

## CITY COUNCIL AGENDA

December 6, 2018

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**Tuesday, December 11, 2018 5:00 p.m. Council Chambers, 315 N Broadway**

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1. Call to Order
  - a) Roll Call of Members
  - b) Welcoming Remarks
  - c) Announcements
  - d) Pledge of Allegiance
2. Citizen's Comments. *Please limit comments to 3 minutes per person. Items brought before the Council will be referred for consideration. Council may ask questions for clarification or explanation, but no council action or discussion will be held on these items.*
3. Agenda Additions or Deletions (*City Council or City Staff Only*)
4. Approval of Consent Agenda. *The following are non-controversial items intended to be approved with one motion, without discussion. If a council member, staff, or member of the public would like to discuss an item(s), please ask that it be removed and it will be placed elsewhere on the agenda.*
  - a) Approval of Minutes – Council Meeting 11/27/18
  - b) Approval of Accounts Payable Listing
  - c) 2019 Business License #1 for Zierke & Zierke Partnership for Mobile Home Park
  - d) 2019 Cigarette License for Cynthia Stotesbery at Larry's Supermarket, Jeanne Hovland for Southtown C Store, Greg Larson for Park Region Co-op, Luke Loerzel for ARCO and Carolyn Brown at Family Dollar
  - e) 2019 Plumber Registration for Marty Hanson with Pelican Plumbing and Heating, Jason Schrupp with Hanson's Plumbing & Heating, Mark Green with Green's Plumbing & Heating and Shad Hanson with Mr. Plumber
  - f) 2019 Outdoor Sales Lot License for Pete Hart and Alan Johnson
  - g) Otter Tail County Public Health 21 Ordinance goes into effect January 1, 2019
  - h) Certify Unpaid Fire Call to Property Taxes for 315 SE 3<sup>rd</sup> Ave.
  - i) Certify Unpaid Utility Bill and Mowing Bill for 800 Old Fergus Road
  - j) Staff Reports
    1. Police Chief Report
    2. Library
    4. Financial Report
5. Liquor Store Hours and Personnel – Maggie Johnson
6. Otter Tail Power Co. Pop Solar Program – Chris Waltz
7. CSAH 96/100 Preliminary Engineering Report Discussion – Bob Schlieman
8. Project #85 – Hough Inc. Retainage Reduction Request
  - Pay Request #8 - \$15,030.90
9. Street /Park Report
  - Skating Rink Employees
10. Resolution No. 2018-26 – A Resolution to Designate the Polling Place for 2019
11. Historic City Hall Discussion

12. PeopleService October Monthly Report
13. Approve 2019 General Fund Budget (Truth in Taxation) 6:00p.m
14. Water Test Results
15. City Administrator's Oral Report
16. City of Pelican Rapids vs Gridor Construction Legal Services
17. City Council Email Passwords – Greg Larson
18. Employee Job Descriptions
19. Adjourn

### **CITY OF PELICAN RAPIDS COUNCIL MEETING MINUTES – 12-11-18**

The City Council of Pelican Rapids met in regular session at 5:00 p.m., on Tuesday, 12-11-18 in Council Chambers, City Hall.

Mayor Frazier called the meeting to order at 5:00 p.m.

Roll call was taken by Clerk-Treasurer Danielle Heaton.

Mayor Brent E. Frazier and four members of the Council were present at roll call:

Council Member Steve Strand                      Council Member Curt Markgraf

Council Member Kevin Ballard                      Council Member Steve Foster

Other city staff present: Administrator Don Solga, Clerk-Treasurer Danielle Heaton, Liquor Store Manager Maggie Larson, Street and Parks Superintendent Brian Olson, Police Chief Jeff Stadum, City Engineer Bob Schlieman and City Attorney Greg Larson.

General Attendance: Chris Waltz, Dawn Finn, Wayne Runningen, Patrick Patterson, Annie M. Wrigg and Louis Hoglund from the Pelican Press were also present.

Mayor Frazier welcomed everyone to the Council Meeting and announced upcoming events in the community.

All present stood and said the Pledge of Allegiance.

