



**AGENDA ITEM #3.1**

**REPORT TO CITY COUNCIL**

**Report Prepared by: Jennifer Peterson**

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**Date:** October 6, 2020

**Subject:** City Council Minutes

**Report:** The minutes for the September 1, 2020 Regular City Council meeting and September 1, 2020 Special City Council meeting are attached for your review.

**Council Action Requested:** Council motion approving the minutes for the September 1, 2020 Regular City Council and September 1, 2020 Special City Council meeting.

**SPECIAL MEETING OF THE PEQUOT LAKES CITY COUNCIL  
TUESDAY, SEPTEMBER 1, 2020  
PEQUOT LAKES CITY HALL**

Members Present: Mayor Tayloe and Council Members Pederson, Seils and Swanson attended in person. Council Member Akerson attended virtually via Zoom.

Staff Present: Angie Duus, City Clerk/Treasurer, Eric Klang, Police Chief; Police Officer Michael Davis; and Jennifer Peterson, Administrative Assistant attending in person.

1. Call Meeting to Order

Mayor Tayloe called the special meeting of the Pequot Lakes City Council to order at 6:00 p.m.

2. Consider Agenda

**COUNCIL MEMBER SEILS MOVED TO APPROVE THE AGENDA AS PRESENTED. COUNCIL MEMBER SWANSON SECONDED THE MOTION. MOTION CARRIED 4-0.**

Mayor Tayloe opened the public hearing regarding the potentially dangerous dog situation.

Chief Klang provided the introductory and background comments on the case. He explained to the Mayor and City Council that they are going to be tasked with making a determination on whether or not this dog is going to be considered a dangerous dog or a potentially dangerous dog. He stated initially the dog was claimed or deemed as a potentially dangerous dog.

Chief Klang stated that on August 4, 2020, the Pequot Lakes Police Department responded to the call and on August 10, 2020 subsequently issued a potentially dangerous dog notice to Todd Lynes.

Chief Klang stated that he is going to give you the facts and he has no determination whatsoever on what the decision will be. He stated he is just here to let you know what happened with the facts and that the City Council is going to be kind of a jury in this matter. He stated that they will make the determination after everything is presented and after hearing from both sides. He stated that the Council will hear Mr. Lynes, the dog's owner; and Michael Davis, the officer who was on the scene.

Officer Davis gave an overview of the report that was on file. Officer Davis did not feel threatened at the time of the original call. Officer Jorgens gave an overview of what had happened at the time of paper service. However, Officer Jorgens did experience both dogs in the home acting aggressively, neither attacked but he backed away to his vehicle.

Mr. Lynes explained that he had asked the children to leave his yard. After the children left is when the dog fled to the street. Mr. Lynes stated Zaeda has gone through obedience training. Chair Tayloe asked if there is anything that can be done with the underground fence. Mr. Lynes explained that he did find out after the fact that the battery in Zaeda's collar was dead and changed the battery immediately.

Council Member Pederson asked Chief Klang if the small dog was on a leash and on a public street. Chief Klang did say the small dog was on a leash and on the street. He also inquired about the Minnesota statute included in the packet.

Chief Klang stated Mr. Lynes will need to microchip the dog and hang "Beware of Dog" signs on his property if the dog is deemed dangerous.

Mayor Tayloe closed the public hearing. Discussion ensued regarding the potentially dangerous dog situation.

**COUNCIL MEMBER AKERSON MOVED TO OVERRULE THE POTENTIALLY DANGEROUS DOG DECLARATION. COUNCIL MEMBER SWANSON SECONDED THE MOTION. MOTION CARRIED 4-0. COUNCIL MEMBER SEILS OBSTAINED.**

3. Adjournment

There being no further business, **COUNCIL MEMBER AKERSON MOVED TO ADJOURN. COUNCIL MEMBER SWANSON SECONDED THE MOTION. MOTION CARRIED 5-0.**

Respectfully submitted,

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Jennifer Peterson  
Administrative Assistant

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James Tayloe  
Mayor

**MEETING OF THE PEQUOT LAKES CITY COUNCIL  
TUESDAY, SEPTEMBER 1, 2020  
PEQUOT LAKES CITY HALL**

Members Present: Mayor Tayloe, Council Members Pederson, Seils, and Swanson attended in person. Council Member Akerson attended via zoom.

