

November 14, 2016

The City Council met in the Council Room on November 14, 2016 with the following members present: Richard Novotny, Mayor Terry Aasness, Darek Buse, Monica Olson & Bobbie Batesole and the following absent: NONE

Others Present: Darrin Batesole, Ardell Hendrickson, Chuck Steffenson, Jamie Englund, Dave Bedore, Jerry Buse and Diana K. Olson

All present stood to say the pledge of allegiance.

The meeting was called to order at 7:00 PM by Mayor Aasness.

A motion was made by Novotny, seconded by Buse and carried to approve the November 14th agenda with the addition of County Road 5 & N Gran Street.

The Board of Canvas looked over the results of the 2016 General Election.

Mayor-2 year term

- Terry Aasness--152
- Tim Fiskal--13
- Ron Buse--77
- Darren M. Henrichs "Tubby"--57
- WRITE-IN--5

Council Member-4 year term

- Chuck Steffenson--229
- Richard L. Novotny--73
- Darek Buse--182
- WRITE-IN--13

Special Election for Council Member-2 year term

- Bobbie Batesole--248
- WRITE-IN—12

A motion was made by Buse, seconded by Novonty and carried to approve the results of the election with Terry winning for Mayor, Chuck & Darek winning for Council and Bobbie for Council 2 year term.

A motion was made by Buse, seconded by Batesole and carried to approve the October 10th Council Minutes.

The Fire Hall committee had a meeting with Matt and Bob. They went over the results of the soil borings which would add to the cost. The cost due to the results of the soil borings would now be \$1,459,000. There were lots of questions and discussions on ideas and options. The committee without the engineers would like to meet and discuss some options.

Terry expressed concern about the possibility of asbestos at the Husted property.

A motion was made by Novonty, seconded by Batesole and carried to hire an inspector to have the Husted house checked for asbestos. The report will be given to those contractors who bid the project in order for them to rebid it with the results.

A motion was made by Buse, seconded by Olson and carried to have the contractor also check the announcers stand in the park for asbestos.

A motion was made by Olson, seconded by Buse and carried to approve the amendment to the East Side Phase 2 Covenants. The amendment shall read, "Covenant # 20 shall be amended to read: The City of Evansville will allow for newly built off site homes, without a permanent chassis, to be moved in. No trailer, basement home, tent, shack, garage, barn, or out-building shall be used upon a lot at any time as a residence. Newly built homes are homes built within 2 years of being moved in and have never been occupied". The Evansville City Council approved this change at their meeting on November 14, 2016.

A motion was made by Novotny, seconded by Olson and carried to approve the list of 2017 Tobacco and Liquor License.

2017 Tobacco & Liquor Licenses

Nelson's Store—Scott Nelson		
-Tobacco License	#1	\$50.00
Lon's Spur—Lonnie Lystrom		
-Tobacco License	#2	\$50.00
Hiway Amoco—Joan Anderson		
-Tobacco License	#3	\$50.00
Back Roads Steak House—Mahrie Ohren		
-Off-sale intoxicating Liquor License	#1	\$100.00
-On-sale intoxicating Liquor License	#1	\$1500.00
-Special Sunday On-sale Liquor License	#1	\$100.00
-Off-sale 3.2 Beer License	#1	\$5.00
Evansville Bottle Shop—Denise Quinn		
-Off-sale intoxicating Liquor License	#2	\$100.00

A motion was made by Novonty, seconded by Buse and carried to approve the list of delinquent bills and special assessments to be assessed to the 2017 taxes.

Name	Amount to be assessed
Justin Carpenter	\$ 811.98
Kristy Reisch	\$ 530.51
Adam Schroeder	\$ 1,297.96
Mark Olson	\$ 561.13
Sharon Denardo	\$ 1,791.68

Justin Evavold	\$ 1,799.20
Joshua & Jennifer Kramer	\$ 343.38
Jennifer Lehn	\$ 309.04
Travis Santjer	\$ 454.98

Diana will not be baking goodies for coffee/cookie day this year.

A motion was made by Olson, seconded by Novonty and carried to have coffee/cookie day and have Diana purchase goodies and set a date.

A motion was made by Buse, seconded by Novonty and carried to approve a structure permit from Steven Kratz to add on to the existing deck towards the garage as long as setbacks are met. It is parcel 72-0229-000.

Council Member Bobbie Batesole introduced the following Resolution and moved for its adoption:

Resolution 16-005
RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS
WITH THE CITY OF EVANSVILLE ON BEHALF OF ITS CITY ATTORNEY AND POLICE
DEPARTMENT

WHEREAS, the City of Evansville on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the City to pay the costs for the network connection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Evansville, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Evansville on behalf of its Prosecuting Attorney and Police Department, are hereby approved.
2. That the Douglas County Sheriff's Department, or its successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Megan Burkhammer is appointed as the Authorized Representative's designee.

3. That the Evansville City Attorney, Michael J. Dolan, or his or her successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized

Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

4. That Terry Aasness, the Mayor for the City of Evansville and Diana Olson, the City Clerk, are authorized to sign the State of Minnesota Joint Powers Agreement.

The motion for the adoption of the foregoing resolution was duly seconded by Council member Monica Olson and upon a vote being taken thereon, the following voted in favor thereof: Monica Olson, Bobbie Batesole, Terry Aasness, Richard Novonty and Darek Buse

And the following against the same: NONE

Whereas this resolution was duly passed this 14th day of November 2016.

Council Member Richard Novotny introduced the following Resolution and moved for its adoption:

**Resolution #16-006
ENCROACHMENT AGREEMENT**

WHEREAS, Brian Smith and Kristy Smith are owners of property located in the City of Evansville, and legally described as follows: See attached **Exhibit A** (the "Smith Property");

WHEREAS, the Smith Property adjoins the dedicated street as shown in the plat of Woodside Addition, and certain improvements benefiting the Smith Property are located in the Right of Way as depicted in the survey attached hereto as **Exhibit B**;

WHEREAS, the City of Evansville has certain rights with respect to the dedicated Right of Way adjoining the Smith Property; and

WHEREAS, the Smiths and the City of Evansville have agreed to permit the encroachment of the buildings owned by Smith in the Right of Way, and to permit certain uses in the Right of Way.

NOW THEREFORE, LET IT BE RESOLVED BY THE CITY COUNCIL OF EVANSVILLE, MINNESOTA:

That the Mayor and City Clerk of the City of Evansville are authorized and directed to execute the Encroachment Easement Agreement attached hereto.

The motion for the adoption of the foregoing resolution was duly seconded by Council member Monica Olson and upon a vote being taken thereon, the following voted in favor thereof: Monica Olson, Bobbie Batesole, Terry Aasness, Richard Novonty and Darek Buse

And the following against the same: NONE

Whereas this resolution was duly passed this 14th day of November 2016.

A full copy of the resolution is available for inspection at City Hall.

Jerry is looking at the treatment plant in Dalton to get ideas for the upgrade here.

There were questions about the intersection of CO RD 5 & North Gran Street on who has the right away. The City will talk to the County about this issue since it is a County Road.

A Council member was wondering why the code of conduct was tabled. It was discovered that the personnel policy covers the City Council along with the Fire Department.

A motion was made by Novonty, seconded by Buse and carried to approve the November bills and authorize payment. (List Attached)

A motion was made by Buse, seconded by Novonty and carried to adjourn the meeting at 9:00 PM.

Diana K. Olson