

**CITY OF NISSWA
MINUTES – REGULAR COUNCIL MEETING
WEDNESDAY, FEBRUARY 19, 2020
7:00 P.M. – CITY HALL**

The regular meeting of the Nisswa City Council was held on Wednesday, February 19, 2020 at 7:00 p.m. at City Hall.

Members present: Heidmann, Hoff, Jacobson, Johnson, Ryan.

Members absent: None.

Also, present: City staff - Jenny Max, Jon Stainbrook, Matthew Hill, Craig Taylor, Tom Blomer; City Attorney Tom Pearson, City Engineer Mark Hallan, the Echo Newspaper.

Audience members: 13

A. Call to Order – Mayor Heidmann called the meeting to order at 7:01 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. Police Department Report – January/February 2020
2. Fire Department Report – January 2020
3. Planning & Zoning Department Report – February 2020
4. Presentation of Claims – Check register #45698 – 45781 totaling \$150,430.06
5. Parks & Recreation Department Report – February 2020
6. LG220 Application for Exempt Permit for Ducks Unlimited
7. LG220 Application for Exempt Permit for Central MN Gobbler Chapter
8. LG220 Application for Exempt Permit for Nisswa Parent Teacher Organization
9. Public Works Department Report – February 2020
10. Spirits of Nisswa Report – November/December 2019
11. City Council Regular Meeting Minutes from January 15, 2019
12. Pickle Department Report – January, 2020
13. Fritz’s Resort Renewal of Consumption and Display

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

C. OPEN FORUM

1. **Public Comment** – no public comments.
2. **Police Department Presentation** – Nisswa Police Chief Craig Taylor provided a review of 2019 department activity. His presentation included the department’s current staff roster and their background’s and history in the department. Taylor highlighted traffic stops and what types of paraphernalia were found during those stops. He showed pictures of drugs, money, and firearms that had been confiscated. During the presentation the City Council asked questions regarding the changes Chief Taylor had seen during his 29 years of service. Chief Taylor explained that the major changes he had seen included the amounts of drugs being confiscated, the number of pursuits on the highway, the rise of cybercrimes, the use of body

camera's by law enforcement, and the community's acceptance and treatment of law enforcement officers. The Council requested an update on the Police Department's goals for the upcoming year to which Chief Taylor explained the need to promote a sergeant, continue training and education, and to submit to an audit which is a requirement with the use of body cameras.

D. REPORTS

1. **City Administrator** – None.
2. **City Attorney** – None.
3. **City Engineer** – Hallan reported that the waste water treatment facility documentation has been submitted to the MPCA and feedback is expected sometime in March.

E. NEW BUSINESS

1. **Camp Lincoln Road Park Presentation** – Nisswa Parks and Recreation Director, Matthew Hill, reviewed the proposal that will be presented to the Crow Wing County Board of Commissioners for creating a wildlife preserve and park area along Camp Lincoln Road and Hole in the Day Lake. The City Council requested information on funding sources for this project. Matthew Hill stated that at this time there is no funding. The first steep will be a presentation to the County Board and if the land is granted to the City of Nisswa we will then create a funding plan. Motion by Jacobson, seconded by Johnson to approve the Camp Lincoln Road Park Presentation to the Crow Wing County Board of Commissioners. Motion carried unanimously.
2. **Support for Lake Shore Grant Application for Gull Lake Trail Funding** – Matthew Hill explained that this letter was in support of the City of Lake Shore receiving a grant to help fund the Gull Lake Trail. Motion by Johnson, seconded by Jacobson to approve the Support for Lake Shore Grant Application for Gull Lake Trail Funding Letter. Motion carried unanimously.
3. **Public Hearing – Vacate a Portion of Pine Avenue in the Plat of Nisswa Park** – Motion by Jacobson, seconded by Ryan to open the public hearing. Motion carried unanimously.
 - a. **Resolution Vacating a Portion of a City Road**

Max explained the City received a citizen initiated petition asking the City to vacate a portion of Pine Avenue. The City attorney explained that the petitioners would need to provide the City with a legal description of the property being vacated as the information currently provided only shows lines on a map. The petitioners can either use the City's Engineer and pay for his services to create the legal description or they can have their own consultant create the legal description and submit that to the City for review and approval. Once the legal description is completed and approved, Pearson will record this with the County and then the petitioners can move forward in obtaining legal access to this property.

Motion by Jacobson, seconded by Ryan to approve the Resolution Vacating a Portion of Pine Avenue. Motion carried unanimously.

