

Regular City Council Meeting
Mountain Lake City Hall – 930 Third Ave
Monday, October 4, 2021
6:30 p.m.

Members Present: Mike Nelson, David Savage, Dana Kass, Darla Kruser

Members Absent: Andrew Ysker

City Staff Present: Joe McCabe, Interim City Administrator/Clerk; Maryellen Suhrhoff, City Attorney, Daron Friesen, Street Superintendent

Others Present: Doug Regehr, Alan Rahn, Shawn Rahn, Gary and Sharon Guacci

Call to Order

The meeting was called to order by Mayor Nelson at 6:30 p.m.

Approval of Agenda & Consent Agenda

Bills: Checks #254346025389, 746E – 749E

Payroll: Checks #66238 – 66254

Approve August 16 EDA Board Minutes

Approve September 1 Police Commission Minutes

Approve September 23 Utilities Commission Minutes

Approve September 20 City Council Minutes

Approve hiring of Alex Schultz and Joey Morey as Firefighters for the Mountain Lake Fire Department

Public

Gary and Sharon Guacci and Alan Rahn spoke during the public comment section of the meeting.

Street Department Report

Daron Friesen, Street Superintendent, provided a report of completed items in the month of September. Daron gave a brief overview of the projects for the month of September. He indicated that staff is trying to get all the fall work completed before winter.

Police Department

Chief Bristol appeared before the council and reviewed the process and judicial procedure which is currently used by the staff regarding enforcement of city ordinances. He indicated that along with the City Attorney they are reviewing the city codes and updating the fines.

Financial Quarterly Review

Due to the lateness of the hour the council was requested to contact the City Administrator if they had any questions regarding the financial reports.

City Attorney

Maryellen explained the difference between the criminal process and the civil process and how the city will be using a two prong approach to future violations.

Francisco Garza appeared before the council and a lengthy discussion was held regarding his property and the violations of city ordinances. Maryellen served personally served Mr. Garza with a detailed letter explaining what the violations are and that he has until October 18, 2021, to bring the property into compliance. A copy of said letter are attached to these minutes as exhibit "A".

City Administrator

The council was informed that the Michael Mueller will be starting on either November 9th or 10th.

Adjourn

The meeting was adjourned at 8:15 p.m.

Joe McCabe, Interim Administrator/Clerk

Exh. B. + A

MUSKE, SUHRHOFF, & PIDDE, Ltd.

ATTORNEYS AT LAW

937 Third Avenue

P.O. Box 397

Windom, MN 56101

Phone (507)831-5575

Fax (507) 831-1097

E-mail: windom@muskelaw.com

Paul N. Muske
Maryellen Suhrhoff+ * -
Matthew L. Muske
Jeanette Pidde

Springfield: (507) 723-6221
Westbrook: (507) 274-5980
Comfrey: (507) 877-6801

October 4, 2021

Francisco Garza
Claudia Salazar
719 10th Street N.
Mountain Lake, MN 56159

By Certified Mail and/or personal service

Dear Mr. Garza and Ms. Salazar:

You have been notified that your property is a public nuisance. You have junk and inoperable vehicles, construction material and refuse on your property. You have vehicles on your front and back yards. You have had engines, scrap metal, tires, multiple lawn mowers, and junk in pick ups and vehicles with expired registrations.

In the past, we approved 4 vehicles on your driveway. You have had up to 15 vehicles in your yard. In addition, you have been causing a public nuisance by working through the night, using bright lights and playing loud music, disturbing the peace.

Finally, you are operating a business out of your residential property. A mechanics business is not permitted in a residential district. Any "Home Occupation" needs a conditional use permit.

You have until October 18, 2021 to remove the junk and inoperable vehicles, car parts, and construction material and all other nuisance items from the property. You must immediately stop taking apart and working on vehicles on your residential property, playing music loudly and using bright lights disturbing the peace. Any new construction on your property requires a building permit.

If you choose not to remove any of these public nuisance items from your property or you wish to be heard, you may appear at the next council meeting on October 18, 2021 at 6:30 p.m. The council will vote on whether you are in violation of the ordinances and whether to seek a court order allowing the city to abate these public nuisances and apply the cost to your property taxes.

If you have any questions, or concerns, please feel free to call my office.

Very Truly Yours,


Maryellen Suhrhoff