

JASPER CITY COUNCIL MINUTES

Regular Meeting-October 10, 2023

The Jasper City Council of the City of Jasper met in-person on **Tuesday, October 10, 2023**

Members present: Acting Mayor Brian Sievert; Council members: Kim Lape, Deb Plahn, Tim Houg;
Employees present: Trinidad Garcia Clerk/Treasurer, Asst. Clerk/Treasurer: (not present) Maggie Erickson; Public Works Superintendent: Brian Thode, Asst Public Works: Angel Garcia

Pipestone Star: Kyle Kupal;

Community members: Les Nath, Kenneth Yeager, Amy Yeager, Jonathan Klassen, Anna Klassen, Joseph & Elisabeth Klassen, Nelson Bonilla, Ryan Thomasen, Daniel Klassen, Lauren & Lisa Houg, Carmine Immediato, Alex Johnson,

Acting Mayor Brian Sievert called the Regular Meeting to order at 7:00pm followed by the Pledge of Allegiance;

Community Input:

- Les Nath – Is interested in serving as interim Mayor to serve the remainder of Mike Baustian’s term to December 31, 2024. Les shared that he served as Mayor of Jasper for 8 years and moved to County Commissioner for 8years when Mayor’s seat was up. Just retired in January, and has about 38 years of public service.
- Council shares that they received some letters and shares the sealed letter from Lorna Hill that she asked to have her letter opened and read in the City Council’s meeting. Acting Mayor Brian Sievert read Lorna’s letter out loud to Council and community residents. Lorna Hill’s letter addressed that Lorna Hill would like to make a personal suggestion to nominate Brian Sievert for Mayor.
- Council member Lape requested to make a motion to present the position of Mayor to Les Nath. Council members voted, Lape – yes, Houg – yes, and Plahn - no. 2/1 vote in Les Nath’s favor. Council approved Les Nath to service as Mayor until interim term is up.
Motioned by: Lape 1st/ Houg 2nd. Two ayes to One nay followed. 2/1 vote, ayes have it.
- Kenneth Yeager (Pastor of the Jasper Baptism Church on Wall Street) came to Council to address his concerns with Council about having the Stonewall Bar and Grill’s business moving in next door to the Jasper Baptist Church. Thanked Brian Persing for the letter that was received by Council on this matter. Pastor expressed that it will be difficult; the Church is starting a Hope Ministry to help people with drug and alcohol additions and this it would be difficult to administer with having a Bar next door. Pastor states that the Bar’s main nights are Wednesday

and Friday night, which is the same main nights as the Church. He addressed that there is an apartment right next door to the property with children present where the Bar will take place. Pastor resights the City Code Ordinance Section 4.52 (8) No license shall be granted for any building within 300 feet of any public elementary or secondary school structure or within 100 feet of any Church structure. Pastor shares that if a Bar cannot be 300 ft from a School it should not be 300ft from an apartment building where children actually live. Thirdly, in mentioning the Ordinance itself, some years ago the City of Jasper saw it was appropriate to have a 100 ft Ordinance in place to have a Bar from a Church in reverence to God and the people involved. Pastor encourages Council to stick with this Ordinance and states it's very clear that it is within a 100 ft. Pastor states that the Church measured it and that it is within that. Pastor finished up with leaving it open if the Council has any questions that he would be willing to answer.

Council member Lape questions if any body checked with the City before purchasing. Clerk shared that Bob Quissell came into the office to inquire about some things, but she is not sure what discussions took place as she was not present and Kiley did not approach the City.

Pastor shares that he hears that "we were here first, so why don't we move". Pastor wanted to address that the building was donated to the Worthington Baptist Temple as a purpose to be a Church and the Jasper City Council voted unanimously that it would be a Church and since the Church is over a 100 ft above what is legal. The Bar is trying to come to the Church and not the Church come to the Bar. The actual Church is legally placed. Acting Mayor Sievert asking if anyone else had more to say on this topic and thanked the Church for coming in.