Motion by Ballard, seconded by Foster to approve the agenda. Motion passed unanimously.

Motion by Strand, seconded by Markgraf to approve the consent agenda except a) Approval of Minutes - Council Meeting 11/27/18 and g) Otter Tail County Public Health 21 Ordinance goes into effect January 1, 2019:

- b) Approval of Accounts Payable Listing
- c) 2019 Business License #1 for Zierke & Zierke Partnership for Mobile Home Park
- d) 2019 Cigarette License for Cynthia Stotesbery at Larry's Supermarket, Jeanne Hovland for Southtown C Store, Greg Larson for Park Region Co-op, Luke Loerzel for ARCO and Carolyn Brown at Family Dollar
- e) 2019 Plumber Registration for Marty Hanson with Pelican Plumbing and Heating, Jason Schrupp with Hanson's Plumbing & Heating, Mark Green with Green's Plumbing & Heating and Shad Hanson with Mr. Plumber

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- f) 2019 Outdoor Sales Lot License for Pete Hart and Alan Johnson
- h) Certify Unpaid Fire Call to Property Taxes for 315 SE 3<sup>rd</sup> Ave.
- i) Certify Unpaid Utility Bill and Mowing Bill for 800 Old Fergus Road
- j) Staff Reports
  - 1. Police Chief Report
  - 2. Library
  - 4. Financial Report

Motion passed unanimously.

A correction to the 11/27/18 Council Minutes needed to be made. Motion by Foster, seconded by Strand to approve the 11/27/18 minutes with the correction. Motion passed unanimously.

Liquor Store Manager Maggie Johnson discussed with Council whether or not it is necessary for her to get Council approval to close early. It was something that was always necessary in the past. Mayor Frazier stated that he felt Council should know when hours are changing from normal. Council Members Markgraf and Ballard said since she is the Liquor Store Manager, let her manage it. She does not need to talk about personnel at this time.

Chris Waltz from Otter Tail Power Company spoke to Council about the Solar Program. They have four completed programs in the State. The ones that were mentioned by Mr. Hanson are municipal utilities so they are not through Otter Tail Power. The pay back range is usually 15-18 years. With LED lights it's usually two to five years. Solar is considered fairly maintenance free and usually come with a 25 year warranty on the panels. He encouraged the City to do a feasibility study and get a couple proposals from contractors to see if it's worth it. Some contractors or developers may charge to do a proposal.

City Engineer Bob Schlieman informed Council of the County's intent to resurface CSAH 100 (portions of 5<sup>th</sup> Avenue SW, 1<sup>st</sup> Street SW, and 3<sup>rd</sup> Avenue SW). There is City utility infrastructure that is in need of replacement. The County is willing to work with the City to do a full reconstruct on CSAH 100 and it is anticipated to take place in 2020. CSAH 96 (W Mill and a portion of 1<sup>st</sup> Street NW) has utility infrastructure that is also in need of replacement. The County surface infrastructure was done in 2003. In order for the City to secure PFA funding, a Facility Plan must be completed by March 2020 at an estimated cost of \$6,500. Motion by Strand, seconded by Foster to introduce Resolution 2018-29 entitled: **RESOLUTION NO. 2018-29; A RESOLUTION ORDERING PREPARATION OF REPORT ON IMPROVEMENT FOR CSAH 100 AND CSAH 96.** (A complete text of this resolution is part of permanent public record in the City Clerk's office.) Motion carried and resolution declared duly adopted.

Motion by Foster, seconded by Ballard to approve Pay Request No. 8 for Hough Construction Inc. of Detroit Lakes for \$15,030.90. Motion passed unanimously.

City Engineer Bob Schlieman reviewed Hough Inc.'s request to Council to lower the retainage from five percent to two percent There are a few items that need to be addressed early next construction season and the two percent will still cover those items. Motion by Strand, seconded by Markgraf to approve reducing the retainage to 2%. Motion passed unanimously.