Members Absent: None

Staff Present: Angie Duus, City Clerk/Treasurer; Jennifer Peterson, Administrative Assistant; Jason Gorr, Public Works Director; Dawn Bittner, Zoning Specialist; and Tim Houle, City Engineer

1. Call Meeting to Order

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

1.1. Pledge of Allegiance

Mayor Tayloe led with the Pledge of Allegiance.

2. Consider Agenda

**COUNCIL MEMBER SWANSON MOVED TO APPROVE THE AGENDA AS PRESENTED. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 5-0.**

3. Consent Agenda

**COUNCIL MEMBER SWANSON MOVED TO APPROVE THE CONSENT AGENDA AS FOLLOWS:**

- 3.1. **AUGUST 4, 2020 REGULAR CITY COUNCIL MEETING MINUTES, AND AUGUST 19, 2020 SPECIAL CITY COUNCIL MEETING MINUTES.**
- 3.2. **CHECK REGISTER FROM AUGUST 5, 2020 TO SEPTEMBER 1, 2020.**
- 3.3. **FINANCIAL REPORT ENDING JULY 31, 2020.**
- 3.4. **NO LIBRARY REPORT**
- 3.5. **RESOLUTION 20-30 ACCEPTING CONTRIBUTIONS FROM JULY 28, 2020 THROUGH AUGUST 25, 2020.**
- 3.6. **TOBACCO LICENSE FOR LAKES LANDING, LLC DBA PEQUOT LAKES STORE.**

**COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 5-0.**

4. Open Forum

No one appeared under open forum.

5. Presentations

5.1. Cooperative Community Enhancement Project

Tad Erickson from the Region Five Development Commission presented the attached request for proposals (RFP) for project coordination, stakeholder engagement planning and implementation, preliminary highway survey and design, property ownership determination for Buschmann, Akerson, Nelson, and Wild Acres Roads.

Mr. Gorr spoke regarding the City of Pequot Lakes segments of Akerson Road, Nelson Road and Wild Acres Road.

The City of Breezy Point was represented by Patrick Wassow, City Administrator and Council Member Michael Moroni. Mr. Moroni spoke regarding Bushmann Road. Mr. Wassow would like to see all entities get involved with starting the process of RFP.

Mr. Dave Peterson, Supervisor from Ideal Township, spoke regarding Nelson and Wild Acres Road.

Mr. Mike Dubay, Jenkins Township Chair, spoke regarding Nelson Road.

Crow Wing County Tim Bray gave an overview of the history of the four roads, Crow Wing County's responsibilities will be going forward and what the County cannot do going forward. Mr. Bray stated it is the local governments responsibility to get the roads up to standards for the County Board to discuss the possibility of accepting the roads.

Discussion ensued regarding the draft RFP, the entities responsibility of maintenance and standards of the roads, traffic and current condition, traffic studies already completed or will be completed, and the cost of the future plans.

Mr. Bray and Mr. Erickson did explain that the initial cost would be greater due to the construction and improvements that would have to be made before the County would possibly take over the roads. Mr. Houle stated the design can be done with different standards, i.e. larger shoulders, more dirt work, level of capacity.

5.2. CARES Act Funding Update

Tyler Glynn explained the CARES Act / Coronavirus Relief Funds (CRF) Grants for Non-Profits and small businesses in Crow Wing County to the Council.

Ms. Duus presented the expenditures to date and the quotes that were obtained for use of funding obtained through CARES Act.

Discussion ensued regarding the expenditures for the CARES Act funding.

**COUNCIL MEMBER SWANSON MOVED TO ADD \$40,000 OF THE CARES ACT FUNDING PEQUOT LAKES RECEIVED TO THE POOL FOR THE CARES ACT/CORONAVIRUS RELIEF FUNDS (CRF) GRANT. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 5-0.**

**COUNCIL MEMBER PEDERSON MOVED TO APPROVE \$136,748 FOR USE OF THE CARES ACT FUNDING EXPENDITURES. COUNCIL MEMBER SWANSON SECONDED THE MOTION. MOTION CARRIED 5-0.**

5.3 2020 Preliminary Levy

Angie Duus reviewed changes to the 2021 Preliminary Budget which included the premium for health insurance, sale of assets, general building capital outlay, roads and streets contract services, and roads and streets capital outlay. She explained this is the preliminary levy and once it is approved it cannot be increased but can be decreased.

