



# City of Hinckley

## City Council Meeting Minutes

Tuesday, June 11, 2024, at 7:00 PM

Council Chambers (Community Room)

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106 First Street SE, P. O. Box 366 | Tel: (320) 384.7491 | Fax: (320) 384.7492 | [www.hinckleymn.gov](http://www.hinckleymn.gov)

PRESENT: Mayor Donald Zeman, Tim Burkhardt, John Frank, Judy Hopkins, Jace Scharpnick.

STAFF PRESENT: City Administrator Leaha Jackson, Fire Chief Elliot Golly, Firefighter Rensvold, and Firehouse Manager Phil Taggart.

OTHERS PRESENT: None.

### Call to Order-Pledge of Allegiance

Zeman called the meeting to order at 7:00 p.m. and took a moment to remember Jamal Mitchell and all the fallen first responders and thank those who are here to serve and protect us before leading the Council in the pledge of allegiance.

### Approve Agenda

Jackson requested an addition to the agenda: 5D4 MN Dept of Natural Resources 2025 Volunteer Fire Assistance Grant. **Burkhardt moved, seconded by Hopkins, to approve the amended agenda. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

### Minutes of Previous Meetings

Motion made by Frank, seconded by Scharpnick, to approve the minutes as presented.

Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.

A. May 14, 2024, Regular Meeting & Summary

B. May 21, 2024, Work Session & Summary

**Consent Agenda** (Those items listed under Consent Agenda are considered routine by the City Council and will be acted upon by one motion under this agenda item. There will be no separate discussion of these items unless the Mayor or a Councilmember so requests, in which event the item will be removed from the consent agenda and considered under New Business.)

A. Resolution 23-2024 Appointing Branden Vork as Temporary Public Works with the City of Hinckley

B. Resolution 22-2024 Accepting a Restricted Donation from Daniel & Bonita Cabak

Council Member Hopkins asked about the amount. Administrator Jackson replied that she mistakenly sent a notice for an additional \$225 instead of \$275.

C. Hinckley Area Chamber of Commerce- Temporary Liquor License- September 7, 2024

**Motion made by Hopkins, seconded by Frank, to approve the Consent Agenda items as presented.**

**Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

### Reports of Officers, Council Committees, & Citizens Committees

A. Pine County Sheriff- Calls were included in the packet.

## B. PeopleService

1. MNDH Public Water System Sanitary Survey
2. April Maintenance Expense Report
3. January O&M Report and Work Order Maintenance Report
4. February O&M Report and Work Order Maintenance Report
5. March O&M Report and Work Order Maintenance Report
6. April O&M Report and Work Order Maintenance Report

C. Building Official - The packet included an update on the Wellhead Protection Plan Part II dates, a notice sent to the receivership company for 106 Poplar Ln S, and a letter received from the representative of 114 Main St E noting that they will be working to repair the building.

D. Fire Department - Fire Chief Golly presented fire calls 46-55 at the meeting. The Council asked about the overcharges from Jerome's and if there was any communication on the expected charges during construction. Golly noted limited communication during the build; only a few items were directly discussed. Some of the charges approved for payment were at Golly's request. Golly presented the MN DNR 2025 Volunteer Fire Assistance Grant. This would replace hoses that have either failed or are failing. The match of \$1,020.00 will come out of the Fire Department budget. **Motion made by Hopkins, seconded by Burkhardt, to approve the Minnesota Department of Natural Resources 2025 Volunteer Fire Assistance Grant application and 50% match if awarded. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

E. Firehouse Liquors - The manager's report was included in the packet. Manager Taggart thanked the Council for their help on customer appreciation day.

F. Library - Report was included in the packet.

G. Standing Committees: Planning: The minutes of the May planning commission meeting were included, and Council member Frank provided a brief update.

Park Board: Council member Burkhardt reported good attendance at the first Sweet Summer Sounds, and Administrator Jackson asked if the Council would like to do mosquito control on Westside Park due to the unusually wet weather; they agreed

EDA: The April EDA minutes were included in the packet.

## Unfinished Business

### A. 2024 Budget Update

The May financials were included in the packet. Fund 101 expenses are as expected, with the professional engineering over budget, but these are offset by permit fees. 221 R&M Contractual includes \$5,000 for an excavator on a scene that will be billed to the property owner.

### B. Park, Trail, Recreation and Donation Policy

The Council held a Parks Work Session in May, reviewing the Donation Policy included in the May regular Council meeting. **Motion made by Burkhardt, seconded by Hopkins to approve the City of Hinckley Park, Trail, Recreation, and Donation Policy as presented. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, and Scharpnick.**

### C. 501 Barry Ave Utility Easement

Administrator Jackson noted that the owner's attorney responded to the letter sent in May. Some of the questions asked by the attorney were: What compensation was the City looking at for the easement, what would the response by the City be if an agreement could not be reached, and what was the timeline? Jackson responded that none of these had been discussed as this was still early in

the process, and we were really just working on starting the communication process. Council would like to have staff check with our engineer to ensure the line is located outside the bituminous as much as possible.

D. "Family Dollar" Property 40.0136.000

The EDA had requested the Council look at listing the property for sale. This can be done with a listing agent and/or through LOIS (an online commercial property listing that is free and used by developers). Council would like to hold off on contracting with a listing agent now. If the City does work with an agent, there would need to be an exclusion for Zenith Property Management. They also questioned if there were any restrictions that the City would have to follow as part of the property's original purchase.

E. Small Cities Assistance Update

Administrator Jackson reported that during the last legislative session, a one-time appropriation was made to help offset the amount originally reported for the 2024 Small Cities Assistance. This will bring the total amount for the Small Cities Assistance to \$32,160.00.

