

CITY OF RUSHFORD VILLAGE MINUTES OF May 21, 2024
REGULAR COUNCIL MEETING
43038 State Hwy 30, Rushford Village, Minnesota 55971-5167

- Branden Johnson canceled his shed variance public hearing. This public hearing was for a variance to put the shed in front of his house. He plans to reapply for two variances, one to put the shed in front of the house and one to have 18-foot sidewalls.

Pledge of Allegiance to the Flag

The May 21, 2024 Council Meeting was called to order by Acting Mayor Mike Ebner at 7:00 p.m. in the Rushford Village Office. Council Members present: Travis Link, Robert Hart and Rick Ruberg: Planning/Zoning Administrator Jon Pettit, City Attorney Joseph O’Koren and Treasurer Judy Graham, Clerk Mary Miner

Absent: Mayor Dennis Overland, Public Works/Maintenance Supervisor Trenten Chiglo

AGENDA was approved as presented

Motion by Ruberg, 2nd by Link, Carried.

MINUTES from the May 7, 2024 Continued Road Tour and May 7, 2024 Regular Council Meeting Minutes were approved as presented

Motion by Hart, 2nd by Link, Carried.

CITIZENS/OTHERS PRESENT: Jim Woxland, Drew Linder, John Linder, Kirsten Zoellner-Fillmore County Journal

- **Jim Woxland:** Road closure inquiry
 - CRV meeting minutes from December 2, 1975 regular meeting and January 13, 1976 Public Hearing show the Hans Anderson Road was closed. No one was present at the public hearing to oppose the road being closed
 - It is also noted in the minutes a certified copy of the minutes of the Hearing will go to the County Auditor and Register of Deeds
 - Woxland stated there are changes with the property line between his property and the Zirbes property after he had his property surveyed a few months ago. According to the recent Woxland survey all of the Hans Anderson road would be on his property. There are also issues with an easement with Dr. Peterson being connected to the Zirbes property, according to Woxland this easement should have been listed on his property. Woxland will have to get everything straightened out with Zirbes
 - Woxland stated he has spoken with landowners Zirbes, Linder and MN DNR. According to Woxland they all would like to the road to be closed
 - Woxland stated he would not have a problem issuing easements to Zirbes, Linder and MN DNR granting them access to their properties
 - O’Koren stated it looked like the intent of the Council was to close the road back in the 1970’s.
 - O’Koren stated there is a difference between vacating and closing a road. We need to make sure the intent was to vacate this road by relinquishing the rights and not make it a minimum maintenance road. O’Koren stated he feels the 1976 minutes reflect the intent to vacate the road and comment in the minutes state the City Attorney at the time was going to have it recorded
 - O’Koren would like to opportunity to check with Fillmore County to make sure there is nothing there. As far O’Koren is concerned for CRV it would be a matter of making sure whether it’s a vacation or closure it is properly recorded.
 - Woxland is not able to find documentation on the Fillmore County website showing the road was closed/vacated. According to Woxland Shannon at Fillmore County was not able to find anything either from 1973-1980’s
 - O’Koren stated we do not have a legal description of the road which could be an issue
 - O’Koren stated the first step is to take it under advisement and look into it to see what is actually been recorded at the County. This also goes to the Auditor, they would have to stamp it as vacated
 - Woxland has copies of easements that were given for access to the road in question. O’Koren stated easements are usually not needed for a public road, normally an easement would be created because the road is gone. There appears to be private legal matters related to this other than the road being closed

Motion made for O’Koren to take this under advisement and check with Fillmore County for records pertaining to the vacating/closing of this road

Motion by Hart, 2nd by Ruberg, Carried.

- John Linder stated Drew Linder and MN DNR have concerns about access to their properties and wanted to make sure they would be made aware of any changes relating to this road

FINANCIALS: Receipts as of May 15, 2024 \$2,017.00, Expenses as of May 15, 2024 \$17,051.42
Estimated May Receipts \$11,500.00/Estimated May Expenses \$36,000.00
CD's renewing at current advertised rates

Motion made to approve the Financials as presented

Motion by Hart, 2nd by Ruberg. Carried.

PLANNING/ZONING: Pettit: New Permits/Inquiries/Updates:

New Permits:

- #1656-Jerome Kopperud Re-Install Patio Pavers & New Edging at Shed-State Highway 43 S
- #1657-LeRoy & Phyllis Nielsen-Replacing Garage Siding & Garage Door
- #1658-Corey Guyer- Dwelling-Village Rd
- #1659-Ruth Loomis-Garage/Carport-Meadow Ave
- #1660-Ruth Loomis-Chicken Coop-County Road 25 N
- #1661-Featherstone Farm-2 Additions Onto Existing Warehouse Buildings-City Park Rd

Permit Status / Projects in Process / Inquiries:

- Pettit has things in the works but nothing to report at this time
- Branden Johnson May 21, 2024 shed variance public hearing was canceled because Johnson is going to ask for two different variances. The first variance is for the location of the shed, the second is for the building. Johnson will bring a new permit to Planning and Zoning next month for them to review and discuss. Pettit will bring it to the Council next month with a recommendation from Planning and Zoning and from there another public hearing would be set. The public hearing would be for both variance applications

ROADS/WATER/SEWER:

- **Roads/Utilities Update:** Chiglo absent but provided Miner with updates
 - Continuing to grade roads
 - Culvert on Ridgeview between Mueller's and Messinger's has been fixed-Approximately 19 loads of dirt were needed to fill the washout around the culvert
- **Maintenance Shed Update:**
 - Tin on the walls is nearly done
 - Next step is to frame the overhead doors and install ceiling tin

OTHER:

- **Jeff Michel Resignation:**
 - Hart reported Jeff Michel, part-time public works/maintenance assistant, submitted his resignation
 - Michel's last day with CRV will be May 23, 2024

Motion made to accept Jeff Michel resignation effective May 23, 2024

Motion by Hart, 2nd by Link, Carried.

- Ebner suggested the Personnel Committee, Hart and Ruberg, meet with Chiglo to discuss if a seasonal or part-time employee is needed.
- Ebner suggested holding off hiring right away and having one public works/maintenance person like was done in the past
- Ebner feels the building/equipment committee, Link and Ebner, need to have a discussion about how to move forward with the shed remodel project
- **Hans Anderson Road Closure:**
 - O'Koren stated he will look into it but the Council will need to decide how much CRV wants to get involved
 - If there is a simple way to do it that would be preferable but if not sometimes it is best to step back but this will not be known until O'Koren looks into it

OTHER UPDATES / MEETINGS:

- June 26-28, 2024-Wednesday thru Thursday-LMC Annual Conference-Rochester MN
- May 27, 2024-Monday-CRV Office Closed-Memorial Day

Next Meetings: **Council:** June 4 and June 18, 2024 @ 7:00 pm at CRV Hall Office

Zoning: June 18, 2024 @ 5:30 pm at CRV Hall Office

Motion made to Adjourn Regular Council Meeting at 7:22 pm by Hart, 2nd by Ruberg. Carried