

**CITY OF HANOVER  
CITY COUNCIL MEETING  
MAY 5, 2020 – OFFICIAL MINUTES**

**Call to Order/Pledge of Allegiance:**

Mayor Chris Kauffman called the regular meeting of Tuesday, May 5, 2020 to order at 7:00 p.m. Present were Mayor Chris Kauffman, Councilors Doug Hammerseng, Ken Warpula, Jim Zajicek and MaryAnn Hallstein. Also present were City Attorney Jay Squires, City Planner Cindy Nash, City Administrator Brian Hagen and Accountant Jackie Heinz. Guests included Kristal Sneen and Doug Voerding from the Wright County Journal Press.

**Approval of Agenda:**

Hagen noted Res No 05-05-20-49 – Rescinding the Local Emergency was not required and such decision could be done via a motion. Kauffman added a Resolution Urging Governor Walz to Reopen Businesses as Item 7d.

**MOTION** by Warpula to approve the amended agenda, seconded by Hammerseng. **Motion carried unanimously.**

**Consent Agenda:**

Hammerseng stated Resolution 05-05-20-44 has the incorrect heading on it, should read Approving 2020 Liquor Licenses.

**MOTION** by Hammerseng to approve the amended consent agenda, seconded by Warpula.

**a. Approve Minutes of April 21, 2020 City Council Work Session Meeting**

**b. Approve Claims as Presented:**

➤ Claims	\$ 49,516.12
➤ Payroll	\$ 9,369.83
➤ P/R taxes & Exp	\$ 3,923.74
➤ Other Claims	\$ <u>2,640.94</u>
➤ Total Claims	\$ <u>65,450.63</u>

**c. Res No 05-05-20-44 – Approving Annual Liquor License Renewals**

**d. Res No 05-05-20-45 – Approving Payment to Snowplow Driver**

**e. Res No 05-05-20-46 – Approving Purchase of Fire Department Equipment**

**Motion carried unanimously.**

**Citizen's Forum:**

None

**Public Hearings:**

None

**Unfinished Business:**

None

**New Business:**

**Res No 05-05-20-47 – Approving Variance for 1332 Jansen Ave SE**

Nash stated the resolution is to allow an accessory building to the front of the property on County Road 20. The property has an existing earth home, the owners would like to take the existing attached garage and convert it to livable space and add a garage. Nash further stated that due to shoreland rules, the accessory structure must be placed between the home and the road. Planning Commission mentioned a

future breezeway, but construction is not possible. The Planning Commission recommended approval with the 40x28 dimensions. Kauffman inquired if the owner was okay with the change in garage size. Sneen stated yes, she mentioned the change. Hammerseng stated it will look nice and inquired if a height requirement should be stated. Nash would adjust the resolution to identify the height per the submitted plans.

**MOTION** by Warpula to approve Res No 04-07-20-38, seconded by Hammerseng. **Motion carried unanimously.**

#### **Res No 05-05-20-48 – Approving Temporary Patio Agreement**

Hagen stated this agreement is possible due to the local emergency being in effect. The agreement allows establishments to utilize additional outdoor seating, this is not a permanent approval, if the establishment wants to keep the additional outdoor seating they must go through the proper process. Hagen further stated the agreement can be terminated by the City for any reason. Warpula inquired if the agreement was sent to Jodi and Rick. Hagen stated yes, not the current version. He has also talked with Chad Brink. Zajicek inquired about the size of the patio and number of seats. Hagen stated the patio could be the entire parking lot, would look at the number of tables and adjust from there. Zajicek inquired if the area would be identified on a drone picture, Hagen stated staff would utilize GIS.

Hammerseng inquired if clarification was needed on #5 of the agreement, does the mayor, governor or who has the official decision. Squires stated the agreement is terminated when we are back to the old world, the City has authority to terminate. No language needs to be added. Hagen inquired if City needs to be added to paragraph #5, Squires stated you could, but it does not matter, the state will determine the end of the emergency. Hammerseng stated Jays explanation is good, the Governor will decide when people can gather inside.

Hallstein inquired about the emergency extending past nice weather, would temporary awning structures, heating and shelter from the elements be allowed. Warpula stated he wants Hanover businesses to thrive. Hagen stated if the structures were on an existing impervious surface it would be fine. Nash stated structure would need to be defined, currently a tent rental does not require a permit. Hagen suggested adding to paragraph 5 “no permanent above ground structures.” Squires stated the council could approve and changes could be brought back in the fall. Squires further stated the option to leave the agreement as is, when something is proposed Brian would approve with his judgement to get through the warm summer months.

