

City of Ottertail
June 18, 2015
7:00 PM

Council present: Deputy Mayor Heather Rosenthal, Darold Woessner, Jill Carlson and Ronald Grobeck.

Absent: Mayor Myron Lueders

Staff present: City Clerk/Treas., Elaine Hanson; Deputy Clerk Shari Wheeler; Coordinator, Loren Hawes; Stuart Fleischauer, Fire Chief.

Others present: Ed Smith; Tom Getty; Jerry Martin; Kim Embretson, West Central Initiative; John Carlson, Jim Sartell. Karen Tolkkinen, Citizen's Advocate; Heidi Kratzke, Perham Focus.

Deputy Mayor Rosenthal opened the public hearing for Variance request from Ed Smith. The pledge of allegiance was recited by all present.

The purpose of the hearing was to consider a variance from the minimum lot area 11,700 sq. ft. from 20,000 (unbuildable lot), OHWL setbacks from Lake and River, a non-conforming structure (16x30) on existing slab discontinued for over one year and restrictions as conditions placed on the area in approving the plat.

Ed Smith stated that since making the application, he reduced the size of the building from 16x30 to 12x20 (WOAS) with a roof height of 10' slanting to 8', after speaking with some of those in the neighborhood. Smith introduced Tom Getty who spoke on behalf of Smith to speak to the City Code, restrictions and requirements of the ordinance. Getty after explained to the council how the building would now be considered a Water Oriented Accessory Structure (WOAS) and would meet the all the setbacks except one and meet other restrictions as stated in the ordinance for a WOAS. A request was made to look at the property before making a decision and a reminder of findings required to grant a variance.

City Attorney Karkela addressed questions by City Council regarding Getty's statements regarding restrictions. Discussion took place regarding those plat deed restrictions.

Public was welcomed to comment. City Attorney Karkela spoke to statements by Getty about non-conforming structures and uses discontinued for a year, by Minnesota law, no further rights continue. Getty answered that this would be a reasonable use.

Letters were received in the City Clerk's office opposing and supporting Smith's plans. A letter from Julie Aadland, Hydrologist, MnDNR stated the structure may result in aesthetic intrusion, and approving the variance would be inconsistent with conditions at the time the plat was approved and the proposal appeared to be inconsistent with the goals and plans of the area. She did not feel, based on the information provided in the application, the application met the five criteria needed for approval. The lot does not have any unique circumstances that justify a variance. Supporting letters (1) Opposing letters (8). Comments from the public were entertained. Jim Sartell felt that the city should follow the DNR's lead and protect the unique piece of land. Additional comments were made by Smith regarding the cross-bridges.

Hearing closed at 7:37.

The regular meeting was called to order. A determination on the variance was made as follows in a motion made by Grobeck and second by Carlson. Motion carried with all members voting to deny the variance because of the following findings: 1) Overwhelming response opposing by members of the public by letter. 2) Overwhelming response opposing by those in attendance. 3) Best interest of the constituents of Ottertail.

Corrections were made to minutes of May 21, 2015 and May 21, 2015 work session. A motion was made by Grobeck and second by Carlson to approve the consent agenda. Carried.

June 18, 2015

Consent Agenda:

- a. Minutes 05-21-2015 Regular & Notes from 05-21-15 & 06-05-2015 Work Sessions.
- b. 3.2 Beer On-Sale Permit – Hoot-n-Holler, Ottetail Rod & Gun Mud Run-Charitable w/food June 20th.
3.2 Beer On-Sale Permit – Ottetail Lions, Otter Jam 2015-July 4th
3.2 Beer On-Sale Permit – Ottetail Lions, Community Auction 2015 – July 11th
- c. Resolution #2015-15, Acknowledgement for Donation from Otter Tail Township and Amor Township, \$4500 each for Clean-Up Day and Donation from Brenda & Terry Dunn for Fire Department.
- d. Month End Financials
- e. Approve \$97,700.25 in bills.

PRESENTATIONS/STAFF REPORTS/PUBLIC FORUM:

Kim Embretson, West Central Initiative gave a presentation of the activities of WCI with initiative funding from small cities and the McKnight Foundation. He asked for continued support of their organization by committing \$500 into the 2016 budget. These appropriations are matched by McKnight dollar for dollar. Motion made by Carlson and second by Woessner to commit an appropriation of \$500 into the City's 2016 budget. All voted in favor, carried.