F. 106 Poplar Lane S Abatement Order

The receivership company in control of 106 Poplar Ln S has listed the property for sale and requested that the City consider working with them to sell it. They noted that although they can dispose of the property, they do not have funds to maintain it. Jackson provided an email from the City's Attorney, Kevin Hofstad, outlining options. The City could continue as is or consider extending the demolition of the property to allow the seller to entertain an acceptable offer. If the City decides to extend the demolition, it should identify a timeline to allow for proposals, ensure performance with some type of performance security, identify that amount, and preserve the City's rights granted by the court without further involvement of the court: **Motion made by Burkhardt, seconded by Hopkins, to approve extending the demolition to allow the receivership company to submit an acceptable purchase agreement till the next Council meeting which will need to include performance security of \$55,000.00, ensure property is secured, details of work to be completed including a time frame for the permits, and completion of project. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

G. Main Street Park Benches

The Main St benches are nearing their end, and the Council should consider replacement. Jackson provided a quote from St Croix Recreation Fun Playgrounds, Inc., a MN Cooperative Purchasing Vendor, for 2- 4" Oak Knoll Benches in Green. The funds would come out of the park's budget. **Motion made by Hopkins, seconded by Scharpnick to approve the purchase of the two Oak Knoll Benches for \$2,072.24. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

## New Business

A. City Vision/Future Planning

Administrative Assistant Kristy Hosler has been working on National Night Out and recruiting attendees to participate. If any Council members think of an organization, please let Kristy know or send them to her. Frank brought up the damage at Legion Park. There was some discussion on cameras, with Jackson mentioning that there is power but no heat, so summer should not be a problem, but they will not work in the winter. **Motion made by Frank, seconded by Hopkins, to have staff purchase some cameras and install them at Legion Park. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

## B. Dog Waste Stations

At the park work session, one item identified was installing dog waste stations in the parks. Jackson provided a dog waste station from Dog Waste Depot for \$288.97 each. The money will come from the park budget. **Motion made by Frank, seconded by Hopkins, to approve the purchase of three dog waste stations for \$866.91 plus shipping. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

## C. Summary Enforcement and Abatement for 312 Main St W

Notices were sent to the property owner on record for long grass with a deadline of May 28, 2024. The violation was not corrected. **Motion made by Hopkins, seconded by Frank, to approve Summary Enforcement and Abatement for 312 Main St W to be completed with all costs charged to the property. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick**

## D. Summary Enforcement and Abatement for 106 Poplar Ln S

Notices were sent to the property owner on record for long grass and miscellaneous items stored outside with a deadline of May 24, 2024. The violation was not corrected. **Motion made by Hopkins, seconded by Scharpnick, to approve Summary Enforcement and Abatement for 106 Poplar Ln S to be completed with all costs charged to the property. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

## E. USDA Community Facilities Technical Assistance Program

Jackson presented a competitive grant program from USDA that could help the City complete a Capital Improvement Plan (CIP) that could be used to help secure funding for the items identified. The application period for this is short and has historically been the month of June. Jackson reported that it opened in the first week of June this year and closes on July 3rd. Estimated costs for a compressive CIP are \$60,000- \$75,000, and \$10,000 for financial planning in conjunction with the CIP, which is \$80,000.00. Applicants get points for matching dollars, with 10 points for 20% and 5 points for 10%. Council members noted that there was not much notice to discuss this. Zeman responded he believed this was a lot of money for something we were not ready for, not the match, but what would come after. Burkhardt thought there could be a building tour, and Frank suggested we continue saving for those large ticket items. Council decided not to take action at this time.

## F. Set Date for Special Meeting- Budget Work Session

The Council needs to set a date for the Budget Work Session so that Mike Bubany from David Drown can attend and go through the capital financial planning so we can set the preliminary budget in September. This typically is done in late July or in August. Council members are available on Monday, August 12, 2024, at 4:30 p.m. Jackson will verify that the date will work with Mr. Bubany.

## Presentation of Claims

A. General Fund Payables -	\$203,409.79
B. Firehouse Payables -	\$292,437.32
C. EDA Payables -	\$42.70
D. Payroll Payables -	\$34,359.51

**Motion made by Frank, seconded by Scharpnick to approve all claims as presented. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

## Notices and Communications

A. 2023 Bandshell Damage

An apology letter from the 2022 bandshell Damage was included in the packet.

B. Hinckley Area Chamber of Commerce Thank You

A thank you from the Hinckley Area Chamber of Commerce for Corn & Clover Carnival in-kind support was included in the packet.

**Presentation of Petitions, Complaints, and Requests (3 minutes each)**

**Closed Session**

A. Performance Review – City Administrator (closed pursuant to Minn. Stat. § 13D.05, subd. 3(a).  
Minn. Stat. § 13D.01, subd. 3)

**Motion by Burkhardt, seconded by Hopkins, to move to closed session at 8:04 p.m. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick. Hopkins moved, seconded by Frank, to open the closed session at 8:10 p.m. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

The consensus was that the review was very favorable, and they appreciated Jackson's work. No correction items were noted. Some comments were that there is open communication, and she is supportive of the Council and staff. The Council would like to see her continue her professional development and communication. The original terms of the offer letter are applicable.

**Adjournment**

**Motion made by Hopkins, seconded by Burkhardt, to adjourn the meeting at 8:10 p.m. Voting Yea: Mayor Zeman, Burkhardt, Frank, Hopkins, Scharpnick.**

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Don Zeman, Mayor

Attest:

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Leaha Jackson, City Administrator