

April 4, 2008

CITY COUNCIL AGENDA

**Monday, April 14, 2008**

**5:30 p.m.**

**Council Chambers, 315 N. Broadway**

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1. Call to Order
2. Agenda Additions or Deletions
3. Approval of Minutes
4. Approval of Accounts Payable Listing
5. Police Chief Report
6. Utility Superintendent Report
7. Street/Park Superintendent Report
  - Park Entrance – E.L. Peterson Park
8. Library Report
9. Financial Report
10. Project Bonding
  - Refunding Bond Sale
  - WWTF Phosphorous Reduction Project Financing Report
11. Mutual Aid Fire Service Agreements – Fire Chief Trevor Steeves
12. Improvement Projects
  - Improvement Project 72 – Streets – Soil Borings
  - Improvement Project 73 – 1<sup>st</sup> St NE Preliminary Engineering Report
13. Facilities Committee Report
14. Cormorant Lakes Sportsman Club Request to Conduct Gambling
15. Event Center Liquor License Application
16. TIF District No. 8 (C Clinic)
  - Planning Commission Report
  - Public Hearing – 4/29/08, 4:30 p.m.
17. Board of Review – 4/16/08 2:00 to 3:00 p.m.

## CITY OF PELICAN RAPIDS COUNCIL MEETING MINUTES - 04-14-08

The City Council of Pelican Rapids met in regular session at 5:30 p.m., on Monday, 04-14-08, in Council Chambers, City Hall. Acting Mayor Ben Woessner, Council Members David Gottenborg, Richard Peterson and John E. Waller, III were present. Mayor Wayne Runningen was absent. Administrator Don Solga, Clerk-Treasurer Glenys Ehlert, City Attorney Greg Larson, City Engineers Gary Nansen and Jon Olson of Ulteig Engineers Inc., Police Chief Jeffrey Stadum, Street and Park Superintendent Brian Olson, Utilities Superintendent Brent E. Frazier, Library Director Annie Wrigg, Liquor Store Manager Bob Leslie, Fire Chief Trevor Steeves, Don Ronngren and Kelley Gorman of the Pelican Rapids Press were also present.

Acting Mayor Woessner called meeting to order.

There were no additions or deletions to the agenda.

Motion by Peterson, seconded by Waller to approve the minutes of 02-04-08, 03-10-08 and 03-25-08 as presented. Motion passed unanimously.

Council reviewed the Accounts Payable List of 04-14-08. Motion by Peterson, seconded by Waller to approve payment of the Accounts Payable List of 04-14-08 for the City, Liquor Store and Library Accounts Payable. Motion passed unanimously.

Police Chief Jeff Stadum presented his report on the Police Department. Administrator Don Solga said that Jeff has had a very interesting first two weeks on the job with the bus accident and all the extra duties that involved. Administrator Solga said that Jeff and the department did a fine job.

Utility Superintendent Brent Frazier presented his report on various items in the water and wastewater departments. Well No. 15 has been additionally delayed due to a couple of telemetry problems. Soil samples have been taken in preparation for the Wastewater Plant Phosphorous Management Additions.

Street and Park Superintendent Brian Olson reported on various items in the departments. They plowed streets twice in the last week. The Skating Rink is closed for the season. Olson reviewed proposal for some changes to the pool operation and recommended hiring Anne Peterson as Pool Manager. He estimates the position will be approximately 30 hours per week. Motion by Gottenborg, seconded by Waller to hire Anne Peterson as Pool Manager at a rate of pay of \$12.50 per hour as recommended by Superintendent Brian Olson. Motion passed unanimously.

Administrator Don Solga and Superintendent Olson also presented the Park Board's recommendation to remove the brick walls at the entrance to E.L. Peterson Park.

Superintendent Olson said that the Street and Park Department will be watering the street planters this year. The Park Board plans to contact the businesses and request that each business water the planter in front its business.

Council Member Gottenborg said he would like to consider some smaller trees to provide some green, similar to those in Fergus Falls. Administrator Don Solga said the Comprehensive Plan discusses the streetscape with the recommendation of including small trees. Council was not opposed to removing the brick wall, but indicated they

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would like to see additional alternative ideas from the Park Board to make park entrance attractive. Item tabled to 05-12-08 meeting.

