

ALTURA CITY COUNCIL MEETING MINUTES
November 11, 2025

- Call to Order Mayor, Robert Schell, called the meeting to order at 6:30 p.m. Brad Brouwer, Paige Ellinghuysen, Mike Olson, and Andy VanLoon were present. Steve Muller, Holly Muller, Drew Meyer, Becky Zittel, Kelly Kalmes, Patrick Kalmes, Frank Murphy, Joan Jensen, Dave Schwantz, Yvonne Ruhoff, Marlene Spencer, Brad Romine, Gary Heim, Dane Saxon, Kyle Kampschroer, Matt Mohs, Mike Flaherty, Michelle Herber, Ron Merchlewitz, Jessica Merchlewitz, Phyllis Onstad, Dan Kalstabakken, Raelene Stanislawski, Don Dvorak, Shelly Schell, Matt Neumann, Rick Kreidermacher, Mike Kreidermacher, Howie Pichner and Trisha Badillo were in attendance.
- Pledge of Allegiance. The Veterans were thanked for their service and the attendees were thanked for showing up.
- Monthly Minutes Mike Olson made a motion to accept the previous month's minutes. Paige Ellinghuysen seconded. Motion carried.
- Monthly Disbursements/Receipts Andy VanLoon made a motion to accept the City disbursements and receipts. Brad Brouwer seconded. Motion carried.
- Planning Commission Steve Lueck reported that Becky Zittel was sworn in. Phyllis Onstad, Trisha Badillo, and Ron Merchlewitz presented a written request to address the Council. Phyllis Onstad, 16952 County Road 26 said she was in attendance to the informational meeting and open hearings. The majority of the citizens in attendance were opposed to both the rezone and the conditional use permit. The Commission made their decision to not recommend either request. Phyllis and Dan do not want the property rezoned as it is the consensus of the majority of Altura citizens who spoke at the hearing. There is an industrial property that is zone for this business. Phyllis and Dan are concerned about the loss of tax revenue rezoning the property. They request the Council consider the input of the citizens who spoke at the hearing and explain the reason for your vote. Trisha Badillo, 116 S Main, said she has lived in the city for 17 years and attended the open hearing. Many attendees spoke against both requests. It's not a good fit for the City at that location. Her children play at the park which would be close to a controlled substance. The Commission along with 8 people were against. If it was out in the country 5 miles away and not close to home and children. We need to think about our children and controlled substances. The City should not rezone the property again. It's not the best business for Altura. We are a safe community. If rezone, there would be a loss of revenue. Businesses and housing is need in Altura. She would appreciate a not vote from the Council and keep our community safe. Ron and Jessica Merchlewitz, 29 2nd St SE, have 3 raised 3 sons and lived in town for 15 years. They support the members of the Commission to deny both requests. It's not the right site and it doesn't fit. Need to think of our children and get an honorable business that aligns with our legacy and values. They voted for the Council to be positive and take collaborative advice and should stand by the Commission's recommendation and oppose. Robert Schell asked Dane Saxton what his process of permit and certifications. He responded that you need to obtain and application, a background check is done, after the license is obtained, you need to secure a location and submit to the State. This starts a 30 day time clock. The State will contact the City for approval and then the State comes down to inspect and then are approved to start operations. Robert Schell stated the property tax to the City classified as Commercial would be \$22103 and Agricultural \$9803.90. Difference of \$12298. Mike Olson asked what portion of that comes directly to the

