

**CITY OF NISSWA
MINUTES – REGULAR COUNCIL MEETING
WEDNESDAY, MAY 20, 2020
7:00 P.M. – NISSWA CITY HALL**

The regular meeting of the Nisswa City Council was held on Wednesday, May 20, 2020 at 7:00 p.m. at City Hall. The meeting was also available via Zoom and YouTube Live.

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

Members absent: none.

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

Audience members: 1 present at City Hall and approximately 20 present via Zoom.

A. Call to Order

Mayor Heidmann called the meeting to order at 7:01 p.m. and 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 – April 2020
2. Parks and Recreation Department Report – April 2020
3. Planning & Zoning Department Report – May 2020
4. Presentation of Claims – Check register #46123 – 46254 totaling \$290,817.06
5. Police Department Report – May 2020
6. Pickle Department Report – April/May 2020
7. Public Works Department Report – May 2020
8. Spirits of Nisswa Report – March/April 2020
9. City Council Regular Meeting Minutes from April 15, 2020
10. City Council Board of Appeals & Equalization Meeting Minutes from April 21, 2020
11. LG220 Application for Exempt Permit – Minnesota State Assoc. of Narcotics Investigators

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

C. OPEN FORUM

1. **Public Comment** – Alan Jenkins of 23530 Smiley Road, Nisswa MN, 56468, requested the City Council to consider changing the night of the City Council meetings. The City Council stated they would add this to the next City Council agenda for further discussion.

D. REPORTS

1. City Administrator

- a. **COVID-19 Preparedness Business Plan** – Jenny Max stated she prepared a COVID-19 preparedness plan explaining how each department will be reopening and interacting with the public. Max and Terry Wallin, the Manager of the Ye Old Pickle Factory, are working on a specific plan for when the Ye Old Pickle Factory reopens on June 1st. Motion by Hoff, seconded by Johnson to approve the COVID-19 Preparedness Business Plan for the City of Nisswa. Motion carried unanimously.

gave feedback on their opinion if storage units should not be allowed. Jacobson said he will bring this feedback to the commission.

6. **Recommendation from Public Works Committee to Approve Cross-Jurisdictional Road Maintenance Agreement between Crow Wing County and the City of Nisswa** – Motion by Jacobson, seconded by Hoff to approve the Recommendation from the Public Works Committee to Approve the Cross-Jurisdictional Road Maintenance Agreement between Crow Wing county and the City of Nisswa. Motion carried unanimously.
7. **Accept Bid from Knife River for 2020 Street Improvements** – The City Engineer explained that the city received two bids for the 2020 street improvements on Smiley Road South and Hazelwood Drive. The bids were from Anderson Brothers for \$535,230.00 and from Knife River for \$519,504.80. The city also asked for bids for expanding the sanitary sewer systems in those areas as well. The city received bids from Anderson Brothers for \$116,063.75 and Knife River for \$123,240.90. The recommendation from the City Engineer is to accept the lowest cost bid for the street projects and the sewer project from Knife River at \$519,504.80 and \$123,240.90. The recommendation is based on the fact that both projects need to be done at the same time and Knife River has the lowest overall bid for both projects. Motion by Jacobson, seconded by Ryan to approve the bid from Knife River for the Smiley Road South and Hazelwood Drive project at \$519,504.80, and to approve the sanitary sewer expansion bid from Knife River at \$123,240.90. Motion carried unanimously.
8. **Accept Bid from Landwehr Construction Inc. for Hazelwood Drive Bridge Project** – The City Engineer explained that the city received four bids for the Hazelwood Drive bridge improvement project. The bids were from: Landwehr Construction, Inc. for \$286,117.45, Marvin Tretter, Inc. for \$311,499.60, Toms Backhoe Service, Inc. for \$327,738.00, and J.R. Ferche, Inc. for \$388,966.00. Hallan's recommendation is to accept the lowest bid from Landwehr Construction, Inc. at \$286,117.45. Motion by Hoff, seconded by Jacobson to approve the bid from Landwehr Construction, Inc. for \$286,117.45 for the Hazelwood Drive Bridge Project. Motion carried unanimously.
9. **Wideth Proposal for Construction Observation for Wastewater Treatment Facility Expansion** – The City Engineer presented the proposed agreement to the City Council and explained the need for the construction observation. The short-term agreement proposal is to cover the cost of construction observation, ensure proper deadlines are met by the contractor, completion of PFA documentation per PFA requirements, and proper close out of the WWTF expansion project. The proposed amount is estimated at \$373,500. Motion by Ryan, seconded by Hoff to approve the Proposal for Construction Observation for Wastewater Treatment Facility Expansion at \$373,500. Motion carried unanimously.
10. **Personnel Updates** – Motion by Ryan, seconded by Hoff to approve the Personnel Updates. Motion carried unanimously.
11. **Resolution Approving Donations** – Motion by Jacobson, seconded by Ryan to approve the Resolution Accepting Donations. Motion carried unanimously.
12. **Recommendation to Hire Kennedy & Graven as the City's Labor Attorney** – Max explained that she conducted interviews with Council member John Ryan to find a new Labor Attorney. After two interviews they came to a unanimous recommendation to hire Kennedy and Graven as the new Labor Attorney for the City of Nisswa. Motion by Ryan, seconded by Hoff to approve the Recommendation to hire Kennedy & Graven as the new Labor Attorney for the City of Nisswa. Motion carried unanimously.

- 13. Draft Lease Amendment between City of Nisswa and American Tower** – American Tower has contacted the city regarding extending their lease of the cell tower. American Tower has expressed their desire to extend the lease for 30 years. The Council stated that there will be more discussion regarding this in the future.

F. OLD BUSINESS

- 1.) **Lake Edward Township Agreement** – The City of Nisswa received a complaint about East Clark Lake Road not being plowed in a timely manner by Lake Edward Township last winter. The proposed agreement states that the City of Nisswa will plow all of East Clark Lake Road, and the maintenance will be the Township’s responsibility. Motion by Jacobson, seconded by Ryan to approve the Road Maintenance Agreement between the City of Nisswa and Lake Edward Township, contingent upon approval by the Township. Motion carried unanimously.
- 2.) **Information Regarding Proposed Liquor Law Changes in Grocery Stores** – Max presented information for the Council to review and gave a draft resolution to look over regarding the proposed liquor law changes coming later this year. Motion by Jacobson, seconded by Hoff to table this item until the December City Council meeting. Motion carried unanimously.
- 3.) **Council Discussion re: Council Liaison Structure** – Max provided information to the Council at the beginning of the meeting and requested they review the information and give feedback.

2.) COUNCIL REPORTS

1. **Mayor** – none.
2. **Council Members** –
- a. **Gary Johnson** – Stated he voted no on passing the Resolution Supporting Businesses in the City of Nisswa only because he did not believe it did enough to support the local business community. He wanted to see something that did more than what was passed. He also stated his disappointment in Mayor Heidmann leaving the meeting early.
 - b. **Mike Hoff** – Stated his disappointment in Mayor Heidmann leaving the meeting early.
 - c. **Don Jacobson** – none.
 - d. **John Ryan** – Stated his disappointment in Mayor Heidmann leaving the meeting early.
- 3.) **ADJOURN** – There being no further business, Motion by Hoff, seconded by Ryan to adjourn the regular City Council meeting at 9:02 p.m. Motion carried unanimously.

Respectfully Submitted,

Fred Heidmann, Mayor

Jenny Max, City Administrator