**COUNCIL MEMBER SEILS MOVED TO ADOPT RESOLUTION 20-31 SETTING THE CITY OF PEQUOT LAKES PRELIMINARY 2021 TAX LEVIES AS FOLLOWS:**

- **GENERAL REVENUE PROPERTY TAX LEVY - \$1,828,455**
- **TAX ABATEMENT LEVY - \$18,080**
- **HRA SPECIAL LEVY - \$46,247**

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

5.4 Final Levy Meeting Date

**COUNCIL MEMBER SEILS MOVED TO DISCUSS THE 2021 BUDGET AND PROPOSED FINAL LEVY AT THE DECEMBER 1, 2020 COUNCIL MEETING AT 6:30 P.M. AND ALLOW PUBLIC INPUT ON THIS ITEM. COUNCIL MEMBER SWANSON SECONDED THE MOTION. MOTION CARRIED 5-0.**

6. Planning and Zoning

6.1 Planning Commission Report

The August 20, 2020 draft Planning Commission minutes were received by Council.

6.2 Amendment to Final Plat of The Range

Ms. Bittner presented the report for the Amendment to the Final Plat of The Range.

**COUNCIL MEMBER AKERSON MOVED TO ADOPT THE RESOLUTION 20-32 APPROVING THE AMENDMENT TO THE FINAL PLAT OF THE RANGE,**

**BASED ON THE 11 FINDINGS OF FACT AND 1 CONDITION. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 5-0.**

6.3 Final Plat of Heart of the Good Life Development

Ms. Bittner presented the report for the Final Plat of the Heart of the Good Life Development.

**COUNCIL MEMBER SWANSON MOVED TO ADOPT THE RESOLUTION 20-33 APPROVING THE FINAL PLAT OF THE HEART OF THE GOOD LIFE DEVELOPMENT, BASED ON THE 6 FINDINGS OF FACT. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 5-0.**

6.4 Ordinance Amendment Regarding Bee Keeping

Ms. Bittner presented the ordinance amendment for Bee Keeping.

**COUNCIL MEMBER AKERSON MOVED TO APPROVE TO AMEND SECTION 17-7.8 ANIMAL HUSBANDRY REGARDING BEE KEEPING. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 5-0.**

**COUNCIL MEMBER SWANSON MOVED TO AUTHORIZE SUMMARY PUBLICATION. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 5-0.**

7. Fire

The July 2020 Fire Department Operations Report and the August 12, 2020 Fire Board Meeting minutes were received by Council.

Mr. Nelson stated he would like to discuss the possibility of increasing the contracts with all entities. Discussion ensued regarding a future plan for equipment.

7.1 Firefighter Resignations

Tom Nelson stated that Dusty Ziemet and Josh Cameron have both resigned from the Fire Department due to moving out of the area.

Council acknowledged the resignations.

8. Police

The July 2020 Police Department Monthly Report was received by Council.

8.1 Police-School Liaison Officer Agreement

Chief Klang presented the School Resource Officer Agreement.

**COUNCIL MEMBER SELLS MOVED TO AUTHORIZE SUMMARY PUBLICATION. COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 5-0.**

Commissioner Pederson wanted to state that the City of Pequot Lakes Police Officer Matt Jorgens did an excellent job with the difficult situation this week with a local Mayor. Chief Klang stated the officers' behavior is exactly the professional way of presenting of an officer.

9. Public Works Report

The August 2020 Public Works Report was received by Council.

9.1A Rasmussen Road & South Washington Avenue Improvement Project - Update

Tim Houle gave an update of the Rasmussen Road & South Washington Avenue Improvement Project. He stated the punch list is being addressed. There will be a conference call with the City Attorney regarding an adjacent property owner regarding storm water.

9.1B Rasmussen Road & South Washington Avenue Improvement Project – Change Order

Mr. Houle stated that the final completion date will move from August 14, 2020 to September 25, 2020.

