

**City of Ottertail**  
**March 17, 2015**  
**7:00 PM**

Council present: Mayor Myron Lueders, Jill Carlson and Ronald Grobeck.

Absent: Heather Rosenthal and Darold Woessner.

Staff present: City Clerk/Treas., Elaine Hanson; Coordinator, Loren Hawes; Deputy Clerk Shari Wheeler; City Attorney Terry Karkela.

Others present: Brad Hahn, Paul and Esther Zosel; Janell Jacobs, Eric Carr, Ron Heikes, Karen Tolkkinen, Citizen's Advocate and Heidi Kratzke, Perham Focus.

Mayor Lueders opened the Public Hearing for Conditional Use. The pledge of allegiance was recited by all present. A & E Ventures, LLC dba Carr's Supermarket applied for a conditional use to replace a non-conforming digital sign located at 320 Hwy 78 N in Ottertail. Mayor Lueders asked for any public comments, there was none. Clerk Hanson stated that staff recommended the city consider provisions to remove any and all additional temporary signage in the vicinity to reduce clutter. No other comments made. Public Hearing closed at 7:06 p.m.

The regular meeting was opened.

Additions were made to the Consent Agenda. A motion to approve consent agenda items was made by Grobeck and second by Carlson. All voted in favor, motion carried.

Consent Agenda:

- a. Minutes of February 19, 2015 Regular Meeting.
- b. Transfer \$15,346.60 to Fire from General for Fire Protection Services.
- c. Temporary On-Sale Liquor License for Ottertail Lions – (Rod & Gun Turkey Feed) April 25, 2015 & (Fire Relief Assn) April 15, 2015 – both at Community Center.
- d. LG220 Application for Exempt Permit-No Wait: West Central MN Friends, Raffle @ Thumper Pond, April 9, 2015.
- e. Month end financials.
- f. Approve \$37,768.38 in bills.

*The following agenda items were handled out of sequence: Paul & Ester Zosel and Brad Hahn.*

Paul & Esther Zosel came before the council to discuss the possibility to hook-up to the water system. The Zosels are just outside the city limits next to 324 Co. Hwy 1. Staff had instructed Zosels to look into costs for running a line. The city water ordinance states that interested parties outside the city limits are required to be annexed into the city although this has not been the case in other situations. Considerations to what would happen if others along Co. Hwy 1 would like hook-up were briefly discussed. City Attorney Karkela agreed that legal agreement could to be written if to meet the ordinance if the council so chose. The ordinance gives the city the right to extend the main with all costs being the responsibility of the Zosels. Any issues would need to be explored with the contractor and/or engineer. If the city didn't follow the ordinance to annex, the council would need to amend the ordinance. Annexation would need to be discussed with the township and there is a legal process. Zosels were instructed to talk with neighbors and also with Otter Tail Township to get their thoughts about the annexation.

Brad Hahn who is in the process of purchasing a property on Donald Road was present for the second time. Hahn reported that a friend of his is considering purchasing the Susan Ahles property on Wallenberg and they are looking at the costs of either hooking up to the city water or whether more prudent for Hahn to put in a well. Hahn was informed that the ordinance reads that if the council would

*March 17, 2015*

decide to extend the main, all costs (100%) would be assessed to the 3 properties that could be serviced by the extension and would be responsible for curb stop and water availability base rate. After some discussion the council asked that staff check with an engineer, since they were most familiar with the system, what costs and efficiency of extending the water by assessment to those properties including Zosel's on Co. Rd. 1.

#### **PRESENTATIONS/STAFF REPORTS/PUBLIC FORUM:**

Mayor Lueders, Hawes and Hanson will be meeting with MnDOT on Wednesday, March 18<sup>th</sup> to discuss MnDOT's involvement with the downtown project and fuel tanks removal. The hope is they will help out financially.

Nothing new on the Landscape grant. Letters have been sent requesting quotes to two nurseries. Hanson will check with MnDOT on the flag display and memorial bench regarding a permit.