- Lauren and Lisa Houg came in get an update on the replacement of the doors leading to the Preschool in the QCC. Clerk shared that this came up for discussion based on the locks being reviewed for the front doors of the QCC and the Wellness Center. She shared that from a previous report from the Fire Marshall the Preschool door needed to remain unlocked. Clerk states that we need to look at the front door then, Preschool just had a review from the state and it's their understanding that the front door is locked and requires a badge to enter and it is currently not being locked. It needs to be reviewed if the front door will be locked at all times or if there is an alternative solution with replacing the Preschool doors for security for the Preschool and still allowing Residents access to the QCC main area without having a lock on the front door and eliminating the freezing for the doors in the winter. Council questioned if the Preschool has a current issue with security right now. Lauren shared that they had a few instances where someone has come in and used the bathroom leaving it a mess and leaving food behind. It shared with the Preschool that they need to start locking their doors to the two main classroom. They also had concerns with their food items in the kitchen and people walking in with donations. Preschool doesn't always hear the doorbell and will have people just come in without anyone noticing. Lauren asked if the sign at the front entrance can be changed/covered that states Preschool and Restroom, to eliminate Residents from thinking the restrooms are open to the public. Public Works Sup shared that based off the last Fire Marshall Report the door lock had to be removed. Clerk is looking for the paperwork to determine if the door can change. She questioned if the

report was based on the current type of doors that are in place that no other option was left but to remove the lock without having to replace the doors. Lauren and Lisa will look into to some grant options to cover that cost. Clerk shared that by November the front door code and new badges will be submitted, so the City can go back to locking the front door, but will still run into the problem with doors freezing in the winter. Council member Plahn asked if there had been any thoughts to change the access to the Southside doors. Public Works Sup explains that would be a good option but it is not handi-cap accessible. He thought about putting a parking lot on the southside but cannot because of it is not handi-cap accessible. Clerk explains if the doors are put in place for the Preschool then the City does not need a lock for the front door and the QCC's front door can remain open for Residents to use as a community area. Council decided that the solution is to look at the Preschool doors and for them to not have the visibility as the current doors, and to request some bids.

Clerk asked Lisa to stay to discuss the lease agreement to show the set increased rental amount from a previous Council meeting. City Attorney put an agreement in place and requested to have Lisa Houg review and both parties to sign.

- Carmine Immediato came to Council to address the City bill he received for \$312.50 for the mowing and trimming of weeds. Carmen states that he was unavailable to maintain his property at the time and he wasn't surprised that the City took care of that, but was surprised to receive a bill over \$300. He does not see how the City's equipment used to mow his lawn would amount to 2 ½ hours of time. Carmen is requesting an adjustment to his bill. Carmen explains that he found this bill in his mail and the invoice was not dated, so he is not sure when this took place. Asst Public Works addressed that he was the one who did the mowing work and explained that the weeds were so thick that he could not use the City's weed wacker but had to pull ¾ of the weeds by hand. He also addressed that the property contained a dirt mound on the property that had accumulated weeds and this could not be cut using the City equipment and the weeds had to be pulled by hand. Carmen still does not feel it should have taken this much time. Carmen explains that we left the weeds growing by the side of the house and how some people allow for the weeds to grow to eventually look like bushes growing on the side of the house and he would have rather left them as they were not in the way of mowing. Clerk addressed notices and the City Ordinance that states that mowing and weed trimming needs to be maintained. Council member Lape agrees that the property has a spread of thick weeds and this become a nuisance and spreads to other people's property. Council member Plahn exclaimed that other Residents pay to have their lawns maintained and that by allowing the weeds to accumulate it causes issues. Carmen asked if Council is willing to adjust the bill. Council member Lape states it's part of the Ordinance and Council member Houg agrees that it is part of the Ordinance. Council member Lape states that it can be put on a payment plan on the water bill. Clerk advised Council that we are getting to that point were special assessments of unpaid charges will be placed on property taxes. Carmen suggested breaking out the amount due into 5 payments. Council agreed to have the bill paid in 5 installments of \$62.50 added to the water bill.

Motioned by: Lape 1st/ Houg 2nd. All ayes followed.

