

**NISSWA CITY COUNCIL
JANUARY 18, 2017**

The regular meeting of the Nisswa City Council was held Wednesday, January 18, 2017 at 7:00 pm at City Hall.

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

Also Present: Mark Hallan, Tom Pearson

Staff Present: Tom Blomer, Laurie Hemish, Terry Wallin, Craig Taylor

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

- A. Approve minutes of December 21, 2016 (2) and January 3, 2017**
- B. Gull Chain of Lakes Raffle Request – July 24, 2017 at Grand View Lodge**
- C. Monetary Limits on Municipal Tort Liability**
- D. NJPA Ballots**
- E. Reappoint Tom Groen to Planning Commission**
- F. Accept Lakes Area Lock & Door Inc Quote for Community Center**
- G. Accept Park & Recreation Advisory Commission Dec. 2016 Minutes**
- H. Accept Resignation of Reed Larson from Parks & Rec Advisory Commission**
- I. Board of Review – Tuesday, April 25th at 1:00 PM**
- J. Presentation of Claims – #39354 - #39530 totaling \$566,899.18**

Carried unanimously.

OPEN FORUM

Mark Sjoblad, Park Commission, expressed gratitude for Hondl's work as Park & Rec Director and requests the council move forward with hiring a qualified individual. Also would like the Council to look at access to the Nisswa Lake Park.

Lee Seipp, Friends of Nisswa Lake Park, stated they are trying to raise funds to develop the Nisswa Lake Park. Provided Council with flyer. Stated they are looking for more volunteers and would like a more formal presentation to Council in March or April.

Molly Raske, Nisswa Elementary Principal, thanked Council for their work and enjoys working with staff. Stated due to Hondl's resignation, she wanted thank the Council for valuing the park department and listed numerous program (art camp, baseball, safety town, hockey, etc.) that are important to the community. Stated she works closely with Park & Rec to provide opportunities to all ages.

Bob Fier, member of Friends of Nisswa Lake Park, stated they are struggling to get additional funding. Attended funding seminar with Hondl and learned to get State funding, we should be part of the bike trail coming from Lake Shore (Gull Lake Trail). Would like a feasibility study done and are discussing at comp plan meetings as well.

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Tessa Capelle, Park Commission, stated Hondl did a wonderful job in moving the parks in a good direction. Stated her kids are involved in all aspects of park programs and we need healthy options for families. Encourage City to keep Park & Rec strong.

REPORTS

Chief Taylor stated he provided the reports via email and went over the 2016 stats. Jacobson questioned if any trends causing concern. Taylor stated the dynamics of the department has changed so hard to tell. Stated the drug issues are higher than in the past. Stated other departments have indicated an increase in drug activity as well. Ryan stated to thank the officers for all they do. Taylor encouraged the Council to tell the officers themselves as they would appreciate it.

Chief Bailey went over calls for the month. Stated the mutual aid meeting is Feb. 21st at the fire hall with the contracted areas. Stated Saturday night is the firemen's Christmas party at the Nisswa Legion. Going to be working on a capital plan as a new fire truck is needed.

Wallin stated the Pickle numbers are down a little but has had good snowmobile traffic this past weekend. Stated there won't be a parade this year for the Jubilee but he will have a band on Saturday, Feb. 19th. Stated the Fishing Contest is in two weeks which brings a lot of business. Still working on the Bocce Ball Court and will talk with Jones on Verizon tower location by park.

Krautkremer stated Spirits had a great 2016 and beat 2015 sales by \$13,000. Stated Farrell is working with the Lions on a fundraiser.

Jacobson stated the only Planning & Zoning issue was handled on the consent calendar of reappointing Tom Groen to the commission. Heidmann stated the comp plan open house had 75+ people attend, and he is anxious to see feedback. Next steering committee meeting is Feb. 9th. Ryan stated the survey will be on the City website.

Blomer stated they had a public works meeting tonight. Stated the microphones in the council chambers are working correctly and stated to not touch the buttons. Stated salt/sand is in good shape. Johnson complimented the department on their snowplowing.

Pearson stated the Spirits lease has not been signed yet. Krautkremer stated it will be in March when the lease rate is figured per current CPI rates.

Hallan stated all paperwork has been submitted for the wastewater NPDES permit renewal.

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NEW BUSINESS

ACCEPT PARK & REC DIRECTOR ALEX HONDL RESIGNATION

Motion by Jacobson, seconded by Krautkremer to accept with regret Alex Hondl's resignation as Park & Rec Director. Carried unanimously.

DISCUSS PROCESS TO HIRE A NEW PARK & REC DIRECTOR AND REVIEW JOB DESCRIPTION

Johnson questioned where we would post. Hemish stated on our website, the League of MN Cities website, and local papers. Need to know deadline. **Motion** by Jacobson, seconded by Krautkremer to authorize the Clerk to publish as discussed and have Johnson and Krautkremer review applicants. Further discussion: Krautkremer questioned range of salary. Hemish stated she provided in the packet as per the Springsted study and depends upon qualifications. Ryan questioned the interview committee. Krautkremer suggested including someone from the Park Commission. Ryan suggested someone from the community. Jacobson suggested Krautkremer and Johnson narrow down the applicants to four or five and then have citizen involvement. Jacobson **amended motion**, seconded by Krautkremer to have Johnson and Krautkremer pick members of the community to include on the interview board. Carried unanimously.

