

**NISSWA CITY COUNCIL
MARCH 16, 2016**

The regular meeting of the Nisswa City Council was held Wednesday, March 16, 2016 at 7:00 pm at City Hall.

Members Present: Kraus, Jacobson, Krautkremer, Johnson, Heidmann

Member Absent:

Also Present: Mark Hallan, Steve Qualley

Staff Present: Tom Blomer, Maggi Wentler, Alex Hondl, Brent Jones, Brian Farrell, Craig Taylor, Terry Wallin

CONSENT CALENDAR

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

A. Approve minutes of February 17, 2016

B. MN State Assoc. of Narcotics Investigators Raffle Request – May 25-27, 2016 at Grand View Lodge

C. Presentation of Claims.

All Members voting “Aye”, except Heidmann “abstained”, motion carried.

OPEN FORUM

Randy Shoen & Dave gave an update on the MNDOT Hwy 371 project. They dropped off a preliminary plat drawing for city hall to have. As of today they are on schedule with the project.. Shawn Hansen (audience, Chamber) stated she met with the DNR recently about how the trail would be affected. The DNR mentioned there would be a meeting at the end of March on what the trail re-route will look like. Shoen stated this meeting is tentatively scheduled for April 15th. Hansen encourages them to have meetings and update the Chamber & Cities, as we are getting many questions. Shoen stated they plan on having monthly meetings, rotating to each surrounding city with updates. Shoen stated there will be 4 detours to the trail this year. These temporary trails will be paved, signed and barricaded.

REPORTS

Police: Chief Taylor stated he provided the monthly reports by email. This is typical activity for this time of the year. Kraus swore Luke Hall in as a Nisswa Police Officer.

Liquor: Farrell stated they had a fantastic February. He has informed all employees of the Springsted meeting on March 31st, and has worked it out for everyone to attend. We are still working on the website. We are working on accelerating our social media and newspaper ads with specials to see what is working. Many things are in need of upgrading and repairs. Next month he will come with a proposal to upgrade the counter tops. He will also be looking to

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update coolers and the outside sign. Farrell would like to update the inside first and then work on the outside.

Liquor: Wallin stated profits were good for February and numbers are pretty close to last year at this time. Spring clothing has been ordered and due to arrive at the end of March. Wallin and Josh McElmurray, Assistant Manager at the Spirits, are headed to Alexandria next month for a liquor convention. All employees are setup for the Springsted meeting on March 31. Website looks good and should be wrapping things up this week.

Planning & Zoning: Jones stated they held their regularly scheduled meeting last week with 6 public hearings. This meeting continued on March 14th for one CUP applicant to gather more information. At the request of Grand View they will be hold a special meeting on Tuesday March 29th.

Fire: Chief Geike stated it has been a slow month with only 21 calls. They are having a retirement party on Saturday for 4 men that are retiring.

Motion by Krautkremer, seconded by Heidmann to accept the retirement of Jason Murray, Pat Hastings, Mike Burns, Ted Dullum.

Further Discussion: They will also be giving a plaque to Brandon Bernard's family for his 13 years of service. Jacobson suggested sending a letter to all retirees expressing our appreciation, signed by Mayor and Councilmen. All members voting "Aye", motion carried.

Geike stated that Tim Holmes has resigned from the Assistant Fire Chief, and they want to promote Shawn Bailey to Assistant Fire Chief and promote Joe Hall to Capitan 3.

Motion by Krautkremer, seconded by Heidmann to accept the resignation of Tim Holmes from Assistant Fire Chief, and accept Shawn Bailey as the new Assistant Fire Chief and Joe Hall to Capitan 3. All members voting "Aye", motion carried.

Kraus questioned how training was going. Geike stated they were having 2 meetings a month to do training, but this was not enough so they have added a 3rd meeting to complete mandatory training. Geike stated the department currently has 19 men, but would like to see around 25. They are in the process of changing the requirements to be so many minutes away from the fire hall instead of miles. Geike has received 4 new applications for volunteer firemen.

Parks: Hondl stated the park commission decided to partner with the Run for the Lakes for a fundraiser for the park. We will be doing a brat and burger sale on Friday April 29th, instead of the spaghetti dinner that was originally talked about. The Spring/Summer flyer is complete and out. Hondl will be working with the DNR to put in an access road to the Nisswa Lake Park & Recreating Area through the utility easement.

