

**CITY OF NISSWA
MINUTES – REGULAR COUNCIL MEETING
TUESDAY, MARCH 16, 2021
7:00 P.M. – NISSWA CITY HALL**

The Regular Nisswa City Council meeting was held on Tuesday, March 16, 2021 at 7:00 p.m. at City Hall and was available on YouTube Live.

Members present: John Ryan, Mark Froehle, Don Jacobson, Ross Krautkremer, Mark Utzinger.

Members absent: None.

Also, present: City staff – Jenny Max, Tom Blomer, Brittney Cotner, Amber Moon Peterson, Jon Stainbrook, City Engineer Mark Hallan and Joe Dubel, City Attorney Tom Pearson, the Echo Newspaper (via YouTube Live).

Audience members: 3.

A. Call to Order John Ryan called the meeting to order at 7:00p.m. The pledge of allegiance was recited.

B. Consent Calendar

1. Fire Department Report – February 2021
2. Police Department Report – February 2021
3. Parks and Recreation Report – March 2021
4. Planning & Zoning Department Report – March 2021
5. Pickle Department Report – February 2021
6. Spirits of Nisswa Report – February 2021
7. Public Works Department Report – February 2021
8. Presentation of Claims – Check register #47628 - 47808 totaling \$722,113.88
9. Regular City Council Meeting Minutes from February 16, 2021
10. Resolution to Accept Donations in the amount of \$2,300.00

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

C. OPEN FORUM

1. Public Comment – none.
2. Department Presentations – none.

D. REPORTS

1. **City Administrator** – Max updated the council regarding the recent American Rescue Plan act of 2021, which was recently passed. Max stated that the City of Nisswa will receive approximately \$240,000 from this legislation. Half of that amount will come in May, and the remaining amount will come in 2022.
2. **City Attorney** – none.
3. **City Engineer** – The work on Lift Station #3 has started, with clearing and grooming of the area.

E. NEW BUSINESS

1. **Public Hearing - Proposed Golf Cart Ordinance** – Motion by Jacobson, second by Krautkremer to open the Public Hearing. Motion carried unanimously. Max explained the history of the draft ordinance and the process that it has gone through. Max stated that the ordinance will most likely need to see changes once it has been adopted as this will be a trial process which we will need to make improvements on. Discussion ensued between the City Council regarding concerns on County Highway 13, as well as parking for golf carts in the downtown area. Motion by Krautkremer, seconded by Jacobson to close the Public Hearing. Motion carried unanimously.
 - a. **Council adoption of Golf Cart Ordinance** – Max requested clarification from the Council regarding adding a clause that will exclude the Paul Bunyan trail from the Ordinance, consolidating sections 5C and 8 into one section, and stated she will bring the Ordinance to the next meeting for review and possible approval. The Council tabled this item until the April meeting.
 - b. **Letter from Dawn Musick** (Council Information)
2. **Memos from Roger Landers and Amber Moon Peterson re: Gull Lake Trail Steering Committee** – Councilmember Jacobson stated that items 1, 2, and 3 as referred to in the memo would be very helpful to the council.
3. **Preliminary design funding request for the Gull Lake Trail** – Moon Peterson explained that \$50,000 is needed for the preliminary design costs for the Gull Lake Trail. The funding from the Legacy Grant does not get released until later this summer. Motion by Krautkremer, seconded by Froehle to authorize the use of General Funds up to \$50,000 on an as needed basis. Motion carried unanimously.
4. **Resolution supporting application for Regional Trail Program** – Moon Peterson stated that \$25,000 is needed in matching funds for this grant application. If we are awarded this grant, we will need to make sure we already have the matching funds in place. Motion by Jacobson, seconded by Krautkremer to approve the Resolution Supporting Application for Regional Trail Program. Motion carried unanimously.
5. **Planning and Zoning Rezone Recommendation for parcels 28140666, 28140656, 28140667, and 28140704** – Cotner explained that a rezone for these parcels was missed in 2002. This rezone is correction for all 4 of these parcels to be zoned as public and recreational. Motion by Krautkremer, seconded by Jacobson to adopt an ordinance amending the Zoning Ordinance and revising the zoning map for PIDS 28140666, 28140656, 28140667, and 28140704. Motion carried unanimously.
6. **Road Name Approval** – Cotner explained that a resident applied for an address and this brought to her attention that this road had not been named. Cotner stated that the resident requested the road to be named Fawn Forest Way. Cotner explained that the County has no issue with the road name and there are no other roads in the area with that name. Motion by Utzinger, seconded by Froehle to approve the naming a city street as Fawn Forest Way. Motion carried Unanimously.
7. **2021 Fire Department Budget and 2021 Fire Contracts** – Max stated that this budget shows an increase of 3%, which is the average increase for this budget. There have been no concerns from the contracted agencies. Motion by Krautkremer, seconded by Froehle to approve the 2021 Fire Department Budget and 2021 Fire Contracts. Motion carried unanimously.

