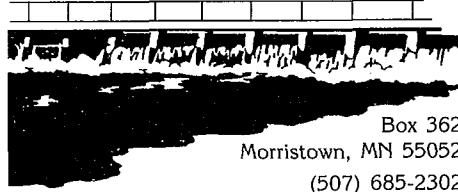


# City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

*Best Little Town By A "Dam Site"*



Box 362  
Morristown, MN 55052  
(507) 685-2302

## ZONING BOARD MINUTES

Regular Meeting

January 20, 2011

The Morristown Zoning Board meeting was called to order on Thursday, January 20, 2011 at 7:08 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jim Lonergan Zoning Chairman, Mark Morris, Kurt Wolf, Mike O'Rourke, Jack Blackmer also present was John Byers Zoning Administrator, Becky Kuball, City Clerk  
Absent: None

Motion by Blackmer seconded by Morris motion unanimously carries to approve the agenda for January 20, 2011

Motion was made by Blackmer, seconded by Morris and carried unanimously to approve the minutes of the November 18, 2010 as printed.

Report on City Council Action Taken at Last Meeting: Approved Kurt Wolf as new zoning member

Requests to be Heard: no one

Discussion about adding a new ordinance 152.226 Performance standard Addition:

Any principle or accessory building and or structure shall not be constructed or erected of

- 1.) Temporary materials such as canvas, tarps, plastics, or other such materials or
- 2.) Prefabricated kits greater than 160 square feet.

Motion Blackmer seconded by Wolf motion unanimously carries to send 152.226 performance standard addition to the city council for review.

Discussion was held on time of sale inspections on mobile home park, and who is allowed to do them.

Brakemeier Properties: Audit was done on the mobile home park, Board went over the violations that have happened in the last 10 years. Some of the violations include moving trailers in and out of park with no permit, additions, decks sheds and fences put up and no permits on file. Morris will take to the city council and see if a letter can be written along with the cost of the administrative fine per violation.

New Business:

Permits: none

Meeting date change for February will be on the 24<sup>th</sup> due to the cannon valley players play the week of February 17<sup>th</sup>.

Zoning Board Minutes  
January 20, 2011  
Page 2

Zoning Administrator's report: closing out permits on lot 28 Brakemeier properties and Mandy Millers garage.

Motion by Blackmer seconded by O'Rourke and carried unanimously to adjourn at 10:00 p.m.

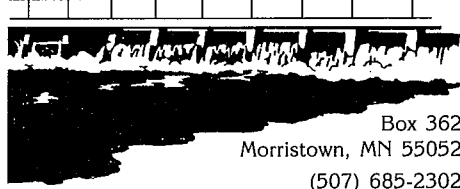
A handwritten signature in black ink, appearing to read "Becky Kuball". The signature is fluid and cursive, with the first name "Becky" written in a larger, more prominent script than the last name "Kuball".

Becky Kuball  
City Clerk

# City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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## ZONING BOARD MINUTES

Regular Meeting

February 24, 2011

The Morristown Zoning Board meeting was called to order on Thursday, February 24, 2011 at 7:08 p.m. in the Council Chambers at 402 Division Street South by Chairman, Jim Lonergan.

Present: Zoning Board Members, Jim Lonergan Zoning Chairman, Mark Morris, Mike O'Rourke, Jack Blackmer also present was John Byers Zoning Administrator, Becky Kuball, City Clerk  
Absent: Kurt Wolf

Others present Loren Wendel and Chad Wendel

Motion by Blackmer seconded by Morris motion unanimously carries to approve the agenda for February 24, 2011

Motion was made by Blackmer, seconded by Morris and carried unanimously to approve the minutes of the January 20, 2011 as printed.

Report on City Council Action Taken at Last Meeting: Morris stated that the council would like a title for the ordinance dealing with tent like buildings. Brakemeier Properties will need to be added to the next city council meeting to address the violations to zoning permits.

