

NISSWA CITY COUNCIL
May 17, 2017

The regular meeting of the Nisswa City Council was held Wednesday, May 17, 2017 at 6:00 pm at City Hall.

Members Present: Heidmann, Johnson, Jacobson

Members Absent: Krautkremer, Ryan

Also Present: Mark Hallan, Tom Pearson

Staff Present: Tom Blomer, Craig Taylor, Maggi Wentler, Dan Vogt (Interim City Administrator)

CONSENT CALENDAR

Heidmann noted that B should be “Paula”, not “Paul”.

Motion by Jacobson, seconded by Johnson to approve the consent calendar with one correction.

- A. Approve minutes of April 26th.
- B. Approval of Paula West for Parks & Rec Commission member.
- C. Approval of Deputy City Clerk, Maggi Wentler, to be signer of checks for city.
- D. Presentation of Claims

Motion carried unanimously.

OPEN FORUM

Dell Draves with the Nisswa American Legion presented a donation in the amount of \$8,271.37 for the purchase of new Tasers for the Nisswa Police Department. **Motion** by Jacobson, seconded by Johnson to accept the donation in the amount of \$8,271.37 from the Nisswa American Legion for the purchase of new Tasers for the Nisswa Police Department. Motion carried unanimously.

REPORTS

Vogt suggested that in the future to put all reports on the consent agenda, so reports could be included in the packet to review before council meeting. Vogt is hoping this may speed things up during the meeting.

- Police: They received a grant for and AED machine. An Officer pursuit ended in a PIT maneuver with one of the squads. There were no issues with the marathon. They received 28 applications for the open position.
- Fire: They had 21 runs in March; 23 in April. The Nisswa Lions donated \$900.00 for a fire gear washer. **Motion** by Jacobson, seconded by Johnson to accept the donation in the

amount of \$900.00 from the Nisswa Lions for the purchase of a fire gear washer. Motion carried unanimously.

- Pickle Factory: Bocce Ball courts will be in next week. Thank you to the maintenance crew for helping clean up and get the courts ready. Need a motion to hire Victoria Moffitt at \$9.50/hour. **Motion** by Johnson, seconded by Jacobson to hire Victoria Moffitt subject to background check. Motion carried unanimously.
- Sprits of Nisswa: Sales have been soft, but showing an increase for the year.
- Parks & Rec: Programs are up and running. Participation numbers have been consistent.
- Public Works: FYI: Homeland Security will be reimbursing the City for a portion of the storm damage costs. Need a motion to hire a seasonal employee, Haiden Rothwell at \$12.00/hours. **Motion** by Johnson, seconded by Jacobson to hire Haiden Rothwell at \$12.00/hour. Motion carried unanimously.
- Interim City Administrator: He is not scheduled regularly and will keep Wentler updated when he will be in the office. There is help on the way for the City Clerk/Treasure duties. Krista Okerman will be in starting on Friday to get things caught up.
- City Attorney: Pearson stated that the Schaeffer's Lease had some CPF calculation errors and has not been signed yet. Should be \$8,198.16 per month for rent. **Motion** by Jacobson, seconded by Johnson to approve the lease with the CPF calculation change to be \$8,265.71 per month. Motion carried unanimously.
- City Engineer: Edna Lake Road surveys went out today. Revising layout for the hill, he needs to get more information, but will talk with Tom Blomer once the information is received. They will be going out for bids on this project.

NEW BUSINESS

- A. Chris Foy Liquor License: Chris Foy stated he has been the owner of Ernie's on Gull Lake for the past six years and resides in Nisswa. He is looking to get approval from the City Council for a liquor license at the location next to the Post Office, before he builds and signs a lease for the building. As if this is not approved he will not be leasing the building. Jacobson stated that a public hearing is needed and is not sure that the Planning Commission will approve the application to build. Pearson stated that the council must first see an application. The council could lean one way or another to create an expectation that doesn't exist. Shawn Hansen (audience) from the Nisswa Chamber stated that Chris Foy had started discussions with former City Clerk/Treasure Laurie Hemish. Many changes are happening in the City and are bottle necking, otherwise this would have been completed already. Pearson stated there are bonding, background checks, and fees that need to be completed to make sure a license could be granted. Hansen stated Foy would still like to know if things can still move forward as he doesn't want to build a building if he can't sell liquor.
- B. Approval of Liquor, Beer, Club and Taproom License Renewals: **Motion** by Jacobson, seconded by Johnson to approve the renewal of liquor licenses contingent upon, all fees are paid, all paperwork/forms have been completed and approved, no outstanding issues of compliance; and property taxes are current.
 - 1. Liquor

- i. Nisswa Community Center
 - ii. Nisswa Municipal Liquor
 - iii. Spirits of Nisswa
 - iv. Grandview Lodge
 - v. Grandview Clubhouse
2. Beer On-Sale
 - i. Fritz's Resort
 - ii. Rafferty's Pizza
3. Beer Off-Sale
 - i. Fritz's Resort
 - ii. Holiday Station
 - iii. Schaefer's Foods
 - iv. EtoC. Co. Inc.
4. Club
 - i. Nisswa American Legion
5. Taproom On-Sale (including Sundays)
 - i. Gull Dam Brewing Co. LLC
 - ii. Big Axe Brewing Co. LLC
6. Brewer Off-Sale (Mon-Saturday)
 - i. Gull Dam Brewing Co. LLC
 - ii. Big Axe Brewing Co. LLC

Motion carried unanimously.

