

## 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

February 2, 2023

Members Present: Mayor Al Poehler  
Council Member Pam Rodewald  
Council Member Justin Kraus  
Council Member Paul Bode

Members Absent: Council Member Ralph Bents

Others Present: Julie Holm Dave Ubel Chris Dauer Derek Swanson-Cullen Ken Reckard Richard Krohn Scott Stein Mark Fiemeyer

The regular city council meeting was called to order by Mayor Al Poehler at 7:00 pm on February 2, 2022 in the Council chambers in City Hall.

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

**Rodewald made a motion to approve January 5, 2022 regular Council minutes. Kraus seconded the motion. Motion carried with all in favor.**

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

Check#	Vendor	Date	\$AMT	Description
EFT	MICROSOFT	12-Jan-23	\$8.86	office 365 subscription
EFT	IRS	13-Jan-23	\$2,251.36	federal payroll taxes
EFT	MN DEPT OF REVENUE	13-Jan-23	\$171.00	mn payroll taxes
EFT	PERA	13-Jan-23	\$576.44	PERA contributions
EFT	MN DEPT OF REVENUE	20-Jan-23	\$1,637.00	4th qtr 2022 sales tax
EFT	IRS	25-Jan-23	\$1,092.54	federal payroll taxes
EFT	MN DEPT OF REVENUE	25-Jan-23	\$203.00	mn payroll taxes
EFT	PERA	25-Jan-23	\$650.14	PERA contributions
22106	AUTO-OWNERS INSURANCE	05-Jan-23	\$100.00	clerk bond
22107	BADGER METER	05-Jan-23	\$30.88	beacon web program support meter reading 386 units
22108	CLEARWAY COMMUNITY SOLAR LLC	05-Jan-23	\$1,879.14	solar subscription
22109	COMCAST, INC	05-Jan-23	\$93.37	community center, fire hall internet
22110	CRYSTEEL TRUCK EQUIPMENT	05-Jan-23	\$279.78	plow truck snowplow repair
22111	ECOWATER SYSTEMS OF NEW ULM	05-Jan-23	\$14.33	fire deptment softer salt
22112	GOPHER STATE ONE-CALL	05-Jan-23	\$5.40	4 tickets
22113	LOFFLER	05-Jan-23	\$73.55	mfp maintenance 12/24/23-1/23/23
22114	MN LIFE INS COMPANY	05-Jan-23	\$5.00	dave life ins
22115	RUNNINGS SUPPLY, INC.	05-Jan-23	\$1.81	brake cleaner
22116	SOUTH CENTRAL NEWS & MEDIA	05-Jan-23	\$210.00	resolution publications for ordinances
22117	LUEPKE OIL & TRUCKING LLC	06-Jan-23	\$1,158.08	plow truck, loader fuel
22118	Holm, Julie	12-Jan-23	\$1,028.19	Payroll 12/25/22-1/7/23
22119	Ubel, David	12-Jan-23	\$1,379.56	Payroll 12/25/22-1/7/23
22120	Voges, Jessie	12-Jan-23	\$1,114.07	Payroll 12/25/22-1/7/23
22121	DAVE UBEL	12-Jan-23	\$193.17	battery for fire hall generator
22122	GSS	12-Jan-23	\$119.21	lift station generator service
22123	LUEPKE OIL & TRUCKING LLC	12-Jan-23	\$546.00	generator fuel
22124	Nuvera	12-Jan-23	\$518.70	office,fax,fire hall,lifts,wells,wtr twr,wtr plnt intnet,wbste host
22125	BLETHEN BERENS	19-Jan-23	\$800.00	emails re inspections agreement; tow policy, parking restrictions
22126	BOLTON & MENK, INC	19-Jan-23	\$8,171.50	kuester pit 2 2nd add const svcs(oversight)
22127	CITY OF COURTLAND	19-Jan-23	\$313.82	fire hall,community center,main shed,city office utilities

22128	CITY OF NEW ULM	19-Jan-23	\$6,197.38	flow fees
22129	COMCAST, INC	19-Jan-23	\$91.37	main st office internet
22130	COURTLAND MART	19-Jan-23	\$520.12	gas, batteries for office thermostat
22131	MN LIFE INS COMPANY	19-Jan-23	\$5.00	dave life insurance
22132	PROKORE INSPECTIONS, LLC	19-Jan-23	\$2,620.60	permits dec 2022
22133	UNITED NATURAL GAS	19-Jan-23	\$1,903.31	main shed, firehall,wtr plant,cityoffice natural gas
22134	XCEL ENERGY	19-Jan-23	\$3,404.35	office,firehall,wtrtwr,park,lifts,wtrplt,mainshed,st lights
22135	Holm, Julie	25-Jan-23	\$918.65	Payroll 1/8-1/21/23
22136	Ubel, David	25-Jan-23	\$1,391.08	Payroll 1/8-1/21/23
22137	Voges, Jessie	25-Jan-23	\$994.61	Payroll 1/8-1/21/23
22138	PARAMOUNT SERVICE & REPAIR, LL	25-Jan-23	\$522.00	emergency main lift station generator repair
			\$43,194.37	

