

NISSWA CITY COUNCIL
JUNE 15, 2016

The regular meeting of the Nisswa City Council was held Wednesday, June 15, 2016 at 7:00 pm at City Hall.

Members Present: Kraus, Jacobson, Krautkremer

Members Absent: Johnson, Heidmann

Also Present: Mark Hallan, Steve Qualley

Staff Present: Tom Blomer, Laurie Hemish, Brent Jones, Terry Wallin, Craig Taylor, Alex Hondl

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

A. Approve May 18, 2016 minutes.

B. Presentation of Claims – #38101 thru #38255 totaling \$416,396.47

Carried unanimously.

OPEN FORUM

Chris French, Big Axe Brewing Co, stated he is requesting the Council to grant them a temporary Sunday sale of growlers including the upcoming July 3rd. The increased revenue of Sunday growler sales would help support extra jobs, 3.2 beer sales are allowed at gas stations on Sundays, brings tourism to town, provides tax revenue, and people expect Sunday growler sales as it is permitted by State law. Stated Nisswa is the only City that prohibits Sunday growler sales. Would like to have City embrace the free market and keep Nisswa a renowned tourist destination. Jacobson stated he doesn't know of a state law allowing for temporary Sunday growler sales. Stated the State gives cities the ability to not allow Sunday growler sales. Stated this issue was addressed earlier this year and the council voted unanimously to not allow Sunday growler sales. Krautkremer stated he still is against growler sales on Sundays and the municipal association is against Sunday off sale of liquor. Stated that 3.2 beer is different than higher percentage taproom beer. Stated the city could review issue again, but he won't be able to do for this July. French questioned if the City Attorney could address the legality of a temporary permit for growler sales. Qualley stated it is not allowed per city code as of now. French stated the code would need to be amended then. Qualley stated yes. French questioned if more community support would help his case. Jacobson stated if people want growlers, they can purchase on Saturday and bring home. Stated this is part of the bigger issue of Sunday liquor sales which he doesn't support. French stated people come thru on Sunday that weren't here on Saturday. Jacobson suggested putting together information to be on another council meeting. Krautkremer stated to include what other cities allow Sunday growler sales. Kraus stated he is not sure we need to change the ordinance and for tonight there is no change.

Jacobson stated he would like item F - STD/LTD/LIFE AND ACCIDENT POLICY RENEWAL to be removed from agenda for tonight as we are waiting on further information. Item removed.

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REPORTS

Chief Taylor stated he had provided the monthly report via email. Stated his department has been very busy. Would like to handle the joint power item on the agenda now. **Motion** by Jacobson, seconded by Krautkremer to approve Item D – State of MN Joint Powers Agreement with Prosecuting Attorney and Police Department and authorize the Mayor to sign. Carried unanimously. Chief Taylor stated his department will be doing alcohol compliance checks including Sunday growler sales. Stated he will keep the Council informed.

Chief Geike stated the fire department has been very busy. Handled 24 calls April/May and 32 calls May/June mostly were medicals. Working on a new reporting system. Received a donation check for \$500 from the Brainerd Jaycees for handling medical calls at Fishing Extravaganza. **Motion** by Krautkremer, seconded by Jacobson to accept the donation as presented. Carried unanimously. Geike stated he would like approval for two new volunteer firemen. **Motion** by Krautkremer, seconded by Jacobson to approve Pat Foster and Noah Kronstedt as volunteer firemen. Carried unanimously. Geike stated we are still short about four firemen but have another couple more interested.

Wallin stated he would like to thank the public works department for making the landscaping outside of the Pickle look great. Stated the new countertops are installed at Spirits and look great. Stated he would like to have motions on the two items under new business. **Motion** by Jacobson, seconded by Kraus to approve hiring Barry Burda as a part time sales clerk at Spirits at \$9.00 per hour starting 6/9/16. Carried unanimously. Stated Farrell is still looking for a couple more part time people. Stated he would like approval for hiring Nancy Baxter who was a prior long time employee at Spirits for data entry at the Pickle. **Motion** by Krautkremer, seconded by Jacobson to approve hiring Nancy Baxter for data entry at the Pickle at \$12.50 per hour very part time starting 6/21/16. Carried unanimously.

Jones stated the Planning Commission had their June meeting with two public hearings including an IUP application and codification of the planning & zoning ordinance. Also heard a sketch plan for Dollar General. Stated he has issued 26 land use permits to date. Stated the Planning Commission wants to wait until 2017 to hire a firm to complete the comprehensive plan. They feel it is too important of a document and want it to be done right. Krautkremer stated it will have to be discussed during budget time.

Hondl stated we have good participation numbers this summer for all programs. Stated he met with the DNR to discuss park access road and it will not be in place this summer. This is due to the long eared bat issue and can't clear trees from 6/1-7/31. Hope to start this fall and have done by next summer. Jacobson questioned grants for Nisswa Lake Park. Hondl stated it is an on-going process but we were not awarded the NJPA contract due to lack of partnerships with others.