Library Director Annie Wrigg reported on attending the National Library Association Conference in Minneapolis and Spotlight on Books in Grand Rapids, both in April. She recently completed the annual reports which show the two meeting rooms were used 832 times by non-library programs in addition to all the library board and foundation meetings. Card holders are up to 5500 from 4500 in 2006 and the computers were used 13,000 times in the past nine months. Study rooms were used 718 times in the last nine months.

Clerk-Treasurer Glenys Ehlert presented the 03-31-08 financial reports. She also reviewed the City Health Savings Account payroll deduction plan for full time employees and requested authorization to extend the program to part time employees. At the present time there is no expense to City or participants for the program. Motion by Waller, seconded by Gottenborg to allow part time employees to participate in the Health Savings Account program. Motion passed unanimously.

Clerk-Treasurer Ehlert also reported that financial consultant Monte Eastvold of Northland Securities does not recommend refinancing the G.O. Sewer Revenue Bonds of 1998 and G.O. Improvement Bonds of 1999 at this time. The savings are still somewhat short of the original estimate.

Administrator Don Solga reported on the Phosphorous Management Addition to the Wastewater Treatment Facility. The facility plans and specs have been approved by the Minnesota Department of Health and are being reviewed by Minnesota Pollution Control Agency. The City should hear the results of the reviews in a couple of weeks. Minnesota Public Finance Authority documents disclosing interest rates will follow.

Fire Chief Trevor Steeves presented information on the Mutual Aid Fire Service Agreements with entities not in Otter Tail County. He recommended approval as the City has had mutual aid agreements with these entities in the past. Motion by Peterson, seconded by Waller to approve the Mutual Aid Agreements as recommended. Motion passed unanimously.

Steeves reported that May 18<sup>th</sup> is the tentative date set for the Fire Hall Open House.

Engineers Gary Nansen and Jon Olson of Ulteig Engineers, Inc. presented the Preliminary Engineering Report for Utility and Street Improvements on First Street NE.

First Street NE is in poor shape possibly due to heavy use or more likely due to poor sub soils. The street will have to be completely reconstructed. Administrator Don Solga discussed the number of service lines and suggested considering adding a fifth service line.

Council Member Dave Gottenborg excused himself from the Council table for the improvement discussion since his development project will be served by the utility improvements.

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Nansen discussed the assessment possibilities. Property that could be served by 3<sup>rd</sup> Ave. NE could be given a credit for 100 ft. and assessed for the balance of the length of the property.

Motion by Waller, seconded by Peterson to introduce the following resolution calling for a public hearing on 05-12-08 at 6:00 p.m., entitled **RESOLUTION RECEIVING REPORT AND CALLING HEARING ON IMPROVEMENT PROJECT NO. 73.** (A complete text of the resolution is part of permanent public record in the City Clerk's Office.) Motion passed unanimously and resolution declared duly adopted.

Council Member Gottenborg returned to the Council table.

Administrator Don Solga reported that the lowest quote for soil boring for Street Improvement Project No. 72 was from Braun Intertec. Solga recommended that the City authorize Ulteig Engineers, Inc. to have Braun Intertec conduct soil borings for Improvement Project No. 72 and Improvement Project No. 73. Motion by Peterson, seconded by Waller to authorize Ulteig Engineers, Inc. to order soil borings for both projects from Braun Intertec. Motion passed unanimously.

Administrator Don Solga reported that the Facilities Committee met to consider the old fire hall building. The Economic Development Corporation has received an inquiry about the old fire hall by someone with an interest in the building for a commercial use.

Administrator Don Solga also reported that the Facilities Committee has been considering various possibilities for a liquor store. The Facilities Committee recently discussed Lots One, Two and Three in Block Seven of the Original Plat of Pelican Rapids. The space available, the location and the price make this land the best option available for a new liquor store. The property offers 22,500 sq. ft. and the cost is \$4.00 per square foot. The Planning Commission needs to consider the purchase of the property and make a recommendation to the City Council because the City has a Comprehensive Plan. The City has funds available to do an inter fund loan in addition to money invested from Liquor Store transfers exceeding the amount requested by the City for the General Fund contribution in 2006 and 2007. Liquor Store Manager Bob Leslie has met his budgeted contribution to the City for 2008 and anticipates he could transfer another \$12,000 to the City towards repayment of the inter fund loan. Motion by Gottenborg, seconded by Waller to introduce the following written resolution, entitled **RESOLUTION REGARDING SALE OF PROPERTY TO THE CITY OF PELICAN RAPIDS.** (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.