- C. Hire of Planning and Zoning Administrator, Desmond McGeough: Jacobson stated that there were three people on the interviewing committee. McGeough has a Bachelor's Degree in Urban Planning, and he has 18 years of experience with extensive experience. He would like to offer McGeough on the higher end of the pay scale at \$59,500 per year. Start date will be Monday June 5th, 2017. **Motion** by Johnson, seconded by Jacobson to approve the hire of Desmond McGeough as the Planning and Zoning Administrator with an annual salary of \$59,500, contingent on the approval of the background check, a probationary period of six months and a review acceptable to the city at the end of the probationary period. Motion carried unanimously.
- D. Ordinance Amendment 015-17- regarding landscaping/nursery businesses in the Highway Business Zone: Jacobson stated that the Planning Commission held a Public Hearing on May 9th. **Motion** by Jacobson, seconded by Johnson to adopt the recommendation of the Ordinance Amendment as presented today. Motion carried unanimously.
- E. Refund of application fee for CUP – Gull Dam Brewing: Jacobson stated that the applicant came in for a dynamic sign. All fees were paid, all work was done, and notices were sent. The Planning Commission reviewed and was ready to act on the application, but had a couple questions. The applicant was not present nor did they have any representation present. Mark Anderson is requesting his money back as he withdrew his application after the meeting. There is a nonrefundable recording fee of

\$46.00. Planning Commission denied the refund request. **Motion** by Johnson, seconded by Jacobson to abide by the findings of the Planning Commission that the \$300.00 application fee will not be refunded. Motion carried unanimously. Jacobson suggests that the City Attorney send a letter to Gull Dam Brewing.

OLD BUSINESS

- A. Public Works Commission: Pearson provided a draft of the Public Works Commission. Jacobson stated the draft seemed to be missing some items; compensation; how will the initial committee be selected; how will they operate; we need to hold a public hearing. Jacobson would like the City Attorney to review his comments and present at the next meeting. Johnson's general comments were compensation and he would like to see the terms staggered initially. This will help to keep some members on there that know the history. Public Works Liaisons, Public Works Director, and City Attorney to meet and discuss comments.
- B. Waste Water Facility Plan: Heidmann stated this was matter was tabled until August.
- C. Brad Fordyce – Music in Nisswa: Fordyce stated he would like to play music in Nisswa. He would need a place to plug into. There would be no charge for him to play. Music will not be loud. Jacobson stated that if we say yes to one, we would need to say yes to everyone. Chief Taylor suggested that the council table this discussion for later. Fordyce thanked the council for their time.
- D. Hire Labor Attorney: Vogt believes it is a good idea to have an attorney that is focused in one area. They know the public labor laws. They will only charge when you call or need them for any issues. Jacobson questioned if the contract is for an individual person or just anyone in the law firm? Vogt stated we will work with a specific staff within the law firm. Johnson stated from a cost standpoint one had a cheaper hourly rate, but charges for travel time are more. **Motion** by Jacobson, seconded by Johnson to accept the proposal and hire of Abrams & Schmidt LLC as present for the City Labor Attorney. Motion carried unanimously.
- E. Discuss Purchasing Policy: Jacobson stated that the dollar amount still needs to be discussed. Heidmann thought it should be a different dollar amount per department. He would like to see that Public Works come to the council for approval for anything over \$5,000.00 when already budgeted for. Jacobson stated he suggested \$10,000.00, because once an item is approved for the budget why would we look at again, unless something has changed within the city. **Motion** by Jacobson, seconded by Johnson to have the City Attorney rework current ordinance to propose a draft at the next meeting for approval. Motion carried unanimously.

COUNCIL REPORTS

- Mayor's Report: Heidmann stated he had a conversation with Teri Hastings with Lakeshore about the chloride on Bass Lake Road. He has concerns that the chloride may be getting into the water. He wants to look at other options. He would like to setup a meeting with both cities to discuss.
- Councilmen Jacobson Report:

1. Jacobson would like to get started on getting a key pad or something for the front employee entrance door. Blomer stated this wasn't approved in the budget, but can look at just doing the employee entrance door, instead of the larger project he had planned for the entire building.
2. Jacobson stated he hasn't heard back from anyone on the council in regards to the contract. He sees a few issues with the contract. Council agreed Jacobson to meet with Excel Energy and bring back contract at the next meeting.
3. Jacobson mentioned he received a memo from Wentler on how busy and behind the city is, but Vogt mentioned in his report that we are getting help.
4. Jacobson stated that his personal feels are that he liked with Department Heads came to the council meeting to present their reports. He did not like how the Administrator gave them. He thinks we lose contact with the supervisors when they are not here. It also gives us as council an opportunity to ask questions. Heidmann stated the reports can be put on the consent agenda and we can also talk with staff if we have questions. Jacobson stated the time to ask questions is at the meetings. Johnson stated that the reports are normally pretty short, and it is nice to ask questions if we have any. It does save time on the Department Heads side, and does not make them feel like they need to be here. He feels that if Department Heads do have more detailed items on the agenda that they should be here. Heidmann suggested we see how it goes and we can adjust if needed.

ANNOUNCEMENTS - NONE

Motion by Jacobson seconded by Johnson to adjourn. Motion carried unanimously. (7:40 PM):

Fred Heidmann, Mayor

Interim Clerk