Street and Parks Superintendent Brian Olson provided Council with the Street and Park report. Christmas lights and banners have been put up and they are working on tree trimming and repairing potholes. Security cameras have been installed at City Hall. The skating rink will open

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on Friday, December 14 if the weather cooperates. Superintendent Olson recommended Council hire Morgan Hatle, Anna Stachowski, Samantha Johnson, and Chloe Miltich at \$10.45 as returning skating rink employees and Julian Gunderson and Hannah Richardson at \$10.00 as first time skating rink employees. Motion by Markgraf, seconded by Strand to hire the above listed people as skating rink employees. Motion passed unanimously.

Motion by Strand, seconded by Foster to introduce Resolution 2018-30 entitled: **RESOLUTION NO. 2018-30; A RESOLUTION TO DESIGNATE THE POLLING PLACE FOR 2019.** (A complete text of this resolution is part of permanent public record in the City Clerk's office.) Motion carried and resolution declared duly adopted.

PeopleService was able to add the chloride to the October Monthly Report. Motion by Foster, seconded by Markgraf to approve the utility report. Motion passed unanimously.

Clerk-Treasurer shared the results of the lead/copper monitoring which is required by the Safe Drinking Water Act. The action level for copper was not exceeded and letters were sent to the properties that had been tested to notify them. Nothing more needs to be done by the City. Patrick Patterson, a resident of the City, mentioned that he feels the buildup in his water filter is increasing. Mayor Frazier mentioned that the City does have hard water and that water softeners are needed.

Mayor Frazier contacted the County Attorney's Office about property ownership of the land next to the river. City Attorney Greg Larson commented that it will be based on each individual property and what their abstract states.

**Merchants on the move provided a letter of support to Council to fund Historic City Hall for 2019.**

Motion by Markgraf, seconded by Frazier to approve the General Fund Budget Levy in the amount of \$709,055 and the Special Levy in the amount of \$189,000. The budget is still decreasing overall compared to 2018. No one from the public commented. Voting yes: Strand, Ballard, Markgraf, Foster, Frazier. Motion passed unanimously.

Wayne Runnigen said the HCH committee would need more direction if Council wants them to meet again. Council Member Ballard would like an appraisal done to make sure that all sides are being explored. Dawn Finn (HCH committee member) talked about all the different options the committee looked into. The HCH Committee will have a meeting with Nick Leonard from the County to see if any decisions have been made on the position they would like to fill.

Otter tail County Public Health T21 Ordinance goes into effect January 1, 2019. The City has received letters from the County explaining how they will be enforcing the sale of tobacco and tobacco related products to persons that are 21 and older. The City of Pelican Rapids will not make changes to the current ordinance. City Attorney Greg Larson cited Chapter 461 of Minnesota Statutes which states...A town board or the governing body of a home rule charter or statutory city may license and regulate the retail sale of tobacco, tobacco-related devices,...The county board shall license and regulate the sale of tobacco, tobacco-related devices, electronic delivery devices, and nicotine and lobelia products in unorganized territory of the county except on the State Fairgrounds and in a town or a home rule charter or statutory city if the town or city does not license and regulate retail sales of tobacco, tobacco-related devices, electronic delivery

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devices, and nicotine and lobelia delivery products. Because of this statute, the City will continue to enforce the sale of tobacco and tobacco related products to anyone under the age of 18. Retailers in the City should talk to their legal counsel if they are questioning what they should do.

Administrator Solga provided an oral report to Council. He reviewed what he worked on and any meetings he did attend.

City Attorney Greg Larson let Council know, that he will continue as the attorney for the lawsuit against Gridor Construction. Kennedy & Graven will be covering the countersuit that Gridor Construction filed against the City which is covered by insurance.

City Attorney Larson addressed the email password issue that was raised at the last Council meeting. He explained what he learned from the League of Minnesota Cities when he contacted them. They recommended for security reasons, passwords should be changed often and not shared with anyone. In case something unexpected should happen, the password should be kept in a sealed secure area that could be accessed by two others at the same time.

Council Member Strand thanked City Staff for supplying Council with the job descriptions.

Motion by Strand, seconded by Markgraf to adjourn the City Council meeting at 7:13 p.m.  
Motion passed unanimously.



Danielle Heaton  
Clerk-Treasurer