

May 22, 2014

CITY COUNCIL AGENDA

Tuesday, May 27, 2014 4:30 p.m. Council Chambers, 315 N. Broadway

1. Call to Order
2. Additions / Deletions to Agenda
3. Approval of Minutes – 5/13/14
4. Approval of Accounts Payable Listing
5. Liquor Store Report and Personnel
6. Utility Report – PeopleService Inc.
7. Street/Park Superintendent - Personnel
8. Improvement Project No. 81 Traffic Signal Lights Update – MN DOT Representative
9. Board of Appeal Training – 7/23/14, 9:00 a.m. - 12:00 p.m.
10. Review Draft of Pelican Rapids Tobacco-Free Policy
11. 3.2% Malt Liquor License
12. Public Nuisance Abatement Discussion
13. Disabled America Veterans Request to Sell Forget-Me-Nots – 7/12/14 – City Sidewalks
14. Improvement Project No. 80 Bridge L5805 Diagrams
15. Emergency Notification Update
16. Improvement Project No. 82 and 84 Golf Course Road Public Hearing – 6:00 p.m.

CITY OF PELICAN RAPIDS COUNCIL MEETING MINUTES – 05-27-14

The City Council of Pelican Rapids met in regular session at 4:30 p.m., on Tuesday, 05-27-14, in Council Chambers, City Hall. Mayor Ben Woessner, Council Members James Strand, John E. Waller, III, and Steve Foster were present. Council Member Kevin Ballard was absent. Administrator Don Solga, Clerk-Treasurer Glenys Ehlert, Liquor Store Manager Maggie Johnson, Accounting Clerk Lisa Rudie, City Engineer Alex Schwarzhoff, City Engineer Bob Schlieman, Jordan Plotz, Andrew Johnson, Tom Swenson of Minnesota Department of Transportation, Brian Evenson, Roger Schleske and Lou Hoglund of the Pelican Rapids Press were also present.

Mayor Woessner called meeting to order at 4:30 p.m.

Motion by Strand, seconded by Foster to approve the agenda. Motion carried.

Motion by Waller, seconded by Strand to approve the minutes of 05-13-14 as presented. Motion carried.

Motion by Waller, seconded by Strand to approve the Accounts Payable Listing of 05-27-14 as presented for City bills in the amount of \$62,684.11, with the addition of Svingen, Cline & Larson, legal expense, \$2970.00 and MWCG, LMC conference event, \$20.00 and the Liquor Store bills in the amount of \$57,903.09. Motion carried.

Liquor Store Manager Maggie Johnson presented the Liquor Store Report. Tyler Osman resigned as a liquor store clerk on 05-17-14. Motion by Waller, seconded by Strand to accept the resignation of Tyler Osman effective 05-17-14. Motion carried. Motion by Strand, seconded by Foster to rehire Gail Vallone as part time sales clerk at the liquor store at step one on the liquor store wage scale, and authorize advertising for additional part time sales clerk at the Liquor Store. Motion carried. Liquor Store Manager Johnson concluded her report with, "Sales are picking up and we had a wonderful Memorial Day weekend."

The utility report was given by Jordan Plotz of PeopleService Inc.

Clerk-Treasurer Glenys Ehlert presented Street/Park Superintendent Brian Olson's recommendation to hire Eric Diaz and Jason Stadum as summer help for the park department. Motion by Waller, seconded by Strand to approve hiring Eric Diaz and Jason Stadum as seasonal park employees at level one on the seasonal park wage schedule. Motion carried.

Improvement Project No. 81 Traffic Signal Lights update was given by Tom Swenson, traffic engineer with Minnesota Department of Transportation. Instead of fixed time, the signal will detect a vehicle at the cross street. Hwy 59 has 8,900 vehicles for an average daily traffic count, about 3,000 more cars on daily average than Hwy. 108. Lights will be green on Hwy 59 unless vehicle or pedestrian on Hwy 108 triggers a red light.

Clerk-Treasurer Ehlert announced that the Board of Appeal and Equalization training course will be offered on 07-23-14 from 9:00 a.m. – 12:00 p.m., in Fergus Falls.

Clerk-Treasurer Ehlert reviewed Andrew Johnson's request for a 3.2% Malt Liquor License and Wine License. He is adding limited food service to his business and would like to offer craft beers, which would require the 3.2% malt liquor license and wine license. The City has a Wine License available, but would need to expand the number of 3.2% Malt Liquor Licenses from 3 to 4 by ordinance to have a 3.2% Malt Liquor License available for Johnson.

Motion by Foster, seconded by Waller to grant Andrew Johnson as proprietor or manager, and on behalf of Riverview Place, LLC, 21 N. Broadway, a 3.2% Malt Liquor On-Sale License and Wine License, subject to receiving affidavit regarding sales, certificate of liquor liability insurance for wine and strong beer and confirmation of health department's small establishment license. During discussion of this motion, Council proposed motion to introduce ordinance to increase number of 3.2% Malt Liquor Licenses from 3 to 4.

Motion by Foster, seconded by Strand to introduce **ORDINANCE NO. 2014-02, AN ORDINANCE TO AMEND CITY OF PELICAN RAPIDS CITY CODE SECTION 603.03, SUBDIVISION 2, RELATING TO THE NUMBER OF ON-SALE BEER LICENSES.** (A complete text of this Ordinance is part of permanent public record in the City Clerk's Office.) Motion passed unanimously and ordinance declared duly adopted and in full force upon publication.

