

**CITY OF NISSWA  
MINUTES – REGULAR COUNCIL MEETING  
WEDNESDAY, JULY 15, 2020  
7:00 P.M. – NISSWA CITY HALL**

The regular meeting of the Nisswa City Council was held on Wednesday, July 15, 2020 at 7:00 p.m. at City Hall and was available on YouTube Live.

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

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: 5

**A. Call to Order** – Mayor Heidmann called the meeting to order at 7:02 p.m. The pledge of allegiance was recited.

**B. Consent Calendar** –

1. Fire Department Report – June 2020
2. Parks and Recreation Department Report – June 2020
3. Planning & Zoning Department Report – July 2020
4. Police Department Report – June 2020
5. Pickle Department Report – June 2020
6. Public Works Department Report – July 2020
7. Spirits of Nisswa Report –April/May 2020
8. City Council Regular Meeting Minutes from June 17, 2020
9. City Council Budget Workshop Meeting Minutes from June 17, 2020
10. City Council Special Meeting Minutes from June 25, 2020
11. Presentation of Claims – Check register #46380-46611 totaling \$805,888.46
12. LG220 Permit Lakeshore Conservation Club
13. Resolution Approving Donations
14. Resolution Approving Election Judges

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

**C. OPEN FORUM**

1. **Public Comment** – none.

**D. REPORTS**

1. **City Administrator** – Jenny Max gave an update regarding the City reaching step three in the Green Step Cities Initiative. The council thanked the Planning and Zoning Administrator Brittney Cotner, for her work in reaching this achievement.

2. **City Attorney** – Tom Pearson reported on the status of the Nelson Ford lawsuit. The case has been dismissed. It is currently in the court of appeals and we will know more in about six months.
3. **City Engineer** – Mark Hallan gave an update regarding the coordination between utility companies for the street improvements projects, and stated that he will move forward with the Pre-Con meeting for the Smiley Road South and Hazelwood when the bridge project finishes.

#### E. NEW BUSINESS

1. **Recommendation from Planning & Zoning Commission – Ordinance Amendment for Storage Structures** – Brittney Cotner updated the City Council regarding the progress and revisions of the Ordinance Amendment for Storage Structures. Discussion ensued regarding the location and possible building of storage structures in city limits. Motion by Jacobson, seconded by Hoff to approve an Ordinance Amendment regarding Commercial Storage Units and to publish a summary in the newspaper. Motion carried 4:1 with Ryan opposed.
2. **Bid Results for the Wastewater Treatment Facility Project** – Hallan stated that the city received five bids for the waste water treatment facility project. The bids received were from: Eagle Construction Co. Inc. for \$4,188,000.00, Pratt’s Affordable Excavating, Inc. for \$4,661,650.00, Magney Construction, Inc. for \$4,694,600.00, Burski Excavating, Inc. for \$5,295,000.00, and J.R. Ferche, Inc. for \$8,143,000.00. Motion by Hoff, seconded by Jacobson to approve the bid from Eagle Construction Co. Inc for \$4,188,000.00, for the Waste Water Treatment Facility Project. Motion carried unanimously.
3. **Recommendation on Bids Received for Lift Station 3** – Public Works Director Tom Blomer, explained that the bids received were higher than the Engineer’s estimate. Included in the bid specs were four alternate projects. Hallan noted the city received a total of eight bids: Aspen Construction Co, R & R Excavating, Inc, Minger Construction Co., Inc, Tom’s Backhoe Service, Inc, Eagle Construction Company, Inc, Kuechle Underground, Inc, and J.R. Fereche, Inc. Motion by Ryan, seconded by Hoff to approve the lump sum base bid from Aspen Construction Co. in the amount of \$465,908.00, minus the base bid deduct of \$33,978.00, plus Alternate 1 in the amount of \$87,673 and to accept the quote from DeChantal Excavating in the amount of \$34,452 for manhole replacement on W. Linden Blvd. Motion carried unanimously.
4. **Resolution Regarding State Transportation Bridge Bond Funds** – Motion by Jacobson, seconded by Johnson to approve the Resolution Regarding State Transportation Bridge Bond Funds for S.A.P. 018-597-010 Hazelwood Drive Bridge. Motion carried unanimously.
5. **Golf Cart Ordinance and Trail Use Policy Drafts** – Max requested the City Council’s input regarding the current draft of the Golf Cart Ordinance and Trail Use Policy. The City Council discussed the need for more information and stated this topic might be best suited for a separate workshop. Max noted a workshop will be scheduled this fall to discuss these items further.
6. **Personnel Updates** – Max informed the City Council of the resignations of Bill Schultz and Matthew Hill. Motion by Ryan, seconded by Johnson to approve the Personnel Updates as amended. Motion carried unanimously.
7. **Recommendation to Advertise and Hire for the Position of Maintenance Technician**

