

January 6, 2017

CITY COUNCIL AGENDA

Tuesday January 10, 2017

5:00 p.m.

Council Chambers, City Hall

1. Call to Order
 - a) Mayor and Council Members Oaths of Office
 - b) 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
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 Meeting Minutes – 12/13/16
 - b) Approval of Work Session Minutes – 9/27/16, 10/25/16, 10/26/16, 12/13/16
 - c) Approval of Accounts Payable Listing
 - d) Election of Acting Mayor
 - e) Appoint Clerk-Treasurer Danielle Heaton
 - f) Appoint City Attorneys: Krekelberg Law Firm and Larson Law Firm PC
 - g) Designate Official Newspaper: Pelican Rapids Press
 - h) Designate Official Depositories: Wells Fargo, Minnesota National Bank, Wells Fargo Investments and Bell Bank and Trust
 - i) Approve Expenses to Fire and Police Training, Liquor Store, Police Chiefs', Clerks' and Mayors' Conferences, LMC Conference and Regional Meetings
 - j) Approve Payment of Administrator and Clerk-Treasurer Bonds
 - k) Approve Payment of Liquor Store Bond
 - l) Approve City Fee Schedule
 - m) Lake Country Service Cooperative Membership Renewal
 - n) Coalition of Greater Minnesota Cities Membership Renewal
 - o) Minnesota Council of Airports Membership Renewal
 - p) Household Hazardous Waste Day 8/2/17, 10:00 to 2:00 p.m. Public Works Facility
 - q) Approve 2017 Plumbing Registration for Marty Hanson with Pelican Plumbing
5. Liquor Store Personnel

6. Police Chief Report
 - Police Personnel
 - 2017 Drug Task Force Joint Powers Agreement
7. Street/Park Superintendent Report
 - Tables and Chairs
 - Skating Rink Personnel
8. Library Report
9. Financial Report
 - Property/Casualty LMCIT 2016 Dividend \$38,403.00
10. Offender Ordinance Consideration – Greg Larson
11. Use of City Public Property for Storing Non-City Owned Items
12. Planning Commission Update
13. Hazardous Building Considerations
 - 704 NE 1st St.
 - 121 NW 1st Ave.
 - 125 NW 1st Ave
 - 117 NW 1st AveUpdates
 - 25/27 NW 1st Ave
 - 108 NW 2nd St
 - 129 NE 5th Ave
 - 309 NE 5th Ave
14. WWTF Project #79 Pay Request SEH \$3,165.05 and Liquidated Damages Update
15. Bridge L5805 Project #80 Update
16. Water Treatment Facility Project #83 Update
 - PFA Reimbursement Request #7 \$20,981.09
 - SEH \$ 1,580.00
 - Magney \$19,401.09
17. Approve 2017 Appointments to Boards and Authorities
18. Set Time, Place & Date of Regular Meeting
19. Adjourn to EDA Meeting
20. Review EDA Actions

CITY OF PELICAN RAPIDS COUNCIL MEETING MINUTES – 01-10-2017

The City Council of Pelican Rapids met in regular session at 5:00 p.m., on Tuesday, 01-10-17 in Council Chambers, City Hall.

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

Mayor Brent E. Frazier, Council Members Kevin Ballard and Steve Foster took their oaths of office.

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 CJ Holl

Council Member Kevin Ballard

Council Member Steve Foster

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

General Attendance: Boy Scout Members Ian Fahje and Gage Stromberg, Jason Rosha, John Karger and Lou Hoglund from the Pelican Press were also present.

The Mayor welcomed everyone to the Council Meeting and announced upcoming events in the community. City Hall will be closed on January 16th.

All present stood and said the Pledge of Allegiance led by Boy Scout Members Ian Fahje and Gage Stromberg.

There were no citizen's comments.

Motion by Foster, seconded by Strand to approve the agenda with the addition of No. 21 City Facebook Page. Motion passed unanimously.

Motion by Holl, seconded by Ballard to approve the consent agenda except item 4d) Election of Acting Mayor.

