

CITY COUNCIL AGENDA

September 22, 2021

Tuesday September 28, 2021

4:30 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. 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 – 09/14/2021
 - b) Approval of Accounts Payable Listing
 - c) Staff Reports
 1. Liquor Store (In Packet)
 2. Utilities Report (In Packet)
 - d) Certify Unpaid Nuisance Bills for Addresses:

418 SE 1 st Ave Amount of \$50.00	200 SW 10 th Ave Amount of \$50.00
365 SE 5 th St Amount of \$50.00	20 SE 4 th Ave Amount of \$50.00
301 SE 2 nd St Amount of \$100.00	425 SE 1 st St Amount of \$150.00
615 SE 2 nd St Amount of \$50.00	
 - e) Approval of Application for Out Doors Sales Lot License at Address 530 N Broadway
5. City Audit – Dean Birkeland
 - Approval to sign Audit Engagement Letter (In Packet)
6. Project 89 – Colony Apartment Pay Request Approval
7. Otter Tail Power Street Light Options Discussion (In Packet)
8. 2024 Street Project Discussion/Information
9. Elected Official Email Addresses on Website
10. Pelican Rapids Pool Committee Minutes (In Packet)
11. Administrator Report
12. Mayor Report
13. Closed Meeting RE: Pending litigation – City of Pelican Rapids v. Travis McLeod, and the Public Employees Retirement Association of Minnesota
14. Adjourn

CITY OF PELICAN RAPIDS COUNCIL MEETING MINUTES – 09/28/2021

The City Council of Pelican Rapids met in regular session at 4:30 pm, on Tuesday, September 28, 2021 in Council Chambers, City Hall.

Mayor Frazier called the meeting to order at 4:30 pm.

Clerk-Treasurer Danielle Harthun took roll call.

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 - absent

Other city staff present: Administrator Solga and Clerk-Treasurer Danielle Harthun.

General Attendance: Dean Birkeland, Nate Kunde, Kate Martinez, Ellie Litzinger, Cary Johnson and Lou Hoglund from the Pelican Press were 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.

Council Member Foster arrived at 4:33 pm.

Motion by Ballard, seconded by Strand to approve the agenda with the additions of No. 15 Park Board Grant and No. 16 Mailbox Location. Motion passed unanimously.

Motion by Foster, seconded by Strand to remove the minutes (4a) and approve the remaining consent agenda.

f) Approval of Council Minutes – 09/14/2021

g) Approval of Accounts Payable Listing

h) Staff Reports

1. Liquor Store

2. Utilities Report

i) Certify Unpaid Nuisance Bills for Addresses:

418 SE 1st Ave Amount of \$50.00

200 SW 10th Ave Amount of \$50.00

365 SE 5th St Amount of \$50.00

20 SE 4th Ave Amount of \$50.00

301 SE 2nd St Amount of \$100.00

425 SE 1st St Amount of \$150.00

615 SE 2nd St Amount of \$50.00

j) Approval of Application for Out Doors Sales Lot License at Address 530 N Broadway

Motion passed unanimously.

Council Member Foster wanted to clarify that when discussing the 2022 Proposed General Budget he said there ought to be a work session to discuss the budget before final approval, not that there will be. Motion by Markgraf, seconded by Foster to approve the minutes as amended. Motion passed unanimously.

Kate Martinez publicly thanked LREC for the archway and installation in front of the Peace Trail. The Park Board would like to apply for a grant through LRAC of \$5,000 to put up a 12 by 15 foot mural on the side of a building downtown. She would work with elementary school students and Paul Johnson to make the mural. She has already received the school and property owners' permission. She asked Council to consider contributing up to \$1,000 to the project and a letter

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of support. Motion by Ballard, seconded by Foster to approve the Park Board to write the grant, the city will provide a letter of support and \$1,000 financial contribution for the project from the Liquor Store funds. Motion passed unanimously.

City Auditor Dean Birkeland reviewed the 2020 City audit. Council Member Foster thanked staff for all the work done. He also reviewed the Audit Engagement letter that the City signs at the beginning every audit season. Motion by Markgraf, seconded by Foster to approve the Clerk and Mayor signing the Audit Engagement Letter. Motion passed unanimously.

Administrator Solga reviewed the Project 89 Colony Apartment Pay Request for \$32,767.59 for Hough Inc. The project is also substantially complete and the paperwork ready to sign by the Mayor. Motion by Foster, seconded by Strand to approve the pay request and paperwork. Motion passed unanimously.

Nate Kunde from Otter Tail Power (OTP) provided Council with street light options in preparation for the 2024 street project. Council can pick the fixtures they would like to see downtown. OTP's designer will put together a photometric layout of the existing streetlights and come up with a recommendation for Council to consider.

