

**MEETING OF THE PEQUOT LAKES CITY COUNCIL
TUESDAY, FEBRUARY 2, 2016
PEQUOT LAKES CITY HALL**

Members Present: Mayor Sjoblad, Council Members Akerson, Loukota, and Pederson

Members Absent: Council Member Karr

Staff Present: Nancy Malecha, City Administrator/Clerk; Eric Klang, Police Chief; and Tim Houle, City Engineer

1. Call Meeting to Order

Mayor Sjoblad called the meeting of the Pequot Lakes City Council to order at 6:43 p.m.

1.1 Pledge of Allegiance

Mayor Sjoblad led with the Pledge of Allegiance.

2. Consider Agenda

Nancy Malecha requested to add item 8.2 – Request to Begin Hiring Process and Council Member Akerson requested to add item 10.4 - Special Meeting Pay Discussion to the agenda.

COUNCIL MEMBER LOUKOTA MOVED TO APPROVE THE AGENDA AS AMENDED WITH THE ADDITION OF ITEM 8.2 – REQUEST TO BEGIN HIRING PROCESS AND 10.4 – SPECIAL MEETING PAY DISCUSSION. COUNCIL MEMBER PEDERSON SECONDED THE MOTION. MOTION CARRIED 4-0.

3. Consent Agenda

COUNCIL MEMBER LOUKOTA MOVED TO APPROVE THE CONSENT AGENDA AS FOLLOWS:

- 3.1. **JANUARY 5, 2016 CITY COUNCIL MEETING MINUTES.**
- 3.2. **PAYMENT OF BILLS FROM JANUARY 6, 2016 THROUGH FEBRUARY 2, 2016.**
- 3.3. **FINANCIAL REPORT ENDING DECEMBER 31, 2015.**
- 3.4. **LIBRARY REPORT FOR JANUARY 2016.**
- 3.5. **RESOLUTION 16-04 ACCEPTING CONTRIBUTIONS FROM DECEMBER 23, 2015 THROUGH JANUARY 21, 2016.**

3.6. RESOLUTION 16-05 SUPPORTING THE PAUL BUNYAN TRAIL ASSOCIATION'S SPECIAL BONDING REQUEST.

COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 4-0.

4. Open Forum

No one appeared for open forum.

5. Presentations

5.1. Ski Trails at Wilderness Road & Mayo Lake Nature Preserve

Tom Beaver addressed the Council with his vision of future maintenance of ski trails at Wilderness Road and creating ski trails at Mayo Lake Nature Preserve. Mr. Beaver informed the Council that he met with representatives from the Pequot Lakes School and they are in favor of this project but are unable to contribute monetary funding. An idea to create funding would be to require ski passes. He recommended that this be an ongoing step by step process beginning with the Council granting him permission to pursue interest in a ski club. Mr. Beaver noted that the next step could entail marking out the trails which would require some tree removal.

The Council questioned the insurance needs of a ski club for liability purposes and if events would be hosted at these locations. Mr. Beaver noted that these items would need to be looked into as the process moves along.

The consensus of the Council favored Mr. Beaver's vision of ski trails at Wilderness Road and Mayo Lake Nature Preserve and granted him permission to pursue interest in a ski club.

6. Planning and Zoning

6.1. Planning Commission Report

The January 26, 2016 Planning Commission Report and January 21, 2016 draft Planning Commission minutes were received by Council.

7. Fire

The January 2016 Fire Department Operations Report and January 27, 2016 Fire Board Meeting minutes were distributed to the Council.

8. Police

8.1. Annual Report

Chief Klang discussed the 2015 Annual Report with the Council. Mr. Klang noted that the prescription drug disposal dispenser at city hall has been very popular.

Mayor Sjoblad commended the police department on their diligence in patrolling the community. Council Member Akerson commended the police department on the speed minder signs.

8.2. Request to Begin Hiring Process

Chief Klang informed the Council that he would like to hire a replacement for the front desk position in the police department. The job duties would entail clerical and technical duties for the police department as well as grant writing duties for the City.