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Hondl brought up that one of the A/C unit at the Community Center needs repair. He has included one quote with 2 options. He would like approve to move forward with option 2 in replacing the entire condensing unit for a total of \$2,365.00. He would be using funds from the Capital Fund CD, which has a balance of \$37,698.01. Johnson questioned the difference in the 2 options. Hondl stated that option 2 would replace the entire condensing unit and includes a 5 year warranty. Where in option 1 it just replaces the compressor and only has a 1 year warranty. Hondl stated the current unit we have will not be able to be repaired due to new Freon being used, and believes the additional \$200 to replace the entire condenser unit is worth it.

Motion by Jacobson, seconded by Heidmann to approve option 2 on the proposal by Climate Makers in the amount of \$2,365.00. Money from the Capital Fund CD will pay for this repair. All members voting “Aye”, motion carried.

Public Works: Blomer stated that the Public Works Committee met prior to this meeting and discussed possible financing options for the potential sewer expansion project. Heather Casperson with PFM was present to discuss different scenarios.

Motion by Jacobson, seconded by Johnson to have Mark Hallan with WSN prepare a contract agreement to complete a Facility Plan, including an outline, cost and completion days for approval at next month’s meeting. All members voting “Aye”, motion carried.

City Attorney: Qualley stated they are working on the property where the Verizon tower is to go by the ballfield and the Pickle. He will be meeting with Laurie next week to review the city code revisions, and possibly will have it ready for approval next month.

City Engineer: Hallan stated he will have the contract agreement and information for the Facility Plan to Laurie to be included in the packet.

NEW BUSINESS

NEW PART TIME HIRE AT SPIRITS OF NISSWA

Farrell mentioned he would like the approval to hire Dusty Harper at \$9 per hour. He believed last year he waited too long to hire for the summer.

Motion by Jacobson, seconded by Heidmann to approve the part-time hire of Dusty Harper at \$9.00 per hour.

Further Discussion: Krautkremer questioned how many hours Dusty would be working. Farrell stated about 2 days a week from about 3 pm – 10 pm. Farrell’s goals are to get more employees

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working less hours. This allows more flexibility on schedules and filling in when employees are off. All members voting “Aye”, motion carried.

APPROVE AGREEMENT FOR MUNICIPAL ADVISORY SERVICES WITH PUBLIC FINANCIAL MANAGEMENT (PFM)

Motion by Heidmann, seconded by Johnson to approve the agreement as presented today. All members voting “Aye”, motion carried.

DISCUSSION OF FILLING POLICE SERGEANT VACANCY

Chief Taylor stated this position was vacated when an officer resigned. He is looking to begin offering this position to an existing officer. Years of service and the ability to supervise will be requirements he will be looking at. Taylor stated he needs someone else authorized to answer questions when the Chief is out. Taylor stated he would like to begin the selection process and make an offer to someone at the next meeting. Jacobson questioned if there are any budget constraints. Taylor believed there would be enough money in the budget, due to an officer leaving at a high level on the pay scale. In the past for this promotion has been a 5% increase of the base pay salary.

Motion by Krautkremer, seconded by Johnson to proceed forward offering the promotion and select a candidate for Sergeant for approval at next meeting. All members voting “Aye”, motion carries.

PARKING CLOSURE REQUEST BY NISSWA CHAMBER OF COMMERCE FOR JULY 3RD FREEDOM DAYS CELEBRATION

Shawn Hansen (Chamber) stated in 2015 they changed the parking by closing off the west side of Main Street during last year’s Freedom Day’s parade. This worked out very well. Hansen met with Chief Taylor and would like to propose the same guidelines for 2016, with the exception of adding walking lanes. They are requesting to start blocking on Saturday July 2nd at 9 pm. Hansen would like the council to approve that the Chamber can decide from year to year which side of the road to block off. They are unsure if they would switch every other year or keep it the same for consistency. The Chamber will also be discussing with the downtown businesses. Hansen mentioned that the Firecracker Run is the same day as Freedom Days this year. Jacobson questioned if there will be a chalked white line again. Hansen stated yes and Chief Taylor stated he is ok with this.

Motion by Heidmann, seconded by Krautkremer to grant flexibility to the Chamber on which side of the street they want to block off, coordinating with the Police Chief. Lane closures are to start at 9 pm on July 2nd. All members voting “Aye”, motion carried.

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AMEND FEE SCHEDULE

Jones stated he wanted to amend the Fee Schedule to include IUP fees, as they are currently not listed.

Motion by Jacobson, seconded by Johnson to amend the fee schedule as presented today, adding IUP in with CUP & Variances.

