

**CITY OF NISSWA
MINUTES – REGULAR COUNCIL MEETING
WEDNESDAY, DECEMBER 19, 2018
7:00 P.M. – CITY HALL**

The regular meeting of the Nisswa City Council was held on Wednesday, December 19, 2018 at 7:00 p.m. at City Hall.

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

Members Absent: None

Also Present: City Staff Jenny Max, Tom Blomer, Desmond McGeough, Donna Caron; City Engineer Mark Hallan; City Attorney Tom Pearson; Nancy Vogt from the Echo; Hoff-Council Member Elect

There were approximately 6 people in the audience.

- A. Call to Order** – Mayor Heidmann called the meeting to order at 7:03 p.m. The pledge of allegiance was recited.
- B. Consent Calendar (NOTICE TO PUBLIC) – All matters listed are considered routine by the Council and will all be enacted by one motion. There will be no separate discussion of these items unless good cause is shown prior to the time the Council votes on the motion.**
1. Parks & Recreation Director Report – December 2018
 2. Fire Department Report – November 2018
 3. Pickle Department Report – December 2018
 4. Police Department Report – October 2018
 5. Public Works Director Report – November 2018
 6. Spirits of Nisswa Report – December 2018
 7. Planning & Zoning Administrator Report – December 2018
 8. Presentation of Claims – Check register #43316-43531 totaling \$728,513.42
 9. Special City Council Meeting Minutes from November 15, 2018
 10. Council Workshop Meeting Minutes from November 15, 2018
 11. Regular City Council Meeting Minutes from November 20, 2018
 12. Council Workshop Meeting Minutes from November 27, 2018
 13. Special City Council Meeting Minutes from November 29, 2018
 14. Memo from Liquor Departments Re: Transfer Liquor Funds to General Fund

Motion by Jacobson, seconded by Ryan to approve Consent Calendar as presented. Motion carried unanimously.

C. OPEN FORUM - None

D. REPORTS

1. City Administrator/Clerk - Max reported the new web site is on track and moving forward. The ice rink compressor blew up and probably not repairable. A new system is a likely possibility with more information to follow at a later date.
2. City Attorney - None

3. City Engineer – Hallan reported the survey work for the 2019 Hazelwood Drive was being completed this week and the survey work on Smiley Road South would start the following week. Justin Schulz is continuing to work with Matt and the Trail Committee and has supplied preliminary cost information as City staff works on funding applications.

E. NEW BUSINESS

1. **Resolution Approving Final 2018 Tax Levy Collectible in 2019 - Motion by Ryan, seconded by Krautkremer to adopt the Resolution Approving the Final 2018 Tax Levy Collectible in 2019 in the Amount of \$2,342,653 as presented. Motion carried 4:1 with Jacobson opposed.**
2. **Approve 2019 City of Nisswa Budget – Motion by Jacobson, seconded by Johnson to approve the 2019 City of Nisswa budget in the amount of \$2,834,586 as presented. Motion carried unanimously.**
3. **Request from the Nisswa Fire Relief Association to Increase Retirement Contribution Level – Jacobson asked if the city or the state funds the account; it is state funded, no city funds are used. Krautkremer informed the Council that the City could be liable if the Association account was underfunded. Chief Bailey reported the account is currently overfunded; with the proposed increase, the fund level will still be around 125% which is more than sufficient to cover the projected liability. Motion by Jacobson, seconded by Krautkremer to approve an increase in the retirement contribution from \$3,000 to \$3,700 per year of service effective 1/1/2019. Motion carried unanimously.**
4. **Resolution Adopting Polling Place for 2019 – Max stated there is no election in 2019, however, state statute requires each municipality to designate a polling place by December 31. Motion by Ryan, seconded by Krautkremer to adopt the Resolution Establishing the Polling Place as Nisswa City Hall for 2019 as presented. Motion carried unanimously.**
5. **Knife River Payment Request – Motion by Ryan, seconded by Johnson to approve partial payment to Knife River Corporation-North Central in the amount of \$90,857.42 as presented. Motion carried unanimously.**
6. **Proposal for Engineering Services for Hazelwood Bridge 2616 Improvements – Motion by Jacobson, seconded by Ryan to approve the Proposal for Engineering Services for Hazelwood Bridge from Widseth Smith Holting in the amount of \$28,700 as presented. Motion carried unanimously.**
7. **Rezone Application 028-18 for Rusty Gibbons – McGeough provided a brief overview of the application. Motion by Krautkremer, seconded by Jacobson to approve Rezoning Application 28-18 from Rusty Gibbons and adopt the Commission Findings of Fact to change the zoning district on a 13.03 acre parcel of land from “Central Business District” to “Urban Residential” as presented. Motion carried 4:0 with Ryan abstaining.**