- a) Approval of Council Meeting Minutes – 12/13/16
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- f) Appoint City Attorneys: Krekelberg Law Firm and Larson Law Firm PC
- g) Designate Official Newspaper: Pelican Rapids Press
- h) Designate Official Depositories: Wells Fargo, Minnesota National Bank, Wells Fargo Investments and Bell Bank and Trust
- i) Approve Expenses to Fire and Police Training, Liquor Store, Police Chiefs', Clerks' and Mayors' Conferences, LMC Conference and Regional Meetings
- j) Approve Payment of Administrator and Clerk-Treasurer Bonds
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- l) Approve City Fee Schedule
- m) Lake Country Service Cooperative Membership Renewal
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- o) Minnesota Council of Airports Membership Renewal
 - p) Household Hazardous Waste Day 8/2/17, 10:00 to 2:00 p.m. Public Works Facility
 - q) Approve 2017 Plumbing Registration for Marty Hanson with Pelican Plumbing
- Motion passed unanimously.

Council discussed 4d) Election of Acting Mayor. Motion by Ballard, seconded by Strand to nominate Steve Foster as Acting Mayor. Motion passed unanimously.

Liquor Store Manager Maggie Johnson and Administrator Solga completed job interviews last week. They requested Council to hire Lori Naugle-Haick as Part-Time Liquor Store Clerk. The starting wage will be \$12.29 which is step one on the wage scale. Motion by Ballard, seconded by Foster to approve the hire of Lori Naugle-Haick as Part-Time Liquor Store Clerk at \$12.29 per hour. Motion passed unanimously.

Police Chief Jeff Stadum provided Council with the December 2016 report. He discussed with Council the 43 snow parking warning tickets that were issued for the month. He asked for permission to advertise for a Full-Time Police Officer. Motion by Foster, seconded by Ballard to approve advertising for a Full-Time Police Officer Position. Motion passed unanimously.

Police Chief Stadum recommended Council approve the 2017 Drug Task Force Joint Powers Agreement. The City of Pelican Rapids has been in partnership with the Task Force for many years. Chief Stadum introduced Jason Rosha of the Drug Task Force. Officer Rosha reviewed the services the Task Force provides for Pelican Rapids. Council asked a few questions. They are mostly involved in drugs and violent crimes. Motion by Foster, seconded by Holl to approve the 2017 Drug Task Force Joint Powers Agreement. Motion passed unanimously.

Street and Parks Superintendent Brian Olson gave a report for the month of December 2016. The streets have been plowed and the downtown area cleared of snow.

Superintendent Olson reported that the Skating Rink is ready. He asked for Council approval to hire Moriah Johnson, Reggie Funk and Eduardo Romero as Skating Rink Attendants at \$9.50 an hour as they are all new employees. Hailey Peterson is a returning employee and will be hired at \$10.00 an hour. Motion by Strand, seconded by Foster to hire Moriah Johnson, Reggie Funk and Eduardo Romero at \$9.50 an hour and Hailey Peterson at \$10.00 for Skating Rink Attendants. Motion passed unanimously.

Superintendent Olson discussed the storage of the tables and chairs in one of the Public Works buildings. No members of Council went to look at them. Administrator Solga recommended Council should view the tables and chairs before making a decision at the next Council Meeting.

Clerk-Treasurer Danielle Heaton gave the December 2016 Financial Report. She reviewed the balance in each fund and the 2016 Budgets with Council. She also reported to Council on the League of Minnesota Cities Insurance Trust 2016 Property/Casualty Dividend. The dividend is higher this year than in previous years because there were

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fewer property claims and liability claims. The liability for police, land use, and sewer backup claims were less than what LMCIT projected. Also, the LMCIT has been dealing with a large number of claims alleging violation of the Drivers' Privacy Protection Act and based on some court decisions and the fact that very few new claims have been submitted, means that the uncertainty of these claims have lessened. Motion by Holl, seconded by Ballard to approve the financial report. Motion passed unanimously.

City Attorney Greg Larson presented Council with a draft of a Predatory Offender Ordinance for review. After much discussion, Motion by Strand, seconded by Ballard to adopt this ordinance. Council Member Foster is in favor, but would like to have the final draft to review before adopting the ordinance. The motion was withdrawn and Council will discuss at the next meeting.

The City has several areas where land has been used as storage. In some cases, people are parking their vehicles in municipal parking lots and storing their belongings on City property. Council requested the Planning Commission look into a way to address the storing of non-city owned items on City property.

The Planning Commission met on December 20, 2016. The Commissioners discussed with Samuel Herzog and Troy Johnson about a Housing Development that they would like to build in Pelican Rapids. Administrator Solga is in the process of setting up a Public Hearing to rezone a portion of the land. Mrs. Leiter attended the meeting about a possible rezone or grandfathering her property in so that they may graze their animals. Also, the Commissioners feel there is a need to revise the commercial zone to allow for light industrial use. They may have an ordinance for Council to review after the next Planning Commission meeting.