Review and approve minutes from:

October 10, 2023 Regular meeting

Motioned by: Lape 1st/ Houg 2nd. All ayes followed.

Review and approve October 2023 claims to date.

Receipts noted in month.

Motioned by: Lape 1st/ Houg 2nd. All ayes followed.

Delinquent Sewer/Water/Garbage:

#252 Water is shut off - Waiting to see if property was actually sold

#39 Water is shut off from last month

List includes number of residents that are repeat offenders that wait to pay until the amount builds up.

Wellness Center/QCC:

- LMCIT – Loss Control Survey identified three areas that need to be addressed. The floor of the QCC, the carpet outside the QCC required repair and has been replaced, hanging wires by telephone and WIFI need to have more outlets placed and wires covered. Public Works Sup has Olsen electric coming out to address. The big-ticket item will be the QCC flooring. A wireless phone will be placed in the QCC outside of the Wellness Center and one placed inside the gym to allow access to a phone in case of an emergency. It was brought to the City's attention that someone locked themselves in the Gym and did not have access to a phone to call someone.
- Gym membership cards and master codes will be updated as of November 1, 2023. Communication went out to residents asking to have residents come in to the City office to fill out new paperwork for memberships, payment options, and liability waivers. Residents have received new activated cards to ensure continued access to the gym. During this process the Silver Sneaker program came up in question. There were a number of residents that thought their gym membership fee was covered by the Silver Sneaker program but the City had not received anything from the program. Based on the current monthly membership cost, it was decided by Council to drop the Silver Sneaker program going forward.

Motioned by: Plahn 1st/ Houg 2nd. All ayes followed

New Business:

- Quote for new office business cards and magnets for emergency contacts. Clerk requested a quote from Pipestone Publishing, to replace the current business cards that have been scratched off and

whited out to show new updated information. Quote included 500 business cards \$69.99 (1000 \$79.99) and 500 magnets \$175.57. Council approved the new business cards; 1000 for \$79.99 and 500 magnets for \$175.57

Motioned by: Houg 1st/ Deb 2nd. All ayes followed

- Splash Pad Project and Band Stand shelter removal – Council member Plahn shared Splash Pad funds collected through Lions Club of \$117,000 and \$5,000 from LG Everest today. Lions is looking at grants but currently cannot apply for some grants since Lions is not a 501(C)(3), they are a 501(C)(4). Lions is currently looking at getting a 501(C)(3) endorsement that does not have the Lions name associated with it, it will need to have another Foundation name and Committee for this. As of right now, it appears that this project is at a standstill. Council member Plahn presented to Council to make a motion on the removal of the Band Shelter to start preparations for the Splash Pad. Discussions took place as to tearing down the shelter by this fall with volunteers and the Community will see that actions are taking place with the Splash Pad project; this may help with collecting more donations. Council member Plahn explained what needs to take place to create a new Foundation. Choose a name, choose a board/officer and submit a request for a name to the Secretary of State. One that has been approved, then an endorsement can be requested for a 501(C)(3), all done online and a number will be granted in a few business days. Current Splash Pad committee is Trinidad, Paula, Jerry Tower, Deb Plahn, and Tim Houg. Looking to get a couple more community people to join the committee, even some with children. Double D called and is looking to support labor and material to the project, but would like to have some specs to have as to the project. Public Works Sup suggested before tearing it down that it be offered to residents to see if someone is interested in taking the Band shelter. Discussion took place amongst Council as to what should be done with the shelter. A suggestion was made to offer a sealed bid request and Council will review at next Council meeting. Dream Makers came up in question if this is something that can fall under their committee by opening up the Jasper chapter, but since it is a part of a big committee with other chapters it was decided to setup a new Committee for the Splash Pad. This will allow for additional donations to be collected and put toward the Splash Pad down the road too. Clerk shared that she thinks the layout of the floor needs to be decided and possibly getting the plumbing and concrete laid out with the water spouts even if there are no structures to be placed on the water spouts until additional funding is collected. This will show the project is moving forward and visible to residents. Council member Plahn explains that she needs for committee members with contractor background to help with the planning of the layout. Clerk questioned if some of the layout can get started with current members while the new foundation name is being requested. Clerk explained if the \$117,000 is used for the ground work only, leaving the balance at zero. This allows the committee to submit grants requests and will now have a dream to share and a plan to show what has been started but additional funds are needed. Council approved a sealed bid request for the Band Shelter to be submitted by November 9, 2023 @ 4:00pm to be reviewed in the next Council Meeting on November 14, 2023.

