

**NISSWA CITY COUNCIL  
AUGUST 17, 2016**

The regular meeting of the Nisswa City Council was held Wednesday, August 17, 2016 at 7:00 pm at City Hall.

Members Present: Kraus, Jacobson, Krautkremer, Heidmann

Members Absent: Johnson

Also Present: Mark Hallan, Steve Qualley

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

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

- A. Approve minutes of July 20<sup>th</sup> and August 3<sup>rd</sup>, 2016**
- B. Transfer \$40,000 from Police Money Market to General Fund**
- C. Presentation of Claims – #38470-#38640 totaling \$566,656.82**

All members voting “Aye”, with exception of Heidmann voting “Nay”; Motion carried.

Jacobson stated addition to agenda is item K – Elections Emergency Plan. Added to agenda.

**OPEN FORUM**

Hallan stated he asked workers from Mathiowetz Construction to attend if any questions on current detour. Jacobson questioned how long Nisswa Avenue will be detoured. To be opened early October. Blomer stated we are still waiting on plans for Edna Lake Rd. Chief Geike questioned if Nisswa Ave intersection will be right in/right out only. Mathiowetz workers stated it will be full intersection. (*plans on MnDot website indicate ¾ intersection of right in/right out*)

**REPORTS**

Chief Taylor stated he had provided the monthly report via email. Stated couldn't be happier with the new officers.

Fire Chief Geike stated he had provided a copy of the letter from Nisswa Fire and Rescue pertaining to promotional goods from the National Fire Safety Council. Have received over \$2725 in donations for promotional materials for fire safety week. Stated they received a check from the Brainerd Jaycees Run for the Lakes for \$250 and would like approval. **Motion** by Jacobson, seconded by Heidmann to accept the donation from the Brainerd Jaycees for \$250 for the fire department. Carried unanimously. Stated they applied for and received a fire training grant for \$7,000 for training in Oct – May. Year to date the fire department has handled 220 calls of which around 80% is medicals, 10% is fires, and 10% gas lines/trees removal/etc.

**NISSWA CITY COUNCIL  
AUGUST 17, 2016  
PAGE TWO**

Farrell stated they had a great July for sales and August looks good. Would like motion to accept resignation for Ben Collette who only provided verbal resignation. **Motion** by Jacobson, seconded by Krautkremer to accept resignation of Ben Collette. Carried unanimously. Farrell stated Jerry Anderson provided written resignation. **Motion** by Heidmann, seconded by Jacobson to accept Jerry Anderson's resignation. Carried unanimously.

Wallin stated numbers for Pickle were super for July and August is looking good. Stated new items in off sale are selling good and they are ready for the Fall Festival on Sat. Sept. 17<sup>th</sup>. Stated he will miss the first budget meeting as he is on vacation.

Jones stated the Planning Commission had their meeting last week and one item was tabled. Has issued 46 land use permits to date. Stated Rick Roberts is resigning from Planning Commission as he is moving out of town. **Motion** by Heidmann, seconded by Jacobson to accept Rick Roberts resignation from the Planning Commission. Carried unanimously. **Motion** by Jacobson to appoint Anne Laufman to fill vacancy on Planning Commission. Heidmann questioned if Council should interview her. Krautkremer questioned if the Planning Commission recommends appointing her. Jones stated yes. Carried unanimously.

Hondl stated the fall park and recreation flyer is out. Stated he will be applying for the Bernicks non-matching grant for a pavilion. Stated no resolution is needed at this time but if chosen will need formal resolution from the Council. Stated he is working with the Nisswa Elementary School/PTO on some programs. Received a \$500 donation from the Nisswa Jaycees Run for the Lakes. **Motion** by Heidmann, seconded by Krautkremer to accept the \$500 donation from the Nisswa Jaycees Run for the Lakes. Carried unanimously.

Blomer stated the storm cleanup is almost done; just some chipping and shouldering to complete. Used Schrupp Excavating to haul tree/branch debris from storm. Residents may bring trees/branches to pit. Same vendor as last time will chip the branches and trees at no cost to the City. Jacobson stated residents have given compliments to the city crew for their storm cleanup efforts and thank the public works department. Krautkremer questioned if there are any grant monies for this storm. Blomer stated he is waiting to hear from the County.

