

**CITY OF NISSWA
MINUTES – REGULAR COUNCIL MEETING
WEDNESDAY, NOVEMBER 20, 2019
7:00 P.M. – CITY HALL**

The regular meeting of the Nisswa City Council was held on Wednesday, November 20, 2019 at 7:00 p.m. at City Hall.

Members present: Heidmann, Hoff, Jacobson, Johnson, Ryan
Also present: City Staff Jenny Max, Donna Caron, Tom Blomer, Brittney Cotner; City Engineer Mark Hallan; City Attorney Tom Pearson; Nancy Vogt from the Echo
Audience Members: 14

A. Call to Order

1. Mayor Heidmann called the meeting to order at 7:02 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. Fire Department Report – October 2019
2. Parks & Recreation Director Report – November 2019
3. Pickle Department Report – October 2019
4. Planning & Zoning Department Report – November 2019
5. Police Department Report – October 2019
6. Public Works Director Report – November 2019
7. Spirits of Nisswa Report – September/October 2019
8. Presentation of Claims – Check register #45222-45416 totaling \$547,819.07
9. City Council Regular Meeting Minutes from October 16, 2019

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

C. OPEN FORUM

1. **Public Comment:** None
2. **Planning & Zoning Department Update** – Brittney Cotner, Planning & Zoning Administrator, provided an update on the progress the department has made in the past six months. Catch-up issues have been completed; the “wish list” is 70% completed; and the City is very close to reaching Step 3 in the GreenStep Cities program, an initiative that focuses on efficiencies to save money while protecting the environment. Nisswa would become the first city in the region to reach Step 3 and is considered quite an accomplishment in the five-step program. Future goals include ensuring consistency and fairness across the board; an Enforcement Plan/Policy in place by next year; a more proactive approach to department operations; and a broader lens (20,000-foot view) when looking at long-term objectives.

D. REPORTS

1. **City Administrator/Clerk** – Max stated that Crow Wing County has provided a draft of the new cost-sharing plan and a public hearing is scheduled for December 11 (5:00 p.m.). Max is

currently comparing the new plan with the old plan to determine the impact the new plan will have on costs to the City. Max reported that a tentative agreement has been reached with the Supervisor's bargaining unit. A final agreement will be presented at the December Council meeting for approval. Max expressed her thanks to the Nisswa 4th graders who participated in the 2019 League of Minnesota Cities "If I Were Mayor For A Day" essay contest. Certificates of Achievement were signed by the Mayor and City Administrator and will be presented to each participant.

2. City Attorney

- a. Spirits Lease Renewal – Pearson informed the Council that the Spirits of Nisswa lease will expire in the near future and that it would be advantageous to begin planning now. He recommended establishing a committee to begin discussing options and to reach out to the landlord, Ted Schaefer, to see what his intentions are. Ryan and Heidmann will work together with Pearson to begin conversations with Mr. Schaefer and will report back to the Council.

- 3. City Engineer** – Hallan continues to assist staff with a variety of projects. Hallan will work with Max to complete the loan application packet for the sewer expansion. Hallan also stated that the public comment period for the Hazelwood bridge project was over; there were none.

E. NEW BUSINESS

Motion by Jacobson, seconded by Hoff to open the Public Hearing for Agenda Items E1 and E2.
Motion carried unanimously.

- 1. Public Hearing – Petition by Monica Anderson to Vacate a Portion of the Platted Camp Lincoln Road** - Pearson explained that a citizen had petitioned to vacate a portion of Camp Lincoln Road with no objections received from the DNR or the public. Motion by Jacobson, seconded by Hoff to approve the petitioner's request for vacating a portion of Camp Lincoln Road within the Gull Lakes Shore Subdivision as presented with the addition of language that all expenses incurred to be paid by the petitioner. There was further discussion about the necessity of moving the current driveway, more of a dirt path. Jacobson stated the intent was to move it to the owner's property. It was determined that if the current driveway was left unimproved, it would not need to be moved. Monica Anderson, the petitioner, indicated she had no plans to change the driveway. The resolution was amended to remove the requirement that the driveway be moved. Motion carried unanimously.
- 2. Public Hearing – Petition by Julie Johnson to Vacate Pine Avenue in the Plat of Nisswa Park** - Pearson provided a brief status update on this request and notified the Council that this request, if approved, could potentially cut off access for one property owner. Pearson recommended the item be tabled until the next meeting and until further information could be obtained. Pearson also explained that the Council should not be involved in the awarding of property or titles. Legal action would be required by each individual property owner, at their discretion and cost, to amend any property legal description. Debbie Nordby, property owner, asked if the property owners could oppose the road vacation request; the answer was yes. Motion by Jacobson, seconded by Ryan to table this item to the December Council meeting.
Motion carried unanimously.

Motion by Johnson seconded by Hoff to close the Public Hearing. Motion carried unanimously.

