

**REGULAR COUNCIL MEETING
CITY OF NISSWA
WEDNESDAY, NOVEMBER 15, 2017
7:00 P.M. – CITY HALL**

The regular meeting of the Nisswa City Council was held on Wednesday, November 15, 2017 at 7:00 p.m. at City Hall.

Members Present: Heidmann, Jacobson, Johnson, Krautkremer.

Members Absent: Ryan.

Also Present: City Staff Jenny Max, Tom Blomer, Matthew Hill and Desmond McGeough; City Attorney Tom Pearson and City Engineer Mark Hallan. There were approximately 15 people in the audience.

A. Mayor Heidmann called the meeting to order at 7:01 p.m. The Pledge of Allegiance was recited.

B. Consent Calendar – Motion by Jacobson, seconded by Krautkremer to approve the Consent Calendar as presented with the following items listed:

1. Regular Council Meeting Minutes of October 18, 2017
 2. Police Chief's Report – October 2017
 3. Planning & Zoning Administrator's Report – November 2017
 4. Public Works Director's Report – November 2017
 5. Parks & Recreation Director's Report – November 7, 2017
 6. Spirits of Nisswa Manager's Report – November 2017
 7. Fire Chief's Report – October 2017
 8. Personnel Updates – November 2017
- Presentation of Claims – Check register #41017-41160 totaling \$289,700.99

Motion carried unanimously.

C. Open Forum – None.

D. Reports –

1. City Administrator/Clerk:
 - a. Jenny Max recommended approval of the 2018-2020 Teamsters contract. Motion by Krautkremer, seconded by Jacobson, to approve the 2018-2020 Teamsters General Local Union No. 346 Contract as presented. Motion carried unanimously.
 - b. Max presented a Resolution certifying unpaid sewer charges. Motion by Jacobson, seconded by Krautkremer to approve Resolution 17-5 Certifying Unpaid Sewer Charges as presented. Motion carried unanimously.
 - c. NJPA Annual Board Election Nomination – Council information.
 - d. League of MN Cities Training Opportunity – Council information.
 - e. General Updates – None.

2. City Attorney – Tom Pearson noted he will provide the City Administrator with the easement paper work for the Spirits of Niswaga sign.
3. City Engineer – None.

E. New Business –

1. Acceptance of Bid for Niswaga Lake Park Development was presented to the Council. Jacobson inquired how many bids were received. Matthew Hill noted that requests for six bids were sent out, but only two bids were received back. The donation of \$35,000 received from Millie Gjertson includes a stipulation that \$28,000 be used for the trail development and \$7,000 be used for infrastructure items including benches, garbage cans, etc. The remaining cost of the trails will be paid from Park Dedication funds as previously approved by the Council. Motion by Jacobson, seconded by Krautkremer to approve the bid from Stumvoll Excavating in the amount of \$53,000 for clearing, grubbing, and surfacing of the trails at Niswaga Lake Park. Motion carried unanimously.
2. Recommendation from Planning & Zoning Commission Regarding the Garden Cottages Final Plat Approval for ETOC Co Inc. – Mark Ronnei stated that the tree plan is complete and will be given to the Planning & Zoning Administrator. Jacobson noted the Planning & Zoning Commission reviewed the plat application at three meetings and is recommending approval. Motion by Jacobson, seconded by Krautkremer to approve the Garden Cottages Final Plat Application for ETOC Co Inc. subject to the findings of fact and requirements as outlined by the Planning & Zoning Commission. Motion carried unanimously.
3. Recommendation from Planning & Zoning Commission Regarding Traffic Issues in the Grand View Lodge Area – Heidmann noted that he brought up the topic at the Planning & Zoning Commission meeting and mentioned to the Commission that if they felt there was a need to address the traffic at Grand View Lodge, to forward a request to the Council. Heidmann said that the resort has experienced a significant growth over the last several decades and the City hasn't done anything to upgrade the streets. Any traffic solutions will likely take one to three years to implement and residents in the area are concerned about the future expansion that will be taking place at the resort. Jacobson noted the County should be included in this discussion and would like to see the City be proactive on this matter. Krautkremer said that the traffic concerns should be addressed. Motion by Jacobson, seconded by Heidmann to accept the recommendation from the Planning & Zoning and for Mayor Heidmann to establish a traffic committee to address the traffic concerns throughout Grand View Lodge. Potential committee members to include City personnel, County personnel, Grand View Lodge, and local residents. The Mayor shall report back to the Council in not more than one year's time. Motion carried unanimously. Krautkremer noted he would be interested in being on the committee. Tom Farrell, West Linden resident, inquired if anyone has talked to the County on this matter. Heidmann noted he believes the County is looking for the City to take initial action on this. Farrell stated that he feels enforcement should improve and that a traffic study would be beneficial. Ronnei provided an idea that the City could adopt a resolution to forward to the