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Blomer stated the brush pile from last summer's storm is almost gone due to vendor grinding it all up. Stated Anderson Brothers will be doing crack sealing and pothole filling starting this week. Jacobson questioned if Dollar General will be on city sewer. Blomer stated we will be discussing during our 10 year road plan. When Hazelwood is worked on in 2 to 5 years, we need to look at extending the city sewer that direction. If they install a septic system, the should be prepared to connect to city sewer.

Qualley stated the title action is complete for property by the Pickle.

Hallan stated he met with Blomer, Jones, and Don Anderson regarding discussion on future sewer extension from Hazelwood to CR77.

NEW BUSINESS

HIRE PART TIME EMPLOYEE AT SPIRITS

(handled under staff reports)

HIRE DATA ENTRY CLERK FOR PICKLE FACTORY

(handled under staff reports)

**GULL CHAIN OF LAKES MUSKIELUNGE MANAGEMENT INDIATIVE
PRESENTATION AND RESOLUTION**

Mark Bacigalupi, DNR, did a slide presentation on stocking muskies in Gull Lake and would like a resolution from the Council supporting it. Jacobson questioned why he needs a resolution from us. Bacigalupi stated local government support matters. Jacobson stated he is not for or against and would rather stay neutral on this topic. Krautkremer agreed.

Ron Faust, Gull Lake member of GCOLA, stated his board voted to not take a position on this issue but is convinced the DNR has all the science on this.

Dan Padrnos, Gull Four Seasons Resort, stated he believes muskie fishing is part of the future of Gull Lake and would be good for the resorts.

Royal Carlson, fishing guide, stated he supports muskie stocking of Gull Lake and is the future of fishing.

Jeremy Smith, Lindar Media Productions, stated muskie fishing is the fastest growing opportunity for fishing today. Stated is a growth opportunity to extend the tourist season into November.

Greg Qualley stated this issue began over 10 years ago.

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Motion by Jacobson, seconded by Krautkremer to table the issue as 60% surveyed are either unsure or against the issue and would like Nisswa to remain neutral on this issue. Carried unanimously.

**RESOLUTION APPROVING STATE OF MN JOINT POWERS AGREEMENT WITH
PROSECUTING ATTORNEY AND POLICE DEPARTMENT**
(handled under staff reports)

APPROVE CODIFICATION OF CITY CODES

Qualley stated there aren't any real substantial changes to the city code. Fixed typos and obsolete statutes, removed the personnel policy and comp plan. Stated personnel policy and comp plan are stand-alone documents. Stated he condensed chapter VII liquor code for duplication of items. Stated the Planning Commission held their public hearing on the zoning ordinances. Stated the council may wish to review in the future, changes to dog licensing, bingo licenses etc. Stated public works is looking to do a total revamp of the wastewater ordinance in the future so left as is for now. Stated once it is approved, he will put in proper format with page numbers. Stated approval would repeal the old ordinances and adopt the new city code. Jacobson questioned if it will be one large document and how do we address no chapter V or VIV. Qualley stated the table of contents will indicate V and VIV are reserved for future use and there should be no references to those chapters in the new code. **Motion** by Krautkremer, seconded by Jacobson to approve ordinance 1, third series re-codifying and adopting the city code for the City of Nisswa and authorize the Mayor and Clerk to sign. Carried unanimously.

Motion by Jacobson, seconded by Krautkremer to authorize the clerk to do a summary publication of the codification of codes. Carried unanimously.

STD/LTD/LIFE AND ACCIDENT POLICY RENEWAL
(removed from agenda)

AUDIT AGREEMENT WITH SCHLENNER WENNER & CO.

Motion by Krautkremer, seconded by Jacobson to approve the audit agreement as presented for the next three years with Schlenner Wenner & Co. Carried unanimously.

APPOINT ELECTION JUDGES

Motion by Jacobson, seconded by Krautkremer to appoint election judges for the 2016 primary and general elections for Nisswa as on file in the Office of the City Clerk, at the rate of \$9.50 per hour, and authorize the City Clerk to fill any vacancies that may occur. Carried unanimously.

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OLD BUSINESS

COUNCIL REPORTS

Krautkremer stated he would like a special meeting to address Gull Dam Brewery selling growlers on Sundays prior to issuing license. Qualley stated the Police Chief stated they would be doing enforcement and should wait for proof. Jacobson agreed that if found in violation, we can address the issue. Qualley stated the City Council is the administrative body and can issue punishment per city code for violations and there is a process to follow. Stated it make sense to have the police investigate. Jacobson suggested the Mayor, Police Chief, and City Attorney meet to discuss issue and possibly set date for hearing. Kraus to set meeting with Chief Taylor and Qualley.

ANNOUNCEMENTS

Motion by Krautkremer, seconded by Jacobson to adjourn. (meeting adjourned at 8:41PM)

Harold Kraus, Mayor

Laurie Hemish, Clerk