



AGENDA ITEM #3.1

REPORT TO CITY COUNCIL

Report Prepared by: Nancy Malecha

Date: August 2, 2016

Subject: City Council Minutes

Report: The minutes for the July 5, 2016 City Council Meeting are attached for your review.

Council Action Requested: Council motion approving the City Council Meeting minutes for the July 5, 2016 Meeting.

**MEETING OF THE PEQUOT LAKES CITY COUNCIL
TUESDAY, JULY 5, 2016
PEQUOT LAKES CITY HALL**

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

Staff Present: Nancy Malecha, City Administrator/Clerk; Dawn Bittner, Zoning Specialist; Chad Turcotte, Police Sergeant; and Tim Houle, City Engineer

1. Call Meeting to Order

Mayor Sjoblad called the meeting of the Pequot Lakes City Council to order at 6:30 p.m.

1.1 Pledge of Allegiance

Mayor Sjoblad led with the Pledge of Allegiance.

2. Consider Agenda

Nancy Malecha requested to remove item 3.4 – Library Report and add items 8.4 – Police Vehicle and 10.1 – Special Event Permit.

COUNCIL MEMBER LOUKOTA MOVED TO APPROVE THE AGENDA AS AMENDED WITH THE REMOVAL OF ITEM 3.4 – LIBRARY REPORT AND ADDITION OF ITEMS 8.4 – POLICE VEHICLE AND 10.1 – SPECIAL EVENT PERMIT. COUNCIL MEMBER PEDERSON SECONDED THE MOTION. MOTION CARRIED 5-0.

3. Consent Agenda

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

- 3.1. JUNE 7, 2016 CITY COUNCIL MEETING MINUTES.
- 3.2. PAYMENT OF BILLS FROM JUNE 8, 2016 THROUGH JULY 5, 2016.
- 3.3. FINANCIAL REPORT ENDING MAY 31, 2016.
- 3.5. RESOLUTION 16-14 ACCEPTING CONTRIBUTIONS FROM MAY 27, 2016 THROUGH JUNE 23, 2016.
- 3.6. QUARTERLY UTILITY BILLING ADJUSTMENT REPORT FOR APRIL THROUGH JUNE OF 2016

3.7. A WORKPLACE ACCIDENT AND INJURY REDUCTION (AWAIR) PROGRAM REVISION

COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 5-0.

4. Open Forum

Brian Wallin from the Greater Lakes Association of Realtors addressed the Council. Mr. Wallin noted that an informational meeting will be held on July 6th at Trailside Park from 6:00 p.m. to 7:00 p.m. to discuss housing needs, affordable housing, and the Highway 371 Project.

5. Presentations

5.1. Highway 371 Expansion Project Update

Representatives from Mathiowetz Construction and/or MnDOT were not present.

Brian Wallin questioned what the speed limit is along the County Road 11 detour. Sergeant Turcotte noted that because the detour is technically a county road the speed limit is 55 mph.

5.2. Thriving Communities Initiative

Dan Frank from the Initiative Foundation and Mark Jurchen, EDC Chair, discussed the Thriving Communities Initiative with the Council. Mr. Frank gave a presentation which highlighted the following.

- The Thriving Communities Initiative is a framework for involving the community in creating their future.
- The planning phase takes approximately 3 to 4 months and the implementation phase takes approximately 2 to 3 years.
- The goal of the Initiative is to bring the community together to create a shared future, build up the economy, and make the community a more attractive place for residents and visitors.

Mark Jurchen noted this Initiative will allow for partnerships with surrounding communities and provide an opportunity to gather information to create visionary statements for the City.

Council Members questioned the makeup of the core team and funding sources. Dan Frank stated the core team will consist of approximately 25-

30 people of different ages, genders, and localities. He further noted that the total project cost of the Initiative is approximately \$34,000 of which half is funded by USDA.

