

**CITY OF WILLERNIE  
CITY COUNCIL MINUTES  
APRIL 21, 2021**

**PRESENT:** Parent, Soderlund, Siver, Baglio, DeJong, Attorney's Susannah Torseth and Andrea McAlpine, Maintenance Superintendent-Rick Paulson, and Clerk-Vickie Keating. Residents Eric Fosgate and Vicki Newport.

**ADOPTION OF AGENDA**

Siver moved to accept the agenda as presented, Baglio seconded the motion and all council members present voted yes to the motion.

**MINUTES OF THE MARCH 17, 2021 MEETING**

Baglio moved to accept the minutes as pre-read, Soderlund seconded the motion and all council members present voted yes to the motion.

**STORM WATER POLLUTION CONTROL PROGRAM**

Each year the storm water pollution control is open to discussion with the residents of the City of Willernie to review concerns and suggestions.

There were no concerns or questions on the storm water run-off in the City.

A motion to continue the storm pollution control program was made by Baglio. Siver seconded the motion and all council members present voted yes to the motion.

**REQUEST FOR A SPECIAL USE PERMIT BY ROMA**

Roma Market requested a special use permit for live music during the summer months. Roma has been able to continue serving during Covid by utilizing the outside bar and engaging live entertainment.

Parent read the request from Roma explaining the concern for the request and the noise generated from the music causing noise pollution. Most of the music is acoustic and falls below the 65 decibels as required in the city ordinance.

Susannah explained that this is a reasonable request, and 65 decibels is between normal speech and a vacuum cleaner.

The City can periodically check decibels with the reader to maintain the required noise level.

**THE CITY COUNCIL MEETING WAS SUSPENDED AT 7:15 P.M. AND THE PUBLIC HEARING ON ORDINANCE 1400 WAS OPENED**

Parent summarized ordinance 1400 regulating residence dwellings. There will be a 10% cap on rentals and rental licenses in the City.

Parent then asked for questions from the residents attending the Zoom meeting.

Eric Fosgate – 425 Chippenham- mentioned that a roommate clause should be considered because someone might rent a room and not request a rental license.

Parent explained that this is a fuzzy area for example if you have a domestic partner and you share the cost of the house that does not fall under the rental category.

Eric also asked about having a house sitter stay in the owner's house if they were gone for the winter, how would that affect the rental license requirement.

Section F and section 1 addresses this issue. The challenge is applying the ordinance to everyone in the City. It is a balancing act to have enough restrictions without having special requests required continually. It is possible that someone will always skirt around the policy and if this happens it will be addressed.

The public hearing was closed at 7:28 p.m.

**THE CITY COUNCIL MEETING RESUMED AT 7:29 p.m.**

Baglio moved to approve Ordinance 1400. Siver seconded the motion and all council members present voted yest to the motion.

**ROMA DISCUSSION CONTINUED**

The discussion on Roma's Special Use Permit was continued. One resident in Mahtomedi complained and Roma will be happy to measure the decibels to make sure the noise is within the required limits.

The decibels are measured at the edge of the property with the music allowed until 10:00 p.m. during the week and on Sunday. It is allowed until 11 p.m. on Saturday.

Roma is following the requirements of the ordinance until a form for a special use permit can be written and all the rules are outlined.

**THE COUNCIL MEETING WAS SUSPENDED FOR THE ZONING HEARING ON 312 CHIPPENHAM**

Susannah put the rezoning requested for 312 Chippenham on the screen to share with the council and residents.

Parent explained that there is no request for a rental license on this property and one has not been approved as of this date. Due to the approval of Ordinance 1400 no more rental licenses can be approved.

Parent read the information on the zoning ordinance. The Comprehensive Plan Land Use says it is unlikely that any new buildings would include apartments or duplexes due to the scarcity of land for parking.

Open Meeting Comments -

Eric Fosgate read a statement he had prepared concerning the issues with 312 Chippenham. There is not enough parking, garbage cans are constantly full, and debris is blowing around.

Lack of snow removal, blocks emergency vehicles, the street is regularly flooded because ice and debris cover the drain. Kathy Holste recently cleared the drain and Mr. Henry told her to leave it alone.

The pool that used to be in the back yard was drained in the street. Noise is terrible, large dog barks all day and after 10:00 p.m. Junk is all over the back yard. Place is also encrusted in cock roaches. Light that shines in the neighbor's house, so they need black out windows to sleep.

