

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

The Regular meeting of the Niswaw City Council was held on Wednesday, August 19, 2020 at 7:00 p.m. at City Hall and was available on YouTube Live.

Members present: Heidmann, Hoff, Jacobson, Ryan.

Members absent: Johnson.

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

Audience members: 2

A. Call to Order

Pledge of Allegiance - Mayor Heidmann called the meeting to order at 7:01 p.m. The pledge of allegiance was recited.

Motion by Jacobson, seconded by Hoff to approve the additions of B.10, E.6.a, E.11, and E.12, to the agenda. Motion carried unanimously.

B. Consent Calendar –

1. Fire Department Report – July 2020
2. Planning & Zoning Department Report – August 2020
3. Police Department Report – August 2020
4. Pickle Department Report – July 2020
5. Public Works Department Report – August 2020
6. Spirits of Niswaw Report –July 2020
7. City Council Regular Meeting Minutes from July 15, 2020
8. City Council Budget Workshop Meeting Minutes from July 15, 2020
9. Presentation of Claims – Check register #4611- 46743 totaling \$620,633.62
10. Lakeshore Conservation Club-Gambling Permit Update

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

C. OPEN FORUM

1. **Public Comment** – none.

D. REPORTS

1. **City Administrator** – Max informed the Council that the City website has a notification system that the public can sign up to receive notifications via email, text messages or when certain pages are updated on the city website.
2. **City Attorney** – none.
3. **City Engineer** – Mark Hallan updated the City Council regarding the Hazelwood Drive Bridge project and stated it is moving along quickly. There is an estimated completion date of late September.

E. NEW BUSINESS

1. **Resolution Declaring Sufficiency to Vacate City Right of Way from Donald Deline and Monica Anderson** – Nisswa City resident Don Deline addressed the City Council stating that he has been working on this project for eight years. He expressed his gratitude towards City Attorney Tom Pearson and City Administrator Jenny Max for helping on this project. Motion by Jacobson, seconded by Ryan to approve the Resolution Declaring Sufficiency to Vacate City Right of Way from Donald Deline and Monica Anderson. Motion passed unanimously.
2. **Resolution Accepting the Offer of the Minnesota Public Facilities Authority to Purchase a \$5,208,648 General Obligation Sewer Revenue Note of 2020, Providing for Its Issuance and Authorization of a Bond Purchase and Project Loan Agreement** – Motion by Jacobson, seconded by Hoff to approve the Resolution Accepting the Offer of the Minnesota Public Facilities Authority to Purchase a \$5,208,648 General Obligation Sewer Revenue Note of 2020, Providing for Its Issuance and Authorization of a Bond Purchase and Project Loan Agreement. Motion carried unanimously.
3. **Resolution re: CARES Act Economic Assistance Grant Program Participation** – Max gave information regarding the CARES Act Economic Assistance Grant Program and explained what it would mean for Nisswa. The County will be working with the Brained Lakes Economic Development Corporation to offer grants to businesses in the County that need help. Max then presented items that are possibilities for this program the City can purchase using CARES funding. Following discussion, the Council asked to table making purchases decisions until September. Motion by Hoff, seconded by Jacobson to approve Resolution re: CARES Act Economic Assistance Grant Program Participation. Motion carried unanimously.
4. **Policy and Procedure for Sale of Bulk Materials and Water** – Blomer presented to the Council the purpose for making this policy, and explained the benefits this policy will give to the public. Motion by Hoff, seconded by Ryan to approve the Policy and Procedure for Sale of Bulk Materials and Water. Motion carried unanimously.
5. **Resolution Amending City Fee Schedule** – Motion by Ryan, seconded by Hoff to approve the Resolution Amending City Fee Schedule. Motion carried unanimously.

- 6. Recommendation from Public Works Committee re: Hazelwood Drive Sewer Connection**
–Council Member Ryan explained that after speaking with residents of Hazelwood Drive, he would like to request the connection time table be removed from this recommendation. Ryan stated that the cost to connect to the sewer could be in excess of \$25,000 for some of these residents. Ryan noted the other requirements for the Hazelwood connection include the requirement to connect if their current septic system failed, fell out of compliance, when the property is sold, or if there are any significant changes to the property, they have to hook up at that time. Motion by Ryan, seconded by Hoff to remove item #1 from the Hazelwood Drive Sewer main recommendation and approve all remaining items. Motion passed unanimously.

 - a. Request from the Outreach Program re: Waive Sewer Connection Fee** – The Council discussed the request from the Outreach Program asking if the City would waive the sewer connection fee for their organization. – Motion by Ryan, seconded by Jacobson to deny the Request from the Outreach Program re: Waive Sewer Connection Fee. Motion passed unanimously.
- 7. Personnel Updates** –

 - a. Recommendation to Move Jonathan Stainbrook from Probationary to Permanent Status** – Motion by Jacobson, seconded by Ryan to approve the recommendation to move Jonathan Stainbrook from probationary to permanent status. Motion carried unanimously.
 - b. Recommendation to Hire Temporary Employee for Parks Department** – Motion by Hoff, seconded by Ryan to approve the Recommendation to Hire Temporary Employee for Parks Department. Motion carried unanimously.
- 8. Accept Quote for Codification of the Nisswa City Code** – Max stated that the City Code is in need of re-codification, she explained that the \$9,260 quote from Municode would be paid for from funds in the City Council training budget. Motion by Hoff, seconded by Ryan to accept the \$9,260 quote from Municode for re-codification of the Nisswa City Code. Motion carried unanimously.
- 9. Approve Request re: City Personnel Policy** – Max explained to the City Council that the current Personnel Policy is in need of updating. The need for the update is to also insure the addition of standard legal language into the policy. The City’s personnel policy needs improvement and clearer language. Motion by Jacobson, seconded by Ryan to approve Request re: City Personnel Policy. Motion carried unanimously.
- 10. Recommendation from Parks Commission re: Toro MDX Purchase** – Discussion ensued regarding the need for the Toro MDX for the Parks Department. – Motion by Hoff, seconded by Jacobson to approve the Recommendation from Parks Commission to purchase a Toro MDX from MTI Distributing at a cost of \$10,828.76. Motion carried 3:0 with the Mayor abstaining from the vote.

- 11. Letter to Crow Wing County re: Recycling Center** – Motion by Ryan, seconded by Jacobson to approve the Letter to Crow Wing County re: Recycling Center. Motion carried unanimously.

F. OLD BUSINESS

- 1. Community Survey re: Council Meeting Schedule** – Max gave an update regarding the response to the community survey. The City Council discussed the option to change the City Council meeting date to the third Tuesday of the month, or to leave the meeting date and time as it currently is on the third Wednesday of the month. Motion by Jacobson, seconded by Hoff to keep the City Council meeting date and time as the third Wednesday of each month. Motion failed 2:2 with Heidmann and Ryan opposed. Ryan requested this item be tabled until September.
- 2. American Tower – First Amendment to Site Lease Agreement** – tabled until September due to City Attorney needing to finish his review.
- 3. City Council Liaison Structure** – tabled until September.
- 4. Golf Cart Ordinance** – tabled until September. Mayor Heidmann commented that he'd like to see the golf cart ordinance to be condensed to one page if possible.
- 5. City Council Code of Conduct Policy** – tabled until September.

G. COUNCIL REPORTS

- 1. Mayor** – none.
- 2. Council Members** – none.

- H. ADJOURN** – There being no further business, Motion by Ryan, seconded by Hoff to adjourn the regular City Council meeting at 8:49 p.m. Motion carried unanimously.

Respectfully Submitted,

Fred Heidmann, Mayor

Jenny Max, City Administrator