County Commissioners that would indicate this is a time sensitive matter and the County should bring this to the top of the priority list. Jacobson noted he is able to talk with Commissioner Thiede and he will report back at the next Council meeting.

4. Update on Edna Lake Road Options – Heidmann noted he spoke with Jody Martinson at MN DOT and she indicated that they are open to giving the City a permit for a guardrail at the City's expense. Heidmann said that there are three options as he sees it: 1.) Do nothing, 2.) Obtain the permit from MN DOT for the installation of a guardrail, and 3.) Further engage MN DOT on the issue to see if they would participate any further. Option three, however, would likely slow down the process. Jacobson stated he does not want to see the City kick the can down the road and would rather deal with it now. Jacobson said he would like to see a three cable guardrail installed on the curve. Johnson asked what is involved, and Hallan said that this project would be contracted out by the City to a vendor who does this type of work. Krautkremer noted that doing this project in the winter will be more expensive. Jacobson asked what's a human life worth? Following discussion, motion by Krautkremer, seconded by Johnson to direct staff to obtain cost estimates for installing a guardrail for Edna Lake Road and if necessary, bring the results to the Council at a special meeting. Motion carried unanimously. Roger Landers thanked the Council for taking immediate action to make the road safer.

F. Old Business –

1. Discussion and Vote on Keeping or Rescinding the City's Current Assessment Policy – tabled from the October 18, 2017 meeting – Heidmann noted he would like to see this item tabled and offered the suggestion of having a Council workshop that the City Attorney would facilitate. The workshop would provide more input on the pros and cons of assessments and give the Council an opportunity to ask more detailed questions. Motion by Heidmann, seconded by Johnson to set a Council workshop meeting date on November 27th at 7pm for the purpose of learning more about the assessment process. Motion carried unanimously.

G. Council Reports –

1. Heidmann stated that one year ago he had to move out of the City for a few months. He spoke to the City Attorney and the League of Minnesota Cities and both said there was no perceived issue and also no hard and fast rule for how long an elected official is able to live outside the city limits. Heidmann said that he is aware some department heads expressed concern about where he was living. Heidmann is hoping that by addressing the issue that the Council can move forward and drop the issue. Krautkremer said that this is a murky issue and that he would have liked the Mayor to have been more up front about it. Heidmann noted that he informed the City Clerk two times about his situation. Jacobson said it was not a clear cut issue but that he did speak to the mayor about it directly. Jacobson noted that the people can decide at election time how they feel about the situation.
2. Jacobson – No report.

3. Johnson – No report.
4. Krautkremer said he would like to have some discussion regarding the Council liaison structure prior to the January appointments. Krautkremer also noted he would like to be proactive in researching the funding options for the sewer plant expansion.

Motion by Jacobson, seconded by Johnson to enter into closed session pursuant to Minnesota Statue 13D.03 to discussion Union Negotiations at 8:18 p.m. Motion carried unanimously.

Motion by Johnson, seconded by Jacobson to re-open the regular meeting at 9:08 p.m. Motion carried unanimously.

There being no further business, Motion by Krautkremer, seconded by Jacobson to adjourn the meeting at 9:09 p.m. Motion carried unanimously.

Fred Heidmann, Mayor

Jennifer Max, City Administrator/Clerk