

**NISSWA CITY COUNCIL
JANUARY 20, 2016**

The regular meeting of the Nisswa City Council was held Wednesday, January 20, 2016 at 7:00 pm at City Hall.

Members Present: Jacobson, Krautkremer, Johnson, Heidmann

Member Absent: Kraus

Also Present: Mark Hallan, Steve Qualley

Staff Present: Tom Blomer, Laurie Hemish, Alex Hondl, Brent Jones, Brian Farrell, Craig Taylor

Motion by Jacobson, seconded by Johnson to approve the consent calendar as presented:

- A. Approve December 16, 2015 and January 4, 2016 minutes.**
- B. Accept Resignation of Officer Jason Boelter and Authorization to Fill Opening**
- C. Central MN Gobblers Raffle Request – March 5, 2016 at Nisswa Legion**
- D. Gull Chain of Lakes Assoc. Raffle Request – July 25, 2016**
- E. Accept Donation from Anonymous Donor-\$1,000 Park & Rec, \$2,000 Police Dep't**
- F. Approve BLAEDC 2016 Funding Support**
- G. Monetary Limits for Municipal Tort Liability**
- H. Presentation of Claims – #37291 thru #37477 totaling \$538,373.64**

Further discussion: Johnson stated public works is a complex discussion and tough to learn. He values Heidmann on the committee and would like him to stay on that committee. Krautkremer questioned then if he should be liaison then. Jacobson stated the motion is to approve the consent calendar and believes best if remove item A from the motion and approve the rest of the items. Jacobson **amended motion**, seconded by Johnson to just approve items B-H. Carried unanimously. **Motion** by Heidmann, seconded by Johnson to approve the minutes of the December 16, 2015. Carried unanimously.

Krautkremer stated we can make a motion to make changes to the Jan 4th organizational meeting minutes. Johnson questioned being a liaison and being on a committee as the same role. Krautkremer stated public works has co-liaisons and the Mayor mistakenly left Heidmann on the committee and wished to have Johnson and himself as co-liaisons. Stated the city employees do not want Heidmann as their liaison, but it is a council decision. Stated department heads don't trust Heidmann and knows of two occasions where staff was not treated respectfully. Stated the Mayor feels strongly on this. Johnson stated he understands all that, but the sewer expansion issue is a big deal and is a tough role at a critical time for someone new. Krautkremer stated we are just starting that process and the sewer system has definite ramifications. Jacobson stated traditionally the council goes along with the Mayor's wants for committee appointments. Stated if we override his wishes, we need to give reasons why otherwise we should follow his recommendations. Stated we can fix some of the errors. **Motion** by Jacobson, seconded by Heidmann to put Brent Jones on the Public Works Committee, remove Heidmann from the Planning Commission Pro-Tem liaison, and replace Justin Burslie's name with Brent Jones for Planning & Zoning Administrator. Carried unanimously.

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Heidmann stated he is surprised Krautkremer didn't come to him with the issues as there are two sides to every story. Stated he has the best interests in mind for the city not what is best for the employee or himself. Krautkremer stated he has some to him in the past and stated Heidmann has not gone to department heads to get their side of the story. Heidmann stated everything is hearsay. Johnson stated we don't need to get into this. Jacobson suggested keeping Heidmann on the committee, but appoint third council member and post accordingly. Krautkremer stated he has no problem with that. **Motion** by Jacobson, seconded by Johnson to appoint Krautkremer to the public works committee. Carried unanimously.

OPEN FORUM

REPORTS

Chief Taylor introduced Dan Lasher as a new police officer. Krautkremer swore Lasher in as a Nisswa police officer. Taylor stated both new officers are doing a great job. Stated the police report was given to Council included annual numbers. Taylor stated as part of consent agenda, the council approved the resignation of Officer Jason Boelter who served for over 18 years and was a valuable asset to the community and thanked him for years of service. Stated as approved in consent agenda, he is making a conditional offer to the next person on the hiring list pending successful background check. Stated he has agreed to the conditional offer including insurance and will come for official approval next month. Krautkremer questioned since Baxter has done stings on prostitution if it is any issue for us. Taylor stated they could look at, and is complex issue.

