

NISSWA CITY COUNCIL

JUNE 21, 2017

The regular meeting of the Nisswa City Council was held on Wednesday, June 21, 2017 at 6:00 PM at City Hall.

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

Also Present: Tom Pearson, Justin Schultz

Staff Present: Tom Blomer, Craig Taylor, Interim City Administrator Vogt, Interim City Clerk Okerman

**CONSENT CALENDAR**

Jacobson asked for clarification on the purchase of monitors. It was noted that the price was per each. Krautkremer stated the April minutes had a correction to be made on the number of holding ponds from 3 to 1.

**Motion** by Jacobson, second by Krautkremer to approve the consent calendar with the above corrections.

- A. Approve minutes of April 19<sup>th</sup>.**
- B. Approval of raffle for MN Surveyor's and Engineer's Society held at Grandview.**
- C. Approval to hire Spencer Sanford, Spirits, \$10.94/hour, PT started May 8, 2017.**
- D. Approval to hire Cynthia Anderson, Spirits, \$10.94/hour, PT started May 15, 2017.**
- E. Approval to hire Danielle Farrel, Spirits, \$10.94/hours, PT started May 31, 2017.**
- F. Approval to terminate Tori Goldie as of May 8, 2017.**
- G. Approval for Spirits to purchase a new gravity shelf, in budget.**
- H. Approval to purchase two touch screen monitors, in budget.**
- I. Approval to renew CD #906570.**
- J. Approval to send letter of support for Fairview Township.**
- K. Approval to stain the Pickle and City Hall Buildings, in budget.**
- L. Police Chief's report.**
- M. Fire Chief's report.**
- N. Spirits report.**
- O. Pickle report.**
- P. Planning and Zoning Administrator's report.**
- Q. Parks and Recreation Director's report**
- R. Public Works Director's report.**
- S. Presentation of Claims.**

Carried unanimously.

**OPEN FORUM**

Jacobson introduced new Planning and Zoning Administrator, Desmond McGeough.

**REPORTS**

Vogt stated the Council could take any item off the Consent Calendar and any questions regarding Department Head reports should be addressed prior to the meeting. Vogt stated the

## **NISSWA CITY COUNCIL**

**JUNE 21, 2017**

**2 | Page**

Council received information regarding candidates for the Administrator-Clerk-Treasurer position. He said that much of that information was private. Vogt explained that finalists for the position was public and could be shared after the finalists were chosen at the June 28<sup>th</sup> meeting. **The special meeting of June 28<sup>th</sup>, 2017 was set for 7:00 PM at City Hall.** Vogt reported that the current City Clerk position was a Union position. He said that Union negotiations would be starting soon. It was recommended by Attorney Mary Lee Abrams the new Administrator Clerk Treasurer position be excluded from the Union. Vogt reported he would be starting Teamsters Local 346 (Police Department Union) Union negotiations soon. Vogt announced that he would like to go into closed session at this meeting to discuss a settlement, which was allowable pursuant to State Statute.

Engineer Schultz said he was available for questions regarding the Edna Lake Road project. Heidmann stated he wanted to ensure that there was ample width on the frontage road in the Fritz's Resort area to be able to handle large trucks and campers. Schultz said he would review that. Ryan reported that the Public Works Commission had met and performed a site visit on Edna Lake Road regarding a driveway issue. He said the residents were asking the city to pave their driveway to avoid further washout issues. He stated Public Works Blomer and Engineer Schultz were asked them to provide options with cost estimates to resolve the issue. Ryan reported that the residents had also lost most of their landscape screening and said he directed Blomer to contact the Minnesota Department of Transportation (MnDOT). Krautkremer said he completed a site visit as well and agreed with Ryan.

### **NEW BUSINESS**

Police Chief Taylor reported he had conducted interviews of 5 candidates to fill the vacant police officer position. He recommended hiring Todd Symanski to fill the vacancy at step one of the police union contract. **Motion** by Ryan to hire Todd Symanski as recommended by Taylor. Krautkremer seconded. Vogt noted that the motion should include the hiring at a step one of the police union contract. Ryan **amended his motion** to include the salary recommendations as mentioned above. Krautkremer seconded. All members voted aye. Motion carried unanimously.

A request for approval for the Firecracker Run for Training for Intervention Procedures (TIPS) to hand out beer to age-appropriate participants on July 3<sup>rd</sup> from 8 AM to noon was made by the Recess Factory. **Motion** by Krautkremer, second by Ryan to approve the Firecracker Run for Training for Intervention Procedures (TIPS) to hand out beer to age-appropriate participants on July 3<sup>rd</sup> from 8 am to noon at the City Community Center. Heidmann noted that because the event was happening at the City Community Center and beer being provided by the City Liquor Store, the liability was covered under the City's dram shop insurance. All present voted aye. Motion carried.