**COUNCIL MEMBER SELLS MOVED TO APPROVE CHANGE ORDER NUMBER 6 ADJUSTING THE FINAL COMPLETION FROM AUGUST 14, 2020 TO SEPTEMBER 25, 2020. COUNCIL MEMBER PEDERSON SECONDED THE MOTION. MOTION CARRIED 5-0.**

9.1C Rasmussen Road & South Washington Avenue Improvement Project – Partial Payment Estimate

Tim Houle explained that RL Larson did not submit outstanding quantities in time for the Council packet. Thus, there is no Partial Payment Estimate this month. We anticipate a Final Partial Payment Estimate at the October City Council Meeting.

9.2 Heart of the Good Life Professional Services Proposal

Tim Houle presented the Professional Services Proposal for the extension of City sanitary sewer, City water main, new street (Larsen Parkway), and corresponding storm drainage improvements into the Heart of the Good Life (HOTGL) Development. He also described the Business Development Public Infrastructure Grant which Widseth assisted the City in obtaining.

Commissioner Swanson asked if the grant will pay the entire portion of this project. Mr. Houle explained that the grant and land sale should pay for design and construction phase and infrastructure improvements into the Heart of the Good Life Development project.

**COUNCIL MEMBER SEILS MOVED TO APPROVE WIDSETH'S PROFESSIONAL SERVICES PROPOSAL RELATED TO INFRASTRUCTURE IMPROVEMENTS INTO THE HEART OF THE GOOD LIFE DEVELOPMENT PROJECT. COUNCIL MEMBER SWANSON SECONDED THE MOTION. MOTION CARRIED 5-0.**

9.3 Maintenance Costs Requests from 371 Turnback Funds

Jason Gorr presented his request to utilize 371 Turnback Funds for crack sealing, milling/patch repairs and stripes/paint improvements on Main Street, Front Street and Patriot Avenue.

**COUNCIL MEMBER SWANSON MOVED TO APPROVE THE ALLOCATION AND UTILIZATION OF 371 TURNBACK FUNDS IN THE AMOUNT OF \$76,580. COUNCIL MEMBER AKERSON SECONDED THE MOTION. MOTION CARRIED 5-0.**

9.4 Loon Lake Township – Calcium Chloride Application on North Sluetter Road

Rick Wilson, Loon Lake Township Supervisor and Road Chairman addressed the Council to discuss the payment of the Calcium Chloride Application to North Sluetter Road. He is requesting the City of Pequot Lakes pay 100% of the cost of the application.

**COUNCIL MEMBER SWANSON MOVED TO APPROVE THE CITY PAYING 100% OF THE COST TO APPLY CALCIUM CHLORIDE TO NORTH SLUETTER ROAD. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 5-0.**

10. Administration

The following items were received by Council.

- August 13, 2020 draft Park Commission notes
- August 18, 2020 draft EDC Minutes
- August 18, 2020 HRA Minutes

10.1. City Administrator Search Update

Ms. Duus gave an update on the City Administrator search.

Commissioner Seils stated the original discussion was a step increase, however, that did not give an incentive for the workload. She and Commissioner Pederson discussed a 20% increase in pay.

**COUNCIL MEMBER SEILS MOVED TO APPROVE THE TEMPORARY SALARY INCREASES FOR THE CITY CLERK/TREASURER AND ADMINISTRATIVE ASSISTANT RETRO TO JULY 27, 2020 THROUGH 30 DAYS AFTER CITY ADMINISTRATOR'S HIRE. COUNCIL MEMBER PEDERSON SECONDED THE MOTION. MOTION CARRIED 5-0.**

10.2. Library Mask Policy

Ms. Duus stated the Library would like a policy regarding mask policy. Discussion ensued regarding the pros and cons regarding a mask policy including cost and regulations already in place.

Mark Jurchen (via zoom) stated there are many elderly volunteers at the library. The library is concerned about any legal issues may come about if there are any issues.

Council Consensus is there will not be any further action.

11. Other Business

There was no other business.

12. Adjournment

There being no further business, **COUNCIL MEMBER SEILS MOVED TO ADJOURN. COUNCIL MEMBER SWANSON SECONDED THE MOTION. MOTION CARRIED 5-0.**

The meeting of the City Council adjourned at 8:45 p.m.

Respectfully submitted,

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Jennifer Peterson  
Administrative Assistant

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James Tayloe  
Mayor