

**CITY OF NISSWA
REGULAR COUNCIL MEETING – AS AMENDED
WEDNESDAY, APRIL 18, 2018
7:00 P.M. – CITY HALL**

The regular meeting of the Nisswa City Council was held on Wednesday, April 18, 2017 at 7:00 p.m. at City Hall.

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

Members Absent: None.

Also Present: City Staff Jenny Max, Craig Taylor, Tom Blomer and Brian Farrell; City Engineer Mark Hallan; Theresa Rourke from the Echo; There were approximately 5 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 –

1. Regular City Council Meeting Minutes from February 21, 2018
2. Regular City Council Meeting Minutes from March 21, 2018
3. Parks & Recreation Director's Report – April 2018
4. Fire Department Report – March 2018
5. Police Department Report – April 2018
6. Public Works Director's Report – April 2018
7. Spirits of Nisswa Report – April 2018
8. Presentation of Claims – Check register #41872-42029 totaling \$437,948.85
9. LG220 Application for Exempt Permit for Our Lady of the Lakes Parish
10. Planning & Zoning Administrator's Report – April 2018
11. LG220 Application for Exempt Permit for Minnesota State Assoc. of Narcotics Investigators

Motion by Jacobson, seconded by Ryan to approve the amended consent calendar as presented. Motion carried unanimously.

C. OPEN FORUM

1. Public Comment – None.
2. Public Hearing for the Implementation and Use of Body-Worn Cameras Policy
 - a. Memo from Chief Taylor re: BWC Survey – Motion by Jacobson, seconded by Johnson, to open the Public Hearing for the City of Nisswa Body Worn Camera Implementation. Ayes: All. Taylor noted one concern that was brought to his attention. The Police Department will be careful to protect privacy and will be mindful of how and when the data can be released, both internally and externally. The camera system has a built in tracking log to show who is viewing the recordings and when. Taylor said it is very comprehensive and is required to have by the State if we implement body worn cameras. Heidmann asked when will the cameras not be turned on; Taylor noted that medicals and other private issues would be good examples of when that would be a time to not turn on the camera. Taylor stated that the cameras are a tool to use as a protection for all parties. Motion by Jacobson, seconded by Johnson to close the Public Hearing for the City of Nisswa Body Worn Camera Implementation. Ayes: All.

Ryan requested to move item E3 up for approval. Mayor Heidmann concurred. Motion by Krautkremer, seconded by Jacobson to approve the City of Nisswa Body Worn

Camera Policy as presented, with the Police Chief to provide a follow-up report to the Council in six months. Motion carried unanimously. Motion carried unanimously.

D. REPORTS

1. City Administrator/Clerk
 - a. Personnel Updates – April 2018 – Motion by Krautkremer, seconded by Ryan to approve the Personnel Updates report as presented. Motion carried unanimously.
 - b. General Updates – None.

2. City Attorney
 - a. Memo from Tom Pearson Re: Planning & Zoning Commission Vacancies – Max noted this memo was provided to the Council for informational purposes, and that she would be working on a process that can be used across all Commissions and Committees. Jacobson said you can read the ordinance two ways, and his interpretation is that if a change is to be made by a Commission, then the recommendation should go to the City Council. In the instance of the Planning Commission, since there was no change, there would be no action sent to Council for consideration. However, Jacobson said he could follow the guidance of the City Attorney. Motion by Jacobson, seconded by Ryan to recommend the City Council approve a negative recommendation by the Planning Commission for the appointment of Gregg Sellner as a member of the Planning Commission. Motion carried 4-0 with Krautkremer abstaining.

3. City Engineer – None.

E. NEW BUSINESS

1. Resolution Accepting Donations – Motion by Ryan, seconded by Krautkremer to approve Resolution 18-4, Resolution Accepting Donations. Discussion: Jacobson asked if the docks are on the City side of property. Heidmann also asked if the stairway to the docks need to meet a specific code or standard. Max said she will follow up on those questions. Motion carried unanimously.
2. Resolution Adopting a Policy for the Minnesota Government Data Practices Act and Appointing a Responsible Party – Motion by Jacobson, seconded by Ryan to approve Resolution No. 18-5 Adopting a Policy for the Minnesota Government Data Practices Act and Appointing a Responsible Party. Motion carried unanimously.
3. Approval of City of Nisswa, Minnesota Use of the Body-Worn Cameras Policy – Approval under item C.2.a.
4. Resolution Supporting Local Decision-Making Authority – Max provided some background on the resolution provided by the League of Minnesota Cities. Ryan said he talked with Representative Josh Heintzeman, who provided Ryan with ten pages of local decision-making authority issues. Ryan gave an example of G5 internet access and how the municipality can charge businesses to give access, but then the business would have to pay every municipality to work in each city. Ryan stated that some issues may be better to leave at the state, and some are important to leave under local control. Jacobson said one bill would allow cell phone antennas to be put on light poles that the city has no control over. Motion by Jacobson to table, seconded by Ryan, with the issue to be brought back up in the future at the call of the Chair. Motion carried unanimously.