Motioned by: Plahn 1st/ Lape 2nd. All ayes followed

Old Business:

- Resolution 23-255A – Accepting Resignation & Declaring a Vacancy – City Council accepted Resolution 23-255A by accepting the resignation of Mike Baustian and declaring a vacancy for Mayor position on Council.

Motioned by: Lape 1st/Plahn 2nd. All ayes followed

- Resolution 23-255B – Exchange of properties with Rose Dell Township – City Council accepted the Resolution 23-255B by accepting the exchange of property from the City 200 Spicer Ave S to Rose Dell Township 203 1st Street E.

Motioned by: Plahn 1st/Lape 2nd. All ayes followed

- Cameras for the City – Follow-up on revised bids from Midwest Alarms and Intelli-Pro. Midwest Alarms had some back-and-forth communication with staff, resulting in the lack of receiving a timely bid to present to Council with the adjustments in cameras needed. Intelli-Pro remained the same from the previous bid request to add hardwired cameras in the office and QCC. Public Works Sup shared that he didn't understand that the bids were to redo the park and truck parking but states that Clerk understood differently. Clerk shared her understanding that bids were being requested to have camera services under one provider. Council member Lape asked if there are issues with service at the park and Public Works Sup replies that the issues are internet. Clerk explained that she understands that the issues may be internet but the problem that the Office will run into is the availability to access the data when needed. She explained that she is not sure if the issue is the app. Acting Mayor Sievert shared that the DVR is working. Public Works Sup explained that none of the internet services are hardwired, it beams down from the park to the City shop and beams from the QCC to the truck parking; that's like a quarter mile. Council member Lape states that you will have that issue no matter who the provider is. Public Work Sup also shared that there were issues with squirrels chewing through lines too. And the big issue are when they playball and turn the lights off on the breaker at the concession stand and also turn the receiving power for the truck stop cameras. Asst. Public Works shared that it would be a lot easier to just add the four cameras with the existing provider. Council addressed that it will make everything centrally located. Council had some discussion as to the quality of camera service from Intelli-Pro and the access availability to the app when needed to retrieve playback data from current hardwired cameras. It was also discussed the options of adding a direct line for WIFI services by adding a router. Council member Lape shared that she thinks they should just go with the existing provider and Council member Plahn agreed. Council agreed to go with Intelli-Pro's bid to add the 4 additional cameras to the existing services.

Motioned by: Lape 1st/Deb 2nd. All ayes followed

- Update on 3.2% Liquor License request for monthly events. Clerk explains what had transpired since the last Council meeting about approving a 3.2% Liquor license for the individuals that wanted to have monthly dance events at the Memorial Hall. After speaking to the State of MN, the City cannot issue a 3.2% Liquor license to the individuals since they were not an established business. The other option is for the individuals to partner with a non-profit organization to serve

the alcohol and request a license. If a temporary license is requested, it can only be requested 12x out of the year. Clerk brought Manuel Garcia into the City office to discuss with the State the requirements so both parties can hear the same information. At this time the monthly events/dances will not take place.