Public Utilities: Dave Ubel reports he was called to resident with grinder pump that was not running. It was determined an electrician the homeowner had do work had unhooked its power to use on their sprinkler system. Alarm was off because of no power. Power was restored and pump now working.

Dave asks about having car towed parked on Main Street. Dave cleaned sidewalk next to the car which can be billed back to residents. The resident then dug snow out around his car and threw up onto the clean sidewalk. Planning Commission is working on updating Parking Ordinance.

Council Reports: Councilmember Rodewald is officially done on Region Nine board after twelve years.

Mayor Report: Attended Annual Rural Association meeting where it was voted to form a joint powers board. They will have monthly meetings to move forward and not stall until next year's meeting.

Clerk Report: Audit will happen in February. The city office will be closed for President's Day.

Clerk presents municipality insurance tort limit liability waiver. Each year on municipality insurance renewal, council must vote on tort limit liability waiver.

**Rodewald made a motion to waive tort limit liability. Poehler seconded the motion. Motion carried with all in favor.**

2023 Fee Schedule tabled until next month to gather information on changes to permit fee schedule along with water/sewer fees.

Dave Ubel, Fire Chief reports the department has hired Richard Krohn as a new firefighter. Council accepts new hires.

**Kraus made a motion to accept Richard Krohn as new firefighter. Rodewald seconded the motion. Motion carried with all in favor.**

Conditional Use Permit application from Courtland Waste Handling has been forwarded to council by planning commission for approval. Resolution 23-101 Approval of Conditional Use Permit of Business Expansion of Courtland Waste Handling, Inc. is presented with conditions discussed. Council reads out the conditions and asks for any further discussion by those present. Discussions of each condition with most on item three, buffer zones widths and what makes up the buffer zone, planning commission recommendation was 40 foot width with trees and vegetation. Council discussion regarding width of buffer zone and with no set precedence agreement is to establish 30 feet buffer zone along North and South property lines along housing area and no additional setback for future building and no change to 20 foot setbacks along Red Shoe Drive on West side and along County Road 24 on the East side and to be established with trees and vegetation. City will be pursuing grant(s) for trees for all the buffer zones. The last condition is weight restriction of vehicles on Red Shoe Drive, limited to 7 ton. Residents present if any other conditions regarding building or lighting would be included, none are as the conditions can be revisited when building permits are requested.

**Rodewald made a motion to approve Resolution 23-101 Approval of Conditional Use Permit of Business Expansion of Courtland Waste Handling, Inc. Kraus seconded the motion. Motion carried with all in favor.**

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

Meeting adjourned 8:19pm

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

## RESOLUTION 23-101

### Approval of Conditional Use Permit of Business Expansion of Courtland Waste Handling, Inc.

WHEREAS, Minnesota Statute 462.3595 authorizes and Section 303.13 Subd 6 of the Courtland City Code allows the approval of a conditional use permit (CUP) under certain circumstances;

WHEREAS, on December 2, 2022, Chris Dauer, owner Courtland Waste Handling, Inc. applied for a business expansion Conditional Use Permit

WHEREAS, the zoning designation of the site is I-1, Light Industrial;

WHEREAS, on December 15, 2022, the Courtland Planning Commission held a public hearing for the proposed CUP;

WHEREAS, the proposed CUP is for business expansion on a certain portion of property;

WHEREAS, neighboring property owners provided concerns about safety, noise, and dust control;

WHEREAS, the Planning Commission recommended the Council approve a conditional use permit business expansion with conditions;

WHEREAS, on February 2, 2023, the City Council considered the application and discussed it with Chris Dauer;

AND WHEREAS, the City of Courtland desires to protect the public health, safety, and welfare;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Courtland grants a conditional use permit for business expansion at the following property with the following conditions:

That part of the East Half of the Northwest Quarter of Section 8, Township 109 North, Range 29 West, Nicollet County, Minnesota, described as follows:

Commencing at the North Quarter corner of said Section 8; thence South 00 degrees 10 minutes 10 seconds West, bearing based on the Nicollet County coordinate System NAD83(96) on the east line of the Northwest Quarter of said Section 8, a distance of 643.89 feet to the southeasterly extension of the south line of Block 2, ALCOR ADDITION, being the point of beginning; thence continuing South 00 degrees 10 minutes 10 seconds West on said east line, a distance of 1,114.61 feet to the easterly extension of the north line of Lot 1, Block 1, SUZANNE FIRST ADDITION; thence North 89 degrees 59 minutes 38 seconds West on said north line and its easterly extension, a distance of 137.03 feet to a bend point in the north line of said Block 1; thence North 76 degrees 36 minutes 10 seconds West on

the north line of said Block 1, a distance of 297.72 feet to a bend point in the north line of said Block 1; thence North 60 degrees 58 minutes 45 seconds West on the north line of said Block 1, a distance of 418.50 feet to a bend point in the north line of said Block 1; thence North 44 degrees 53 minutes 08 seconds West on the north line of said Block 1 and the north line of Block 1 of SUZANNE THIRD ADDITION, a distance of 592.42 feet to a bend point on said north line of Block 1 of SUZANNE THIRD ADDITION; thence North 81 degrees 4.6 minutes 43 seconds West on the north line of said Block 1, a distance of 59.57 feet to the east right of way line of Red Shoe Drive, as dedicated per ALCOR ADDITION; thence North 00 degrees 07 minutes 26 seconds East on said east line, a distance of 152.81 feet; thence Northerly 166.01 feet on said east line on a tangential curve to the left having a radius of 1040.00 feet and a central angle of 09 degrees 08 minutes 45 seconds; thence North 09 degrees 01 minutes 19 seconds West on said east line and tangent to said curve, a distance of 135.74 feet; thence Northerly 153.24 feet on said east line on a tangential curve to the right having a radius of 960.00 feet and a central angle of 09 degrees 08 minutes 45 seconds; thence North 00 degrees 07 minutes 26 seconds East on said east line and tangent to said curve, a distance of 121.26 feet to the south line said Block 2 of ALCOR ADDITION; thence South 76 degrees 41 minutes 46 seconds East on said south line and its southeasterly extension, a distance of 1354.47 feet to the point of beginning,

Excepting therefrom the following 2 parcels:

Exception 1

Commencing at the North Quarter corner of said Section 8; thence South 00 degrees 10 minutes 10 seconds West, bearing based on the Nicollet County coordinate System NAD83(96) on the east line of the Northwest Quarter of said Section 8, a distance of 643.89 feet to the southeasterly extension of the south line of Block 2, ALCOR ADDITION, being the point of beginning; thence North 76 degrees 41 minutes 46 seconds West on said southeasterly extension, a distance of 621.30 feet, thence South 00 degrees 10 minutes 10 seconds West, a distance of 481.55 feet; thence South 76 degrees 41 minutes 46 seconds East, a distance of 621.30 feet to the east line of said Northwest Quarter; thence North 00 degrees 10 minutes 10 seconds East on said east line, a distance of 481.55 feet to the point of beginning.

Exception 2

Commencing at the Northeast corner of the Northwest Quarter (NW 1/4) of said Section 8; thence South 00 degrees 37 minutes 24 seconds West (assumed bearing) on the East line of said Northwest Quarter (NW 1/4), a distance of 1125.45 to the point of beginning; thence continuing South 00 degrees 37 minutes 24 seconds West on said East line, 285.27 feet; thence North 85 degrees 03 minutes 08 seconds West, 260.22 feet; thence North 82 degrees 17 minutes 26 seconds West, 292.28 feet; thence North 04 degrees 16 minutes 14 seconds East, 353.66 feet; thence South 76 degrees 12 minutes 16 seconds East, 541.27 feet to the point of beginning.

Containing 19.35 acres of land;

1. This CUP becomes void if not recorded at their expense by Chris Dauer of Courtland Waste Handling, Inc. at the Nicollet County Recorder's Office within 60 days.
2. Courtland Waste Handling, Inc. shall obtain and follow stormwater permit from MPCA.
3. Buffer Zone(s) to be established as follows: Trees and vegetation planted, City to establish. North property line along Parkview Court properties, 30 feet from property line no additional setback. South property line along Valley View Drive properties; zone to begin from property line extending North 30 feet full length of this line between Red Shoe Drive and County Road 24, no additional setback.
4. No commercial vehicle access over 7 ton off Red Shoe Drive.

**Passed by the City Council for the City of Courtland on the 2<sup>nd</sup> day of February 2023.**

Signed: Al Poehler  
Al Poehler, Mayor

Attest: Julie Holm  
Julie Holm, City Clerk