Requests to be Heard: Loren Wendel requested information on whether or not he could split a property that he is in the process of purchasing at 207 Main Street W. After some discussion and looking at property description there was not enough property to allow a split.

Discussion about adding a title to a possible new ordinance Performance standard Addition:

152.226 Non conforming building materials

In all zoning district any principle or accessory building and or structure shall not be constructed or erected of:

- 1.) Temporary materials such as canvas, tarps, plastics, or other such materials or
- 2.) Prefabricated kits greater than 160 square feet.

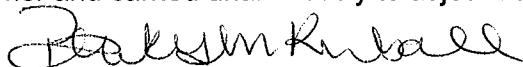
Brakemeier properties: Zoning board will attend the next council meeting and share the violations with the council.

### New Business:

Timm's Demolition site: City council approved the Class #1 demolition landfill at the February 22<sup>nd</sup> meeting

Zoning Administrator's report: nothing this month

Motion by O'Rourke seconded by Blackmer and carried unanimously to adjourn at 8:00 p.m.

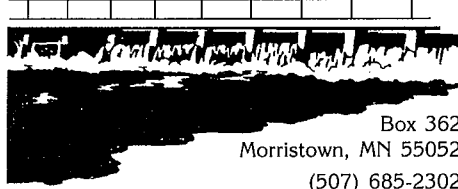


Becky Kuball  
City Clerk

# City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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## ZONING BOARD MINUTES Regular Meeting March 17, 2011

The Morristown Zoning Board meeting was called to order on Thursday, March 17, 2011 at 7:02 p.m. in the Council Chambers at 402 Division Street South by Jack Blackmer.

Present: Zoning Board Members, Mark Morris, Mike O'Rourke, Jack Blackmer, Kurt Wolf also present was John Byers Zoning Administrator, Becky Kuball, City Clerk  
Absent: Jim Lonergan  
Others present: Theisen

Motion by O'Rourke seconded by Wolf motion unanimously carries to approve the agenda for March 17, 2011

Motion was made by O'Rourke seconded by Wolf and carried unanimously to approve the minutes of the February 24, 2011 as printed.

Report on City Council Action Taken at Last Meeting: city council approved of the title of proposed new ordinance non conforming building materials.

Council would like a compiled list of violations and the cost of the permits and also the cost of the violations.

Requests to be Heard: Theisen came and updated the board on what he has left on his house to finish only has the siding left was looking for an extension, but his permit was still good until October. He stated that it should be done before then. The board thanked him for coming in and checking on the extension.

Morris asked the board to come to the city council meeting on April 4<sup>th</sup> for the hearing on proposed ordinance so that if there are any questions then they could all be answered by all members not just one person.

Went over Brakemeier properties violation and made a list with permit costs and fines for next city council meeting.

### New Business:

Habitat for Humanity permit: Motion by Morris seconded by Wolf motion carries.

Voting Yes: Wolf, Morris, Blackmer

Voting No: O'Rourke

Zoning Administrator's report: Closing out permit for Helmut Schwartz

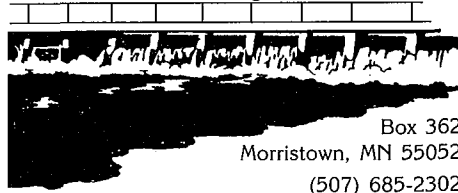
Motion by Morris seconded by O'Rourke and motion carries to adjourn at 8:55 pm

Becky Kuball  
City Clerk

# City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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## ZONING BOARD MINUTES Regular Meeting April 21, 2011

The Morristown Zoning Board meeting was called to order on Thursday, March 17, 2011 at 7:00 p.m. in the Council Chambers at 402 Division Street South by Chairman Lonergan.

Present: Zoning Board Members, James Lonergan Mark Morris, Mike O'Rourke, Jack Blackmer, Kurt Wolf also present was John Byers Zoning Administrator, Becky Kuball, City Clerk  
Others present: Del Voegele and Dennis Schmidtke

Motion by O'Rourke seconded by Blackmer motion unanimously carries to approve the agenda for April 21, 2011

Motion was made by O'Rourke seconded by Blackmer and carried unanimously to approve the minutes of the March 17, 2011 as printed.