COUNCIL MEMBER KAR MOVED TO AUTHORIZE THE ECONOMIC DEVELOPMENT COMMISSION TO PROCEED WITH THE THRIVING COMMUNITIES INITIATIVE AND APPLICATION PROCESS ON BEHALF OF THE CITY WITH CITY FUNDING SUPPORT IN THE AMOUNT OF \$6,000 TO BE PAID FROM THE 2016 EDC BUDGET (\$1,000) AND GENERAL FUND BALANCE (\$5,000). COUNCIL MEMBER LOUKOTA SECONDED THE MOTION. MOTION CARRIED 5-0.

6. Planning and Zoning

6.1. Planning Commission Report

The June 28, 2016 Planning Commission Report and June 16, 2016 draft Planning Commission minutes were received by Council.

6.2. Ordinance Amendment Regarding Fence Height

Dawn Bittner informed the Council of the current City Code not allowing for accessory structures without a primary structure in any zoning classifications. The Planning Commission unanimously recommends amending the City Code to permit accessory structures in forest management, agricultural, and rural residential zoning areas.

COUNCIL MEMBER KARR MOVED TO AMEND CHAPTER 17, SECTIONS 17-5.4, 17-5.5, AND 17-5.6 OF THE LAND USE AND SUBDIVISION ORDINANCE REGARDING ACCESSORY STRUCTURES AND AUTHORIZES PUBLICATION OF ORDINANCE 16-04. COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 4-1. COUNCIL MEMBER AKERSON OPPOSED.

6.3. Waive Land Use Permit Fee

Dawn Bittner informed the Council of the Sibley Lake Association's request to waive the land use permit fee to remove existing steps and restore the hillside at Sibley Lake Park, as this is City property.

COUNCIL MEMBER LOUKOTA MOVED TO WAIVE THE \$150 LAND USE PERMIT FEE FOR THE SIBLEY LAKE ASSOCIATION. COUNCIL MEMBER KARR SECONDED THE MOTION. MOTION CARRIED 5-0.

6.4. Land Use Permit Issuance & Agreement

Dawn Bittner informed the Council of Virgil Dahl's application for a land use permit to remedy a portion of his zoning violations. Staff is requesting the Council grant permission to issue the permit, as well as execute an agreement necessary to remedy the other code violations that exist on his property. Ms. Bittner noted the agreement will require Mr. Dahl to grant access for City staff to enter his property as well as set up a timeline for current and future follow-up visits.

Council Member Pederson stated he would like something in the agreement noting progress percentages that must be met within specified deadlines.

MAYOR SJOBLAD MOVED TO DIRECT CITY STAFF TO ISSUE A LAND USE PERMIT TO VIRGIL DAHL TO ALLOW THE LOCATION OF TWO STORAGE BUILDINGS AND THE CONSTRUCTION OF AN ADDITION ON HIS PROPERTY AT 3952 COUNTY ROAD 17 NOTWITHSTANDING THE EXISTENCE OF CODE VIOLATION ON HIS PROPERTY, AND TO AUTHORIZE STAFF TO EXECUTE AN AGREEMENT WITH MR. DAHL AT THE TIME OF PERMIT ISSUANCE AS NECESSARY TO ADDRESS THE ELIMINATION OF SUCH CODE VIOLATIONS WITHIN A REASONABLE TIME THEREAFTER. COUNCIL MEMBER KARR SECONDED THE MOTION. MOTION CARRIED 5-0.

7. Fire

8. Police

8.1. Internet Crimes Against Children Task Force (ICAC) Joint Powers Agreement

Sergeant Turcotte noted the primary purpose of the Internet Crimes Against Children Task Force Joint Powers Agreement is to allow the Police Department to share resources with other agencies.

COUNCIL MEMBER LOUKOTA MOVED TO ADOPT RESOLUTION 16-15 APPROVING THE STATE OF MINNESOTA JOINT POWERS AGREEMENT REGARDING THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC). COUNCIL MEMBER KARR SECONDED THE MOTION. MOTION CARRIED 5-0.

8.2. National Night Out – August 2nd

Sergeant Turcotte informed the Council of the first annual National Night Out event to be held on August 2nd at Trailside Park from 5:00 p.m. to 8:00 p.m. This event will be hosted by the Police Department with food, beverages, activities, and music provided.