COUNCIL MEMBER LOUKOTA MOVED TO BEGIN THE HIRING PROCESS FOR A FULL-TIME OFFICE MANAGER. COUNCIL MEMBER PEDERSON SECONDED THE MOTION. MOTION CARRIED 4-0.

9. Public Works

9.1. CSAH 11 Temporary Route Conditions

Tim Houle updated the Council on the following CSAH 11 temporary route conditions that he has reviewed with MnDOT and Crow Wing County. Mr. Houle requested that the City be proactive by approving these conditions but cautioned that they may be subject to change per review by Mathiowetz Construction. If changes are requested, Mr. Houle noted that the City's Highway 371 Coordination Team could review the changes and present them to the Council at a future meeting.

1. The City's approval is contingent on the County's approval (they have weighed in and are in agreement with these conditions – the County will not have a separate agreement) and on MnDOT's original Design-Build Contract.

2. The two main reasons (there are others) a re-route is being considered is for safety and to continue relatively uninterrupted traffic flow. Mathiowetz will ensure both of these conditions are met. This will include, but not be limited to, a safe design and construction, proper signing and pavement markings, etc. as well as providing immediate adjustments to promote safety; and minimal construction equipment crossings (with proper advance signage and flagging) of the re-routed CSAH 11.

“Minimal crossings” will be defined as one set crossing location, crossings not occurring from 7 am to 9 am and 2 pm to 4 pm (afternoon mainly due to school dismissal times), crossings not occurring after noon on Fridays or the day before a Holiday, and crossings not occurring when it adversely backs up traffic (i.e. in the case of special events outside these other limits), unless prior approval is obtained from MnDOT in coordination with the County and the City.

3. The temporary re-route location will be as indicated on the attached one-page figure. Mathiowetz will submit “final design” documents for MnDOT, County, and City review and approval. Mathiowetz will pay for ALL aspects of survey, design, temporary easements, construction, operation, and maintenance of this temporary re-route unless otherwise indicated.
4. The present Highway 371 – including from the existing stop light at CSAH 11 south to wherever the re-route intersects Highway 371 – will remain the responsibility of MnDOT. The existing CSAH 11 west of the interchange construction and the existing CSAH 11 east of the point where the eastern end of this proposed re-route connects to the existing CSAH 11 will remain the responsibility of the County.
5. The duration of this temporary re-route will be from approximately mid-May 2016 until November 30, 2016. Should the re-route need to continue longer than this (either in 2016 or into 2017 after a 2016-2017 winter shut-down), Mathiowetz shall come back to the City and the County and request an appropriate extension and re-negotiation of these conditions.
6. CSAH 11 is a part of the Paul Bunyan Scenic Byway system. Mathiowetz shall provide minimum 4-foot wide shoulders to accommodate possible users of the Byway. Mathiowetz shall coordinate with MnDOT (and in turn, the DNR and the Byway Association) on coordinating and providing signing along the Paul Bunyan Trail and CSAH 11 giving direction as to how multi-modal

users should travel the Byway. This coordination includes the Byway's website.

7. Trail Crossing signage (both advance and at the trail) shall be provided on the temporary re-route where crossing the Paul Bunyan Trail and on the Trail itself.
8. A signage and pavement marking plan for the temporary re-route (at a minimum, as indicated on the attached) shall be provided to the County, the City, and MnDOT for their review and approval.
9. It is acknowledged by Mathiowetz that conditions can change during construction. Mathiowetz will pay for all design, construction, construction, and maintenance of signage and pavement marking changes needed as conditions, traffic patterns, unanticipated congestion, etc. dictate during construction on the re-route or on adjacent roadways directly caused by the re-route; the determination of such which will be at the sole discretion of either the City or the County (and then working with and through MnDOT).
10. Mathiowetz shall include directional signage from multiple directions directing traffic to downtown Pequot Lakes businesses. Mathiowetz shall provide signage sizes, shapes, and colors appropriate for the speeds of the roadways. At a minimum, on northbound existing Highway 371 south of the temporary re-route, Mathiowetz shall provide a "YES! Pequot Lakes' Businesses are Open" (or similar wording) sign with a straight arrow. At a minimum, on westbound temporary re-route east of existing Highway 371, Mathiowetz shall provide a "YES! Pequot Lakes' Businesses are Open" (or similar wording) advance sign with an up and to the right arrow. At a minimum, on westbound temporary re-route just east of existing Highway 371, Mathiowetz shall provide a "YES! Pequot Lakes' Businesses are Open" (or similar wording) sign with a right arrow.
11. Mathiowetz shall coordinate with the Chamber on space for them to provide banners and signage on posts / poles / stands for various special events that change on a weekly basis during the duration of the temporary re-route.
12. Mathiowetz shall include directional signage from multiple directions directing traffic towards Breezy Point. Mathiowetz shall provide signage sizes, shapes, and colors appropriate for the speeds of the roadways. At a minimum, on northbound existing Highway 371 south of the temporary re-route, Mathiowetz shall provide a "Breezy Point"