Chief Geike gave an annual fire report to the Council and went over the number of calls and breakdown per City. Stated the contract area meeting will be held Feb. 8th 7:00 pm at the fire hall. Jacobson stated there are less fire calls and more medicals. Questioned if we are staff and equipped correctly. Geike stated yes except a few guys will be retiring and need to find their replacements. Stated currently we have four EMTs, 16 1st responders, and one paramedic.

Farrell stated 2015 was a record year for sales and profit and contributes a lot to the nice weather. Stated new competition in Brainerd hasn't affected sales so far. Stated Spirits sponsored a wine/beer dinner at Billy's in Pequot for the Pequot Lions and had positive feedback. Heidmann questioned how the sign is coming along. Farrell stated he is now looking at doing a total repair/takedown and a more appealing sign. Will be checking into cost. Jacobson reminded him to check with Jones for sign ordinance requirements.

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Jones stated the Planning Commission held their regular meeting last week with no public hearings. Had discussions on comp plan review and sign ordinance. Will be dedicating one hour at end of each meeting to discuss comp plan and hope to be done by end of 2016. Heidmann suggested inviting public. Jones stated all meetings are public and Chamber keeps business community involved with process. Jacobson stated commission will be making reasonable changes and take public comment/input once worked thru document.

Hondl stated the safety committee held a meeting and will be making recommendation next month. Stated we will have a pond hockey tournament again for Jubilee and business community has donated prizes. Park & Rec Commission will be doing a breakfast fundraiser on Feb. 13th at the community center 7 to 10 am. Stated a furnace at the community center has issues and he is having a company do a review of the heating system. Stated there is now an AED at the Community Center and the Welcome Center, and he is working on one for City Hall.

Blomer stated the Public Works Committee discussed a facility plan for the sewer. Committee recommends not doing facility plan right now and do it in September after collecting more data. Stated Mark Ronnei, with Grand View, was at the meeting and stated they are holding off on development. Jacobson stated Grand View had applied for townhomes to be built in the next 18 months. Blomer stated we currently add about 6.5 ERCs per year and have about 4 to 5 more years of available ERCs. Johnson stated the facility plan would take 120 days. Blomer stated the plan is to have it completed by March 2017. Heidmann stated Ronnei indicated they were not planning on building anything on the Garden Course for a couple years now. Stated he said they may need 21 hookups over a three year period for at the Pines. Stated a facility plan is only good for a period of time and costs around \$20,000. Stated City needs to put together solid idea of what to do. Jacobson questioned MPCA timetable. Blomer stated the risk comes if a developer wants to build soon. They will have to wait as we won't be able to accommodate them. Heidmann stated Grand View is well informed after today and they were comfortable with it. Johnson stated this will also allow Heather with PFM to run some cash flow analysis and not do hasty decisions. Blomer stated he also needs to collect more information on the Nisswa Ave sign issue under old business.

Qualley stated they are making progress with the codification of codes. Stated it now is in Word format and are incorporating changes. Could have draft by next month for review.

NEW BUSINESS

EASEMENT CONVEYANCE – NORTH 20 FEET OF LOTS 20 AND 88 GULL LAKE SHORES

Jacobson stated the best way to handle is a quick claim deed conveying easement back to property owners. Discussion over easement not going to the water. Qualley stated it was never platted or dedicated as road. **Motion** by Heidmann, seconded by Johnson to convey a quick

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claim deed to the property owners for the easement described as the northerly 20 feet of lots 20 and 88 Gull Lake Shores. Further discussion: Jacobson stated it should be minimal costs but they should be paid by the property owners. Heidmann amended motion, seconded by Johnson to include any costs be paid by the property owners. Further discussion: Qualley stated include authorization to sign deed. Heidmann **amended motion**, seconded by Johnson to authorize Mayor and Clerk to sign quick claim deed. Carried unanimously.

