

City of Goodview
City Council Minutes
April 20, 2009

The meeting was called to order by Mayor Jack Weimerskirch at 5:00 p.m.

The Pledge of Allegiance was said.

Upon Roll Call: Mayor J.P. Weimerskirch, and Councilmembers Dick Ledebuhr, Charlie Andring, Steve Baumgart, and Sandy Erdman were present.

City Staff Present: City Administrator Dan Matejka, Director of Public Works Greg Volkart, Police Chief Kent Russell, and Maintenance II worker Dave Schultz.

Mayor Weimerskirch opened the annual Board of Appeal meeting by reviewing the purpose behind the meeting, what happens after tonight's meeting, the rules of conduct to be used during the meeting, and finally he introduced Ms. Pat Walters and Mr. Dave Kohner of the Winona County Assessor's office. The Mayor asked the assessors if the situation from 2008 about in-home businesses in Goodview had been solved, of which they said they are getting a better handle on them. Mr. Kohner pointed out the fact the County has not seen a significant decrease in value for flooded properties before and after the flood of August, 2007. In fact he indicated the sales ratio for properties in Goodview sold in 2008 was 97.7%. Mr. Greg Volkart, who owns the property at 870 Frank Street, questioned why the valuation of the property (flooded in '07) increased by \$11,000. He indicated he believes the property should not see any increase over last year due to it being a flooded property. Ms. Walters said her office doesn't have enough sales data for commercial businesses affected by the flood to adjust it, but indicated she would be happy to sit down with Mr. Volkart to investigate the matter. Mr. Volkart also questioned how the valuation of his apartment building at 3545 Eighth Street could have increased \$35,000 each year for the past three years. Ms. Walters indicated County Assessor Steve Hacken used the income approach to valuing apartment buildings this year, and without accurate income information from the property owner, all apartment complexes were increased. Once again, she volunteered to work with Mr. Volkart to come to some resolution on this property. Ms. Darlene Luedtke (4730 Seventh Street) voiced her concerns over her valuation when compared to her neighbors. She also questioned what sorts of home improvements actually have an effect on valuations of homes. Mr. Kohner said re-roofing doesn't, but new siding does change the value of ones house. Mayor Weimerskirch suggested a resolution to her concerns would be for one Councilmember to go through her house with someone from the Assessor's office to see the issues. Mr. Dwight Lange (3819 Sixth Street) brought up two issues with his home/business. The first being the 156 square feet the Assessor is designating as business. He believes it should be closer to 98 square feet, which is the actual size of his barber station area. Both Mayor Weimerskirch and Councilmember Andring (who both went through the property in 2008) agreed with Mr. Lange, and recommended the change to the Assessor's office. The other issue of Mr. Lange deals with the valuation being too high. However, Ms. Walters pointed out that he is still in litigation against the County on

the previous two years of valuations. Due to that fact, the Mayor indicated this year's valuation can't be dealt with until the previous two years are resolved. Ms. Walters clarified that once the previous years are resolved, the current year would be adjusted to reflect whatever change came from the litigation. Dr. Robert Eberle (316 Keller Avenue) was present more to try to understand the process than to raise a concern, but he did present a scenario of present and past valuations of his home being sold at the suggested sales ratio of 95%. His computation shows his valuation should be about \$7,000 less than its current value. Ms. Walters pointed out that over the last seven months there have been 14 sales in Goodview with a sales ratio of 102%, which is clearly in the range suggested by the Minnesota Department of Revenue of 90% to 105%. Mr. John Rogge (270 Harry's Lane) voiced his opinion that his valuation is slightly higher than it should be based on the fact it is still being rebuilt after the flood. Mr. Elmer Boller who owns property, the majority of which is swamp land and water, brought forward his concern that the land is basically worthless, but is still being valued at \$22,700. Mr. Kohner pointed out the parcel is 9.07 acres in size, and the County's minimum valuation of wasteland and/or woods is \$2,500 per acre. This \$2,500 has increased over the years, and that is why the valuation has increased. It was suggested the City possibly look into wetland mitigation for the property, but it was determined that wouldn't be necessary as Mr. Boller just wanted clarification on the reason for the increase in value. Ms. Walters informed the Council she also needed to mention four other individuals and/or businesses that contacted her office in order to give them the right to go to the County Board of Appeals meeting in June. Those properties included Hoffman properties on Service Drive, Mr. Wally Waldorf in Cedar Bay, Lawrence Brothers Trucking and Mr. Steve Cichosz both with properties in Hub-Mill industrial park. Mayor Weimerskirch reviewed all the properties discussed this evening and came to the following conclusion; the County and City should review the open issues with Mr. Volkart (both properties), and Ms. Luedtke. The others discussed (Mr. Lange, Dr. Eberle, Mr. Rogge, and Mr. Boller) all seemed to be resolved for one reason or the other. The Council agreed with the Mayor's summation. The Mayor closed the Board of Appeals meeting at 6:17 p.m., and opened the regular meeting.

