk Holm confirmed the days which will start the 22<sup>nd</sup> and they will stay over until morning of 24<sup>th</sup>. The fee will be \$450 plus a deposit of \$500. Holm reached out to Corey Hulke for Community Center Board input. Mayor Poehler received a response during the meeting, no to waiving fee. The council also a no to waiving the fee. The city office will be closed Friday Nov 11 for Veterans Day and also November 24 & 25 for Thanksgiving.

Richard Krohn is present to discuss the additional stormwater drain installed on Ashlynn Court. Design plans were to put drain in along his property near Ashlynn Court and Collin Drive. A drain was put in a different spot than originally designed, it is now near Carr's Tree Service to the north of Mr. Krohn's property. Carr's Tree Service was then concerned of stormwater causing issues for their driveway. The property owners requested an additional drain be installed as designed. There is now an additional bill coming in the amount of \$5500. Mr. Krohn is requesting if the City will contribute to paying part of this bill. Council discussed and concluded the cost can be absorbed by the city as it allowed Carr's to build before Ashlynn Court elevations were set to allow for proper design of their driveway.

**Rodewald made a motion to pay for additional 12inch stormwater inlet in amount of \$5500. Bents seconded the motion. Motion carried with all in favor.**

Doug Sellner is present to ask about building permit granted to neighbor which now blocks access to his shop and business. Mr. Sellner was given information when he purchased the property that there would be easement access to the shop through neighbor property. The new building blocks access. When the building permit was granted, the clerk does not have access to records of any private easements, only those the city has procured or utilities. Discussion finds there is not written easement for Mr. Sellner access to rear property, only many years of use with prior property owners. Council directs Mr. Sellner to contact an attorney to proceed further. Mr. Sellner asks that council make change to building application asking about any easements on the property.

Prokore Inspections has forwarded agreement for signature. Council discuss fee structure suggested by Randy King. Additional discussion to remain on New Ulm fee schedule until next review in January.

**Rodewald made a motion to accept Professional Services Agreement with Prokore Inspections pending legal review. Bents seconded the motion. Motion carried with all in favor.**

**Rodewald made a motion to continue using New Ulm Building Permit Fee Schedule until next review. Peton seconded the motion. Motion carried with all in favor.**

Clerk Holm received communication regarding Release of Development Agreement for previous Kuester Pit 2 Addition. Clerk forwarded to city attorney. Attorney opinion is the agreement is the city should not agree to release of the Kuester Pit 2 Addition Development Agreement. Council discussion on previous meeting with city attorney regarding entering the

new agreement Kuester Pit 2 Second Addition. Council in agreement to not signing Release of Development Agreement on Kuester Pit 2 Addition. No action taken.

Clerk Holm received a request for Simple Lot Division by attorney on properties recently sold west of County Road 12 that were bisected by new Highway 14 project. MNDOT had filed paperwork to create right of way for new highway but this leaves the rest of parcel as one. The bisected properties were sold separately and now need two parcel numbers. Mayor has question on public access after divided. After highway construction is complete, access to parcel 1 will be a field approach off Main Street and Parcel 2 is current access off CSAH 12.

**Kraus made a motion to approve Resolution 22-113 Approval of Simple Subdivision of Certain Properties in Township 109 North of Range 29 West in The City of Courtland. Peton seconded the motion. Motion carried with all in favor.**

### **RESOLUTION 22-113**

Approval of the Simple Subdivision of Certain Properties in Township 109 North of Range 29 West in the City of Courtland

WHEREAS, Section 305.11 of the Courtland City Code allows the approval of a simple lot division under certain circumstances;

WHEREAS, the owners of property herein described have approached the City Council requesting such a simple lot division;

WHEREAS, the owners of said property have satisfied the requirements of a simple lot division;

WHEREAS, the creation of lines approximately parallel and perpendicular to existing property lines would divide the property into two distinct parcels;

AND WHEREAS, the City of Courtland wishes to provide for and to protect the public health, safety, and welfare;