Report on City Council Action Taken at Last Meeting: Ordinance 152.226 non conforming building material was passed by the council.

Requests to be Heard: Dennis Schmidtke questioned what or if any permits were required for the memorial park that the legion is building. There is landscaping and drainage that will be done. The cement wall will be taken down and a retaining wall be built by the Cut and Curl. Board will require a demo permit and a sign permit.

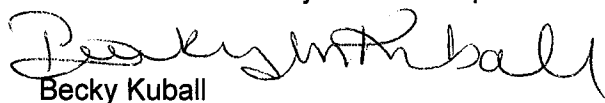
Motion by Blackmer seconded by O'Rourke motion unanimously carries to recommend to the City Council to waive the permit fees for the demo and signage that is required for the Memorial.

Blackmer questioned if the letter to Brakemeier Properties has been sent yet. Board requests that it be added the next agenda for the next council meeting

New Business: None

Zoning Administrator's report: Kyle Green is putting up a deck, Habitat is ready to dig hole, it is staked out. Wendel's needs to have a site drawing on permit with setbacks tabled until drawing are done.

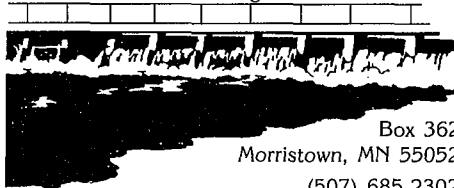
Motion by Blackmer seconded by Morris and motion carries to adjourn at 7:52 pm

  
Becky Kuball  
City Clerk

# City of Morristown

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## ZONING BOARD MINUTES Regular Meeting May 19, 2011

The Morristown Zoning Board meeting was called to order on Thursday, May 19, 2011 at 7:05 p.m. in the Council Chambers at 402 Division Street South by Chairman Lonergan.

Present: Zoning Board Members, James Lonergan, Mike O'Rourke, Jack Blackmer, Kurt Wolf also present was John Byers Zoning Administrator, Becky Kuball, City Clerk

Absent: Mark Morris,

Motion by Blackmer seconded by O'Rourke motion unanimously carries to approve the agenda for May 19, 2011

Motion was made by O'Rourke seconded by Blackmer and carried unanimously to approve the minutes of the April 21, 2011 as printed.

Report on City Council Action Taken at Last Meeting: Blackmer stated that he asked the question "What is the status of the Brakemeier Property letter", Mayor stated he was still working on it. At the next meeting Blackmer will address the question again. Blackmer stated we are getting into the building season and need to get this resolved. If this continues maybe we need to turn it over to the city attorney and have him write the letter. Byers did have a conversation with Brakemeier about the violation and what he needed to do to become compliant. Brakemeier was told they need to have moving permits, applications for trailers, demolition permits and inspections done before anything is moved in, no fees were paid on the permits

Requests to be Heard: None

### Old Business:

Zoning Ordinances: New statues for variances were sent out, board would like Kuball to get the new laws for the next meeting, MN Statue Ch. 462 and MN Statue Sec. 394.27, sub. 7

Brakemeier Properties: Brakemeier was invited to meeting, but did not show up. Blackmer stated that unless something happens between now and the next council meeting then the council should take over and send information to the attorney and have him send it out. Does not feel the mayors action is not appropriate considering the council directed that it be done.

New Business: Letter needs to be sent to Hruska and Moline with expiring permits. Send a letter stating that the board has been than lenient but not seeing any progress on their part.

Motion by Blackmer seconded by O'Rourke motion unanimously carries to have Kuball send a letter to the 2 home owners stating that the board hasn't seen any progress and board will assess administrative fines if project is not complete by the time permits expire.

LeSueur/Rice Safety Group: Mandatory meeting on June 7, 2011 for "AWAIR & Right to know" all employees need to attend to stay OSHA compliant.

