

MEETING MINUTES FOR JULY 2017

July 6, 2017

Meeting was called to order at 7:00 P.M. Present were Mayor Ihrke, Cameron Johnson, Melinda Kieffer, Jaime Putzier, Dave Iseminger, Marvin Ihrke, Patty Kronebusch, Jody and Bruce Wiza, Jason Kramer, John Bushman and Tammy, Gary Miller from 40 & 8 Veterans for charitable gambling at the Shack Bar in Dover, Wayne Schauble (city attorney), Fred Suhler (attorney for the Shack Bar) Olmsted County Deputy, Jill from the St. Charles Press, Ruth Peck, Julie Gergen, Brandy Dietrich, Kim Ferguson (present for Sue and Craig Ferguson), Jason and Mary Koehler and Mr. Boynton from Smith Schafer and Associates (city auditor).

Agenda presented for approval with changes in the order for tonight's meeting. Motion was made by Dave Iseminger to approve, seconded by Melinda Kieffer. All agreed. Motion carried.

Brandy Dietrich from 218 South Main St. has lived here for 6 years. She is stating that she has noticed an increase in fast traffic on that street, it has become a race track. She has 3 small children plus does day care in her home. This is a big concern for her. Julie Gergen also comments that there are more family's in that neighbor hood with small children and pets. The stop signs at the intersection at the bottom of the hill are located on the east and west corner, could these be changed to the north and south side of the intersection?

The deputy present from Olmsted County will take this information back to the Sheriff's Office, and the City Engineer, Mark Welch, will be contacted. Maybe a 4 way stop at the intersection at the bottom of the hill would be a better solution or a sign for "Small Children at Play" or even both. We will try to have something by the next council meeting from Mr. Welch.

Jason and Mary Koehler are here inquiring about the ordinance pertaining to the dilapidated house that they own on the property east and across the street from their residence. They would like to remove the house and build a storage shed on the vacant lot. It was stated to them that there would need to be a zoning change from residential to commercial or leave as residential if the shed would fit the scenario. There will be setbacks and the structure cannot occupy more than 40% of the lot, it needs to be 25' from the road, 15' from the alley, and 10' from the property lines. They exit.

Mr. Boynton from Smith and Schaefer and Associates presents the 2016 financial statement for the City of Dover, along with power points. He exits.

Gary Miller from 40 & 8 Veterans (Boxcar in WWI) here to ask for approval from the council for a resolution to have charitable gambling at The Shack Bar in Dover. Jody Wiza, owner, wants pull tabs in a box. Motion was made by Jaime Putzier to approve and sign the resolution seconded by Cameron Johnson. All agreed. Motion carried. Mayor Ihrke

abstained from voting. Send the resolution to Gary Miller, PO Box 151, Eyota, MN. 55934. He exits.

Bills and any additions were presented for approval. Motion was made by Melinda Kieffer to approve, seconded by Dave Iseminger. All agreed. Motion carried.

Meeting minutes from June were presented for approval with corrections made. Motion was made by Dave Iseminger to approve, seconded by Melinda Kieffer. All agreed. Motion carried.

A motion was made by Dave Iseminger to approve the expansion of the Neighbors Pub License. A permit and proof of insurance was provided to serve alcoholic beverages on the deck. All paperwork is in order. Motion was seconded by Melinda Kieffer. All agreed. Motion carried.

Mayor Ihrke stated that he was contacted by Mr. Nicholas Bush from the State Gambling and Alcohol Division. Mr. Bush had said he read our meeting minutes from a previous month and it stated that alcohol was carried from one bar to another business on main street. Jody Wiza from The Shack bar noted that she did not say alcohol was transported between Road Trip and The Hair Shack. Jody stated that it was quoted in the St. Charles Press. Mayor Ihrke recollects that Jody did state that it happened. What are we going to do about it? Violation letters?

The City received a Sunday Liquor application from Jody Wiza of The Shack Bar in Dover. The new application was filled out, but there was no accurate drawing of the bar and food area. Fred Suhler (attorney for Jody Wiza) is trying to figure out what is going on. Is there something of record as to why her Sunday Liquor License application is being denied. Mayor Ihrke stated that the council has not denied her license. Dave Iseminger stated that the drawings that she submitted to the council for her business does not look like the inside of the establishment. We have asked about the seating capacity and we have not received any information. Mr. Suhler feels that there is a lot of misunderstanding? It was suggested that a meeting committee, with the zoning administrator (Dave Iseminger), Mayor Ihrke, Wayne Schauble (City Attorney), and Fred Suhler (attorney for Jody Wiza). Mr. Suhler stated that the zoning administrator has the final say. This meeting is scheduled for 4:30 P.M., Wednesday, July 12, 2017 at the Dover City Hall.