COUNCIL MEMBER PEDERSON MOVED TO SUPPORT THE ANNUAL NATIONAL NIGHT OUT EVENT HOSTED BY THE PEQUOT LAKES POLICE DEPARTMENT. COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 5-0.

8.3. Part-Time Police Officer Resignations

The Council acknowledged the resignations of part-time police officers Adam Kronstedt and Caitlin Robinson and thanked them for their service.

8.4. Police Vehicle

Sergeant Turcotte updated the Council on the 2010 Dodge Charger hail damage incurred during the last storm. Sergeant Turcotte noted the cost to repair this vehicle is comparable to its total value and the age and odometer mileage is of concern. Fully equipped new squad estimates and potential revenue sources in the amount of \$35,000 were reviewed.

Council Member Akerson questioned if the number of vehicles in the Police Department fleet would increase with this potential purchase. Sergeant Turcotte stated the vehicle count will remain the same.

COUNCIL MEMBER AKERSON MOVED TO AUTHORIZE THE POLICE DEPARTMENT TO ORDER A NEW SQUAD TO BE FINANCED FROM BUDGETARY SAVINGS, INSURANCE SETTLEMENT, AND VEHICLE SALES. COUNCIL MEMBER LOUKOTA SECONDED THE MOTION. MOTION CARRIED 5-0.

9. Public Works

9.1.A. Street Name – East Twin Trail

Nancy Malecha informed the Council of her conversations with Tom Dumont at MnDOT on this street name issue. According to Mr. Dumont, the decision making authority for the naming of the street segment between Pow Wow Point and Olson Road is still in the City's decision making jurisdiction. Ms. Malecha noted the street name sign along

Highway 371 will correspond with the name of this street segment and only the street name that abuts the Highway will be allowed on this sign.

Council Member Pederson noted his concern on the street name represented on the sign along Highway 371 and prefers the identifiable history behind the Olson Road name. Council Member Pederson further noted that comments made in correspondence received from homeowners along this segment are not accurate as the City Council never approved the street segment name of East Twin Trail whereas this was approved by the East Twin Lake Association in 2005.

Council Member Karr noted that he does not have a problem with the street segment name of East Twin Trail.

Donald Kremer, 28122 State Highway 371, Pequot Lakes, addressed the Council. Mr. Kremer noted the segment in question is ½ mile long and has seven properties that will be affected. Mr. Kremer further noted his common understanding was this segment would be named East Twin Trail based on the East Twin Lake Association's recommendation.

Mayor Sjoblad informed Mr. Kremer that the decision making authority for this street name lies with the City Council and not the East Twin Lake Association. The Association's recommendation on this street name took place before an accurate understanding of the segment was realized.

COUNCIL MEMBER LOUKOTA MOVED TO RENAME THE STREET SEGMENT BETWEEN POW WOW POINT AND OLSON ROAD TO EAST TWIN TRAIL. COUNCIL MEMBER KARR SECONDED THE MOTION. MOTION FAILED 2-3. MAYOR SJOBLAD, COUNCIL MEMBER LOUKOTA, AND COUNCIL MEMBER PEDERSON OPPOSED.

9.1.B. Street Names – City Ordinance

Nancy Malecha stated since approval of the street segment names relating to the Highway 371 Project have occurred, passage and publication of an ordinance is required in accordance with Minnesota Statute 412.221.

COUNCIL MEMBER KARR MOVED TO ADOPT ORDINANCE 16-05 NAMING THE STREETS RELATING TO THE HIGHWAY 371 EXPANSION PROJECT. COUNCIL MEMBER LOUKOTA SECONDED THE MOTION. MOTION CARRIED 5-0.

9.2. Public Restroom on East Side of City

Mayor Sjoblad led the discussion on the public restroom issue on the east side of the City. He noted that there is an evident need for a public restroom as witnessed this past holiday weekend. Mayor Sjoblad would like Council input as to potential sites and recommended the City explore the possibility of using the Library building.