Further Discussion: Heidmann questioned the thought behind why this is added. Jones stated it was never added, but always charged IUP's at the same rate as CUPs & variances. All members voting "Aye", motion carried.

NISSWA LIONS CLUB SIGN

Jones stated that the Lions are here to request a sign be added to the Nisswa population sign. They are requesting that the Police sign be reduced to allow enough room for them to put up a Lions sign in between the school & police signs. Jacobson stated that the Planning Commission has not seen this. Jones stated he thought the City Council would need to approve this as it is on Hwy 371.

Motion by Krautkremer, seconded by Heidmann to accept this proposal of adding a Lions sign to the Nisswa population sign, and all costs to be paid by the Lions, including the resizing of the police sign.

Further Discussion: Jacobson would like to see all 3 signs uniform and the same size. Ginger Hustedt (Lions Member) stated that the Lions are only able to get an 18 in. or a 30 in. sign, and the state will not accept a 30 in. They would be looking to add the Lions sign in the middle, which at 18 in. will be smaller than the school or police sign. Hustedt thinks they will look nice and MNDOT wants them to be uniform also. Hustedt stated the Lions would be paying for the Lions sign and the posts. Krautkremer questioned if they the Lions would be paying for the resizing. Terry Hansen (Lions Member) stated the Lions are authorized to pay for all signs out of the clubs funds. It will not cost the city anything. Jacobson questioned who will be installing the signs. Hustedt stated the highway department will do it. Jacobson questioned who will be responsible for the resizing of the police sign. Hustedt stated the city will need to decide and get together with MNDOT. Chief Taylor questioned if this would be easier to just remove the police sign. The council agrees that the police sign should stay.

All members voting "Aye", motion carried.

**GREATER MN REGIONAL PARK & TRAIL REGIONAL SIGNIFICANCE
APPLICATION**

Hondl stated he applied last year and received a low ranking. They didn't give much feedback on why. The goal this year to get improve on the ranking to eligible for DNR Legacy funds. Jacobson questioned if this proposal is coming from the Park Commission. Hondl stated not directly, but the commission is aware and it has been discussed.

Motion by Johnson, seconded by Heidmann to approve the application process for Reginal Significance. All members voting "Aye", motion carried.

**REPEAL CHAPTER XIV BASIC PERSONNEL POLICY ORINANCE AND ADOPT
NEW PERSONNEL POLICY**

Motion by Krautkremer, seconded by Jacobson to repeal Chapter XIV Basic Personnel Policy Ordinance and adopt the new Personnel Policy as presented.

Further Discussion: Jacobson stated this was started last year and have had several meetings reviewing and discussing. This is not perfect, but we did consider all comments given to the committee. Hondl notice on page 6, under Attendance & Absence, 2nd paragraph, 3rd line of the draft policy that "city clerk" was not removed. The minutes from January 25th states "remove "and city clerk" under attendance & absence. Department heads will let those answering the phones know if someone is absent from work." Krautkremer stated that someone in the office needs to know if a department head is off, as they are the ones fielding phone calls. Hondl also commented that at the last meeting the cell phone was stated to be a \$50 reimbursement, and the current draft states "not to exceed". There is a difference in language and is concerned that this issue could be discussed during budget time, and employees would not get the \$50. Krautkremer stated it is based on the plan the employee has. If you have an \$80 plan, the city is only going to reimburse you for \$50. If your plan is \$40 the city is only paying \$40. Hondl questioned if we are to turn in bills. Jacobson stated yes. Krautkremer stated to turn in bills once a year to figure out a reimbursement cost. Hondl questioned if the City Attorney will be reviewing this draft Personnel Policy. Krautkremer stated no the City Attorney will not be reviewing, but the League of MN Cities has reviewed the draft policy. Hondl stated that based on our meeting on February 1st meeting, a hiring packet was supposed to be put together, and questioned if there was a packet to review at this time. Krautkremer stated no, but will continue on to that packet after this policy has been approved. Shawn Hansen (audience, Chamber) stated that on their family bill they have 5 phones and wanted to be sure that all charges are accounted for when reviewing for reimbursement. She noted that if the phone works and you are able to call the employee you should pay the reimbursement. Heidmann stated he would like to see the \$50 stipend. Keep it simple. Jacobson stated to keep it simple the city buys the phone and pays the plan. Krautkremer stated that they were going to go with all city phones and plans, but allowed city employees to choose. If the employee can get a cheaper phone plan than \$50 the city will not be paying over