Hallan stated he continues to contact MnDot regarding Edna Lake Rd changes with estimate of information in January or February. Stated the Paul Bunyan Trail Bridge is being delivered August 29<sup>th</sup>.

**NEW BUSINESS**

**RESIGNATIONS FROM SPIRITS**  
(handled under staff reports)

**NISSWA CITY COUNCIL  
AUGUST 17, 2016  
PAGE THREE**

**REQUEST BY NISSWA CHAMBER TO CLOSE CITY HALL ST – SATURDAY,  
SEPTEMBER 17<sup>TH</sup> FOR FALL FESTIVAL**

Jacobson questioned Chief Taylor if there is any problem with closing street for that day. Chief Taylor stated no problem if done the same as in the past. Shawn Hansen, Nisswa Chamber, stated City Hall Street would be closed from doors of City Hall building to Main Street as well as section of Murray Road where Turtle Track is located. **Motion** by Krautkremer, seconded by Heidmann to close portion of City Hall Street and Murray Rd on Sept. 17<sup>th</sup> for the Fall Festival as presented. Further discussion: Jacobson stated hours closed should be indicated. Krautkremer amended motion, seconded by Heidmann to include hours of being closed from 3:00 AM until 11:59 PM. Carried unanimously.

**ACCEPT RICK ROBERTS RESIGNATION FROM PLANNING COMMISSION**  
(handled under staff reports)

**APPOINT ANNE LAUFMAN TO PLANNING COMMISSION**  
(handled under staff reports)

**OPT OUT OF MN STATUTE RELATING TO TEMPORARY FAMILY HEALTH CARE  
DWELLINGS**

Jones stated he included a memo from the City Attorney which indicates most cities have opted out of this and the Planning Commission recommends opting out as well. **Motion** by Jacobson, seconded by Heidmann to approve the resolution opting out of temporary family health care dwellings. Carried unanimously.

**ROAD ASSESSMENT POLICY**

Blomer stated a copy of the draft was provided and recommended by the Road Standards Committee. Future road projects, not including crack sealing and such, will have property owners assessed about one third of the cost. Heidmann questioned if that includes repaving of the street. Blomer stated assessment not for resurfacing but when improvements. Hondl questioned if that includes widening for trails. Blomer stated yes as that would be an amenity added so could be assessed based upon council action. Hondl stated he would like language included in section 6.4 pertaining to trails. Heidmann stated he won't support this policy. Jacobson stated the engineering firm did a study on city roads costing about \$12 million to fix all the roads in Nisswa. Stated we need to have a plan in place for financing costs. Heidmann stated we should be able to repave without assessments and be covered by taxes. Stated assessments are very unfair because of use levels. Blomer stated most roads have a 40 year cycle. Jacobson stated this was discussed at the public works meeting. Blomer stated option discussed was road improvement district. Stated Road Standards Committee felt an assessment policy made more sense. Heidmann stated this is wrong. Jacobson stated an assessment policy