REQUEST BY RYAN NELSON TO DISCUSS REGULATIONS FOR LIQUOR LICENSING

Ryan Nelson, JRs #19 BBQ, stated he has a stand at the Waterslide in Nisswa for three years and would like to have a liquor license. Stated City ordinance requires 50 seats and he would have 25 inside but could do 25+ outside. Hemish questioned if he meets the definition of restaurant as he prepares his food elsewhere and brings to this location. Krautkremer questioned where his business operates now. Nelson stated at Legion in Crosslake and has a lease with the Gull Lake Yacht Club and Waterpark in Nisswa. Ryan stated he would be open from June-September. Heidmann questioned if been before the Planning Commission on this. Jacobson stated he should come before the Planning Commission because of ordinance restrictions of 50 seats, definition of restaurant, and dept. of public health issues. Hemish stated she believed he currently operated under an Interim Use Permit and not a CUP. Heidmann stated he would love to see this business thrive but needs to follow the ordinances. Ryan questioned the outdoor seating if landlord approves. Ryan stated McFarland has agreed to it. Jacobson suggested he meet with the Planning & Zoning Administrator and go before the Planning Commission. Ryan stated nothing is changing except getting an outdoor smoker and wanting a liquor license to sell local beers. Stated if this location doesn't work, he will look for another location. Pearson stated the liquor ordinance doesn't state inside or outside seating so could be allowed if in fenced in area. Ryan stated he would only be open Thurs-Sat and do the smoking of BBQ on site. Ryan stated to meet with the Planning & Zoning Admin.

**RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT –
PARKWAY DRIVE**

Hallan stated during the December Public Works meeting, it was brought up a resident on Parkway Drive would like the City to consider paving the 550' so would need to look at as part of the feasibility study if City so chooses. Heidmann asked if there would be additional costs to the feasibility study. Hallan stated no, it would be covered under the \$4,200 study cost. Heidmann asked Blomer how he was approached on this. Blomer stated verbally by a resident on Parkway Drive. That stretch is one the gravel roads in the City that we don't have equipment to maintain. Stated he could ask resident for formal request, but since WSN agreed to add to the feasibility study at no additional cost, he didn't see the need. **Motion** by Krautkremer, seconded by Jacobson to approved the resolution to amend the feasibility study to include Parkway Drive and list as option A. Further discussion: Heidmann told Blomer to let the resident know what transpired. Carried unanimously. Hallan stated per Chapter 429, all properties accessing Edna Lake Road would be notified.

DISCUSS RFPS FOR CITY ENGINEERING FIRM

Heidmann stated he requested for this to be on the agenda and stated Hemish informed the Council of the contract expiring with WSN 12/31/16. Ryan stated he agrees to explore options via RFPs to get someone on contract with the City. Johnson and Krautkremer agreed. Jacobson questioned if maybe we should look for a three year contract instead of a two year contract. Heidmann stated that could be an option. Blomer stated last time only two firms submitted RFPs. Heidmann suggested to get out the RFPs next week. Jacobson stated the Public Works committee should review and make recommendation to full council. Ryan stated they changed the Public Works meetings to the Wednesday prior to council week at 5:00 PM so would be February 8th. **Motion** by Ryan, seconded by Johnson to post RFPs for City Engineering Firms for a contract length of two years with deadline of submittals to be February 3rd and interviewed by Public Works Committee on February 8th. Further discussion: Blomer questioned if they would like to include anything different on the RFP. Heidmann stated he would like the full council at the Public Works meeting to interview the firms and then make decision at the regular council meeting in February. Council agreed. Hemish to publish as full council to be present. Carried unanimously. Pearson stated this needs to be a continuation of this agenda item and motion it. **Motion** by Krautkremer, seconded by Ryan to continue this discussion item February 8th at 5:00 PM. Carried unanimously.

**FORMATION OF STEERING COMMITTEE TO EXPLORE FUNDING OPTIONS FOR
ROAD RESURFACING**

Heidmann stated he requested this to be on the agenda based upon input from citizens. Stated he would like a steering committee of three to five citizens, liaisons from Public Works, and Blomer to review assessment policy passed last year and explore in depth the options available for