Zoning Meeting  
May 19, 2011  
Page 2

Zoning Administrator's report:

Byers is closing permits on Doyle, Liverseed, and Sutter. Seeing a lot of progress on the house on Main Street that Wendel owns. Neutzman applied for a siding, roof and window permit. Legion turned in application for demo for the Memorial Park.

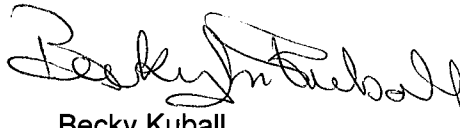
Brakemeier brought in permits for trailers for lot 13 Cate and 41 Charlotte a moving permit for 53 Charlotte. Byers recommended that the board approve all the permits.

Motion by O'Rourke to except all permits except Brakemeier properties Lot 41, Motion fails

Motion by Blackmer seconded by Wolf motion carries to approve Brakemeier permit when appropriate checks are provided for permit fees. Voting Yes: Wolf, Blackmer, And Lonergan Voting No: O'Rourke

Motion by O'Rourke seconded by Wolf motion unanimously carries to approve the Zoning Administrators Report.

Motion by O'Rourke seconded by Wolf and motion carries to adjourn at 9:10 pm

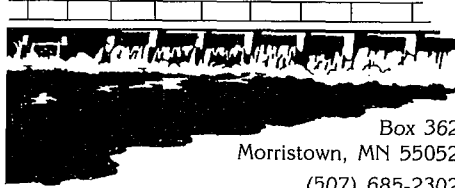


Becky Kuball  
City Clerk

# City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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## ZONING BOARD MINUTES Regular Meeting June 16, 2011

The Morristown Zoning Board meeting was called to order on Thursday, June 16, 2011 at 7:05 p.m. in the Council Chambers at 402 Division Street South by Chairman Lonergan.

Present: Zoning Board Members, James Lonergan, Mike O'Rourke, Mark Morris, Jack Blackmer, Kurt Wolf also present was John Byers Zoning Administrator, Becky Kuball, City Clerk, Misty and Matt Bailey

Motion by Blackmer seconded by O'Rourke motion unanimously carries to approve the agenda for June 16, 2011

Motion was made by O'Rourke seconded by Blackmer and carried unanimously to approve the minutes of the May 19, 2011 as printed.

Report on City Council Action Taken at Last Meeting: Blackmer questioned the status of the Brakemeier letter, Mayor stated he would get with Kuball and take care of it.

Requests to be Heard: None

New Business: Matt Bailey addressed the board looking to add onto the shed or barn, he received a 10 day notice from the police on the number of vehicle he has on his property and that he needed to get rid of some of them. After some discussion it was decided it was possible to add onto one of the buildings. Baileys took the zoning application and will get it filled out and returned.

### Old Business:

Zoning Ordinances: Motion by Blackmer seconded by O'Rourke motion unanimously carries to recommend to council to change fee structure for building permit to change existing .25 cents per sq foot fee to be for all zoning areas of Morristown city limits, except RM and add RM structure for Mobile homes to add permit fees of \$250 for Single Wide and \$450 for Double wide homes

Brakemeier Properties: Blackmer and Morris met with Dustin Brakemeier at noon and discussed the violations in the mobile home park and informed him as the park/property owner that he is ultimately responsible for anything that is brought into the park, so he needs to make sure that everyone within the park are getting permits for anything that is being done so that the park stays compliant with the City of Morristown's Ordinances. Brakemeier did have some issues with some of the moving and time of sale inspections due to them being repressions from the mortgage companies, as they just show up and take the home without any notice. Brakemeier was told that if that would happen, then they should call city hall and let them know and it would be noted. It was stressed that he cannot do his own time of sale inspections and that he is not an approved time of sale inspector for the city and he should contact Rebecca Deireks to have her do the inspections. He was told to talk with the city council about the fines if he wants to negotiate them down. As the board has handed that over to the council to administer the fines.