- With all the discussion that took place regarding the 3.2% Liquor license, it brought additional questions up regarding our Hall rental agreements and having liquor present. After speaking to the State of MN, the Hall is a City property and City properties are not allowed to have alcohol present unless you hold a Liquor license with a Catering License to serve. In our Hall agreement the renters are to use Kyley to serve liquor and that currently does not always take place, due to lack of staff or late notice. After speaking to the State of MN, it was clarified that Kyley's Liquor license only covers her current establishment; Stonewall Bar and Grill in Jasper, in order for her to serve liquor off sight she will need to have a Catering license which is not present at the time for Jasper or Trosky. Clerk spoke to Kyley regarding the catering license and suggested that she come to the next Council meeting to talk through some of the processes, which would have been the October Council meeting, Kyley did not attend. Since then, the City had an additional event, Kyley was not able to serve the alcohol and the renter could not find another Liquor/Catering License holder to serve the event. The renter decided to have the event and told the City Office staff that alcohol would not be present, the renter was told that if alcohol was present that they would lose their \$250 deposit. The renter had their event, liquor was present, had more than 50 people per the agreement, and had a band. The renter lost their deposit. Clerk questions how Council wants to handle small family events where the renter wants to have a case or two of beer. The State of MN contact advised the City to go back and speak to our Attorney to possibly review our current City Ordinance. State used an example with the City Park, Park cannot have alcohol but if the City changes the Ordinance that states something like alcohol can be present for a small family event provided that an agreement is in place with the City for a certain amount of people, then it can work. **(THIS IS AN EXAMPLE)**. Clerk reached out to the City Attorney, City Attorney shared that he is not very versed with Liquor licensing rules, but sent some information that he received from County training for liquor licensing. The information sent had already been reviewed by the Clerk but was updated from 2023. The Attorney is looking over our renter agreement, for now the City staff is advising renters for the hall that if they want alcohol present at their party they need to have a provider who is licensed to service alcohol and a catering license too. Renters are also told if they state no alcohol and have alcohol present, they will lose their \$250 deposit. Asst City Clerk called Pipestone to share what their hall renter agreement is for the Hiawatha Lodge and they use Hatfield to serve alcohol for them. Clerk also noted that in the past the City issued their City License Certificate to Stonewall Bar and Grill and it always included serving at the Memorial Hall, street dances, and the ballfields. Council member Plahn addressed that some of the information that the City received in one of the anonymous letters that gives exclusive right to Stonewall Bar & Grill by serving at the Memorial Hall, street dances and ballfields. Also brings up pool and dart leagues. Clerk

shares that the letter was delivered by Brian Persing and behalf of multiple residents, so this may pertain to when Brian Persing had his establishment in place. Acting Mayor Sievert brought up the need to reword the City's Ordinance to address the use of cannabis and dispensing. This has been brought up in the past and the City Clerk is working on the paper work for this. Asst Public Works brought up the need to have a policy in place to address residents that rent the hall with small parties and requesting alcohol. Clerk shared that the LMC shared the use of Gather Guard for liquor liability insurance. Asst Public Works has concern that the City is going to lose the use of their hall. Clerk has concern for November and December/holidays events. Public Works Sup addressed what took place when the City owned the bar and then what took place when it turned over to Sanow. Clerk shared that different rules are in place for City municipal owned Bars verse an individual Bar business owner. Council discussed the need for having a Catering license in place either in Jasper or Trosky. Council discussed other areas that have hall rental and asked Clerk to call a number of small towns related to the same size as Jasper. Clerk will follow up with City Attorney to provide some guidance.

- Updated Lease Agreement for Preschool - City Attorney put an agreement in place to capture the approved increase rental amount of \$350 with an added room to the lease agreement approved in a previous Council meeting in June 2023. Attorney requested to have Lisa Houg review and both parties to sign.
- Resolution 23-164 for Sweeper purchased on 06/13/2023 – City Council accepted Resolution 23-164 for the Sweeper purchase from Big Iron Auction under Brian Sievert's Big Iron account. The City issued payment for the Sweeper, under Brian Sievert's account.
Motioned by: Deb 1st/Lape 2nd. All ayes followed
- Purchase of Disc Mower for \$1,700 and Skid Steer for \$250 from Big Iron Auction.
- Resolution 23-283 unused Cemetery lots – City Council accepted Resolution 23-283 authorizing the City to adopt a policy to cemetery lots that were conveyed but not used for the purpose of burial for more than 60 years.
Motioned by: Houg 1st/Plahn 2nd. All ayes followed
- CHS update on properties on 3rd Street – Regional Manager Jerry Wichern reached out to the City to see if Council would be willing to share the demo cost for the buildings on 3rd Street. Jerry estimated that the cost would be \$13K-\$16K per house. Council was not open to the idea of the cost share, as the responsibility of CHS. Council would still like to see CHS address the concerns with the safety and maintenance of the properties on 3rd Street.