**MOTION** by Warpula to approve Res No 05-05-20-48, seconded by Zajicek. **Motion carried unanimously.**

#### **Res No 05-05-20-49 – Urging Governor Walz to Allow Businesses to Reopen**

Kauffman stated he was hesitant when he first signed the declaration, he now feels there is no need for it and is asking to rescind it. Zajicek inquired what affect it will have if passed. Squires stated it is a fair topic to raise, the declaration should still be in place and a statement could be made instead. Squires further stated there is no legal affect if rescinded, but it could hurt the establishments utilizing the temporary patio which was just passed. The declaration allowed the City to relax the rules and you will lose that if rescinded. Squires further stated when aid flows down from the federal to state and local levels, if lifted could negatively affect the possibility of what you receive. Kauffman stated only expenses related directly to COVID-19 are reimbursable right now. Squires stated he is not sure but does not want to find out later. Nash stated she agrees with Squires, the one potential expense if this continues would be non-payment of the EDA loan by Big Bore, they could default due to COVID.

Kauffman inquired what the upside is of rescinding the declaration. Squires recommended sending a message. Hallstein referenced the ability to conduct public meetings via Zoom because of the local emergency. Squires stated the governor's declaration is still in place so you could continue virtual meeting under the Governor's declaration. Kauffman stated there are cities still meeting in person, we could meet at City Hall with social distancing. Hagen stated with a high-volume crowd it could be difficult, we should try to keep the meetings consistent for residents. Warpula inquired how are planning commission and council going to handle developments which come in. Nash stated that JP Brooks has been delayed for 2 planning commission meetings but may need to keep moving, will need time to send notices. Kauffman stated he has been doing a lot of remote meetings, it works best to shut off the computer mic and have everyone call in. Hagen stated zoom can take up to 500, the largest in person meeting we have had was roughly 100 people. Hagen further stated the biggest limitation is public comment. A letter would be sent before hand showing where to submit public comment before the meeting and could be forwarded to council. Hallstein stated like a hearing, a list could be sent of those requesting to speak and the facilitator would run through them. Hagen stated as the facilitator, you can see all the participants and their names.

Kauffman inquired when they will rescind the emergency. Warpula stated it is not hurting so should be kept. Zajicek stated to leave it in place, he does not want to hurt Big Bore or River Inn. Kauffman stated he understands there are minor potential future items. Hammerseng stated trying to make a statement is one thing, but we do not want to be on the wrong side of the Governor in the future.

Kauffman inquired if there are any effects if parks are opened. Hagen stated parks can be opened, other cities have already opened theirs. Hagen further stated some residents are choosing to use the playgrounds anyways. City Hall is currently open Monday, Wednesday and Friday and asking for appointments. Kauffman stated Amy has a concern, but he would like to see staff back to normal. It was suggested installing plexi-glass at the counter. Hagen stated he has already discussed options with Amy. Hagen inquired when to open the permanent bathrooms at Settlers Park. Warpula asked when they are normally opened. Hagen stated Mid-May to Memorial Day, once there is no frost at night. Zajicek inquired about sanitation. Hagen stated they would be cleaned a couple times a week and a sign would be posted. Council consensus was to open the permanent bathrooms at Settlers Park as soon as weather permits.

Kauffman stated he would like a plea made to the Governor to open businesses. Hallstein suggested posting on the website and sharing on Facebook to encourage residents to comment and contact our legislators. Hagen stated staff is watching the Facebook page, still monitoring and addressing relevant issues. Kauffman stated according to Sheriff Deringer they are not enforcing the stay at home order, the resolution that Roseau did allows businesses to reopen sooner than later. Warpula stated restaurants need to open and supports sending a letter supporting that. Discussion continued altering the City of Roseau resolution to fit for Hanover. Squires stated to create a cover letter signed by the mayor to accompany the letter. Hammerseng suggested asking Lucero and Kiffmeyer to advocate for businesses to open as well. Hallstein suggested encouraging business owners to contact them as well.

**MOTION** by Kauffman to approve Res No 05-05-20-49, seconded by Zajicek. **Motion carried unanimously.**

## **Reports**

### Hagen

- Bryan Reitzner is inquiring about local assistance for his project. The EDA low interest loan is not enough, will be bringing to the EDA to discuss tax abatement. Kauffman inquired on the difference of tax abatement from TIF. Hagen stated they have similar eligible uses, but abatement is more flexible. TIF is approved at local and is carried through to the county and school where abatement is approved by each jurisdiction.

- Hagen will be taking a possible vacation May 18-24

**Adjournment**

**MOTION** by Warpula to adjourn at 8:30 p.m., seconded by Hallstein. **Motion carried unanimously.**

APPROVED BY:

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Chris Kauffman, Mayor

ATTEST:

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Brian Hagen, City Administrator