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the plan cost. Wentler was still concerned about the how the verbiage reads on page 26/27, Pregnancy and Parenting Leave, last paragraph, stated there is conflicting verbiage. Wentler stated she had sent both Jacobson and Krautkremer 2 emails and didn't get a response. She was unsure if the city could deny benefits while on this type of leave. She mentioned that the League's comments, after their review stated "Remember, when an employee is on unpaid FMLA, their benefits are protected. In other words, while they are on unpaid leave, they should receive the employer contribution towards benefits that actively working employees receive." Jacobson & Krautkremer stated they would look into this again. Wentler also had sent Jacobson and Krautkremer 2 emails in regards to adding more language and guidelines to follow for Outside Employment on page 37/38, with no response. She has concerns, as she has other jobs outside of the city, and wants to know what the city would classify as a conflict of interest. Wentler mentioned that the League of MN Cities had put together a few guidelines and questioned if they had reviewed those. Jacobson stated that if the committee took everything that the League of MN Cities recommended it would be an additional 15 pages. The council will make the decision as a whole if there is a conflict of interest with any outside employment.

Amended Motion by Johnson, seconded by Jacobson to repeal Chapter XIV Basic Personnel Policy Ordinance and adopt the new Personnel Policy contingent on reviewing the Pregnancy & Parenting Leave section. All members voting "Aye", motion carried.

APPROVE CAPITAL ASSET POLICY

Jacobson questioned how you value easements and right of ways. Qualley stated you would value them on the money the city received. Jacobson stated it doesn't say who is handling the list. Is it each department or 1 central person? Jacobson stated it would make more sense for 1 central person to have everything. Krautkremer agreed with Jacobson.

Motion by Jacobson, seconded by Heidmann to adopt this Capital Asset Policy as presented today and each department is to supply their inventory list to a central depository for storage. All members voting "Aye", motion carried.

APPROVE ELECTED OFFICIAL OUT-OF-STATE TRAVEL POLICY

Motion by Jacobson, seconded by Krautkremer to approve this Elected Official Out-of-State Travel Policy as presented today. All members voting "Aye", motion carried.

ASSIGNMENT & ASSUMPTION OF TIF 1-12 SENIOR CLASS CARE

Kraus stated that this process is being held up by Sandelin's. Once these documents have been signed and approved the payments to Sandelin's and RAR Development will continue. Krautkremer questioned if there is any liability to the city. Qualley stated that the money is paid to the owner of the property. Sandelin's sold the property to RAR Development. There is not

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liability to the city. Johnson questioned why the TIF funds from the county would be paying Sandelin if he sold the property. Qualley stated there probably is a prorated split in the year they sold.

Motion by Jacobson, seconded by Krautkremer to approve TIF District 1-12 agreement contingent upon being signed by Sandelin's and RAR Development, and all costs that the city has incurred for this new agreement are to be reimbursed to the city. All members voting "Aye", motion carried.

OLD BUSINESS

NISSWA AVE SIGN

Blomer stated there is no additional new information at this time. Kraus stated he understands that Carlson Hardware paid \$400 for this sign. Blomer stated that he has talked with MNDOT and Carlson Hardware. Heidmann questioned how we move forward. Shawn Hansen (Chamber) state this is a MNDOT issue, not Blomer's fault. MNDOT has rules and restrictions to follow. The city has been working on this since the road construction. Hansen stated she is unsure we will get anywhere with MNDOT. Heidmann suggested giving the money back to Carlson Hardware, if we don't have any new information at our next meeting.

COUNCIL REPORTS

Jacobson will be checking in on how the website is coming along with Wentler and the department heads.

ANNOUNCEMENTS

Motion by Heidmann, seconded by Jacobson to move to the Closed Meeting. All members voting "Aye", motion carried.

CLOSED MEETING

PRELIMINARY CONSIDERATION OF ALLEGATIONS OR CHARGES AGAINST AN EMPLOYEE

Discussion by the Mayor and Councilmen for allegations or charges against employee Tom Blomer, Public Works Director.

Motion by Jacobson, seconded by Heidmann to close the Closed Meeting and return to the Open Public Meeting. All members voting "Aye", motion carried.

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Motion by Johnson, seconded by Krautkremer to approve, based on the liaison's recommendation to have a letter of reprimand put in Blomer's personnel file for improper use of city equipment for a period of 1 year.

Further Discussion: Jacobson would like to have the City Attorney review the letter before it is put in the personnel file. All members voting "Aye", motion carried.

Motion Jacobson, seconded by Johnson to adjourn, 9:40pm.

Harold Kraus, Mayor

Maggi Wentler, Deputy Clerk