

City of Melbourne
Regular City Council Meeting
May 8, 2023
7:00 at Rec Center

Melbourne City Council met in regular session on May 8, 2023, at 7:00 pm. Council members present were Beth Smith, Gary Fricke, and Gaege Bracy, Carrie White and Lucas Hauser. Also present were Mayor Cynthia Mansager and City Clerk Mary Pothast, Mark and Leslie Brown, Joe Sutherland, Cody Guilbeaux and Beth Opperman. Mayor Mansager called the meeting to order at 7:00 pm and led the Pledge of Allegiance. Motion to approve the agenda, bills and minutes by White, 2nd by Fricke. Vote was all ayes. In public comment Mark and Leslie Brown asked about how the ordinance deals with pit bulls. Clerk stated that the ordinance does need to be updated, but cannot be breed specific, but must refer to vicious dogs instead. They told of an incident Sunday when Leslie was walking the dog and another dog, a pit bull, came charging out at them and she was injured. The sheriff was called and talked with both parties. Mayor said she would speak with Sheriff Phillips about the incident to see what took place with their involvement.

First on the agenda were building permits. Cody Guilbeaux of 311 3rd Avenue had a permit for a garage tabled from April pending questions. The garage entrance will be on 4th Street and the building will have 12' sidewalls. The size will be 32 x 40, which is smaller than originally planned. Motion to approve by Bracy, 2nd by White. Vote was all ayes. Next permit was for Kraig & Hilary Kuhse at 211 3rd Ave. for a deck extension. All requirements were met. Motion to approve by Hauser, 2nd by Fricke. Vote was all ayes. Third permit was from Joe Sutherland for 215 1st Street, who wishes to tear down the old 24' x 30' garage/shed and construct a new 64' x 40' building. The front setback will be 22-23 feet instead of the 25' required. He would like to be able to line it up with the other buildings on the street. Clerk was instructed to send variance letters to neighbors and publish a public hearing notice for the June meeting. Sutherland was told he can demolish the old building in preparation for the new. If the variance is not approved, he can change the setback and have it approved.

Public hearing was opened for a budget amendment to the 22-23 FY budget at 7:32. Clerk stated the areas that will be increased and the reasons why. The amendment published in the paper was more than the actual amount the clerk suggested. That situation was ok'd by Ted Nelleson at the DOM. Public hearing was closed at 7:37. The roll call vote to approve Resolution 23-05-01 Budget Amendment was all ayes.

The proposal for changes to the payment agreement policy was discussed at length. Motion to approve Resolution 23-05-02 Allowing the Mayor and City Clerk to set up payment agreements for delinquent utility accounts owed the City. Motion to approve with edits by White, 2nd by Fricke. Vote was all ayes. Clerk will have the ordinances for water and sewer next month with the changes in that as well, along with the change in deposit amounts.

Final payment for radios for EMS due is \$3234.03. Clerk presented Resolution 23-05-03 Transfer of Funds. Fricke asked that the money be transferred out of the Local Option Sales Tax amount that is allotted to First Responders monthly. Since two of the three members of the First Responders agreed, Hauser made a motion to approve the transfer of funds out of LOST – First Responders to general fund for payment. Roll call vote was all ayes.

In discussion of new information regarding the wall at 102 Main Street, Mayor Mansager stated that Mr. Fields will allow a representative from the City and an engineer to check the interior of his building and come up with an arrangement. The representative group and time will be determined.

Two anonymous noise complaints had been received by the City. Since anonymous letters are not dealt with, nothing had been done. The sender called the Mayor and came to City Hall to put their name on the complaint. Mayor Mansager has intervned and is handling the issue.

In updates and department news, Mayor Mansager has received an offer on the police car that Council has been waiting for from the Sheriff's Office. Motion to sell the car made by Smith, 2nd by White with votes all ayes. They will be asked to pay via check and those monies will go to help with street repairs and potholes. There has been a complaint about low hanging trees over streets impeding camper traffic. Trimming trees on the ROW at a resident's location is the responsibility of the homeowner. Ordinance states 8' above sidewalks and 15' above streets. Clerk will contact the few people that had the low hanging trees to request they be trimmed. There were four other properties that need to be addressed for a nuisance type issue. Clerk asked the Mayor to check out three trees on the ROW that were reported to be dying as well.

Motion to adjourn by White, 2nd by Bracy. All ayes. Meeting adjourned at 8:35 pm.

REVENUE: GENERAL \$93,975.97, ROAD USE \$8804.87, EMP BENEFITS \$12,746.63, EMERGENCY \$2287.00, LOST FIRE \$738.93, LOST 1ST RESP \$738.93, POOL \$744.68, LOST REC CENTER \$740.47, WATER \$13,772.53, SEWER \$18,362.37. TOTAL 152,912.38.

EXPENSES: GENERAL \$13,267.07, ROAD USE \$3727.13, EMP BENEFITS \$1047.00, LOST 1ST RESP \$1481.83, WATER \$9357.97, SEWER \$5920.09. TOTAL \$34,801.09.

Cynthia Rae Mansager, Mayor

ATTEST: Mary L Pothast, City Clerk