- 8. Ordinance Amendment Revising Regulations Pertaining to Parking and Loading Standards** – McGeough provided an overview of the proposed city-wide parking revisions that were prepared and recommended by the Planning Commission. The changes are primarily intended for new development, no changes were made to Main Street which is grandfathered in. Jacobson reported there were no substantial language changes, existing language was simply moved and restructured into a standardized and current format. There were concerns by Krautkremer that restricting parking results in restricting customers and business; he also reminded Council that highway visibility is very important to a business and we need to remember to look at this from a business perspective. Krautkremer indicated he was opposed to the changes. Heidmann said the ordinance was not intended to overly burden or restrict business. Jacobson stated the ordinance still provides the Planning Commission with latitude and allows for flexibility; the main purpose was to establish a bare minimum requirement. Ryan asked if a problem had prompted the recommended changes. McGeough responded no current problem exists, the changes were recommended to address potential concerns. Ryan suggested waiting until the Comprehensive Plan has been finalized before changing the ordinance to avoid the possibility of using outdated language. Motion by Jacobson, seconded by Johnson to approve Zoning Ordinance Amendment ZOA-15-18 as presented. Motion carried 3:2 with Krautkremer and Ryan opposed. Motion by Ryan, seconded by Krautkremer to publish the summary. Motion carried unanimously.
- 9. Ordinance Amendment Revising Stream Classifications and Resort Development Standards** – McGeough explained the three purposes of the ordinance amendment: (1) to reclassify land; (2) to name a lake; and to (3) to address short-term dock space in resort areas. Council members had several questions and concerns related to dock space including enforcement, compliance, when resorts are sold/change in ownership, if current resort owners are grandfathered in, redevelopment, beached boats, and what happens when resort owners cannot build on Tier 1 (asked by audience member Rich Gieke). Ryan stated we need to understand what we are actually trying to do before moving forward. Krautkremer stated he felt the amendment did not provide enough space for resort owners, the language was too restrictive, and we need to first give current owners an opportunity to provide their input. One audience member stated that it took away the incentive for a resort owner to expand. Motion by Jacobson, seconded by Ryan to send the ordinance back to the Planning Commission for further review. Motion carried unanimously. It was suggested that council members visit area resorts to solicit feedback from the owners and to forward those comments to Jacobson and McGeough.
- 10. Comprehensive Plan – Council Direction Regarding Finalization of Either the 2017 Draft or 2018 Draft** – Council members individually voiced their support for the draft version of their choice. There was a consensus that the 2018 version was shorter, easier to read and to understand, and a more useable working document that could be updated on an as needed basis. Motion by Jacobson, seconded by Ryan to move the 2018 Draft Comprehensive Plan forward for completion. Motion carried unanimously.

11. Recommendation of Candidates for Appointment to the Planning Commission - Motion by Johnson, seconded by Jacobson to appoint Robert Fier, Joshua Young and Gary Harris to the Planning Commission/Board of Adjustment as presented. Motion carried unanimously. Terms will begin February 1, 2019. Mayor Heidmann suggested staff reach out to the new commission members to assist them with getting off to a good start. Max indicated a packet of information is being developed along with training opportunities to ensure a smooth and successful transition.

F. OLD BUSINESS

1. Approve Commissions and Committees Appointment and Procedures Policy – Max responded to previous questions about the proposed draft policy and explained department reasons for having different applicant requirements and numbers of commission members. Jacobson voiced his support for uniform requirements for all commissions. Heidmann explained the overall purpose of the policy was to ensure consistency in process and to open the door for a qualified applicant pool. The interview process could always be used as a means to determine the best candidates for each commission. Motion by Ryan, seconded by Jacobson to approve the Commissions and Committees Appointment and Procedures Policy after adding property ownership as an eligibility option for applicants to the Park and Recreation Advisory Committee and to have staff move forward with drafting the required ordinance amendments and to schedule any public hearings as required. Motion carried unanimously.

G. COUNCIL REPORTS

1. Mayor – Heidmann thanked Krautkremer for his service and wished him well.
2. Council Members:
 - Jacobson offered his appreciation to Krautkremer for his insight, perspective and service. Jacobson would like to revisit the Birch Street property to determine the City’s next steps. Heidmann stated this issue should be added to the January agenda. Jacobson wished everyone a Merry Christmas!
 - Johnson would like to address the Recreation truck purchase in January or February. He offered his thanks to Krautkremer.
 - Krautkremer expressed that he was honored to have served as a Council member and wished the Council good luck.
 - Ryan also thanked Krautkremer and stated he would like to discuss how Public Works issues are handled at an upcoming Council meeting.

H. ADJOURN – There being no further business, Motion by Ryan, seconded by Johnson to adjourn the regular Council meeting at 8:45 p.m. Motion carried unanimously.

Fred Heidmann, Mayor

Jennifer Max, City Administrator/Clerk