A draft copy of the Public Works Commission Ordinance with changes was presented. Krautkremer noted some discrepancies. The Council discussed terms and the interview process. **Motion** made by Krautkremer to approve contingent upon the following changes to the Ordinance: Subdivision 3 to coincide with Part Seven 2.7.3, initial terms to be staggered as 1 two-year term, two 3-years terms and 2 four-year terms and change the Acting City Clerk signature to Krista Okerman. Jacobson seconded the motion; all present voted aye. **Motion**

## NISSWA CITY COUNCIL

JUNE 21, 2017

3 | Page

made by Jacobson second by Johnson to approve publication of the Public Works Commission summary ordinance. All members voted aye. Motion carried.

Christopher and Michael Foy made application for an on-sale liquor license for a proposed restaurant to be located north of the current post office. **Motion** by Krautkremer, second by Johnson to approve an on-sale liquor license for Christopher and Michael Foy. Jacobson asked if the location was in compliance with the 300-foot minimum from a school, if the fees had been paid and any other city regulation. Okerman stated all information had been submitted. Shawn Miller, Nisswa Chamber of Commerce, said she and the Chamber fully supported the restaurant. Attorney Pearson expressed reservations about approving a license for a business that was not yet built. He recommended amending the motion that the license be a provisional with contingencies that the building is built at the location noted in the application, the co-applicants are the owner-operators of the business, all fees and City Ordinances are complied with and there be a sunset date on the license if those conditions were not met. Heidmann concurred with Pearson. **Krautkremer amended his motion to include the contingencies as noted by Pearson.** Pearson recommended the terms be put into an agreement for the co-applicants and property owner(s) to sign. Johnson seconded the amended motion. All present voted aye. Motion carried.

Heidmann reported that Gull Dam Brewery had requested a license to sell growlers on Sundays. He stated that Gull Dam had started selling them prior to approval and therefore had been denied selling them for the past year. Doug Stoffer, Gull Dam Brewery, was present and asked for reconsideration of the Sunday growler sales. **Motion** made by Ryan to approve Sunday growler sales to Gull Dam Brewery contingent upon all City ordinances and State Regulations be abided by and complied with. Johnson seconded the motion. Jacobson asked if the motion could include all fees be paid and any other requirement. Ryan amended his motion to include all fees be paid. Johnson seconded the amended motion. Heidmann encouraged Gull Dam to have better communication and be aware of all local and State laws. Krautkremer agreed. Heidmann, Johnson, Krautkremer and Ryan voted aye. Jacobson voted nay. Motion carried.

Jacobson reported that as per direction from the City Council he had met with Mark Osendorf of Xcel Energy regarding updating the Gas Franchise Ordinance. **Motion** by Krautkremer, second by Jacobson to approve the Gas Franchise Ordinance as presented with no franchise fees. All present voted aye. **Motion** by Jacobson to approve publication of a summary ordinance. Ryan seconded; all members voted aye. Motion carried.

Heidmann stated that the Council had discussed an Ordinance Amendment regarding the start times of City Council meetings. He suggested staying with a 7:00 PM start time. It was consensus to leave the Ordinance and start time of Council meetings at 7:00 PM. No action was taken.

### **OLD BUSINESS**

Heidmann stated that the city had discussed investigating options for expanding the city's sewer and to initiate a facilities plan. He said that he would like to get input from other engineering firms regarding how to proceed. Ryan stated he met with the City Engineer and Mark Ronnei of

**NISSWA CITY COUNCIL**

**JUNE 21, 2017**

**4 | Page**

Grandview. He noted Grandview's need for additional equivalent residential connections (ERC's). He said additional data from Grandview would be needed in order to build a facility plan. Heidmann said he would like to convene a meeting and have WSN and other engineering firms talk to the Council about options. He suggested holding a special meeting on July 12, 2017 at 7:00 PM to discuss a facilities plan and a city sewer expansion. Okerman was to be notified so the meeting could be posted.

The City's purchasing policy was discussed. Pearson stated he would put the policy in ordinance form and draft a summary ordinance for publication. **Motion** by Jacobson, second by Krautkremer to table the agenda item to the next meeting. All present voted aye. Motion carried.

**COUNCIL REPORTS**

Heidmann asked Administrator Vogt to prepare a list of changes and adjustment he felt the city should make to streamline office and council functions.

Heidmann directed Blomer to review a drainage issue by the Post Office and report back to the Council.

Krautkremer expressed disappointment that the City Council lost the ability to hold the Board of Appeals meeting due to lack of a quorum.

Jacobson asked the status on the Camp Lincoln Road property. Pearson said he sent a letter on behalf of the City stating the City did not approve of the re-classification of the property.

**Motion** by Jacobson to close the meeting at 7:32 PM pursuant to Minnesota Statute 13D.04 subdivision 5. Johnson seconded the motion. All present voted aye.

The closed session was recessed at 8:00 PM.

**Motion** by Jacobson, second by Ryan all present voted aye to adjourn the regular City Council meeting at 8:02 PM.

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Fred Heidmann, Mayor

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Krista A. Okerman, Acting City Clerk