Zoning Meeting  
June 16, 2011  
Page 2

O'Rourke questioned if we could add a sign off spot for homeowners when the permit is being closed out. It was decided to just put a line on for signature of owner closing out permit.

Zoning Administrator's report:

Motion by Morris seconded by O'Rourke motion unanimously carries to approve lot #53 pending permit fee paid and sight drawing completed.

Blackmer applied for a window permit

Buenger- fence closed out

Rasmussen roof done siding still open

Thom- roof done, siding and windows still open

Beers-fence closed out

Nordmeier-shingling permit closed

Remington- received permit for shed

Motion by O'Rourke seconded by Morris motion unanimously carries to approve the Zoning Administrators Report.

Motion by O'Rourke seconded by Morris and motion carries to adjourn at 8:35 pm

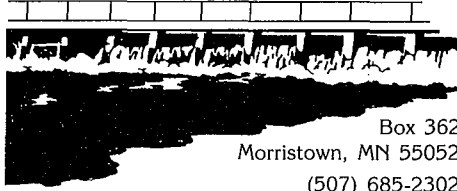


Becky Kuball  
City Clerk

# City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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Morristown, MN 55052  
(507) 685-2302

## ZONING BOARD MINUTES Regular Meeting July 21, 2011

The Morristown Zoning Board meeting was called to order on Thursday, July 21, 2011 at 7:05 p.m. in the Council Chambers at 402 Division Street South by Chairman Lonergan.

**Present:** Zoning Board Members, James Lonergan, Mike O'Rourke, Mark Morris, Jack Blackmer, also present was, Becky Kuball, City Clerk, Delphine Pudil, Clarence Allison

**Absent:** Kurt Wolf, John Byers Zoning Administrator

Motion was made by O'Rourke seconded by Blackmer and carried unanimously to approve the minutes of the June 16, 2011 as printed.

**Report on City Council Action Taken at Last Meeting:** Blackmer stated that the council approved the permit change for the mobile home park to \$250 for single wide and \$450 for double wide. The council made a motion for the attorney to write a letter to Brakemeier for violations in the park.

**Requests to be Heard:** None

**New Business:** Clarence Allison came with concerns that a trailer in the mobile home park owned by Pudil is not tied down. That a time of sale inspection was not done on Delphine Pudil's home, and that Pudil was never offered Minnesota Manufactured Home Relocation Trust Fund the mobile home park owner is responsible for paying up to \$3250 for each single wide and \$6000 for each double wide at the time of closing. Board directed them to talk with the owner about the issue in the park. Morris stated he would bring it up at the next council meeting also.

### Old Business:

**Zoning Ordinances:** Board would like to take a look at the mobile home ordinance and add tie down requirements

**Brakemeier Properties:** Blackmer spoke with Hopman and said he met with the attorney and gave a list of the violations and the city fine structure and instructed him to write the letter and forward it to the city for approval.

### Zoning Administrator's report:

Byers absent, report given by Kuball

Brinkley, Allen Medina, Patzner and Martinez permits all completed

Holida-shed, Spellman-roof, Borte-roof all issued and pre inspected

Zoning Meeting  
July 21, 2011  
Page 2

Motion by O'Rourke seconded by Morris motion unanimously carries to approve the Zoning Administrators Report as presented by Kuball.

Motion by O'Rourke seconded by Blackmer and motion carries to adjourn at 8:10 pm

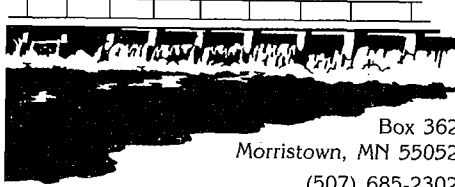
A handwritten signature in black ink, appearing to read "Becky Kuball". The signature is fluid and cursive, with the first name "Becky" written in a larger, more prominent script than the last name "Kuball".