sign with an up and to the right arrow. At a minimum, on southbound existing Highway 371 north of the temporary re-route, Mathiowetz shall provide a "Breezy Point" sign with an up and to the left arrow.

13. The East Frontage Road shall have, at a minimum, two 12 feet wide paved travel lanes, two 4-foot wide paved shoulders, and consist of a minimum of 4 inches of bituminous over 6 inches of Class 6 aggregate base over 12 inches of Select Granular Material on a prepared subgrade. Derksen Road shall have, at a minimum, two 12 feet wide paved travel lanes, two 4-foot wide paved shoulders, and consist of a minimum of 4 inches of bituminous over 6 inches of Class 6 aggregate base on a prepared subgrade. For the Derksen Road construction, the City will contribute \$15,000.
14. At the County's or City's sole determination, if either the County or the City directs Mathiowetz to repair a distressed pavement situation, improper signage, or unsuitable pavement markings, Mathiowetz needs to be prepared to immediately correct and repair the situation within 24 hours.
15. Mathiowetz shall provide additional barricades and appropriate signing at Old 371 to control, limit, and minimize opportunities for thru traffic up and down Old 371 (residential areas along portions; and pavement conditions in areas not set up for increased traffic) while providing for local traffic – adjacent property owners' use of Old 371.
16. Per the Design-Build Contract, Mathiowetz shall notify MnDOT, the County, the City, the School District, emergency services (State Patrol, County Sheriff, County E-911, ambulance, City Police, and Fire Department), and the Chamber at least a week in advance of any requested changes to the temporary re-route or its related components. Only MnDOT – after reviewing and obtaining approval of the City and the County - can authorize a requested change to the temporary re-route and its related components.

As this requirement is already in the Design-Build Contract, this condition will get deleted from the final version.

17. Per the Public Information Plan required in the Design-Build Contract, Mathiowetz - in coordination with the City, the County, and MnDOT – will conduct weekly meetings that the public can attend, ask questions and express concerns, get answers, and obtain information. Other communication approaches in lieu of weekly meetings will be considered.

As this requirement is already in the Design-Build Contract, this condition will get deleted from the final version.

18. Per the Design-Build Contract, Mathiowetz shall immediately (less than 12 hours) remove any and all road kill and debris from the roadway.

As this requirement is already in the Design-Build Contract, this condition will get deleted from the final version.

19. Per the Design-Build Contract, Mathiowetz is responsible for routine maintenance within the Project Limits and on all temporary facilities. The County and City understand that this would require Mathiowetz to have a sweeper / pick-up broom available on-site to sweep the roadway. The County will address any non-routine maintenance activities (Book 2, Section 19.4.1) that Mathiowetz is not responsible for.

20. Per the Design-Build Contract (Book 2, Section 19.4.2.1.1), MnDOT, the County, and cities are responsible for snow and ice removal. Due to the increased length and temporary re-routing of CSAH 11 – besides the existing CSAH 11 blocked off by construction – the City and County will have to work out a plan for snow and ice removal on the existing CSAH 11 west of the interchange construction.

21. The City is conducting a construction project at the wastewater treatment facility in 2016 with construction access anticipated on Derksen Road. Mathiowetz shall provide for unimpeded access for the City's construction contractor.

