



AGENDA ITEM #3.1

REPORT TO CITY COUNCIL

Report Prepared by: Angie Duus, City Clerk/Treasurer

Date: October 2, 2023

Subject: City Council Minutes

Report: The draft minutes for the September 5, 2023, Regular City Council Meeting are attached for your review.

Council Action Requested: Council motion approving the minutes for the September 5, 2023, Regular City Council Meeting.

**MEETING OF THE PEQUOT LAKES CITY COUNCIL
MONDAY, SEPTEMBER 5, 2023
PEQUOT LAKES CITY HALL**

Members Present: Mayor Gardner, Council Members Clement, Pederson, Ronning, and Seils

Staff Present: Rich Spiczka, City Administrator; Angie Duus, City Clerk/Treasurer; Tim Houle, City Engineer; Jenny Peterson, Deputy Clerk; Mike Davis, Police Chief; Ryan Franz, Police Sergeant; Andy Schwartz, Water/Wastewater Operations Manager; Nick Roy, Lead Maintenance Worker

1. Call Meeting to Order

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

1.1. Pledge of Allegiance

Mayor Gardner led with the Pledge of Allegiance.

2. Consider Agenda

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

3. Consent Agenda

COUNCIL MEMBER PEDERSON MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED:

- 3.1. **AUGUST 1, 2023, REGULAR CITY COUNCIL MEETING MINUTES**
- 3.2. **CHECK REGISTER FROM AUGUST 7 2023, TO SEPTEMBER 5, 2023.**
- 3.3. **FINANCIAL REPORT ENDING JULY 2023.**
- 3.4. **LIBRARY REPORT**
- 3.5. **RESOLUTION 23-16 ACCEPTING CONTRIBUTIONS FROM AUGUST 1, 2023, THROUGH AUGUST 31, 2023.**
- 3.6. **BOARDS AND COMMISSIONS DRAFT MEETING MINUTES**
- 3.7. **VOTER ACCOUNT COUNTY – MUNICIPALITY AGREEMENT**

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

4. Open Forum

No one appeared for open forum.

5. Presentations

5.1. Wellhead Protection Public Information Meeting

Chris Parthun, Planner from the Minnesota Department of Health, informed the Council the state rule requires there be an opportunity for public participation when a city

develops a wellhead protection plan. He said a public hearing will occur once the plan amendment is completed in approximately one to one and a half years. He stated about ten years ago a hydrologist in Saint Paul looked at the city wells and modeled how long it takes for water to get to the city wells within a 10-year time of travel. He said Minnesota rule requires that there be a 10-year time of travel protection zone and once that protection area is established, they inventory potential contaminant sources within that area and develop strategies to manage the contaminants to keep them out of the drinking water. He said the current plan has expired but there is an extension that's going to allow for that plan to be completed into 2025. He explained that computer modeling has improved, and the capture area now reflects a twenty-year time of travel. He stated many communities he has worked with on plan amendments have had similar situations.

Mr. Parthun explained the inner well management zone or the emergency response area which is one year of time of travel and the outer circle is the well head protection area which is the ten-year time travel originally which is now a twenty-year time travel. He explained types of contaminants and vulnerabilities they look for. He explained a combination of water chemistry and well construction is what formulates and determines the vulnerability. Discussion ensued about the cost, funding and cyber security.

Mr. Parthun presented the City of Pequot Lakes with a Certificate of Recognition from the Minnesota Department of Health for the City's exemplary commitment to protecting its community drinking water source.

5.2 Safe Routes to School

Tad Erickson, Planner from Region Five Development Commission, presented the Safe Routes to School Study that was conducted for the Pequot Lakes School District. He said it is a program that MNDOT has, and it is to get more students walking and biking to school when it is safe to. He said there are two sides to the Safe Routes to School: health and wellness and transportation infrastructure like signs, sidewalks, lighting and trails. He said the City provided a letter of support for the application for a grant to complete the Safe Routes to School study. He explained the process and timeline for the study and observations that were made during the process. He addressed the main goals that came from the study with one being the County Road 11 trail development and it is a high priority. He also said bus drop sites and increased law enforcement presence were noted as well. Mr. Erickson said MNDOT had additional funds and \$5,000 was granted for bike racks for the school. He said additional parking and pedestrian facilities are needed. He stated the Rasmussen road sidewalk comes to an end and there was a recommendation to finish that sidewalk. He said the School moved to adopt the Safe Routes to School, but it is not a requirement for a City to act. He stated it would be a benefit for the City to adopt the plan and it will help applications for future funding for the projects recommended in the plan. He said this does not commit the City to recommendations in the plan but adopting it just shows support for the plan. Discussion ensued about the goals in the plan.