Becky Kuball  
City Clerk

# City of Morristown

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## ZONING BOARD MINUTES Regular Meeting August 18, 2011

The Morristown Zoning Board meeting was called to order on Thursday, August 18, 2011 at 7:05 p.m. in the Council Chambers at 402 Division Street South by Chairman Lonergan.

Present: Zoning Board Members, James Lonergan, Mark Morris, Kurt Wolf, Jack Blackmer, also present was John Byers Zoning Administrator, Becky Kuball, City Clerk, Jared Taylor

Absent: Mike O'Rourke

Additions to the agenda under new business 6 a Jared Taylor

Motion was made by Morris seconded by Blackmer and carried unanimously to approve the minutes of the July 21, 2011 as printed with one correction, Byers was absent from last meeting.

Report on City Council Action Taken at Last Meeting: Letter was sent to Brakemeier Properties regarding violations at the mobile home park

Requests to be Heard: None

New Business: Taylor was wondering if for bank purposes if he could take one acre and parcel it off from the rest of his acres? After some discussion it was decided that Taylor could take and split the parcel, but it would have to maintain all property frontage, but no other splits will be allowed until it is parceled

Motion by Blackmer seconded by Wolf motion unanimously carries to approve subdivision as discussed here that the division will include the access and that upon Taylors submission of formal legal description and drawing be submitted to the board and be approved by zoning administrator John Byers, split must include property and frontage to Sidney Street

### Old Business:

Zoning Ordinances: Byers stated there is an ordinance that is in effect that tie down are required on all mobile homes. Morris questioned if the city is responsible if tie downs are not checked. They are in the time of sale inspection form and should be checked when the inspection is done.

Blackmer stated that if the council wants the board to revisit the violations to Brakemeier properties, than they will have to send it back to the board to review.

### Zoning Administrator's report:

Byers received permit applications for window, roof and siding from, Duncan, Shankey and Brooks.

Methodist church would like to add more fences to the existing fencing. Sarah Clemenson would like to add a small addition onto her home.

Motion by Morris seconded by Blackmer motion unanimously carries to approve addition for Clemenson.

Zoning Meeting  
August 18, 2011  
Page 2

Wendy Wangen would like to add solar panels to the side of her home. No permit is required for this.

Closing permits on Borth, Blackmer, Byers.

Motion by Morris seconded by Wolf motion unanimously carries to approve the Zoning Administrators Report.

Motion by Blackmer seconded by Wolf and motion unanimously carries to adjourn at 8:50 pm

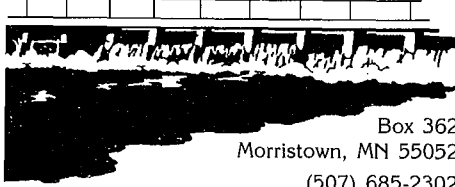


Becky Kuball  
City Clerk

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## ZONING BOARD MINUTES Regular Meeting September 15, 2011

The Morristown Zoning Board meeting was called to order on Thursday, September 15, 2011 at 7:07 p.m. in the Council Chambers at 402 Division Street South by Chairman Lonergan.

Present: Zoning Board Members, James Lonergan, Mark Morris, Kurt Wolf, Jack Blackmer, also present was John Byers Zoning Administrator, Becky Kuball, City Clerk, Jason Smith

*Mike O'Rourke*

Motion was made by Blackmer seconded by Morris and carried unanimously to approve the minutes of the August 18, 2011 as printed

Motion rescinded by Morris

Motion was made by Morris seconded by Blackmer and carried unanimously to approve the minutes of the August 18, 2011 as printed with one correction

Report on City Council Action Taken at Last Meeting: City Council sent the Brakemeier Properties violations back to the Zoning Board, and would like the board to go over the violations and then decide what violations should be levied against Brakemeier and then bring it back to the council.

Requests to be Heard: None

New Business: Jason Smith put up a pop machine at his Apartment complex and is wondering if it is ok to keep there? Board stated it is not ok to have it out in the open per ordinance. Board would allow him to put it inside the building so it is enclosed, but would have to get a business permit, and sign permit in order to keep in compliance with the ordinance.