22. Per the Design-Build Contract, Mathiowetz shall restore any damage to infrastructure (e.g. curb and gutter) due to damage caused by traffic during the temporary re-route period.

As this requirement is already in the Design-Build Contract, this condition will get deleted from the final version.

23. Per the Design-Build Contract, Mathiowetz shall restore all infrastructure (e.g. pavement striping and signage) to pre-temporary re-route conditions.

As this requirement is already in the Design-Build Contract, this condition will get deleted from the final version.

24. Per the Design-Build Contract, Mathiowetz shall work with all utility companies on temporary utilities, utility relocations, and restoring utilities to pre-temporary re-route conditions.

As this requirement is already in the Design-Build Contract, this condition will get deleted from the final version.

25. Per the Design-Build Contract, If the City, County, or MnDOT needs to take care of any situations that Mathiowetz will not address after notification, Mathiowetz will be billed as the County or City, in their sole discretion, deems appropriate.

As this requirement is already in the Design-Build Contract, this condition will get deleted from the final version.

26. Unless otherwise indicated, all of the above will be at no additional cost to the City, the County, or MnDOT.

COUNCIL MEMBER PEDERSON MOVED TO APPROVE THE CSAH 11 TEMPORARY ROUTE CONDITIONS AS PRESENTED CONTINGENT ON APPROVAL FROM MATHIOWETZ CONSTRUCTION. COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 4-0.

9.2. Pequot Boulevard Improvements

Tim Houle presented the construction plans and bid timeline for the Pequot Boulevard Improvement Project. Mr. Houle noted that the construction plans address drainage, piping, storm sewer, and ditch check issues.

Mayor Sjoblad noted that this section of Pequot Boulevard is the absolute worst street in the City.

Council Member Pederson questioned if there are any right-of-way issues with this project. Mr. Houle noted that the City plans to stay on the same course as the present street pavement.

COUNCIL MEMBER LOUKOTA MOVED TO APPROVE THE CONSTRUCTION PLANS FOR THE PEQUOT BOULEVARD IMPROVEMENTS AND ADVERTISING FOR PUBLIC BIDS BASED ON THE TIMELINE PRESENTED WITH BID CONSIDERATION AT THE APRIL 5, 2016 CITY COUNCIL MEETING. COUNCIL MEMBER PEDERSON SECONDED THE MOTION. MOTION CARRIED 4-0.

9.3. Request to Hire Temporary Maintenance Worker

COUNCIL MEMBER LOUKOTA MOVED TO HIRE BILL RICKARD AS A TEMPORARY, NON-EXEMPT MAINTENANCE WORKER ON AN AS NEEDED BASIS FOR THE PURPOSE OF SNOWPLOWING DURING THE PUBLIC WORKS SUPERVISOR'S LEAVE OF ABSENCE AT A WAGE OF \$17.94 PER HOUR (STEP 7). COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 4-0.

9.4. Request to Purchase Tractor/Mower

Mayor Sjoblad noted that the Public Works Department would like to purchase a Challenger MT515E tractor/mower for ditch mowing and crop removal at the spray irrigation field.

Tim Houle stated that there is a concern on the continuance of leasing the spray irrigation field crop removal to a farmer due to the layout of the new row irrigation system. Mr. Houle further stated that there will be more ditches and storm water infiltration locations for the City to maintain with the Highway 371 expansion project.

Council Member Pederson questioned the need to purchase this equipment now versus waiting until the Highway 371 expansion project is near completion. He wondered if this purchase could be integrated with other equipment purchases within the cyclical bonding process that the City will be working on. Council Member Pederson requested that a cost analysis be created to look at contracting for these services versus purchasing the equipment and using City staff time.

Nancy Malecha stated that the quote received from Ziegler Company through the State Cooperative Purchasing Venture is valid until the end of March.

Council Member Akerson requested that a map of the areas that this piece of equipment would maintain also be provided.

COUNCIL MEMBER PEDERSON MOVED TO TABLE THE PURCHASE OF A CHALLENGER MT515E TRACTOR/MOWER TO GATHER FURTHER INFORMATION AS REQUESTED AND PLACE THIS ITEM ON THE NEXT COUNCIL MEETING AGENDA. COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 4-0.

