

February 9, 2017

CITY COUNCIL AGENDA

Tuesday, February 14, 2017

5:00 p.m.

Council Chambers, 315 N. Broadway

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
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 – 1/31/17
 - b) Approval of Work Session Minutes – 1/31/17
 - c) Approval of Accounts Payable Listing
 - d) Pelican Rapids Ducks Unlimited Raffle at VFW on 3/3/17
 - e) Improvement Project No. 79 Request for Payment:
 - 1) SEH Engineering - \$1,837.88
 - f) Staff Reports
 - 1) Police Chief Report
 - 2) Financial Report
5. Dam Wall Study and Discussion – Rick St. Germaine Houston Engineering
6. Community Center Update – City Administrator
7. Code Red Warning
8. Street and Park Report
9. Library Report
10. Planning Commission Resolution 2017-01 Rezone in Parcel 76000220016000
11. Herzog Housing Development Lot Split of land Transfer – Planning Commission Recommendation
12. Planning Commission Update
 - Ordinance Revision 905.04, Subd. 2 F.5 - Commercial Zone Uses Revised
 - Private Storage Use on City Property
 - Leiter Request for Animal Grazing
13. Minnesota Woman on Welcome Sign Consideration - Oktoberfest
14. Predatory Offender Ordinance Amendment 2017-02
15. Otter Tail County Trail Plan Update

CITY OF PELICAN RAPIDS COUNCIL MEETING MINUTES – 02-14-17

The City Council of Pelican Rapids met in regular session at 5:00 p.m., on Tuesday, 02-14-17 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 three members of the Council were present at roll call:

Council Member Steve Strand Council Member CJ Holl - absent

Council Member Kevin Ballard Council Member Steve Foster

Other city staff present: Administrator Don Solga, Clerk-Treasurer Danielle Heaton, Street and Park Superintendent Brian Olson, Police Chief Jeff Stadum, City Attorney Greg Larson and Library Director Annie M. Wrigg

General Attendance: Boy Scout Member Jedidiah Gurath and Girl Scout Member Emma Hanson, Tami Hanson, Rick St. Germaine of Houston Engineering, Library Board Chairman Wayne Runningen, Everett Ballard, Samuel Herzog, Troy Johnson 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.

All present stood and said the Pledge of Allegiance led by Boy Scout Member Jedidiah Gurath and Girl Scout Member Emma Hanson.

There were no citizen's comments.

Motion by Foster, seconded by Ballard to approve the agenda with the addition of No. 16 Parking Lot Ordinance. Motion passed unanimously.

Motion by Ballard, seconded by Strand to approve the consent agenda.

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 - 2) Financial Report

Motion passed unanimously.

Rick St. Germaine of Houston Engineering presented the Pelican River Dam Assessment Report. The purpose of the report was to provide the City with a plan for rehabilitation of the stone masonry wall that has partially collapsed. It did not include the spillway. The evidence shows that the wall does not meet common design practices. The rock wall does not have a foundation nor does it allow for drainage. It is likely the rock wall eventually failed due to soil

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and groundwater pressure and inadequate design. Based on Houston Engineering investigation into the dam, they provided Council with two recommendations that would make the embankment stable and aesthetically pleasing. Alternative 1 is a Gravity Block Retaining Wall, with a cost of \$638,000. Council Member Strand suggested fixing just the north side of the dam where the rock wall failed. He would really like to keep the rock wall look if possible too. Alternative 2 is Riprap Extension of the Downstream Toe, with a cost of \$429,500. The dam is not in imminent danger of breaching but the wall will likely continue to deteriorate and be a hazard to pedestrians. Houston Engineering is also recommending that the City have the Spillway evaluated as it is showing signs of deterioration. The State of Minnesota routinely funds 50% of the costs but would need approval from the state legislature. Also, the DNR is interested in removing the dam and installing a fish passage. One of the benefits of this alternative is the 50% cost sharing could be waived. The next step will be Administrator Solga setting up a meeting with all parties involved.

The Library Report was presented by Library Director Annie M. Wrigg. Administrator Solga questioned why the Library Board chose not to follow the same wage study implementation strategy the City Council adopted for all City employees. Director Wrigg responded that the Library Board voted unanimously to implement a different strategy. Mayor Frazier asked what the reasoning was for that decision. Library Director Wrigg replied "Because of longevity, they did not see that other fields would have done the same and since it was built into the budget for the entire year, that's where they placed everyone on the scales." Motion by Strand, seconded by Foster to accept the Library report as presented. Council Member Foster asked if this would affect Pay Equity reporting and Administrator Solga said that it would not. Director Wrigg read MN Statue 134.11 Sub. 2 to Council which states that the Library Board has control over establishing compensation for library employees. Ayes:Strand, Frazier, Naves:Ballard, Foster. Motion did not pass. Administrator Solga stated that he wished the library board would consider the affects this may have on the rest of the City employees.