The MNDOT 2024 Highway Project informational meeting scheduled for September 30, 2021 has been postponed. MNDOT would like to meet with Council to discuss the highway plan and answer any questions or concerns they have. Council received a letter of support for the current complete streets reconstruction project from the Park Board. Council Members Strand and Markgraf met with MNDOT this week to discuss their concerns. MNDOT will reschedule the informational meeting for a later date.

Mayor Frazier called a special meeting with MNDOT for October 7, 2021 at 4:30 pm. The purpose of the meeting is to discuss any concerns that Council still has regarding the 2024 Highway Project. Council Member Markgraf will not be able to attend. Motion by Foster, seconded by Frazier to have a special meeting with MNDOT regarding the Highway 2024 Street Project. Motion passed unanimously.

Council Member Strand requested his elected official email address be taken off the website. He has been experiencing computer issues and would like people to leave a message at City Hall for now.

The Pelican Rapids Pool Committee minutes were included in the Council Packet. Motion by Ballard, seconded by Markgraf to approve the Pool Committee minutes. Motion passed unanimously.

Council Member Strand asked if the mailbox location for residents on NE 6th Street could be moved so they do not have to cross the busy street. The City has nothing stating the location cannot be moved. He will talk to the Postmaster about it.

Administrator Solga reported since the last meeting he attended he has; held department head meeting; worked with Clerk to set City Council (CC) agenda and prep for regular CC meeting; submitted Project 90 Pay Request to PFA; continued work on personnel issues; attended September 17 Virtual Meeting w OTP/MNDOT regarding street lights; attended September 17 MNDOT meeting regarding postponement of September 30 public informational meeting; met

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with Mayor Frazier, Councilman Foster and PeopleService to discuss MPCA chlorides; attended House Capital Investment tour of Swimming pool and dam bridge on September 22; attended meeting with MNDOT, Councilmen Strand and Markgraf; attended planning commission meeting; met with Faith Church representative regarding a project at the church; reviewed and inspected properties that submitted zoning/construction permit applications; and worked on MPCA chloride response.

Mayor Frazier reported that since the last city council meeting he has; continued to submit weekly mayor's columns to the Pelican Press for publication, continued to visit area businesses, attended two 2024 Pelican Rapids Complete Streets Meetings via Microsoft Teams on September 17, met with Councilman Foster, Administrator Solga and Greg Stang of PeopleService (Zoom) at city hall on September 21 regarding the City of Pelican Rapids response to the MPCA regarding our roadmap to meeting chloride effluent limits at the Waste Water Treatment Facility, attended the Minnesota House of Representatives Capital Investment Committee visit to the Pelican Rapids Swimming Pool and Pelican Rapids Dam on September 22 regarding possible funding for the pool and funding for a walk bridge across the future rock rapids, met with 3 members of United States Senator Tina Smith's office, Local Foods Local Places Steering Committee members and Jill Amundson of West Central Initiative regarding the 3 staff members on a tour looking for 'Agriculture Related Stops' and wanted to visit about the need for a commercial kitchen in the former Senior Citizen Center Building which is now owned by the City of Pelican Rapids and he met on September 27 with Administrator Solga to review the agenda for this afternoon's Pelican Rapids City Council Meeting.

Mayor Frazier read the following statements:

"The agenda item is Pending litigation – City of Pelican Rapids v. Travis MacLeod, and the Public Employees Retirement Association of Minnesota.

This portion of the meeting will be closed pursuant to Minnesota Statutes, section 13D.05, subdivision 3 (b). The grounds for closing it are as follows:

The City's need for absolute confidentiality outweighs the purposes served by the open-meeting law in this case based on the following:

- Absolute confidentiality is necessary so that the City Council and legal counsel can have a candid and open discussion to determine the available legal options to handle the litigation, including response strategy and possible areas of reconciliation.
- The purpose of the closed meeting is not to make a decision behind closed-doors, but instead the purpose of the meeting is to determine the legal options for handling the litigation.
- The only business to be discussed is the pending litigation.
- An open session would be detrimental because it may take place in the presence of individuals involved in the litigation.
- A closed session would benefit the public because the ultimate outcome of the litigation may impact the finances of the city.

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

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

“The time is 6:26 pm. The City Council will now go into a closed session. Only the City Council and authorized City of Pelican Rapids 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 6:50 pm.”

Motion by Strand, seconded by Markgraf to adjourn the City Council meeting at 6:51 pm.
Motion passed unanimously.



Danielle Harthun
Clerk-Treasurer