COUNCIL MEMBER CLEMENT MOVED TO ADOPT THE SAFE ROUTES TO SCHOOL STUDY FOR THE PEQUOT LAKES SCHOOL DISTRICT. COUNCIL MEMBER RONNING SECONDED THE MOTION. MOTION CARRIED 5-0.

5.3. EDC Update

EDC Commissioner Mark Hallan talked about discussions the City has had with the School District about the potential ball fields in the Heart of the Good Life. He stated approximately twenty-two acres would be needed for the school. He stated he presented the potential layout that would be the best option for the City. Mr. Hallan also said he has talked to the DNR about a road crossing over the trail. Rich Spiczka stated the City is willing to have conversations about what is the best for everyone.

Mayor Gardner asked if there is any progress on the Highway 371 sign. Mr. Hallan explained that in the past it was supposed to be the Chamber's responsibility, but it is still being discussed by the EDC Commission.

5.4. Park Commission Update

Park Board Chair Nancy Adams said the bike trail from East Twin to Pequot is in bad condition. She said it is time to put some pressure on the DNR.

She said they are working on a tree study and asked for RFP's to be in by this Friday. She said they removed Sibley Lake Park because the Park Board member Keith Simar, who is a retired forester volunteered to do the park. Discussion ensued about what kind of trees are in the park. Ms. Adams stated Mayo Lake Park was removed from the grant because all that would qualify are safety issues. She stated they are getting quotes for signs for Mayo Lake.

Ms. Adams stated Bands in the Park is done and they had great attendance. She said they looked at evaluations that are done every week and they are working on looking for bands for next year. She asked for suggestions and said to let Rich know any band requests. She said the Park Board concluded that a monument sign is better than a post in the air. She said they will discuss it more at the next meeting.

She said the DNR grant is waiting for certification that the project is not on sacred grounds. She said the Splashpad will remain open as the weather permits. Ms. Adams said plans are confirmed that the Park Board will have a float in the Santa Bobbin Parade. She said the board has won the last few years. She stated Community Action can take donations for money for Christmas lights since they are a 503c nonprofit. She also said the Eagle was flying the wrong way for the City flag so there is a slight delay. Ms. Adams said the donation agreement requires the Betsy Ross flag to be flown therefore the City flag will be placed elsewhere.

5.5. 2024 Preliminary Levy

Richard Spiczka stated staff requested the preliminary levy be set at 50% at \$2,550,000. Discussion ensued about the tax rate and higher percentage amounts. Rich said he

feels the Council does not want to take the extra amount even though it is there. He explained the preliminary levy is only a ceiling and it creates the box we must operate in. Discussion ensued about volatility in the valuations. Mr. Spiczka stated he would like to have another workshop to discuss the budget in more detail but today he would like to get the ceiling the Council would like to be at. He asked the Council to identify their top priorities and we can look at those at the workshop. Discussion ensued about the tax rate, valuations and LGA.

COUNCIL MEMBER PEDERSON MOVED TO APPROVE THE PRELIMINARY AT \$2,550,000. COUNCIL MEMBER RONNING SECONDED THE MOTION. MOTION CARRIED 5-0.

5.6. Meeting Date for setting Final Levy

COUNCIL MEMBER PEDERSON MOVED TO SET THE FINAL LEVY DATE FOR MONDAY, DECEMBER 4, 2023 AT 6:00 PM. COUNCIL MEMBER RONNING SECONDED THE MOTION. MOTION CARRIED 5-0.

6. Planning and Zoning

6.1. Planning Commission Report

Planning and Zoning Commission report was presented to the Council.

6.2. Final Plat – Patriot Pines

Jenny Peterson stated that the Planning Commission is bringing forth a final plat for patriot Pines applicants, proposing subdivide an 18.7-acre parcel located at the South end of Lilac Drive with no physical address into eight residential lots. She said the property is zoned urban residential and does not contain any structures. She also said the City has now recorded the vacancy of the lilac cul-de-sac, so we are asking the Council to approve the final PAT class of Patriot Pines based on the 14 findings of facts with no conditions of approval.

Staff Findings: Staff provides the following findings of fact for consideration by the Planning Commission:

1. The applicant is proposing to subdivide an 18.7-acre parcel into eight residential lots.
2. The property is zoned "Urban Residential."
3. The land is properly zoned in its natural state for the intended residential purposes.
4. The final plat of Patriot Pines is in conformance with the approved preliminary plat of the same name.
5. The conditions of preliminary plat approval have been fulfilled.
6. The design standards of the plat are in conformance with the City of Pequot Lakes Zoning and Subdivision Ordinance.
7. The final plat document has been prepared by licensed land surveyor- Patrick A. Trottier, License No, 41004.
8. Appropriate easements are included on the final plat.
9. There are no public or private streets proposed within the plat.