Administrator Solga reviewed the following Hazardous Buildings.

- 117 NW 1st Avenue - Attorney Larson will immediately get the title verification, publishing and posting done that Council directed him to do in August 2016.
- 121 NW 1st Avenue – building was to be removed by December 31, 2016. Council gave the property owner a deadline of February 28, 2016 to get the hazardous material testing done.
- 125 NW 1st Avenue - this building is full of personal property. Motion by Ballard, seconded by Foster to direct City staff to empty property of anything worth value and document property in writing, pictures or video. Motion passed unanimously.
- 704 NE 1st Street – owner removed collapsed roof. Building Permit expired November 13 2016. Motion by Holl, seconded by Strand directing the City Attorney to contact property owner in writing and notify him of an expired building permit. The property owner in writing can request a six month extension on the building permit. If the property owner does not contact the City by January 31, 2017, the City will move forward with the Court Order. Motion passed unanimously.

Administrator Solga provided Council with updates on the following Hazardous Buildings.

- 25/27 NW 1st Avenue – owner began SUP process June 2016. He has not completed the application portion. The property owner has been served.
- 108 NW 2nd Street – this property was recently conveyed to five different people. The primary tax payer could be served and publish a notice for others as the

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addresses are unknown. Motion by Strand, seconded by Foster to serve the primary tax payer and serve the others by publication. Motion passed unanimously.

- 129 NE 5th Avenue – the owner was served and contacted Administrator Solga. He has someone interested in buying the property but it will be late 2017. Administrator Solga will make contact and get more details.
- 309 NE 5th Avenue – owner has not been served because he went south for the winter. The city will attempt to serve the property owner in the spring.
- 101 NE 1st Avenue received the paperwork and removed the hazardous building.

Administrator Solga asked Council to approve WWTF Project No. 79 Pay Request to SEH for \$3,165.05. Motion by Strand, seconded by Ballard to approve the Pay request in the amount of \$3,165.05. Motion passed unanimously.

Mayor Frazier, Administrator Solga, Council Member Foster and Attorney Larson met to discuss what direction the City should take now with WWTF Project No. 79. Administrator Solga has calculated 771 days of liquidated damages for \$771, 000. The remaining balance on the contract with Gridor is \$85,267. Gridor put in securities in lieu of retainage. The securities balance including interest is \$334,942. The balance SEH claims is owed by the City is \$398,244.82.

After much discussion Council directed Attorney Larson to draft a letter that contemplates an offer of \$650,000 to be reviewed at the next meeting with a deadline of February 28, 2017.

The Bridge L5805 Project No. 80 has been completed. The City received reimbursement of \$57,394.62 for all the engineering and surveying costs the City has incurred.

Motion by Strand, seconded by Ballard to approve Water Treatment Facility Project No. 83 PFA Reimbursement Request No. 7 of \$20,981.09 which includes SEH in the amount of \$1,580.00 and Magney Construction in the amount of \$19,401.09. This is the final pay request. Motion passed unanimously.

Motion by Holl, seconded by Strand to accept the library report as presented. Motion passed unanimously.

Administrator Solga presented the Appointments to Boards and Authorities. The City is looking for a member for the Park Board. Motion by Ballard, seconded by Strand to approve the 2017 Appointments to Boards and Authorities. Motion passed unanimously.

Motion by Foster, seconded by Ballard to set the Council meetings to the second and last Tuesday of the month at 5:00 p.m. Motion passed unanimously.

The new Facebook page is complete. The City will begin utilizing this tool to get information out to the public.

Motion by Ballard, seconded by Foster to recess to the EDA meeting. Motion passed unanimously.

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Motion by Ballard, seconded by Foster to approve the Economic Development Authority's actions including election of officers, approval of the 01-12-16 EDA minutes, and approved the 2017 membership to the Greater MN Partnership. Motion passed unanimously.

Motion by Ballard, seconded by Foster to approve the Economic Development Authority's actions including election of officers and approval of the 01-12-16 minutes. Motion passed unanimously.

Motion by Ballard, seconded by Foster to adjourn the City Council meeting at 8:35p.m. Motion carried. Opposed: Holl



Danielle Heaton
Clerk-Treasurer