Council Member Steve Strand noticed on February 8th after the snowfall, that some cars parked on the street had warning tickets placed on them and a CodeRED notice was not issued. Superintendent Olson explained that a CodeRED notice is not issued every time. It was just used after the first few snowfalls to let residents know of the change in ordinance. It is recommended that CodeRED notices not be overused. Administrator Solga, Superintendent Olson and Chief Stadum reviewed the snow plowing/warning ticket process.

Administrator Solga explained that a rezone needs to happen in order for the Herzog Housing Development to move forward. The Planning Commission passed Resolution 2017-01 to recommend the approval of the rezone in parcel 76000220016000. Motion by Ballard, seconded by Strand to approve the Planning Commission's recommendation to approve the rezone in parcel 76000220016000 from Industrial to Residential. Motion passed unanimously.

The Planning commission also recommended that Council move forward on the housing project. A legal description is needed to complete a lot split for the parcel of land that Herzog Housing Development would like to purchase. The developer is also interested in using tax increment financing (TIF) so Administrator Solga will contact Northland Securities to begin the necessary paperwork. The developer would like to break ground in May 2017. Attorney Larson stated that he could put a legal description together for the seventeen acres for the lot split so

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that a parcel number can be established. Motion by Ballard, seconded by Foster to direct Administrator Solga and Attorney Larson to move forward on the lot split. Motion passed unanimously.

Motion by Strand, seconded by Foster to offer tax increment financing (TIF) and direct Administrator Solga to make the necessary arrangements. Motion passed unanimously.

Everett Ballard from the Glacial Minnesota Woman Organization asked Council for permission to add a sign reading Home of Nimuué on the Welcome to Pelican Rapids sign. The organization will pay for the signs. Motion by Foster, seconded by Strand to allow the Glacial Minnesota Woman Organization to add Home of Nimuué to all four Welcome to Pelican Rapids signs. Motion passed unanimously.

Street and Park Superintendent Brian Olson provided Council with a Street and Parks report. With the mild temperatures, the street department has been scraping snow and ice off the streets. The City had to purchase more sand this year because of the icy conditions. The City received a grant from MNDOT to update the Airport AD Building. The Skating Rink may be closed for the remainder of the winter depending on temps. Motion by Strand, seconded by Foster to approve the Street and Parks Superintendent report. Motion passed unanimously.

Administrator Solga provided an update about the Community Center. Asbestos was found in the boiler and in the glue under the tile in the lower level. Currently the HVAC does not work and would cost \$15,000 to repair. BHH Partners revised the project of the Community Center to also include the entire building. Phase One will be the roof, windows, insulation and HVAC. Phase Two is the interior portion of the community center. For the next meeting, BHH Partners should have estimates for Council to review. Motion by Strand, seconded by Ballard to approve the concept of phase one and two so that BHH can provide a cost proposal to Council. Motion passed unanimously.

Administrator Solga provided Council with a Planning Commission Update. The Planning Commission recommended adding a provision to City Code allowing light industrial business in the commercial zone. Motion by Foster, second by Strand to adopt **ORDINANCE 2017-03; AN ORDINANCE AMENDING CITY CODE SECTION 905.04, SUBDIVISION 2F.5 RELATING TO LIGHT INDUSTRIAL PERMITTED IN THE COMMERCIAL ZONE.** (A complete text of this resolution is part of permanent public record in the City Clerk's office.) Motion carried and ordinance declared duly adopted.

The Planning Commission looked into private storage use on city property at the Council's recommendation. Right now they are considering adding municipal parking lots to the existing parking ordinance. On property owned by the City where people are storing their private belongings, the Planning Commission is still considering how to take care of the issue.

Austin and Courtney Leiter have been working with the Planning Commission to find a solution to their issue of grazing animals on their property. They own three parcels of land but can only be grandfathered in on two parcel of land. The parcel next to the road would not have met the conditions of the ordinance; therefore, it cannot be grandfathered in. The property owners will

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just need to provide the City with proof that the property was being grazed before the ordinance was changed. So far, they have provided proof on the parcel next to their house.

In reviewing the ordinance with the Police Department, Administrator Solga found spelling errors on Ordinance 2017-01. Ordinance 2017-02 will correct those spelling errors. Motion by Strand, second by Ballard to adopt **ORDINANCE NO. 2017-02 AN ORDINANCE TO AMEND “AN ORDINANCE ADDING CHAPTER ELEVEN ENTITLED PUBLIC PROTECTION AND OFFENSES; PREDATORY OFFENDERS RESIDENCY RESTRICTIONS, SAFETY ZONES AND PROHIBITED ACTIVITY”** (A complete text of this resolution is part of permanent public record in the City Clerk’s office.) Motion carried and ordinance declared duly adopted.

Administrator Solga would like to establish an Escrow Administration Policy to help cover the costs associated with housing projects. Attorney Larson and Administrator Solga will continue to work on a policy.

Motion by Ballard, seconded by Foster to approve the Library Bills as presented to Council. Motion passed unanimously.

Motion by Ballard, seconded by Strand to adjourn the City Council meeting at 7:16 p.m. Motion carried.



Danielle Heaton
Clerk-Treasurer