Council Member Pederson noted the idea of using an existing public building could work but the ballooning cost of previous bathroom bids should not be replicated.

Council Member Akerson reminded the Council to be cognizant of various requirements that must be met for a public restroom.

Mayor Sjoblad directed Council Members to visit the City Library building to analyze if an existing bathroom could be retrofitted and used as a public restroom.

The consensus of the Council was to place this item on the August Council agenda.

9.3. Facility Addition Feasibility Study

Tim Houle updated the Council on the Maintenance Department Facility Addition Feasibility Study and the electrical, mechanical, and structural code issues that were brought forth as well as estimated costs for a building addition versus a new facility.

Council discussion ensued on the following.

- A new facility allows more space for the Public Works Department and creates vacated space at City Hall for other departments to utilize.
- The need for financing options before an informed decision can be made.
- Potential development east of City Hall and surrounding aesthetics need to be considered when deciding if public works should remain at the current location.
- Triggers of non-compliant issues at City Hall may need to be addressed sooner rather than later.
- A long-term planning solution should be determined that is absent from myopic reasoning.

- The capital improvement equipment needs of the Public Works Department 10 to 20 years from now should be considered.
- The lack of City sewer services at City Hall.

Tim Houle noted that he will prepare a succinct list of information discussed for the Council to review.

9.4. Pequot Boulevard Partial Payment Estimate #1

Tim Houle gave the Council a status update on the Pequot Boulevard Improvement Project and noted that a quantity increase change order will be forthcoming due to lack of base material.

COUNCIL MEMBER LOUKOTA MOVED TO APPROVE PARTIAL PAYMENT ESTIMATE NO. 1 FROM ANDERSON BROTHERS CONSTRUCTION COMPANY IN THE AMOUNT OF \$57,238.95. COUNCIL MEMBER PEDERSON SECONDED THE MOTION. MOTION CARRIED 5-0.

9.5. WWTF Change Order & MnDOT Joint Powers Agreement Revision

Tim Houle informed the Council on the August 1st deadline for the WWTF Improvement Project right-of-way permit to the City. Mr. Houle noted that Borden Excavating has accelerated this Project which resulted in an early right-of-way release date of June 29th. To accommodate this, a change order has been executed along with a letter sent to MnDOT to revise the Joint Powers Agreement.

COUNCIL MEMBER KARR MOVED TO APPROVE CHANGE ORDER NO. 1 FOR THE WASTEWATER TREATMENT FACILITY IMPROVEMENT PROJECT AND REVISION OF ARTICLE 3.2 OF THE JOINT POWERS AGREEMENT WITH MNDOT (CONTRACT NO. 1001092), TO REFLECT THE EARLY RIGHT-OF-WAY RELEASE DATE OF JUNE 29, 2016. COUNCIL MEMBER LOUKOTA SECONDED THE MOTION. MOTION CARRIED 5-0.

9.6. WWTF Row Irrigation Partial payment Estimate #3

COUNCIL MEMBER LOUKOTA MOVED TO APPROVE PARTIAL PAYMENT ESTIMATE NO. 3 FROM BORDEN EXCAVATING IN THE AMOUNT OF \$133,414.27. COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 5-0.

Mayor Sjoblad thanked Tim Houle for the services he performs on the City's behalf and for keeping the City on track with ongoing projects.

10. Administration

The following items were received by Council.

- April 13, 2016 Summary of Trailside Park Master Planning Meeting #2
- June 9, 2016 draft Park Commission minutes
- June 21, 2016 draft EDC minutes
- June 21, 2016 HRA minutes

10.1. Special Event Permit

Nancy Malecha informed the Council of a special event permit for Grace United Methodist Church. They will be hosting a Concert with Grace event on August 17, 2016 at 7:00 p.m. in Trailside Park.

11. Other Business

There was no other business.

12. Adjournment

There being no further business, the meeting adjourned.

The meeting of the City Council adjourned at 8:55 p.m.

Respectfully submitted,

Nancy Malecha
City Administrator/Clerk

David Sjoblad
Mayor