Public works Report:

- Land permits: N/A

- Sidewalk Replacements – N/A
- Reviewed sidewalk removal request form
- Fuller Paving was in town yesterday (10/09) patching all the holes and 2 partial alleys. Clerk was asking if the alley was done that, we talked about in previous Council meetings. It was told that the alley just needs gravel and not paying. It was decided that Public Works Sup and Clerk were not talking about the same property. Public Works Sup states that based on what Mike said years ago that we are doing work to benefit the City, not the individuals. The alleys that received work are busy and water washing out. So, we will be getting a bill from Fuller.
- Toth across from the QCC had been having sewer problems for the last 2 years. Public Works Sup went up last week with the jetter and worked on father's lines and it didn't open it up. They talked a bit and Public Works Sup agreed if it was the City's main line that they will cost share. The issue ended up being both Steve and the father's issue. Both their service lines were bad and Fuller will come by before winter to patch up the street.

Additional Items Added to the Agenda:

- Council member Lape questioned what happened with the final letter stages from the list of residents identified for clean up of properties. Clerk advised final letters were sent out to resident per last Council meetings request. Clerk addressed that some of the properties that had recent clean up. Asst. Public Works addressed properties that he has spoke to some residents regarding the clean up of vehicles and metal scrap off properties. Council member Plahn asked about sending letters out as the City office received complaints. Clerk agreed that letters can be sent out as information is received. Council discussed another property that the business property had been cleaned up but now the home property had become an issue. Council identified 3 properties that a letter that will need to be sent out. Council discussed the option of addressing the Stone Wall Bar and Grill's current property state and the concern with the business relocating. Council cannot address the business relocating but will have to address the issue with the approval of a Liquor License and the current City Code 4.52(8). Clerk will send a letter from Council to address the Bar's current property state, the community concerns, and the City Code for Liquor licensing. Council member Plahn references that she went on the LMC to find information to say this is between a bar and Church. Clerk references that she has this information. Council member Lape states that she wrote it down that it is 300 ft from a school and 100 ft from a Church and ask if that is what our City Code states, and it was confirmed that it was the same. Public Works Sup shares that that the City of Minneapolis had a 300 ft rule and they got rid of it because they started to have building sitting vacant. The City of St Paul did the same thing. This goes back to 2011 for Minneapolis. Council member Plahn addressed that Stonewall Bar will lose her back area and Council member Lape states that she (Kiley) has a lot of work to do in the new building. Council member Plahn states that on Wednesday nights and Friday nights are busy for the Baptist Church and that is also Kiley's busy nights too. That beer bottles are broke out front and by the storage buildings and this will be the same thing in front of the new place. Clerk shares that she

will find the information for Deb as she read through the LMC, City Code Ordinance, and the State of MN Liquor and Gambling.


- Asst Public Works brought up his cell phone support and how it was discussed in the past about changing his phone number to a 507-area code, but he didn't want his number changed because everyone has his current number. Clerk is going to get an account setup with Verizon for Asst Public Works phone services.
- American Tower is requesting a lease extension with the City with a new expiration date of 2073. The current City agreement's expiration date is 06/30/2028 with the monthly rental amount of \$605.00. In July of 2023 the City received a 10% escalation amount to the monthly rental from \$550.00. This takes place every 5years. Council is requesting to verify what other Cities or businesses receive in monthly rental, to see if the City can negotiate an increase in rental before agreeing to a long term commitment for 35years.

Upcoming Meetings:

Council Meeting: Tuesday, December 12, 2023 @ 7:00 p.m.

Lape motioned to adjourn, Houg seconded all ayes, carried; regular meeting adjourned at 9:13 p.m.


Trinidad Garcia Clerk-Treasurer


Les Nath, Mayor