Council resumed discussion of prior motion to grant Andrew Johnson as proprietor or manager, and on behalf of Riverview Place, LLC, 21 N. Broadway, a 3.2% Malt Liquor On-Sale License and Wine License. Motion carried.

Clerk-Treasurer Glenys Ehlert reviewed the Disabled American Veterans' request to sell Forget-Me-Nots on 07-12-14 on City sidewalks during Pelican Fest. Motion by Waller, seconded by Strand to approve the Disabled American Veterans' request. Motion carried.

City Engineer Alex Schwarzhoff discussed Improvement Project No. 80, Bridge L5805 diagrams. Mayor Woessner met with all affected property owners. One property owner who did not take truck deliveries was very adamant that the City doesn't need three bridges in one block area. Two property owners definitely need the bridge and requested Diagram 3. Another property owner said he was okay with driving bridge, but minimally his business needs a walking bridge. Fire Chief said it was important to have a driving bridge across the river for fire protection. The majority of property owners wanted a driving bridge.

Motion by Foster, seconded by Strand to authorize Figure No. 3 with shift of centerline to 35 ft west of present bridge centerline. Motion carried. Engineer Schwarzhoff said these preliminary plans will go to MNDOT in two to three weeks.

Administrator Don Solga reviewed the final draft of Pelican Rapids Tobacco-Free policy for Council consideration. Motion by Strand, seconded by Foster to approve the Pelican Rapids Tobacco-Free Policy as presented. Motion carried.

Concerning dilapidated and hazardous properties, Administrator Don Solga reviewed that of the original 26 dilapidated properties identified as having hazardous conditions, 13 have been corrected. Four of them are going to go forward with court process. Two of them requested more time through late in 2013, and letters will be sent to them. Six more properties are on our radar and the Building Official will inspect and report to the Planning Commission and Council.

The ultimate goal is not to require demolition, but to work with property owners to repair if possible.

The Planning Commission conducted its spring tour in May and identified an additional 60 properties added to the 2014 public nuisance property list which brought the total to 90 properties with nuisances ranging from unlicensed cars, to unsightly debris and discarded equipment. Clerk-Treasurer Glenys Ehlert reviewed an additional process for the City to abate the nuisances. Under this process which includes a more formal notification to the property owner and an opportunity for Council to conduct a hearing to abate the nuisance, the City can clean up the property in question, and assess the cost back to the parcel. Ehlert suggested it would apply primarily to extreme cases where property owners aren't cooperative and/or have received multiple notices on the same property.

Administrator Don Solga said, "We're back up to where we were when we started this process ten years ago." The City's enforcement brought the list of 90 public nuisances down to about 20, "but now we're back up to 90...to keep on track, we may need to rev up the process a bit."

Administrator Don Solga provided an update on the emergency notification system. The County is going away from the present system due to expense. Based on discussions the County will discontinue MIR3 and switch to Code Red on June 9th. Prior to June 9th, Administrator Solga will have more information for the switch.

Mayor Woessner said he was at the Fine Arts Auditorium recently and since the Auditorium is scheduled for demolition, he talked to Trevor Steeves, maintenance engineer, about the availability of the seats. Mayor Woessner thinks the seats could be mounted on tracks to use for events at the City Hall Community Center. Motion by Waller, seconded by Foster to find out if the City needs to make a formal request to the School Board to salvage the auditorium seating. Motion carried.

City Council took a short recess from 5:52 p.m. to 6:00 p.m.

Pursuant to due call and published notice thereof, Mayor Woessner called Improvement Project No. 82 and 84 Golf Course Road Public Hearing to order. City Engineer Bob Schlieman of Apex Engineering Group explained the purpose of the hearing is to inform the public, allow public comment, answer questions and is required by Minnesota Chapter 429 Statute.

The project is to resurface Golf Course Road with new 25 ft. wide bituminous surface. Estimated project cost for resurfacing Golf Course Road is \$47,300. The City's assessment policy provides that 40% of street reconstruction costs are assessable with the remaining 60% being funded by City special levy.

Estimated assessment rate is \$35 per abutting foot, with \$18,920 being assessed and \$28,380 being paid by City special levy.

City Administrator Solga said two years ago the bids for curb and gutter improvements on Golf Course Road were so high, the City did not go forward with the project.

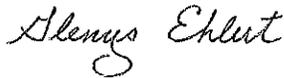
Abutting property owners Roger Schleske and Brian Evenson were present for the hearing and commented on project. Roger Schleske said the project was too expensive and the City should maintain the existing road.

Brian Evenson said it makes sense what the engineer said about removing bituminous, grading and putting new bituminous down. His question was, "How long will it last?" Engineer Schlieman said, "I think it's going to last, but there are probably some sub-grade issues."

Administrator Solga said the City would establish the length of the assessment when the project was complete. Brian Evenson asked for a longer period for assessments.

Motion by Waller, seconded by Strand to introduce **RESOLUTION 2014-7, RESOLUTION ACCEPTING BID – 1ST STREET SE UTILITY AND STREET IMPROVEMENTS/ GOLF COURSE ROAD/ PARKING LOT AND ALLEY IMPROVEMENTS – PROJECT NO. 82 AND PROJECT NO. 84.** (A complete text of this resolution is part of permanent public record in the City Clerk's office.) Motion passed unanimously and resolution declared duly adopted.

Motion by Strand, seconded by Foster to adjourn the Council meeting at 6:25 p.m. Motion carried.



Glenys Ehlert, CMC
Clerk-Treasurer