Would a multi dwelling increase property taxes for the neighbors? The neighbors are not responsible for this mess and should not pay for it.

All Council members can see for themselves the problems with 312 Chippenham.

Vicki Newport – thanked Eric and seconded everything he said. She has lived in Willernie 30 years and had nothing but trouble. There is a huge pvc pipe under the land filled with rock and water bubbling up on the other side of the street.

There have been many issues with the neighbor, and she has several things to fix on her house due to Mr. Henry. Ms. Newport is opposed to the rezoning and does not want a multi plex structure.

Past and present renters have encroached on her property with bonfires after she asked Mr. Henry to explain the property lines to the renters. The dogs leave waste in her yard, there is left over food and garbage on her side of the fence.

Mr. Henry should not be able to rezone to benefit him. The neighbors are paying for his bad behavior and this should not happen.

**THE PUBLIC HEARING ENDED AT 8:09 p.m. AND THE COUNCIL MEETING RESUMED**

Baglio is concerned about the City Road and the cost of repairing this road with the pipe under it. Parent explained that many of the complaints are concerning but do not pertain to the rezoning issue.

To summarize the use of land and buildings and bulk of land surrounding them have been zoned residential for a reason. Limiting disruption of rentals, promoting rural land settings in the area, sense of community and neighborhood throughout the City does not promote a duplex.

Preventing overcrowding of land and undue concentration of structures by regulating the use of land and buildings and the bulk of buildings in relation to the land and buildings surrounding them is listed in the Comprehensive Plan.

DeJong asked if anyone was present representing Mr. Henry. There has been no correspondence with Mr. Henry since the signing of the application for rezoning.

Mr. Henry was not sent a notice of public hearing and due to this technicality Parent moved to table the request for rezoning and extend it for 60 days. The notice will be republished in the paper this week and a letter will be sent to Mr. Henry and Mike, Jr. with the date and time of the public hearing to take place in May. Baglio seconded the motion and all council members present voted yes to the motion.

**CONTINUATION OF ROMA REQUEST**

Roma can operate until May if they stay in the perimeters of the City Ordinance.

**PORTABLE GARAGE**

Baglio reported several portable garages have popped up in the City over the past few years. Parent explained if some of our properties do not have a place to build a garage this might be one way to protect your car.

Soderlund had a portable garage and it did not function well.

Garages are expensive and some residents do not have the funds to build these structures.

Susannah will contact Laurann and have some research done on the temporary structures.

### **YARDS IN VIOLATION OF ORDINANCES**

Susannah presented the new form for the yards in violations to be sent out to violators.

Soderlund asked the Council to help with the violations so that the responsibility does not fall on just a few council members.

Susannah suggested using the new form this summer and then make changes if necessary. Tickets from the County Sheriff's can be issued with the information on the forms.

Malkowski, Brown, Neuser, Tschida, Palmer/Veit are the residents that have received new notices of violation.

There have been some complaints about the Patraw's property, and this will be addressed next week.

New letters will be sent out, the residents will have 14 days to fix issues and an opportunity to attend a council meeting before citations are issued.

### **RICK REPORT**

There is a bid from Schifsky's for the roads to be overlaid this year. This includes problems with the drain on Faversham and in front of Mike Henry's property. Chippenham has not been overlaid for 20 years and hopefully the water will flow the other way and fix the problem.

Mahtomedi contacted Willernie about Forest, the street by Roma and Moldcraft. Mahtomedi is fixing their part of Forest and asked Willernie to resurface our part. Rick obtained some bids and Mahtomedi is going to meet our price so this street will also be overlaid.

Baglio moved to approve the bid with the work listed. Soderlund seconded the motion to include \$59,497.00 worth of work in the City. All council members present voted yes to approve the motion.

Leaf vac is using antifreeze which could possibly be a problem with a head gasket. Rick is going to get it fixed as soon as possible but it will be out of commission until fall.

### **APPROVAL OF BILLS**

Baglio moved to approve the bills, Siver seconded the motion and all council members present voted yes to approve the bills.

**ADJOURNMENT**

Soderlund moved to adjourn the meeting at 9:33 p.m. Baglio seconded the motion and all council members present voted yes to adjourn.

Respectfully Submitted,

Victoria R. Keating  
Clerk-Treasurer