**NISSWA CITY COUNCIL  
AUGUST 17, 2016  
PAGE FOUR**

for cities is a common practice. Kraus stated the roads committee recommends the Council approve an assessment policy. Heidmann accused Kraus of putting the committee together because he lives on a private road. Krautkremer questioned what other ways are there to pay for expensive roads. Heidmann stated all road improvements are paid for by citizens so why pick certain citizens for assessments on busy higher use streets such as Hazelwood. Jacobson stated the City repaved downtown Main Street from general fund and questioned if it is fair to citizens to pay for business improvement. Kraus stated the businesses should have been assessed. Heidmann stated downtown has been done and won't need to be done for another 20 years. Jacobson stated it was a timing problem as you need an assessment policy in place before charging assessments. Krautkremer stated we discussed with PFM on setting aside money. Blomer stated we are working on a road inventory to put costs into a spreadsheet. Krautkremer stated maintaining roads are paid for by everyone thru taxes but we need a plan for paying for improvements. Stated he attended county meeting on sales tax for county roads. Would like to table until next month when Johnson is present. Heidmann stated the County has been cutting budgets and creating the problem of not having enough money to fix their roads. Kraus stated we need a financial plan to address improving the streets and this policy does that by following MN Statute 429. Stated before assessed, the City has to hold a public hearing anyway. Heidmann stated the two pushing for this do not live on city streets as they don't want to pay for it. Jacobson stated 70% of road projects per this policy would be paid by taxes and this City can't keep operating as it has in the past. Stated we need a plan. Heidmann questioned why just approved by roads committee and not public works committee. Feels assessments are wrong and citizens are aware of this. Kraus stated it requires a public hearing to do assessments as part of the policy. Heidmann stated if citizens stated no to the assessment, than the road won't get done. Stated we need to discuss ways to make it happen. Jacobson stated we need to plan ahead for future not because we don't live on a city road. Kraus stated we had two citizens on the roads committee and asked council for approval on appointing the committee. Krautkremer suggested tabling issue for full council to formulate plan. Jacobson stated if voted now it would be a 3 to 1 vote but would go for tabling so we have the full council present. **Motion** by Jacobson seconded by Heidmann to table items F, G, and H (Road Assessment Policy, Road Standards, and Engineering Agreements for Edna Lake Rd and Hazelwood Drive) until next meeting. All members voting "Aye", with exception of Kraus voting "Nay", motion carried.

**ROAD STANDARDS**

(tabled as above)

**ENGINEERING AGREEMENTS FOR EDNA LAKE RD AND HAZELWOOD DRIVE**

(tabled as above)

**DONATION OF SURPLUS EQUIPMENT POLICY**

Jacobson felt policy could show favoritism by picking which non-profit gets items. Discussion over just using Gov Deals auction site. Wentler stated we can list items at a cost of zero.

**NISSWA CITY COUNCIL  
AUGUST 17, 2016  
PAGE FIVE**

Krautkremer stated the fire department would like to be able to donate to other fire departments. **Motion** by Jacobson, seconded by Krautkremer to not adopt the donation of surplus equipment policy. Carried unanimously.

**SET TRUTH IN TAXATION MEETING**

Kraus stated we usually hold first week in December. Discussion over doing before regular meeting. **Motion** by Heidmann, seconded by Krautkremer to set the truth and taxation meeting for Wednesday, December 21<sup>st</sup> at 6:30 PM. Carried unanimously.

**ELECTIONS EMERGENCY PLAN**

Hemish stated she would like the Nisswa Community Center as backup location for elections if issue with City Hall. **Motion** by Heidmann, seconded by Jacobson to accept the Crow Wing County Emergency Plan and list the Nisswa Community Center as the backup location. Carried unanimously.

**OLD BUSINESS**

**VERIZON LEASE**

Qualley stated he had provided the revised lease. One difference is Verizon would like a 2% annual increase for rent instead of based upon consumer price index. Stated the ownership issue of tower was addressed in the lease as well. **Motion** by Heidmann, supported by Jacobson to accept the negotiated lease agreement with Verizon. Further discussion: Jacobson stated the exhibits need to be attached and include the planning commission conditions. Qualley stated he will include the exhibits. Paul Harrington, Verizon, stated they will incorporate the exhibits into the lease agreement. Heidmann amended motion, seconded by Jacobson to include findings, drawings, and conditions in exhibit B in agreement. Carried unanimously.

**APPROVE JOB DESCRIPTIONS**

Hemish stated Springsted corrected all job descriptions to reflect non-exempt positions. **Motion** by Krautkremer, seconded by Jacobson to approve all corrected job descriptions as presented. Carried unanimously.

**COUNCIL REPORTS**

Jacobson stated at last council meeting a committee of him and Johnson was formed to handle a police grievance. Stated Johnson and he met with the police union and have presented a recommendation to correct issue. Police union has seven days to respond.

**NISSWA CITY COUNCIL  
AUGUST 17, 2016  
PAGE SIX**

**ANNOUNCEMENTS**

Hemish reminded Council of budget meetings on Aug. 24<sup>th</sup>, 31<sup>st</sup>, and Sept. 7<sup>th</sup> at 4:00 and preliminary budget worksheets were placed in their bins.

**Motion** by Krautkremer, seconded by Jacobson to adjourn. (meeting adjourned at 8:25 PM)

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Harold Kraus, Mayor

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Laurie Hemish, Clerk