Wayne Schauble asked what exactly are the issues? Mr. Suhler stated that his client has received 2 letters regarding the zoning and building of The Shack Bar, and what does the building information have to do with the Sunday Liquor License? Wayne Schauble said the problem is with the original liquor license, the drawing for the original permit is not the same as it really is. Jody should have applied for an amended permit. There was a Cease and Desist Order placed on The Shack Bar regarding the construction. This order was ignored by the owner, Jody Wiza. Jody states that they continued the construction for safety reasons on

the patio. Mayor Ihrke stated that all they needed to do was close the back door. Do we continue with legal action? A motion was made by Dave Iseminger to proceed with legal action, motion was seconded by Jaime Putzier. There has been some planning and building ordinance violations with The Shack Bar.

- 1) a van was placed on the roof of the The Hair Shack/The Shack Bar advertising the business, Dover's ordinance states that there shall be no roof top signs
- 2) constructing a deck with no permit
- 3) change of use from her submitted drawing – no seating capacity numbers so the City does not know if there will be adequate parking spaces
- 4) deck was built in the area for parking
- 5) improper fence (included barbed wire)
- 6) owner originally stated that the back door was to be a separate entrance for the youth to enter only, but now it is a door to the patio
- 7) there was to be a wall to separate the bar from the salon salon area, but there is not one

Being that there has not been a new diagram submitted from Jody, Wayne Schauble recommends the Sunday Liquor License for The Hair Shack be tabled until the next

council meeting. Motion was made by Dave Iseminger to approve, seconded by Jaime Putzier. All agreed. Motion carried.

Be it noted that there are also violations of the Liquor Ordinance at The Shack Bar;

1) obscene video

2) alcohol consumption in areas not permitted

A motion was made by Cameron Johnson to have a hearing on these issues, seconded by Melinda Kieffer. All agreed. Motion carried.

There has also been an alleged violation of the liquor ordinance at the business of The Road Trip Bar and Grill in Dover. The City needs to send a letter to the business stating that they will investigate a complaint of serving a minor. If we find out that a minor was served we would have a hearing. As of now it is a matter of he said, she said. A motion was made by Dave Iseminger to approve, seconded by Cameron Johnson. All agreed. Motion carried.

The City needs to find out what type of hearing is needed? Wayne Schauble will check into this before the letters are sent.

Jody and Bruce Wiza asked about the vacant lot to the south of Jody's business. It was stated to them that the lot is privately owned.

Dave Iseminger stated that he will talk to the property owner about the waterway in his back yard. It is believed that the waterway was dug by the homeowner and created the problem himself.

A motion was made by Cameron Johnson to approve a resolution stating that the contact person for the Dover Website will be Karen Henry, motion was seconded by Melinda Kieffer. All agreed. Motion carried.

There has been no word regarding the Dover School purchase.

An update on the festivities from the July 3, 2017 celebration. The Pedal Pull was a success with 90 some entries. It worked out very well in the parking lot behind the fire hall. The Fire Department ran out of Root Beer Floats, and the food ran out that was sold by the Methodist Church at the Park. The Fireworks were a great success.

The City received a request asking if the blowing of the siren was needed in town. The council decided that it will continue to sound as usual.

The lot behind 5th Ave on the west side next to Alheiser's residence needs to be mowed. Send a letter to the owner of the lot.

A letter needs to be sent to the family that has a dangerous dog. We need a copy of the updated insurance policy.

Volunteers are needed to cut the vines on the ball field fence. Cameron Johnson stated that he has put in for grants for the ball field park thru Peoples Cooperative Energy and Kwik Trip. His grant request from Kwik Trip was denied.

Mr. Jerome Munson wanted to thank the council for sending him a clean up letter regarding his lot. He has had some health issues recently. The council told him to do what he can when he can.

Melinda Kieffer will be taking a head count for the Summer Rec kids for the Valley Fair Trip. She is to check with Kuehn Motors for possible vans for rental.

With no further business, a motion was made by Jaime Putzier to adjourn the meeting, seconded by Melinda Kieffer. All agreed. Motion carried. Meeting was adjourned at 9:00 P.M.

Karen Henry/Clerk of Dover