Council considered the request of the Cormorant Lakes Sportsman Club to conduct lawful gambling at Crossroads Corner Restaurant in Pelican Rapids. Motion by Peterson, seconded by Waller to introduce the following resolution, entitled **RESOLUTION TO APPROVE THE REQUEST OF CORMORANT LAKES SPORTSMAN CLUB TO CONDUCT LAWFUL GAMBLING AT CROSSROADS CORNER RESTAURANT IN THE CITY OF PELICAN RAPIDS.** (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.

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City Council discussed Renato Molina's application for an On-Sale Intoxicating Liquor License for an Event Center. City Attorney Greg Larson recommended that the City Council focus on the State of Minnesota's definition of a restaurant as they consider the liquor license application. State code requires that meals will be regularly prepared on the premises and served at tables to the general public. "Because there isn't any precedent set by case law, consider the definition of a restaurant and the intent of the legislature when it created the statute," City Attorney Larson said. City code refers to meals regularly served to the general public and that food will be served during the hours liquor is sold. However, the difference between meals and food is not material to the decision because the City cannot be less restrictive than the State code.

Council Member Gottenborg said, "It is an event center that must have a liquor license to succeed." Motion by Gottenborg, seconded by Waller to deny the liquor license application by Renato Molina for the Event Center because the proposal does not meet the State requirements and the City code. Motion passed unanimously.

Council Members agreed that it should be noted that the City went to great lengths and costs to investigate the liquor licensing laws.

Council Member Peterson returned to discussion of E.L. Peterson Park entrance. He suggested that the Park Board consider leaving a couple of pillars wide enough to mount the traffic direction signs on so they are not visible from the street. He also recommended a couple of ornamental trees.

Council Member Gottenborg excused himself from the Council table for discussion of TIF District No. 8 (C Clinic).

Administrator Don Solga reported on Planning Commission action at their meeting of 03-31-08. Administrator Solga reviewed the Planning Commission report and their consideration of the plans of David Gottenborg to participate in a tax increment financing district, TIF 8, to develop a chiropractic clinic at the corner of 5<sup>th</sup> Ave. NE and 1<sup>st</sup> St. NE. Motion by Waller, seconded by Peterson to accept the Planning Commission's resolution entitled, **RESOLUTION OF THE PLANNING COMMISSION FINDING THE DEVELOPMENT PROGRAM FOR DEVELOPMENT DISTRICT NO. 2 AND THE TAX INCREMENT FINANCING PLAN FOR TAX INCREMENT FINANCING DISTRICT NO. 8 CONFORM TO THE CITY PLANS FOR DEVELOPMENT OF THE CITY AS A WHOLE.** (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.

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Administrator Don Solga said the Planning Commission is still considering permitting pre-manufactured small buildings. The buildings will need a building permit. The Commissioners will be considering some exceptions at their next meeting on 04-28-08. At this time no pre-manufactured small buildings are allowed in Residential Zones unless they meet the general requirements.

The TIF District No. 8 (C Clinic) Public Hearing will be 04-29-08 at 4:30 p.m.

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The Board of Review meeting will be 04-16-08 at 2:00 p.m.

Council Member Peterson asked if the City is considering hiring a fifth full time officer. Administrator Solga said, "Yes. The department is having difficulty in scheduling enough part time employees to meet the schedule." He added that applications are being reviewed at this time. Council Member Peterson said he thinks the City has too many officers scheduled during the day. Administrator Solga explained some of the scheduling problems regarding training and the availability of part time officers.

Motion by Waller, seconded by Gottenborg to adjourn the meeting at 7:45 p.m. Motion passed unanimously.

Glenys Ehlert, CMC  
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