5. Resolution Approving State of Minnesota Joint Powers Agreements with the City of Nisswa on Behalf of its City Attorney and Police Department – Motion by Krautkremer, seconded by Ryan to approve Resolution No. 18-6 Approving State of Minnesota Joint Powers Agreements with the City of Nisswa on Behalf of its City Attorney and Police Department. Motion carried unanimously.
6. Rafferty's Pizza of Minnesota, Inc. Application for On-Sale Wine License – Motion by Krautkremer, seconded by Jacobson to approve the application for an on-sale wine license plus strong beer for Rafferty's Pizza of Minnesota, Inc., subject to all paperwork and fees being submitted to the Clerk. Motion carried unanimously.
7. Recommendation from Parks Advisory Commission Re: Renewal of Gull Lake Trail Walking & Biking Trail Cooperative Agreement – Motion by Jacobson, seconded by Johnson to approve the Renewal of Gull Lake Trail Walking & Biking Trail Cooperative Agreement as presented. Motion carried unanimously.
8. Recommendation from Liquor Committee Re: Spirits of Nisswa Sign Purchase – Farrell stated that since there has been a delay in the project from when the Council initially approved the new sign last fall, staff thought it was best to bring back to the Council for final approval. The total cost of the new sign is \$69,441, minus the insurance funds received last year. Motion by Krautkremer, seconded by Heidmann to approve the quote from Indigo Sign Works for the new Spirits of Nisswa sign as presented. Discussion: Ryan asked why the recommendation is to go with Indigo when they are not the lowest bid. Farrell said he received more complete information from Indigo and feels that they will provide excellent customer service and communication throughout the project. Motion carried unanimously. Max thanked Brian for the time and effort he put into this project.
9. Recommendation from the Public Works Committee Regarding the Purchase of a Plow Truck – Motion by Ryan, seconded by Krautkremer to approve the purchase of a 2019 Mack Granite Plow Truck plus upfit costs totaling \$214,531.95. Discussion: Jacobson asked if the truck price is off the state bid. Ryan noted yes it is. Motion carried unanimously.
10. Recommendation from the Public Works Committee Regarding the Purchase of a Sewer Truck – Motion by Ryan, seconded by Jacobson to table consideration of this item until next month due to questions that arose regarding pricing and vehicle options. Motion carried unanimously.
11. Recommendation from the Public Works Committee Regarding the Purchase of a Supervisor Truck – Motion by Ryan, seconded by Jacobson to table consideration of this item until next month due to questions that arose regarding pricing and vehicle options. Krautkremer asked if the City will lose the pricing if this item is tabled. Ryan noted that is possible, but unknown at this time. Motion carried 4:1 with Johnson opposed.
12. Resolution Calling a Public Hearing on the Proposal to Adopt a Street Reconstruction Plan and the Intent to Issue General Obligation Street Reconstruction Bonds – Motion by Jacobson, seconded by Krautkremer to approve Resolution No. 18-7 Calling a Public Hearing on the Proposal to Adopt a Street Reconstruction Plan and the Intent to Issue General Obligation Street Reconstruction Bonds. Max said the Public Hearing date is set for May 9, 2018 at 7pm. Motion carried unanimously.

F. OLD BUSINESS – None.

G. COUNCIL REPORTS

1. Mayor – Heidmann asked what is the timeline for public engagement for the Gull Lake Trail? Max said the Gull Lake Trail Steering Committee is planning on holding public information meetings in June. Heidmann said he has received close to a dozen citizen comments, including requesting more options of trails that are bigger picture and not limited to just one trail idea. Future ideas would be helpful.
2. Council Members –
 - a. Ross Krautkremer – Krautkremer noted he visited municipal liquor stores in the Twin Cities along with Brian Farrell and Terry Wallin. It was time well spent. The group looked at display ideas, how they purchase, looked at back storage spaces, how things are organized and how overall operations are run. Krautkremer said that Farrell and Walling will try some new ideas and see what might work for merchandising and buying.

H. ANNOUNCEMENTS & UPCOMING MEETING DATES

1. April 24, 2018 – Board of Appeal Meeting from 1:00-4:00 P.M.
2. April 25, 2018 – City Council Work Shop with LMC at 6:00 P.M.
3. May 3, 2018 – Parks & Recreation Advisory Committee Meeting at 5:00 P.M.
4. May 7, 2018 – Special Planning & Zoning Commission Meeting at 9:00 A.M.
5. May 8, 2018 – Planning & Zoning Commission Meeting at 9:00 A.M.
6. May 9, 2018 – Public Works Committee Meeting at 5:00 P.M.
7. May 9, 2018 – Special City Council Meeting at 7:00 P.M. - Public Hearing for Road Bonds
8. May 10, 2018 – Gull Lake Trail Meeting at 5:00 P.M.
9. May 16, 2018 – Regular City Council Meeting at 7:00 P.M.
10. May 28, 2018 – Observance of Memorial Day Holiday – City Hall Closed

I. ADJOURN

There being no further business, Motion by Krautkremer, seconded by Ryan to adjourn the meeting at 8:02 p.m. Motion carried unanimously.

Fred Heidmann, Mayor

Jennifer Max, City Administrator/Clerk