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funding road projects. Jacobson questioned what the charge of the committee would be – to look at 30% of assessment and filled in by other revenue streams. Heidmann stated all the above, that is to explore all financing options, lower the City budget, create monies available, city sales tax, assessments or no assessments, bonding, etc. Jacobson questioned timeframe. Heidmann stated to start the committee in March with end date sometime in September. Hemish stated the League of MN Cities is lobbying to put a \$10 fee on license plates to help cities pay for road improvements and will pass on the info to Council. Jacobson stated need charge for committee in writing and select the committee members. Heidmann stated he suggests each council member suggest a committee member. Johnson agree with Jacobson on the committee would need a road map. Krautkremer stated it needs to be a long term funding plan. Blomer stated Edna Lake Road should be looked at as separate issue to be objective. Heidmann stated he had contacted Al Knowlen with Anderson Brothers regarding cost savings to do Edna Lake Road at same time as 371 project this summer. Stated Nolan told him there would be little cost savings and may not work within their schedule. Ryan stated Blomer brought up during Pubic Works meeting to make it more of a more formal committee like Planning and Zoning. Stated Blomer would come up with a plan looking at including five citizens as part of that committee with formal minutes. Ryan stated that could be the steering committee for funding as well. Krautkremer and Johnson agreed. Jacobson recommended tabling until Public Works committee provides info to Council. Hemish stated it should be in ordinance form. Pearson stated yes a formal commission needs an ordinance. **Motion** by Jacobson, seconded by Johnson to table item F (formation of steering committee to explore funding options for road resurfacing) until future date. Carried unanimously. **Motion** by Jacobson, seconded by Johnson to request Blomer and the Public Works Committee to flush out ideas discussed tonight and present to Council in March. Further discussion: Blomer stated he may have available by February meeting. Carried unanimously.

**GAS FRANCHISE ORDINANCE FOR NORTHERN STATES POWER COMPANY
(XCEL ENERGY)**

Heidmann stated the City has an ongoing agreement/ordinance with Xcel Energy to provide natural gas service in Nisswa. Hemish stated this is their 24 month notice that they are doing with all local municipalities. Jacobson stated he has two issues with the agreement as it is not NSP anymore, but Xcel Energy and section 9 allows for franchise fee. Stated we should look at as possible funding options and suggests a committee look at. Johnson and Krautkremer agreed and should table to review. **Motion** by Jacobson, seconded by Krautkremer to table for six months. Further discussion: Heidmann asked Jacobson to review franchise fees and educate the council on it. Carried unanimously.

DISCUSSION ABOUT HR/CONFLICT RESOLUTION

Heidmann stated the goal is to get an HR company to come out and handle conflict resolution matters such as between Hemish and Wentler so council can stay neutral. Also still believes there is lingering issues from past with the prior administration deal with the Police Chief. Krautkremer questioned any process in mind. Heidmann stated he got some firms from Hemish one of which NJPA covers half the cost up to \$7,500. Stated Springsted who did the pay equity study also could be used. Krautkremer suggested checking into further and then bringing back to council. Ryan suggested the personnel committee look into and contact the union reps and a non-union member and do this internally. Suggested having the personnel policy mirror what the union contracts state. **Motion** by Ryan, seconded by Johnson to start this issue with the personnel committee and bring findings back to Council. Further discussion: Johnson questioned who is on the personnel committee. Hemish stated Heidmann, Ryan, and herself. Heidmann stated he would like this to get started as soon as possible. Ryan stated union contracts usually address conflict resolutions. Pearson stated Ryan is correct as you need to handle the process/procedures correctly. Jacobson stated it is more interpersonal than legal contract issue, so he would vote no. Krautkremer stated he sees as two separate issues and would like to know more about HR issue and what is available. Johnson stated the committee would look at that. All members voting "Aye", with exception of Jacobson voting "Nay", motion carried.

DISCUSS MONTHLY WORK SESSION MEETINGS TO DISCUSS AND EXPLORE IDEAS FOR UPCOMING ISSUES AND PROJECTS

Heidmann stated the purpose would be to discuss any and all aspects of city business such as roads, wastewater, parks, etc. and have citizen input. Stated vendors and such could educate the council on items. Ryan questioned timing and how often, and who all would attend. Heidmann stated he is open to how to structure it. Hemish brought up publication and staff overtime. Stated we used to hold workshops as needed. Heidmann stated there are a lot of issues to discuss. Johnson stated with Public Works now being another Wednesday, he doesn't want another evening taken up. Could do after the Public Works meeting. Jacobson stated he isn't against holding a work session if needed on specific topics but concerned about \$250 per meeting council pay and staff overtime. Stated handling topics are what the committees are for to bring to the Council. Ryan agreed with Jacobson as everyone is very busy especially in the summer. Krautkremer agreed. Hemish stated we currently have comp plan meetings which are covering a lot of these topics already. Hallan stated they are still working on the wastewater feasibility study. Krautkremer stated so we need to wait for that information before discussing anyways. Heidmann stated we then will have work sessions as needed.

OLD BUSINESS

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COUNCIL REPORTS

Heidmann read letter from himself into the record regarding conduct unbecoming the council at the organizational meeting. Heidmann wouldn't allow comments from Council.

ANNOUNCEMENTS

Hemish reminded Council of Auditors doing the audit Feb. 15-17 and they should have received an email from the auditing firm.

Motion by Johnson, seconded by Krautkramer to adjourn. Carried unanimously. (9:59 PM)

Fred Heidmann, Mayor

Laurie Hemish, Clerk