City and it's 20%. Robert Schell said for the water usage at \$209 gallons per square feet at 5000 square feet annual is 1045000 gallon per year at full capacity in about 5 years. This is 6 times the annual rain fall in the rain forest. At 250000 gallon a quarter the revenue would be around \$5000 per year for water. Robert Schell was asked by Mike Olson who else in the town has usage in that volume. Bob answered, there is none. The City was asked previously by Gary Heim what to do with this building and the Council at that time said it would be easier to rezone to Ag and have a Conditional Use Permit than allowing a cannabis grow in the Commercial District, which could open up the town to cannabis grows on main street. Dane has had to present written studies of water consumption for the business. Mike Olson mentioned that this property has never been on the tax roll. The City will get value from it. If the County has the property valued at \$840,000 this may be reviewed by the Board of Adjustments, the value is not guaranteed and the city only receives 20% of the property tax so it's not losing money it never had. Robert Schell said the City is at best to break even. There were 9 community members at the meeting against at the Commission's meeting. Mike Olson said there were only so many people there to talk, the conversation on record does not mean the entire community is against it. Steve Muller wanted to know what the City would get out of it. He spoke of the shops in St. Charles and that we don't need that in our community. It was reiterated that this business is not a retail establishment. Gary Heim said this is not a dispensary, it's only a grow facility. Gary asked Robert Schell what business benefits the City and why should a business benefit the city. Robert Schell will not comment. Business is a part of the city and the water/sewer infrastructure. Gary asked if there is there a difference business that would benefit the City. Robert Schell mention the Turkey Plant benefitted the city when it was in operation. Robert Schell said it is not what the business is but where it is, the location. As a previous director of the Altura Youth Sports, is in the wrong place. Dane had a great presentation but in Bob's opinion it's the wrong location and he's taking the opinion of others.

Steve Lueck mention at the opening hearing there was 8 people against the requests and 3 people for it in attendance. The Commission voted unanimously to deny the request and leave it at C1 because of the location and Altura Youth Sports. There's not enough land in the parcel to change to Agricultural. Paige Ellinghuysen mentioned that we could take the playground equipment out and extend the ball field so that it would be appropriate for slow pitch and add to and put money into Centennial Park instead. Andy VanLoon said he has 2 boys, ages 6 and 9 that are in Little League and he would not do anything to endanger their safety. He doesn't see that there will be a problem or that it would endanger children. There is a cannabis stigma around cannabis. Gary tried hard to get business in the building. Here is an opportunity to get some revenue which is better than nothing. Brad Brouwer has been on the council for 20 years and there's not a lot of business opportunity coming to town. He doesn't see a problem with the business. Robert Schell mentioned the property is being listed for \$900,000. Who can afford it? Gary Heim said he's open to a loan or anything else to bring business into town. The purchase agreement specifically said that this property was not to be for residential housing. Robert Schell mentioned in the purchase agreement states it's not to be residential housing unless written approval by the Council. Kelly Kalmes asked what happens if the permit is approved. Mike Flaherty mentioned that there should have had a deed restriction on the purchase agreement for the buyer stating their plan. Mike advised the Council not to sell property without the restriction listed. He's astounded that the property is worth \$840,000 and sold for \$40000. Rezoning is a legislative decision for the Commercial 1 to Agricultural rezoning brought before you tonight, you