Consent Agenda: Councilmember Andring moved and Councilmember Erdman seconded to approve the Consent Agenda as presented. The agenda included the minutes of the April 6, 2009 regular meeting of the Goodview City Council, two electronic funds transfers totaling \$315,312.75, and the April, 2009 claims (reviewed by Mayor Weimerskirch and Councilmember Baumgart). The claims totaled \$618,380.53 for the following operating funds:

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| General Fund | \$96,428.93 |
| Revolving Projects Fund | 461,911.91 |
| Water Service Fund | 32,432.78 |
| Sewer Service Fund | 27,606.91 |

All voted aye, motion carried.

There was no Community Comments/Input.

Mayor Weimerskirch indicated he attended the listening session Representative Drazkowski held last Wednesday. He thanked the Representative for his support on the issues presently going on in the City. He also had a chance to ask Winona Mayor Jerry Miller if there was going to be a State of the City address this year, of which he was told no, it is probably too late. However, he did tell Mayor Miller if there was one, "the only thing I would have addressed is the dishonesty and disingenuousness of the U.S. Senate and the House of Representatives in passing legislation that tends to tell the people of Goodview that the federal government is going to stand up and help support the radium treatment facility that we have. That was passed into law. When it was passed, I think you (Mark Sommerhauser, Daily News reporter) were just coming on. We breathed a sigh of relief and said, 'Thank God somebody's coming forward to help us out and finally the federal government is looking at unfunded mandates and they're coming through for us.' All of our Representatives, our Senators, and those that ran against them all took credit for going to work and getting that legislation passed. I have to say that Representative Walz has been a stalwart supporter of ours and I thank God for him. So has Senator Coleman. Senator Klobuchar has done at least what she thinks she can do. But, we have those two legislative bodies that sit back there and haven't come through with any appropriations to go to work and fund the law that they passed. So they have a worthless law that they don't intend to support. Yet they expect us to go to work and do it and we're sitting here trying to get it onto an appropriations bill at the federal level and we're starting to hear, 'How can we fund a project that's already done?' Well, what kind of dishonesty and disingenuousness is that? We're sitting here, going to pay for that. We've made arrangements to do it. We're looking for State assistance. We've tried to go through the Stimulus Package. You know what we've tried to do! That would have been the entire sum and substance of my comments at the State of the City Address and I can be quoted on any of that. I just think it is downright rotten what the federal legislators have done to the citizens of Goodview. We thank Representative Walz. We thank Senator Klobuchar. We thank former Senator Coleman. We hope for the assistance of future Senator Franken. But, they have to whip into shape two legislative bodies that enjoy less than a 30% approval rating by the rest of the nation and we know first-hand why it is that low. I am available for future questions."

Councilmember Ledebuhr complimented A-1 Excavating for the good job they are doing on their part of the street and utility improvement project on north Highway 61. He also congratulated the Police Reserves for the fine job they did with the pancake breakfast fundraiser they held at the Elks Club on April 19. Councilmember Baumgart just asked to make sure his name is on the e-mail list-serve for the Garvin Brook Alliance Committee, as he is the City's representative on the committee. Councilmember Erdman reviewed with the Council another meeting she had with Mr. Rocky Roppe concerning his residence on Fourth Street. She believes his property needs to be inspected by the Fire Chief because she thinks it's a fire hazard. She also stressed the need that a case worker from Winona County Mental Health should be assigned to work with him again. The Mayor reviewed the history about Mr. Roppe and his property with the Council.

The 2009 budget update for all funds as of March 31, 2009 was reviewed by the Council.

Councilmember Ledebuhr informed the Council he attended a Winona County Solidwaste Committee meeting where they discussed outdoor furnaces. He said Winona

County Commissioner Greg Olson indicated the County is looking at doing something about this topic, but will be willing to work with the City to collaborate on some sort of ordinance that will take care of the subject at hand. City Administrator Dan Matejka indicated he has already been in contact with Ms. Jill Johnson of Winona County Environmental Health to discuss the furnaces.

The information concerning the Board of Appeals process was reviewed by the Council before the meeting.

The letter from the group called Concerned Neighbor Residents of We Valley was discussed. The Mayor asked if there has been any response from the Adult Care Home in question, of which he was told no. The only complaint the City received before this letter was sent was excessive parking on the street in front of the building in question. The Council directed the Police Department to monitor the situation and report back if needed.

The City Administrator reviewed the benefits of the Tenant User Liability Insurance Program (TULIP) being offered by the League of MN Cities Insurance Trust Company. He informed the Council the City will begin to offer the program to anyone who rents any City owned facility, and it will be totally optional on the renter's part.

Councilmember Ledebuhr moved and Councilmember Andring seconded that Pay Estimate #9 for the Water Treatment Facility Plant #1 & #2 Project for \$302,150.35 be approved. All voted aye, motion carried.

Councilmember Ledebuhr moved and Councilmember Andring seconded to adjourn. All voted aye, motion carried.

Adjournment at 6:47 p.m.

NOTE: The next regular meeting of the Goodview City Council will be on Monday, May 4, 2009 at 5:00 p.m. at Goodview City Hall.