3. **Resolution to Approve Sewer Rate Increase** – Max reported the sewer connection fee will increase from \$8,000 to \$10,000 and the quarterly sewer service rate will increase 4.5% from \$148.01 (2019) to \$154.67 for 2020. The 4.5% increase is an inflationary increase and not tied to the sewer expansion at this point. Motion by Johnson, seconded by Ryan to approve the Resolution Adopting Increase in Sewer Rates as presented. Motion carried unanimously.
4. **Resolution Certifying Unpaid Sewer Charges** – Motion by Jacobson, seconded by Ryan to approve the Resolution Certifying Unpaid Sewer Charges as presented. Motion carried unanimously.
5. **Proposal for Engineering Services for Lift Station 3 Replacement and Lift Stations 1 & 4 Improvements** - Jacobson asked if funds were currently available to pay for the proposed engineering services; Max stated they were available from the Sewer Fund. There was discussion about spending money for engineering services before it was determined if the project could even move forward. There was also concern expressed about the potential additional construction and equipment costs associated with the project. Hallan did state that for the lift relocation project to move forward, an agreement with Grand View Lodge would first need to be reached. Mark Ronnei, Grand View Lodge, was present and stated they would like to see a decision reached as soon as possible in order for them to move forward with their development plans. Motion by Jacobson, seconded by Ryan to approve WSN proposal for engineering services for Lift Station Replacement and Lift Stations 1 and 4 Improvements at a cost not to exceed \$47,500, plus including the alternate for the West Linden gravity line at a cost not to exceed \$8,000. Motion carried unanimously.
6. **Request from Mark & Arleen Macko re: After the Fact Septic Permit** – Motion by Jacobson, seconded by Ryan to approve the request to waive the after-the-fact permit fee and charge the standard permit fee of \$80 as presented. Motion carried unanimously. The homeowner was present for questions and to provide information.
7. **Remove Brittney Cotner from Probationary Status** – Motion by Heidmann, seconded by Ryan to approve the recommendation to remove Brittney Cotner from probationary status as presented. Motion carried unanimously.
8. **Approve Hiring Police Officer** – Max reported that she met with Chief Taylor to discuss the options to fill the vacant position in the Police Department. It is their recommendation to fill the position with a new police officer and to then develop a plan/criteria to provide an opportunity for current police officers to be promoted to the open Sergeant position within the next year. Motion by Ryan, seconded by Johnson to approve the hiring of a police officer as presented. Motion carried unanimously.
9. **Finance Specialist & City Clerk Job Descriptions** – Max stated that she worked with a third party (Ann Antonson/Baker Tilley) to assist her with developing the two proposed job descriptions and to ensure the assigned job points and pay grades were in compliance with pay equity. Johnson asked if the money to fund the changes was included in the 2020 budget. Max responded yes that funds had been allocated. Motion by Johnson, seconded by Hoff to 1) Approve the job descriptions for the positions of City Administrator/Treasurer, City Clerk, and Finance Specialist as presented; 2) Approve the title change of Deputy City Clerk (grade 8) to Finance Specialist (grade 9); 3) Approve the change of Maggi Wentler’s position as Deputy

City Clerk to Finance Specialist effective November 21, 2019 and move her from grade 8, step 9 to grade 9, step 8 (the resulting pay rate is \$23.59/hour or an increase of 0.67 cents/hour). The next available step movement will take place on January 1st consistent with past practice; and 4) Authorize the City Administrator to fill the position of City Clerk. Motion carried unanimously.

10. **Personnel Updates** – Motion by Johnson, seconded by Johnson to approve the Personnel Updates as presented. Motion carried unanimously.
11. **Closed session at end of meeting pursuant to MN Statutes 13D.05 subd. 3(C)** – moved on agenda to after (G) Council Reports.

F. OLD BUSINESS - None

G. COUNCIL REPORTS

1. **Mayor** – None; Heidmann asked Jacobson about the interview process being used to fill open seat(s) on the Planning Commission. Jacobson explained that the process being used was to ensure consistency, uniformity, and to treat all applicants with fairness and in the same manner whether they were a current incumbent or a new applicant.
2. **Council Members**
 - **Jacobson** – asked Max about the status of the cell phone antenna. Max responded that there has been no recent progress but it is still an item to be revisited at a later date. Jacobson asked if there will be a budget meeting scheduled for December. Max stated she will schedule a meeting now that the tax statements have been mailed by the County. Jacobson asked about the status of hiring a firm to update the City's ordinances. Max reported one quote for \$9000 was received in response to the bid. Max said it is a project that she will look at moving forward with within the next couple of years.
 - **Hoff** – noted no Parks & Recreation meeting will be held in December.

- E. Closed session at end of meeting pursuant to MN Statutes 13D.05 subd. 3(C)** – Motion by Jacobson, seconded by Johnson to enter into a closed session pursuant to MN Statutes 13D.05 subd.3(C) in Consideration of Offer for Property Purchase, PIDs: 28140670, 28140667 and 28140663, and to only re-open the regular meeting for the purposes of adjournment. Motion carried unanimously. Motion by Jacobson, seconded by Ryan to adjourn the closed session at 9:09 p.m. and to re-open the regular meeting. Motion carried unanimously.

- F. ADJOURN** – There being no further business, Motion by Johnson, seconded by Hoff to adjourn the regular Council meeting at 9:10 p.m. Motion carried unanimously.

Respectfully Submitted,

Fred Heidmann, Mayor

Jenny Max, City Administrator