ON SALE TAPROOM LICENSE FOR GULL DAM BREWERY

Hemish explained that Gull Dam Brewery currently has a taproom on sale license and they would like to get a Sunday on sale license for their beer. Stated the next item is on the agenda is for them wanting a Sunday off sale license for growlers. Qualley stated the original license was approved and can be renewed annually upon City approval. Currently it is for Monday thru Saturday on-sale of their beer. Stated the second item is whether or not the City wants to allow off sale of growlers at taprooms on Sundays. Stated last year the State legislature approved the sale of growlers at taprooms on Sundays if licensed by the City. **Motion** by Johnson, seconded by Krautkremer to approve the Sunday on sale license for Gull Dam Brewery upon receipt of the \$200 license fee. Further discussion: Jacobson stated he would vote no for this since they are not following the sign ordinance. Questioned Hemish if they are current on all permits and fees. Hemish stated she wasn't sure. Krautkremer questioned if Big Axe has their Sunday on sale license. Hemish stated yes as they had applied earlier. Heidmann stated he is concerned with Gull Dam following city ordinances asked for city attorney opinion. Qualley stated when a city grants a license, which is a privilege and not a right, you can withhold because of delinquent taxes, fees, permits, etc. Jacobson stated the motion could be made contingent upon all licenses, permits, and fees being paid. Heidmann stated he would prefer to table the issue until we know if they are compliance in fees and other issues. Johnson **amended motion**, seconded by Krautkremer to include Sunday on sale license approved contingent upon all fees and permits being paid. Roll call: Johnson and Krautkremer voting "Aye", Heidmann and Jacobson voting "Nay", motion failed. After discussion on the merits of the fact the Planning and Zoning commission has had a number of issues with Gull Dam on noncompliance with the sign ordinance, the council decided it was not an issue that should be applied to the discussion on granting a change to the off sale/on sale license and growlers.

**ORDINANCE AMENDMENT DISCUSSION RELATING TO LIQUOR LICENSING
(OFF SALE OF GROWLERS ON SUNDAY)**

Motion by Jacobson, seconded by Heidmann to uphold the current ordinance by not allowing off sale of growlers at taprooms on Sundays. Carried unanimously.

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APPROVAL OF SEASONAL PARK MAINTENANCE HIRE

Hondl stated he had Bailey Boelter work starting Dec. 15th for 4 to 5 weeks during college break at \$10 per hour. Stated he is already back at college. Had to get the rink up and running and worked out great. **Motion** by Jacobson, seconded by Heidmann to approve the seasonal hire of Bailey Boelter at \$10 per hour. Carried unanimously.

COMMUNITY CENTER AGREEMENT CHANGES

Hondl stated he provided the proposed revisions to the community center agreement including updated pricing. Discussion over no charge for local non-profits. Jacobson questioned if we can do that legally. Qualley stated yes. Jacobson stated it didn't come as a recommendation from the park committee. Hondl stated because we didn't have a quorum. **Motion** by Jacobson, seconded by Johnson to approve changes as presented to the community center agreement. Carried unanimously.

APPROVAL OF EARMARKED PARK DEDICATION FEES FOR NLRA SIGNS

Hondl stated they are looking to place two signs for the Nisswa Lake Park Recreation Area. One for the west side of the tunnel and also a temporary sign by the pocket park to show schematic design to promote fundraising. Jacobson stated per sign ordinance, this would require planning and zoning approval. Heidmann questioned if this is time sensitive. Hondl stated he will abide by the sign ordinance and it is time sensitive as he needs it built and installed by first thaw. Jacobson stated we could approve funds to be spent contingent upon approval of planning and zoning. Hondl stated he would like the new sign ordinance to exempt the city from the sign ordinance. **Motion** by Heidmann, seconded by Jacobson to approve the two signs for the Nisswa Lake Park Recreation Area as presented using the earmarked park dedication fees of \$550 for signs. Carried unanimously.

OLD BUSINESS

NISSWA AVE SIGN
(to be discussed next month)

COUNCIL REPORTS

Jacobson had Hemish bring up new website on screen and stated it is still being worked on.

ANNOUNCEMENTS

Hemish reminded Council of special council meeting on Monday, January 25th at 5:00 PM to discuss draft personnel policy.

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Motion by Jacobson, seconded by Johnson to adjourn. (meeting adjourned at 8:42 PM)

Ross Krautkremer, Acting Mayor

Laurie Hemish, Clerk