

**CITY COUNCIL AGENDA**

August 23, 2018

**Tuesday, August 28, 2018**

**5:00 p.m.**

**Pelican Rapids Fire Hall, 200 S 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. Additions / Deletions to Agenda (*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 Council Minutes – 8/15/18
  - b) Approval of Accounts Payable Listing
  - c) Utility Report – People Service
  - d) Liquor Store Report
  - e) Certify Unpaid Utility Bill to Property Taxes 111 Midway
  - f) Approve Cigarette License for Dollar General Store #19948, 800 S. Broadway
5. 2018 Legislative Summary – Senator Bill Ingebrigtsen
6. Street Vacation Public Hearing – 5:30 p.m.
7. 2017 Audit – Dean Birleland
8. Otter Tail Power Co. LED Street Lighting – Jake Ellefson
9. Dedicated Street at End of 3<sup>rd</sup> St. NW
10. Transient Merchant Ordinance
11. Minnesota Building Code Enforcement
12. 2019 Fire Budget
13. 2019 General Fund Budget
14. City Hall Project #85 Update
15. City Hall Personnel

At This Point the Council Meeting Will be Closed to the Public for  
The Following Items will be Discussed.

- A. Liquor Store Personnel
  - B. Swimming Pool Personnel
  - C. WWTF Gridor Construction
16. Adjourn



All that part of NE 3rd Street, located in the City of Pelican Rapids, County of Otter Tail, State of Minnesota, lying between the following two described boundary lines:

First Described Boundary Line: The Southerly Boundary Line of NE 6th Avenue, located in the City of Pelican Rapids, County of Otter Tail, State of Minnesota; and

Second Described Boundary Line: The Northerly Boundary Line of NE 5th Avenue, located in the City of Pelican Rapids, County of Otter Tail, State of Minnesota.

All interested and affected persons were given an opportunity to voice their concerns and be heard. Both abutting property owners are requesting the vacation of the street.

Mayor Frazier closed the Public Hearing.

Motion by Foster, seconded by Ballard to grant the request for the street vacation because it will increase the tax base and the property will not have to be maintained by the City. City Attorney Larson will put together a resolution for Council to approve at the next meeting. Motion passed unanimously.

Auditor Dean Birkeland presented the 2017 City of Pelican Rapids Audit to Council. Motion by Strand, seconded by Ballard to approve the City of Pelican Rapids 2017 Audit. Motion passed unanimously.

A property owner on 3<sup>rd</sup> Street NW is asking the City build a road so they may enter their backlot. The twenty five-foot dedicated street at end of 3rd Street NW is not used would cost the City approximately \$10,000. It is also very close to the house on the end of the street. The property owner making the request did not attend the meeting, so Council was unable to ask questions. The owners of the house at the end of the street that the road would be next to are opposed. City Attorney Larson doesn't believe that the City has to put the road in just because of the request. The City will check to see if the property owner to the north (Unique LLC.) would be willing to dedicate an easement to the City.

Clerk-Treasurer Danielle Heaton recommended the hire of Janna Ballard as Part-time City Hall Receptionist. Her starting pay will be \$12.16 an hour which is step 1 of the wage scale. Motion by Foster, seconded by Frazier to approve the hire of Janna Ballard as Part-Time City Hall Receptionist as \$12.16 an hour. Motion passed unanimously.

"The meeting will now be closed so that the City Council of the City of Pelican Rapids, Minnesota, and its attorney, may discuss employment matters related to City Employee Kim Salwei and said meeting may be closed pursuant to Minnesota Statutes Section 13D.05. I will now entertain a motion to close this portion of the meeting."

"I will now entertain a motion to close this portion of the meeting."

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

“The time is 7:18 p.m. The City Council will now go into a closed session. Only the City Council and authorized City representatives may be in attendance at any portion of the closed session.”

“Only the City Council and authorized City representatives may be in attendance at any portion of the closed session.”

“Following a closed meeting, the City Council meeting is now open. The time is 7:25 p.m.”

Motion by Foster, Strand to terminate Kim Salwei as Part-time Liquor Store Clerk. Motion passed unanimously.

Mayor Frazier read the following statement:

“When balancing the purposes of the attorney-client privilege with regard to the City Council openly discussing the strategies involved with regard to the disputes involving Gridor Construction, Inc. and/or the impact of said disputes, and the responses and actions to be taken by the City in relation to said disputes, as they relate to the Wastewater Treatment Facility Project worked on by Gridor Construction, Inc., such open discussions of the City Council outweigh the purpose of the open meeting law, and, therefore, demonstrates the need for absolute confidentiality.”

“The Council must actually communicate with its attorney at the closed meeting.”

“The meeting will now be closed so that the City Council of the City of Pelican Rapids, Minnesota, and its attorney, may discuss matters related to its disputes and claims with regard to the Wastewater Treatment Facility Project involving Contractor Gridor Construction, Inc. and the grounds permitting said closed meeting are based on the attorney-client privilege contemplated in Minnesota Statutes section 13D.05, subd. 3(b). I will now entertain a motion to close this portion of the meeting.”

Motion by Strand, seconded by Ballard to close the meeting. Motion passed unanimously.

“The time is 7:28 p.m. The City Council will now go into a closed session.”

“Only the City Council and authorized City representatives may be in attendance at any portion of the closed session.”

“Following a closed meeting, the City Council meeting is now open. The time is 7:42 p.m.”

Council Member Foster commented that Council had previously made a motion for the City Attorney and he should proceed with the legal action.

Motion by Strand, seconded by Ballard to adjourn the City Council meeting at 7:44 p.m. Motion passed unanimously.

*Danielle Heaton*

Danielle Heaton  
Clerk-Treasurer