8. **Pay increase for Nisswa Fire Department Captains** – Max explained that this increase was included in the 2021 budget. Motion by Krautkremer, seconded by Utzinger to approve the Pay increase for Nisswa Fire Department Captains effective January 2021. Motion carried unanimously.
9. **Partial Pay Request #1 from Aspen Construction Company for \$71,167.76 re: Lift Station 3 Improvements** – Motion by Jacobson, seconded by Utzinger to approve Partial Pay Request #1 from Aspen Construction Company in the amount of \$71,167.76. Motion carried unanimously.
10. **Change Order #1 Aspen Construction Company for 2020 Lift station 3 improvements** – Ryan explained that this was a scheduling change and not a monetary change. Motion by Krautkremer, seconded by Froehle to approve Change Order #1 from Aspen Construction Company for 2020 Lift Station 3 improvements. Motion carried unanimously.
11. **Change Order #5 Eagle Construction Company for 2020 Waste Water Treatment Facility Improvements** – Councilmember Jacobson stated that he believed Holden Electric company was charging the City sales tax. The City of Nisswa is tax exempt and he would like that checked. Mark Hallan stated he will look into it for the City. Motion by Jacobson, seconded by Froehle, to approve change order #5 from Eagle Construction Company in the amount of \$51,150.96 with the condition of withholding the sales tax that should not be included. Motion carried unanimously.
12. **Partial Pay Request #7 from Eagle Construction Company for \$195,415.00 re: 2020 Waste Water Treatment Facility Improvements** – Motion by Jacobson, seconded by Utzinger to approve Partial Pay Request #7 from Eagle Construction Company for \$195,415.00 re: 2020 Waste Water Treatment Facility Improvements. Motion carried unanimously.
13. **Recommendation to move Craig O'Reilly to permanent Status with pay increase** – Motion by Krautkremer, seconded by Jacobson to approve the Recommendation to move Craig O'Reilly to permanent status with a increase from Grade 9 step 1 to Grade 9 step 3 at \$21.07 an hour. Motion carried unanimously.
14. **Request to appoint Trustees to the Relief Association for 2021** – Motion by Utzinger, seconded by Froehle, to approve the appointment of Ross Krautkremer, Jenny Max, and Shawn Bailey as Trustees to the Relief Association for 2021. Motion carried unanimously.
15. **City Council Plan Goals Update** – Max presented an estimated timeline for how the process will proceed. Max stated that she would like to see summaries from each department and will ask them to give high level identifiers of how each area applies to their departments. Max explained that she would like to overlap this project with the budget process and to make sure the City's Comprehensive Plan is incorporated into the discussions. Motion by Utzinger, seconded by Jacobson to approve the City Council Plan Goals Update. Motion carried unanimously.
16. **Memo from Jenny Max re: Personnel Policy Updates**
 - a. **Approve Personnel Policy with employee vacation adjustments** – Councilmember Jacobson requested clarification on various areas of the Personnel Policy draft. Discussion ensued regarding changes and the benefits provided to City staff. Motion by Utzinger, seconded by Krautkremer to approve the Updated Personnel Policy. Motion carried 4:1 with Jacobson opposed.

b. Vacation Adjustments – Motion by Jacobson, seconded by Utzinger to approve the Vacation adjustments. Motion carried unanimously.

c. Approve Family Medical Leave Policy – Motion by Utzinger, seconded by Krautkremer to approve the Family Medical Leave Policy. Motion carried unanimously.

17. Approval of North Pines Plat Road Names – Cotner explained that there was an oversight on the roads on the Final Plat for North Pines. The county has no concerns and there is no overlap in the City. Motion by Krautkremer, seconded by Jacobson to approve the North Pines Plat Road Names of White Pines Circle, Spruce Circle, Brownie Way, Bather Drive. Motion carried unanimously.

F. OLD BUSINESS

None

G. COUNCIL REPORTS

1. Mayor – none.

2. Council Members –

a. Jacobson requested information as to why the City is requesting Commission and Committee members to have a background check.

b. Utzinger stated that he would like to see a complete rewrite of the Personnel Policy with an easier layout and functionality.

H. ADJOURN – There being no further business, Motion by Krautkremer, seconded by Utzinger to adjourn the regular City Council meeting at 8:55 p.m. Motion carried unanimously.

Respectfully Submitted,

John Ryan, Mayor

Jenny Max, City Administrator