- a. **Recommendation to Advertise and Hire for the Position of Parks & Recreation Director** – Motion by Jacobson, seconded by Hoff to approve Advertisement and Hiring for the Position of Parks & Recreation Director. Motion carried unanimously.
  - b. **Recommendation to Advertise and Hire for the Position of Public Works Maintenance Technician.** – Motion by Jacobson, seconded by Ryan to approve Advertisement and Hiring for the Position of Public Works Maintenance Technician. Motion carried unanimously.
  - c. **Approve Updated Job Descriptions for the Positions of Parks & Recreation Director and Maintenance Technician** – Motion by Hoff, seconded by Ryan to approve the Updated Job Descriptions for the Positions of Parks & Recreation Director and Maintenance Technician. Motion carried unanimously.
8. **Resolution to Amend the Teamsters General Local Union No. 346 Contract re: Sergeant Position** – Max explained that the new Sergeant requested to have his position join the Teamsters Union. Motion by Jacobson seconded by Ryan to approve the Resolution to Amend the Teamsters General Local Union No. 346 Contract re: Sergeant Position. Motion carried unanimously.
  9. **Council Meeting Rules of Order Policy Draft** – Motion by Ryan, seconded by Johnson to approve the Council Meeting Rules of Order Policy Draft. Motion carried unanimously.
  10. **City Council Code of Conduct Policy Draft** – The City Council discussed the Code of Conduct Policy Draft and decided to table this item until the August Council meeting.

#### F. OLD BUSINESS

1. **Community Survey re: Council Meeting Schedule** – Max informed the Council the number of survey respondents regarding a possible change in time and date for the regular city council meetings. The City Council requested that the survey be announced in the Echo Newspaper again and this topic be brought back at the August 19<sup>th</sup> City Council Meeting. The City Council discussed the Third Tuesday of the month as a possible alternate date for City Council meetings to be held.
2. **American Tower – First Amendment to Site Lease Agreement** – The City Attorney updated the City Council on terms of the lease and expressed his desire to do more research before a decision is made regarding the lease renewal.
3. **City Council Liaison Structure** – Max explained the ordinance amendment drafts and requested clarification regarding the direction the Council would like to go in regards to the City Council Liaison structure. Discussion ensued regarding the participation of the liaison in commission and committee meetings. Max stated she will make adjustments regarding the liaison being able to participate in discussion in those groups and will bring the draft to the August 19<sup>th</sup> City Council meeting.

#### G. COUNCIL REPORTS

1. **Mayor** – none.
2. **Council Members**
  - a. **Don Jacobson** – Liaison for the Planning and Zoning commission, stated that an individual came forward interested in developing a mini golf course in the city.

- b. **Gary Johnson** – Made comments regarding the resignation of Parks & Recreation Director Mathew Hill and expressed appreciation for Hill’s service to the City.
  - c. **Mike Hoff** – Made comments regarding the resignation of Parks & Recreation Director Mathew Hill and expressed appreciation for Hill’s service to the City.
  - d. **John Ryan** – Made comments regarding the resignation of Parks & Recreation Director Mathew Hill and Bill Schultz and expressed his appreciation for their service to the city. Ryan also made comments regarding residents posting no parking signs on public roads and the city needing to look into creating an ordinance regarding it.
- A. **ADJOURN** – There being no further business, Motion by Hoff, seconded by Johnson to adjourn the regular City Council meeting at 8:59 p.m. Motion carried unanimously.

Respectfully Submitted,

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Fred Heidmann, Mayor

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Jenny Max, City Administrator