Motion by Blackmer seconded by Morris motion unanimously carries to conditionally approve the home based vending business in the carport according to home occupation standards with the vending machine put inside the carport and be enclosed and it is out of view, provided the permits are filled out and filed then the board will recommend to council to approve business permit.

Motion by O'Rourke seconded by Wolf motion unanimously carries to have 30 day to complete after approved.

Unfinished Business:

Zoning Ordinances: Morris questioned if the board could wait to act on an item that is brought to the board, with a request whether or not it is on the agenda. If it is not on the agenda then you do not have to act on it. Any request can be tabled until the board has time to look into it no decision has to be made that same night.

Zoning Meeting  
September 15, 2011  
Page 2

Brakemeier Properties: Byers stated that 43 permits could be paid for according to the list that Brakemeier Properties had sent over to Byers. Board would like to have Kuball send an email to the attorney and have him attend the next meeting and see if there has been any progress with Brakemeier and if we should take payments on permits that are filled out by Brakemeier.

Expiring permits: Send a reminder letter to those that are expiring. Medina letter will add that fines will be assessed.

Byers will check with Ackmann and see if he is done with his permit before sending out a letter.

Zoning Administrator's report:

Motion by Blackmer seconded by O'Rourke motion unanimously carries to approve Gary Larson garage permit

Closing permits on Lonergan, Remington, Lutheran Church, O'Rourke, Spellman

Motion by O'Rourke seconded by Blackmer motion unanimously carries to approve administrators report.

Motion by Wolf seconded by Blackmer and motion unanimously carries to adjourn at 8:55 pm

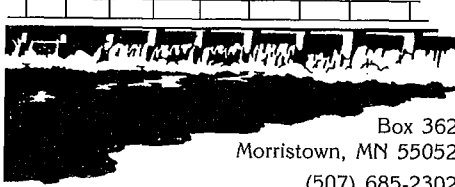


Becky Kuball  
City Clerk

# City of Morristown

IN SOUTHERN MINNESOTA LAKES REGION

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## ZONING BOARD MINUTES Regular Meeting October 20, 2011

The Morristown Zoning Board meeting was called to order on Thursday, October 20, 2011 at 7:07 p.m. in the Council Chambers at 402 Division Street South by Chairman Lonergan.

Present: Zoning Board Members, James Lonergan, Kurt Wolf, Jack Blackmer, also present was John Byers Zoning Administrator, Becky Kuball, City Clerk, Ramon Medina

Absent: Mark Morris, Mike O'Rourke

Motion was made by Blackmer seconded by Wolf and carried unanimously to approve the minutes of the September 15, 2011 as printed

Report on City Council Action Taken at Last Meeting: Council approved the pop machine business and sign permit. Byers will stop over and talk to smith about the pop machine.

Requests to be Heard: None

New Business: None

Unfinished Business: Expiring permits, Medina/Hruska. Medina was informed that it is ultimately the homeowner's responsibility to make sure the construction project is complete and if not that the homeowner would be the one that would end up with the administrative fines.

Motion by Blackmer seconded by Wolf motion unanimously carries that if the remodeling job is not complete by midnight on the 22<sup>nd</sup> of October to proceed with administrating a fine of \$115 and then a new permit would have to be paid for and issued.

Zoning Ordinances: None

Brakemeier properties: waiting on a response from the attorney Kuball will contact him again and see if he can make the meeting in November.

Zoning Administrator's report: Permits issued to Hoffman-roof, Boese-deck, Marsh-roof, Judd-roof Closing out Methodist Church-fence, Anderson-shingling, Duncan-window, roof, siding Motion by Wolf seconded by Blackmer motion unanimously carries to approve the zoning administrator report

Motion by Blackmer seconded by Wolf and motion unanimously carries to adjourn at 7:58 pm

Becky Kuball  
City Clerk