9.5. Haul Roads – Anderson Brothers and Akerson Road

Tim Houle reminded the Council of previous conversations regarding contractor's interest in using City streets as haul roads during the Highway 371 expansion projection. Mr. Houle noted that to date no further inquiry or information has been received by any contractors. He stated that when this information is received it might be more efficient to have the City's Highway 371 Coordination Team review the information and bring it to the Council for approval on a case by case basis.

10. Administration

The January 13, 2016 draft Safety Committee minutes, the January 19, 2016 draft EDC minutes, and the January 19, 2016 HRA minutes were received by Council.

10.1. Economic Development Commission Appointment

COUNCIL MEMBER AKERSON MOVED TO APPOINT CHRIS LINDHOLM TO THE ECONOMIC DEVELOPMENT COMMISSION FOR A THREE-YEAR TERM EXPIRING ON DECEMBER 31, 2018. COUNCIL MEMBER LOUKOTA SECONDED THE MOTION. MOTION CARRIED 4-0.

10.2. Request to Increase Number of Members on Economic Development Commission

COUNCIL MEMBER AKERSON MOVED TO INCREASE THE NUMBER OF MEMBERS ON THE ECONOMIC DEVELOPMENT COMMISSION FROM FIVE TO SEVEN WITH THE INCLUSION OF A REPRESENTATIVE FROM THE CITY OF JENKINS. COUNCIL MEMBER LOUKOTA SECONDED THE MOTION. MOTION CARRIED 4-0.

10.3. Call Special Council Meeting for February 29th

COUNCIL MEMBER LOUKOTA MOVED TO CALL A SPECIAL CITY COUNCIL MEETING FOR FEBRUARY 29, 2016 AT 6:00 P.M. TO HOLD A HEARING TO APPEAL A DANGEROUS DOG DECLARATION. COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 4-0.

10.4. Special Meeting Pay Discussion

Council Member Akerson stated that the City Code was adopted in January of 2013 and includes a \$15 special meeting pay for Council Members. He noted that prior to the January 5, 2016 Council Meeting past payroll precedence did not account for special meeting pay when these meetings were held on the same date as regular Council meetings. Council Member Akerson stated that the past precedence was a misrepresentation of the City Code and possible disciplinary action should be taken to rectify the situation with possible retroactive pay for the Council.

Nancy Malecha informed the Council that per Council Member Akerson's request she did contact the City Attorney about this matter. The City Attorney stated that for retroactive pay to occur the Council must approve a retroactive date and the City Attorney recommends that this date be after the last election.

Mayor Sjoblad stated he is in favor of the \$15 special meeting pay for all special meetings effective January 5, 2016 and does not wish to pursue any retroactive pay.

Council Member Loukota stated that he is in favor of the \$15 special meeting pay for all special meetings moving forward from the January 5, 2016 Council Meeting.

Council Member Pederson stated that he assumed from the January 5, 2016 Council discussion that the special meeting pay for all special meetings would become effective in January 2016 and he supports this. He further noted that this issue has been resolved and no further disciplinary action is needed.

The consensus of the Council agreed that Council Members will be paid for all special meetings regardless of the date on which they are held effective January 5, 2016 and they will not pursue any retroactive special meeting pay or disciplinary action.

11. Other Business

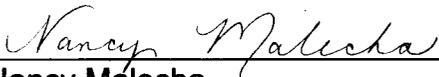
There was no other business.

12. Adjournment

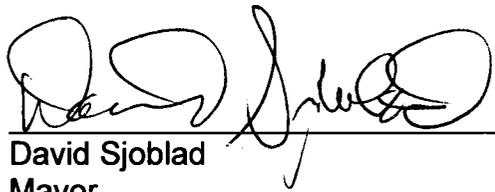
There being no further business, **COUNCIL MEMBER LOUKOTA MOVED TO ADJOURN. COUNCIL MEMBER PEDERSON SECONDED THE MOTION. MOTION CARRIED 4-0.**

The meeting of the City Council adjourned at 7:51 p.m.

Respectfully submitted,



Nancy Malecha
City Administrator/Clerk



David Sjoblad
Mayor