need to vote on findings of health and safety and can legally grant or deny the rezone request. Second is the Conditional Use Permit which is a quasi judicial decision as the Council is acting like a Judge, make factual findings. It's hard to legally deny. You need to regulate reasonable conditions and criteria in a resolution. Mike went over the draft conditions and added 9 conditions regarding noise and nuisance orders and 10 adding conditions for industrial users. The City requires certain criteria for industrial users. The acres of the property is not a criteria, the City has the right to have a zoning ordinance, policy decision, no one know the nuisances, if there are problems, it's hard to fix it so you need to try to revoke or regulate which can be difficult. Once approved the permit can not be unrecorded. You need to be confidence in the decision. There may be no odor or noise but we are not sure. Robert Schell mentioned as a neighbor to the property there's unknown as if it goes down OK, fine but if it goes sideways it's right next to residential. Nothing personal, but the request doesn't fit in the town. Question come up if it were left a Commercial 1 zoning, could the Conditional Use be obtained. The answer is no as a cannabis business is only allowed in Industrial or Agricultural. There is a building in the Industrial District that it could fit but it's not being taken possession of until December. Robert Schell wants to promote business but not if it's the wrong decision. He asked for each Council's opinion. Paige Ellinghuysen said cannabis is legal, it's a new business in town, new business could support community events, youth sport. She has young children too. She said the town is not as safe as she has to conceal and carry due to instances she's experienced in town. There will not be more crime due the business and other residents that she has talked to are for it. Mike Olson agreed. He has children that go the park also. The residents he has talked to do not think it will be a problem. Phyllis Onstad mentioned the Cannabis Growers Coop Industry Council required a detailed business plan be put together to be in compliance and a security plan and meet the state regulations. Dane Saxon did confirm that he has all the appropriate business plans submitted to the State and the Office of Cannabis Management and that plan has to meet the standards. The Cannabis Ordinance aligns with the State. Mike Olson made a motion to rezone the property from Commercial 1 to Agricultural. Paige Ellinghuysen seconded. Motion carried Yes Brad Brouwer, Paige Ellinghuysen, Mike Olson, and Andy VanLoon. No Robert Schell. Marlene Spencer asked the Council why they have a Planning Commission if everything they proposed is thrown out by the Council. Dave Schwantz asked for Council to give their reasons. Mike Olson said the people he talked to want business in town and don't think it will be a nuisance. Andy VanLoon agreed. Brad Brouwer said we need businesses in town. He doesn't see it will be a problem, he wishes it was a different type of business. Paige Ellinghuysen said that is a legal business now in Minnesota. We need to educate people as people get into trouble with a lot of things in places. She doesn't believe it will cause a nuisance and wants to promote business in town. Steve Lueck reported the Commission unanimously denied the CUP as they weren't recommending the zoning change and because of the residents comments. Mike Flaherty, mentioned that it might be a Light Industrial User for wastewater and may have to obtain a permit. MPCA has standards and so the City which is more stringent which may require production level analysis. Minnesota State Statute 116.064 states No person may cause or allow emission into the ambient air of any substance or combination of substances in quantities that produce an objectionable odor beyond the property line of the facility that is the source of the odor. The Attorney was asked what happens in the conditions are not followed. Dane Saxon said that there is odor mitigation, the negative pressure goes through the carbon filtration filtering the odor. This is a proven method. What constitutes proof

there's an odor. We are talking about conditions to protect the citizens, what are the conditions to protect the business that someone make a complaint there's an odor. There would be a condition listed that there would be multiple people to determine if there were an odor. Mike Olson made a motion to grant the Conditional Use Permit and Conditions as listed in Resolution 25-04. Andy VanLoon seconded. Motion carried. Yes Brad Brouwer, Paige Ellinghuysen, Mike Olson, and Andy VanLoon.

Steve Lueck asked about updating the comprehensive plan. Robert Schell advised to consult the Engineer and Construction Management Services and other Cities to have a modern comprehensive plan.

Maintenance Report

The Maintenance Report was submitted by Brad Romine. Brad will be installed the weed barrier and pea gravel on the existing portion of the park.

Fire Department

There was no report.

Ambulance Department

Jess Romine will send a report to the Clerk's office.

Treasury Report

The Treasurer's Report was given by the Treasurer. Brad Brouwer made a motion to approve. Mike Olson seconded. Motion carried.

Old Business

Parking Ordinance

Mike Olson made a motion to accept and charge \$50 for the roll off permit. Brad Brouwer seconded. Motion carried.

Robert Kreidermacher Easement

The paperwork is at Robert's attorney's office regarding the easement and land purchase. Mike Flaherty mentioned there will be 2.7 acres changing for \$26000. He's meeting tomorrow and hoping to have the documents by Friday. At the December 9 meeting, the Council will need to review and approve the documents by resolution. Robert will have the expense of fencing the area that will be periodically grazed and there will be a year to year written agreement for the grazing.

New Business

Website

The clerk mentioned the current website is not giving the City what they need and asking to switch provider. The cost is \$125/month with a 4 year commitment. Paige Ellinghuysen made a motion to approved. Andy VanLoon seconded. Motion carried.

Unpaid City Invoices

Brad Brouwer made a motion to approve resolutions 25-02 and 25-03 assessing moneys owed the City. Mike Olson seconded. Motion carried.

Adjourn

Brad Brouwer made a motion to adjourn at 8:56 p.m. Andy VanLoon seconded. Motion carried.

Respectfully submitted:

Sandra Pasche
City Clerk

Robert Schell
Mayor