Auditor Brian D. Koehn, CPA reported that a letter was still needed from the League attorney handling the Bike Path to finish out the audit was not obtained. Options were provided and council was reminded that a deadline of June 30th for submission to the State Auditor's office looms over. A motion was made by Carlson and second by Woessner to authorize the City Clerk-Treasurer to sign-off on the audit. Koehn will return in July for the full audit to the council. All voted in favor, carried.

Clerk Hanson reported that she was unable to coordinate a meeting between the City Council and Lori Vanderhider from MnDOT on the Downtown Project. However a meeting with Mayor Lueders, Maintenance Coordinator Hawes, and herself has been scheduled to meet with Vanderhider and Jeremy Flatau (MnDOT) on Tuesday, June 23rd at 10:00 a.m. in the city council chambers.

Reviewed and discussed items in the planning committee minutes. A water fountain at the city park was discussed as well as bathrooms. There seemed to be some overlapping on projects and the feasibility of them. Clarification is needed. It was suggested to have a Work Session on funding projects and priority. Hanson suggested that perhaps a Financial Advisor, such as Ehlers, Springsted or David Drown could be contacted for advisement on funding larger projects.

OLD BUSINESS:

Additions to job description for Fire Chief briefly discussed. Chief Fleischauer said that he and the Assistant Chiefs have yet to meet. Job Description will be discussed with the department to see if this is something they will support. No action taken.

The Multi-Use Trail suit is still in the discovery of information stage.

Clerk Hanson reported that three comments from four property owners were received from the letters sent out regarding the water main extension on Wallenberg Drive. Two opposed the extension but Brad Hahn who previously had come before the council to request or inquire about city water, was still interested. It was suggested that perhaps he should come into the office to discuss options. Recently a friend of his bought the Susan Ahles property and this person would be interested as well. No action was taken on this item.

June 18, 2015

A motion was made by Woessner and second by Carlson to amend the Zoning Ordinance as it pertains to impervious surface Chapter 151.048 STORM WATER MANAGEMENT. This amendment will provide for permeable pavers to be the same as Otter Tail County. All voted in favor, carried.

NEW BUSINESS:

Emergency Operations Management Plan. An excellent meeting with Patrick Waletzko, Otter Tail County Emergency Management Director, Fire Chief Fleischauer, Mayor Lueders, Councilman Grobeck, Clerk Hanson, Deputy Clerk Wheeler and MCZ Hawes provided clarification on roles during an emergency. Hanson is currently updating the document.

Hanson initiated a discussion regarding street improvement plans. There is a real need for the Council to discuss options for designating a City Engineer especially when looking at street improvements

Council learned that Otter Tail County has listed two properties as forfeited and they will be for sale tentatively later this year. The City has the opportunity to purchase to put into public use. One lot in Ways Addition was already turned back to the State just recently. No action taken.

Council will join the Lake Country Services Cooperative for the cost of \$84 to receive benefits in purchasing contracts, grant searches, networking and professional development among others in a motion made by Grobeck and second by Woessner. Carried.

Zoning Permits:

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

- a. Mark/Barb Troje-36 x 48 garage - 641 Buchanan Rd 2015-18
- b. Thumper Pond-12 x 16 deck for mfg. home 2015-19
- c. John/Jill Carlson-steps - 135 River View Rd 2015-20
- d. Gene Henne-bituminous and pavers - 523 Three Lakes Rd 2015-21
- e. Ron Grobeck, 24 x 40 garage, 16 x 30 family room and 10 x 12 porch - 914 Three Lakes Rd

Correspondence/Reminders:

Citizen/Volunteer Appreciation Open House will be held on Thursday, June 25th at City Hall from 11 a.m. – 1:00 p.m. E-mail reminder requested.

Next work session will not be held on July 3rd. Thought was to skip until August.

A letter from Admin Minnesota stated that Ottertail’s estimated population has increased to 603 with a household estimate of 258.

City Attorney Karkela will work on restrictions for the property on the Otter’s Tail for future considerations.

With no other business to discuss, a motion was made by Woessner to adjourn. Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Elaine Hanson, MCMC
Clerk-Treasurer

Heather Rosenthal, Deputy Mayor