Motion by Hoff, seconded by Ryan to close the Public Hearing. Motion carried unanimously.
4. **Approval of Temporary Liquor License and Temporary Beer License Agreement for the Brainerd Jaycees on April 24-25, 2020 for the Run for the Lakes** – Max explained the application. Mike Owen from BlackRidge Bank was present answer any questions. Council

- Member Jacobson stated that the dates on the application needed to be changed. Max stated that those dates would be changed. Motion by Johnson, seconded by Hoff to approve the Temporary Liquor License and Temporary Beer License Agreement for the Brainerd Jaycees on April 24-25, 2020 for the Run for the Lakes. Motion carried unanimously.
5. **Construction Cost Share Agreement for the Reconstruction of Roadways under the Jurisdiction of Crow Wing County and City of Nisswa** – The City Council discussed the Cost Sharing Agreement and pointed out their concerns regarding the financial responsibilities for the City of Nisswa. The City Council specifically discussed their concerns regarding the total upfront costs for the project and questioned the language in the Agreement for the recurring yearly maintenance costs after the project is completed. Heidmann noted that Nisswa is one of the first cities to accept or reject the County’s new policy and expressed concerns regarding whether or not cities should have to bare costs for County road projects. The Council expressed an interest in having a more detailed explanation of the cost elements to understand what the City is paying for, along with more clarity from the County on the maintenance costs. Following discussion, Motion by Johnson, seconded by Ryan to reject the Construction Cost Sharing Agreement for the Reconstruction of Roadways under the Jurisdiction of Crow Wing County and City of Nisswa and to invite the County Highway Department to discuss the Agreement in more detail. Motion carried unanimously.
 6. **PFA Application and Transmittal Form for Wastewater Treatment Facility Expansion**
 - a. **Resolution of Application**
Motion by Jacobson, seconded by Ryan to approve the Resolution of Application for the City of Nisswa Wastewater Treatment Facility System
 - b. **Transmittal Form with Application Fee**
Motion by Jacobson, seconded by Hoff to approve the Transmittal Form with Application Fee. Motion carried unanimously.
 7. **Authorization to Bid for Lift Station 3** – The City Council had questions regarding what would happen to the old lift station when it was replaced. The City Engineer explained that parts of it would be reused and parts of it would go to the landfill. The old lift station would be completely filled in. Motion by Ryan, seconded by Hoff to approve the Authorization to Bid for Lift Station 3 as presented. Motion carried unanimously.
 8. **Approve Easement for Lift Station 3 on Nokomis Avenue** – Max indicated that Mark Ronnei, General Manager for Grand View Lodge, has given verbal approval for the new location of lift station 3. Motion by Hoff, seconded by Jacobson to approve the Easement for Lift Station 3 on Nokomis Avenue. Motion carried unanimously.
 9. **Approve Purchase Agreement between the City of Nisswa and Carey Rasinski and Thomas Briggs** – Motion by Jacobson, seconded by Ryan to Approve the Purchase Agreement between the City of Nisswa and Carey Rasinski and Thomas Briggs for the purchase of PID 28140663 in the amount of \$54,499.74 and to authorize the Mayor to execute such documents as necessary. Motion carried unanimously.
 10. **Approve the City of Nisswa Pay Equity Implementation Report for 2019**

Max explained that the State of Minnesota requires a review of pay equity every three years. Jacobson asked why the City was found to be out of compliance with test #2. Max noted she asked this question to Springsted who was not able to provide a clear answer. Once the State reviews our data the City will receive information on the next steps to get back into

compliance. Max that the State usually takes six months to review the data. – Motion by Hoff, seconded by Johnson to approve the City of Nisswa Pay Equity Implementation Report for 2019. Motion carried unanimously.

11. **Adopt Sustainable Purchase Policy** – Max noted this policy is being proposed to help the City move forward in the GreenStep Cities program. Motion by Johnson, seconded by Ryan to approve the Sustainable Purchasing Policy. Vote carried unanimously.
12. **Personnel Updates** – Motion by Hoff, seconded by Jacobson to approve the Personnel Updates as presented. Motion carried unanimously.
13. **Approve Easement between City of Nisswa and RAR Development, Inc** – Pearson noted this easement is the final piece to clean up the Hills Crossing matter. Motion by Jacobson, seconded by Ryan. Motion carried unanimously.
14. **Memo from Jenny Max re: Cell Tower Lease** – Max gave an informational update regarding the cell tower lease renewal. Max said that she has been discussing the need for the lessee to construct a different access road so that the road is not going through our water treatment plant.

F. OLD BUSINESS

1. **Information Regarding Proposed Liquor Law Changes in Grocery Stores-tabled until March**
2. **Council Discussion re: Council Liaison Structure-tabled until March**
Max noted that information for both of these items will be presented at the March City Council meeting.

G. COUNCIL REPORTS

1. **Mayor** – Heidmann said he attended the Jubilee, handed out candy and spoke with local residents who were passionate about this event. He stated that the citizens would really like to revitalize the event and hopefully attract new people to be a part of it. The attendance was around 1,000 people.
2. **Council Members** - No new updates.

H. ADJOURN – There being no further business, Motion by Jacobson, seconded by Hoff to adjourn the regular City Council meeting at 8:47 p.m. Motion carried unanimously.

Respectfully Submitted,

Fred Heidmann, Mayor

Jenny Max, City Administrator