Planning committee agenda & notes from the last meeting were provided to the council. Council member Grobeck reviewed the planting day agenda, breakfast and lunch to be provided by the Lions and Business Assn. He went over the Pier project again and the dedication. Reviewed the fence project and reported it was now in the council's corner. Hawes voiced his confusion on where to go from here on that project. Was Gary Hunter to now come before the council? Grobeck felt there is some directional confusion. In the meantime Grobeck presented yet another list for the council to consider. Some of these items need to come off the table unless directed by the council. Hanson voiced frustration with the lists and the process that seems to take place. No action is ever taken on whether the council approves or disapproves the list. It was agreed that there is confusion on the parameters of the policy and those need to be clarified. The council and planning group will soon meet in a joint work session for details can be discussed. There also is a question on who is using the sales tax exemption. The city sales tax exemption is for the city only and purchases need to go through the city for any non-profit donations if the exemption is desired.

#### **OLD BUSINESS:**

A statement from the city's League attorney, Kimberly B. Kozar was read: "The City is being sued by Central Specialties for an amount in excess of \$50,000 for additional compensation for their work on the Project. The City denies all claims and will vigorously defend the case."

Nothing on 101 Park Circle.

Received notice that the City of Ottertail has successfully met the requirements of the Local Government Pay Equity Act MS § 471.991-471.999 and MN Rules Chapter 3920.

Hanson was directed by the council to go ahead and start working on a City Appreciation Day for Volunteers and Citizens sometime in June on a Friday.

Carr Conditional Use. A motion to approve the CUP for the non-conforming sign with provisions to remove all extra signage was made by Carlson and second by Grobeck. All voted in favor, carried.

Staff learned that the gas cards for the Fire Department needed better internal controls. Chief Fleischauer and Hanson along with some guidance developed a policy, Fire Department Gas Card Policy, which outlines the purchase and use of the cards to ensure safeguarding the assets of the community. A motion was made by Grobeck and second by Carlson. All voted in favor, carried.

The Information Technology Policy which includes direction on email retention was approved in a motion made by Grobeck and second by Carlson. All voted in favor, carried.

March 17, 2015

**NEW BUSINESS:**

Clean-Up Day contract with Lions was approved on a motion by Carlson and second by Grobeck. The council will review the City share of costs after the Lions do a census of users.

Hanson provided a policy for Ensuring Security of NON-Public Data for the council to review. This policy is required by MN Statute Section 13.05, subd. 5 establishing procedures and an inventory for maintaining and ensuring appropriate access. No action taken at this time until review.

An amendment to the Purchasing Policy which would add that no other entity would be allowed to use the sales tax exemption for purchases for the city. A motion to approve this amendment was made by Grobeck and second by Carlson. Motion carried.

A motion was made by Carlson and second by Grobeck to approve Resolution #2015-07 Declare Surplus Property. Motion carried.

A motion made to approve Resolution #2015-08 Adopting Assessments and Unpaid Sewer Bills to be forwarded to the County Auditor Wayne Stein was made by Grobeck and second by Carlson. Carried.

Motion to seek a Preliminary Engineering Report for properties to be considered for housing development was made by Carlson and second by Grobeck. Carried. The report will assist the City Council in determining the feasibility and financial responsibilities, if any, in developing incentives for prospective developers. Two areas to be looked at are the Happy Acres development and the lots on Maple/Arvilla.

Hanson has received quotes on health insurance for staff and families. The most favorable will see little increase only to single coverage cost to the city. A motion was made by Grobeck and second by Carlson to approve the plan. All voted in favor, carried.

Motion made by Carlson and second by Grobeck to call for a Conditional Use Hearing for Nick Opatz to convert the old restaurant/bar into a single family dwelling, allowing residential in a commercially zoned area. All voted in favor, carried.

**Zoning Permits:**

Zoning Administrator Wheeler presented the following zoning permits which were issued.

- a) Carr's Supermarket sign – approved in CUP.
- b) Thumper Pond - move on Modular home in acreage past RV park for student housing.
- c) All Seasons AC & Heating – sign on building.

Reminder there may be a public hearing on Thursday, April 2<sup>nd</sup> for downtown improvements. A seminar for emergency management at the Otter Tail Operations Center on April 16<sup>th</sup>. All encouraged to attend.

A plat from Otter Tail County Planning Commission was received as public notice. Abutting property owners are encouraged to review and direct questions to that commission.

With no other business to discuss, a motion was made by Carlson to adjourn. Meeting adjourned at 8:55 p.m.

Respectfully submitted,

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Elaine Hanson, MCMC  
Clerk-Treasurer

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Myron Lueders, Mayor