10. There are no private covenants proposed.
11. A title commitment dated July 13, 2023, for the development has been reviewed and accepted by the city attorney.
12. There is no financial security required for the plat.
13. A development contract is not required for the plat.
14. The applicant has submitted an independent third-party plat check dated July 28, 2023, from a licensed land surveyor, David Landecker, License No. 17008.

COUNCIL MEMBER RONNING MOVED TO APPROVE THE FINAL PLAT OF PATRIOT PINES BASED ON THE 14 FINDINGS OF FACT. SECONDED BY COUNCIL MEMBER SEILS. MOTION CARRIED. MAYOR GARDNER ABSTAINED. MOTION CARRIED 4-0.

6.3. Planning and Zoning Commission Member Resignation

Jenny Peterson stated that Rachel Mesa has resigned. She stated she will be posting the opening on the website tomorrow.

7. Fire

7.1. Fire District Report

The August 14, 2023, Joint Powers Board Agenda, revision of Fire District Bylaws, and the 2024 proposed operating budget was presented to the Council.

8. Police

8.1. Police Department Report

The August 2023 Police Department report was presented to the Council. Discussion ensued about the notable calls in the report. Chief Davis said Officer Hobbs did an excellent job on the call and he has only been on the job for a few months with PLPD.

8.2. SRO Legislation Discussion

Chief Davis stated they pulled the SRO out of the school currently until there is a special session or next year. Mr. Spiczka stated the SRO is put in a hard position and the City staff had a discussion with our legal representation. He said legal recommended we do not continue with our SRO activities. He said it seemed like the Governor seemed more open to a special session, but he has not heard anything yet and if there is not one we will need to wait until next year. Mr. Spiczka said the City has been in communication with the School and we are having a presence patrolling around the school. Mayor Gardner stated the City can send a letter that they disagree with this decision. The Council agreed to have Mr. Spiczka send a letter.

MAYOR GARDNER MOVED TO TERMINATE THE SRO CONTRACT WITH THE PEQUOT LAKES SCHOOL DISTRICT AND SEND A LETTER TO THE GOVERNOR'S

OFFICE STATING THE COUNCIL STRONGLY DISAGREES WITH THIS LEGISLATION. COUNCIL MEMBER CLEMENT SECONDED THE MOTION.

Discussion ensued about surrounding communities pulling their SRO's as well and liability to the Police Officers if they continue to operate like an SRO. Junior Council Member Braden Spiczka said it doesn't make sense why this is an issue and as a student he feels like it is a safety issue now. He said it is comforting to have an officer at the school because they have had problems in the past.

MOTION CARRIED 5-0.

8.3. Cannabis Consumption Ordinance Discussion

Richard Spiczka presented the County Ordinance and said the City can adopt the ordinance. Chief Davis is recommending adopting the County ordinance. Mr. Spiczka said the ordinance will not be approved until next month with the County. Council consensus was to adopt the County ordinance.

9. Public Works

9.1. Public Works Report

Mr. Spiczka presented the staff report and said staff will be bringing a Splashpad consumption report to the Council in October.

9.2. Carryover Funds Request

Mr. Spiczka said funds for gutters at the Cole Memorial building were budgeted in 2022 but not used. He said City Staff is requesting to use the money.

COMMISSIONER CLEMENT MOVED TO APPROVE TO PUT \$2,506 INTO CARRYOVER FUNDS TO INSTALL GUTTERS AT THE COLE MEMORIAL BUILDING. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 5-0.

10. Administration

10.1. Administration Report

Mr. Spiczka said we have two positions open currently, Administrative Assistant to the Administrative Office and Police Department and Deputy Clerk/Zoning Specialist. He said the City is too small to not to hire for multiple duties.

Mr. Spiczka said the HOGTL purchase agreements will not be signed until TIF district is approved. He believes the hotel purchase agreement will be signed sooner than the apartment agreement. Discussion ensued on Trailside Estates and having the original committee getting together to have a discussion on where to go with the development.

10.2 2023 Audit Summary

Mr. Spiczka stated the Audit Summary is attached and needs to be approved. He said the Audit went well even though there seemed to be more back and forth this year. Discussion ensued about the City and Fire District bills for the audit.

COUNCIL MEMBER CLEMENT MOVED TO APPROVE THE 2022 AUDIT SUMMARY REPORT. COUNCIL MEMBER SEILS SECONDED THE MOTION. MOTION CARRIED 5-0.

11. Other Business

No other business.

12. Adjournment

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

The meeting of the City Council adjourned at 7:46 p.m.

Respectfully submitted,

Angie Duus
City Clerk/Treasurer

Tyler Gardner
Mayor