The City of Courtland hereby approves the simple subdivision of certain property in Township 109 North of Range 29 West in the City of Courtland, Nicollet County, Minnesota, see attached exhibit A;

Into two properties, the first containing 10.47 acres described as:

Part of the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), Section 6, Township 109 North, Range 29 West, Nicollet County, Minnesota, described as follows:

Beginning at the southeast corner of Parcel 2, MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 52-87, according to the record plat thereof, said point of beginning labeled on said plat as B8520; thence on an assumed bearing of North 82 degrees 20 minutes 55 seconds West along the south line of said Parcel 2, a distance of 229.44 feet to a point labeled B8724 on said plat; thence North 85 degrees 24 minutes 05 seconds West along said south line 916.30 feet to a point labeled B8725 on said plat; thence South 07 degrees 39 minutes 05 seconds West 224.43 feet to a point on the centerline of the existing Trunk Highway No. 14, labeled B8726 on said plat; thence southeasterly along the centerline of said Trunk Highway No. 14 a distance of 1238.73 feet more or less to the south line of said Northeast Quarter of the Southeast Quarter; thence easterly along the last described south line 37.29 feet more or less to the east line of said Southeast Quarter; thence North 00 degrees 11 minutes 55 seconds East along said east line 621.98 feet more or less to the point of beginning.

This tract contains 11.40 acres of land more or less and is subject to any and all easements of record.

The second containing 49.62 acres described as:

The Southeast of the Northeast Quarter (SE 1/4 of NE 1/4) and that part of the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4), Section 6, Township 109 North, Range 29 West, Nicollet County, Minnesota, lying North of Parcel 2, MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 52-87, according to the record plat thereof, EXCEPTING THEREFROM the following:

A tract of land situated in the Southeast of the Northeast Quarter (SE 1/4 NE 1/4), Section Six (6), Township One Hundred Nine (109) North, Range Twenty-nine (29) West, City of Courtland, further described as follows:

Beginning at the northeast corner of the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4), Section Six (6); thence south 90°00'00" West, a distance of 203.00 feet; thence south 0°00'00" West, a distance of 50.00 feet; thence north 90°00'00" East, a distance of 50.00 feet; thence north 0°00'00" East, a distance of 38.00 feet; thence north 90°00'00" East, a distance of 153.00 feet, to the east section line of Section Six (6), thence north 0°00'00" East along the east section line of Section Six (6), a distance of 12.00 feet, to the point of beginning, containing 4336 square feet (0.10 acres), more or less.

Also Excepting therefrom:

That part the Southeast Quarter of the Northeast Quarter, Section 6, Township 109 North, Range 29 West, shown as Parcel 2 on Minnesota Department of Transportation Right of Way Plat Numbered 52-86, according to the record plat thereof.

This tract contains 49.62 acres and is subject to any and all easements of record.  
Passed by the City Council for the City of Courtland on the 3<sup>rd</sup> day of November, 2022.

Courtland Waste Handling purchased property west and south of his business. There was an area of trees recently removed prompting phone calls from area residents. Discussion on requiring Courtland Waste Handling to obtain Conditional Use Permit for expansion of business onto acquired property. Council directs clerk to send letter with application.

Discussion on making changes needing permits for moving dirt. Holm will put on next planning commission agenda to discuss new ordinance.

Ballpark Capital Funding from last month. Clerk Holm forwarded question to city attorney regarding use of city funds to help gap fund the efforts. The attorney gave a brief response to options available and would pursue further if needed. Councilmember Rodewald reports the group has a letter from bank approving a loan or line of credit. Discussion is to hold any further city involvement until it become necessary to help forward the project.

**Kraus made a motion to adjourn. Peton seconded the motion. Motion carried with all in favor.**

Meeting adjourned 8:23pm

A signed written copy of the minutes is on file in the office of the city clerk.

Respectfully submitted,

Signed: \_\_\_\_\_  
Al Poehler, Mayor

Attest: \_\_\_\_\_  
Julie Holm, City Clerk