

City of Ottertail
September 17, 2015
7:00 PM

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

Absent: None

Staff present: City Clerk/Treas., Elaine Hanson; Loren Hawes, Maintenance Coordinator; Stuart Fleischauer, Fire Chief; Terry Karkela, City Attorney.

Others present: Bob Schlieman, Apex Engineering; Mike Windey, planning committee; Cindy Bailey; Ben Hovde; Karen Tolkkinen, Citizen's Advocate.

The regular meeting was called to order by Mayor Lueders. The pledge of allegiance was recited by all present.

A motion was made by Grobeck and second by Carlson to approve the consent agenda. Carried.

Consent Agenda:

- a. Approve Minutes 8-20-15 Regular Meeting; 09-11-15 Work Session Notes;
- b.
- c. Month End Financials.
- d. Approve bills with additions in the amount of \$31,541.15

PRESENTATIONS/STAFF REPORTS/PUBLIC FORUM:

Bob Schlieman, Apex Engineering reviewed proposed improvements as discussed with the City Council on September 11th work session. Options 1, 1a and 2 were reviewed. After discussion the Council decided to have Schlieman present Option 1 to MnDOT for consideration along with estimated cost sharing figures. This option will have the storm sewer within the Main Street ROW on the North side to Maple and exiting by an area by the water tower. Since there appears to be no drainage problem to address at Shane Buisings, Option 1A bringing a catch basin to that area on Lake Avenue did not seem to be necessary at this time. Option 2 called for running the water down Lake and going West through the alley. Problem with this scenario is the City would need easements from private property because the water main runs there and there are set back issues from that as well as from the drain field by the community center. Schlieman will report back when Lori Vanderhider, project manager, comments.

Councilmember Grobeck reported with the planning committee minutes. The group is looking into benches along the bike path, community park upgrades including picnic shelter with bathrooms, bathrooms, playground equipment, historical informational board, etc. Chair Fleischauer also mention pursuing a Community Arts Grant.

Cindy Bailey presented a map with a request for the city to vacate the north part of Pelican Road which goes to their property. A similar request had been granted to her neighbor, Bruce Strand. City Attorney Karkela will get the information ready for a public hearing. Motion by Rosenthal and second by Carlson to set up a hearing after the legal description is received from the City Attorney. All voted in favor, carried.

On a request from Mike Avelsgaard to change his E911 (103 Riverview Road) number back to his prior number (105) was denied. Avelsgaard will be notified in a letter that he can use the 105 as his mailing address but the 103 is to remain as it fits the scheme of the City's 911 addressing associated with his property.

Ben Hovde, contractor, came before the council to discuss a project that he is working on for a property on Hwy.78 A possible violation of the Shoreland Ordinance was brought to light after a complaints

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regarding water and sewer connections in a WOAS, fuel tanks and a fish gut container within the SIZ. Clerk Hanson had called Otter Tail County Land and Resource for information regarding the topics as well as MPCA. MPCA said the fuel tanks were a non-issue if they were less than 500 gallons. Bill Kalar, OT County said the county did not have anything on the fish guts tank, but they would have a problem with the water and sewer in a WOAS. City Attorney Karkela said that if the WOAS was built after the adoption of the Shoreland Ordinance by the City, it most likely would be in violation and would need to be removed unless the permit shows a variance had been granted. (Karkela called later in the meeting and said the City adopted the ordinance in 1980 therefore, if the boat house was built and no variance obtained, it would be in violation.) There also may be an impervious problem but as of yet, no new zoning permit has been applied for. Hanson will notify the complainant when answers to all these questions have been collected.

Maintenance Coordinator Hawes said the signs for Park Circle have been ordered and he has discussed making some improvements to those intersections.

OLD BUSINESS:

Motion by Woessner and second by Carlson to give Mayor Lueders authority to enter into a mediated settlement agreement for the Central Specialties v. City of Ottertail lawsuit. Motion carried. City Attorney Karkela suggested setting up a special closed meeting with counsel from the League sometime soon before the mediation.

Briefly discussed a letter received by the Fire Chief from Otto Township who is considering leaving the fire protection services of Ottertail FD for New York Mills FD. Hanson will send copies and contract to Karkela for his opinion.

Reviewed and discussed options for the 2016 Levy. Hanson provided spreadsheets with computations of the City Tax Rate using the Net Tax Capacity. The City is considering various improvements. Fire Chief Fleischauer asked when the FD in the budget process would be able to look into purchase of a new truck. Hanson stated that it would be up to the Council when this could happen and various ways could be used at any time to finance a fire truck. After some discussion it was decided to wait and see what the ISO rating comes back as since this would determine the need. A motion was made by Grobeck and second by Carlson to approve Resolution No. 2015-20 Certifying the 2016 Preliminary Levy at \$377,138, a 10% increase which would actually be a 1.29% increase in the city tax rate to 30%. (Due to increased tax capacity.) All voted in favor, motion carried.

Motion by Carlson and second by Woessner to schedule the Annual Truth-in-Taxation meeting for Thursday, December 17, 2015 at 7 p.m. Noting this is the regular city council meeting. All voted in favor, carried. Notice of meeting and preliminary levy will be certified to Wayne Stein, County Auditor/Treasurer before September 30, 2015.

Council discussed establishing a policy on when to start maintaining a dedicated road. The city, Karkela informed, is not legally obligated at all to take over a dedicated road, but should have criteria in which it will do so. Council member Rosenthal said she would like to hear what small other cities or townships use to determine a base line on when they start maintaining a road. A motion was made by Woessner and second by Grobeck to inform Delbert Thalmann that the City has no objection to naming the new road dedicated in Thalmann Farmstead 2nd Addition as Thalmann Drive and the City will order the new sign but the developer must pay for it. All voted in favor, motion carried. It is also noted that the dedicated road must meet the specifications outlined in the Subdivision Ordinance as a minimum to begin maintaining the new road and also that the city is now in the process of determining what other factors it will use.

Hanson provided the council with a spreadsheet to go out and look at the city streets and roads for a discussion on maintenance and/or improvements.

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Hawes reported he has talked to Amor Township and Otter Tail Township regarding annual clean-up days. It appears that Amor Township is planning to go on their own. Otter Tail Township felt that the service should “go away” for a year as people were beginning to abuse it. Both townships were unhappy with the financial end of the service and were not happy when the Lions started charging more than what was advertised. The Lions have decided not to be involved any more. The City will keep the Household Hazardous Waste Collection site and it will be put into the newsletters, both Fall and Spring, that there will be NO Clean-Up Days for 2016 so people aren’t collecting all year.

Hawes also reported that the water tower will be drained next week on Monday for inspection and cleaning. The tower will be out of service for at least 3 days. Hanson will put out a CodeRED message to water users to restrict their use for that time.

NEW BUSINESS:

Council reviewed a quote from J H Signs to refurbish the four corner Ottertail signs. Council member Grobeck asked for this item to be tabled and reminded that an email from Brad Stevens from the Ottertail Convention and Tourism Bureau had at one time indicated they would help in the cost for these signs. Hanson will contact Stevens to see if this is something the OTCTB would like to be involved.

Motion by Rosenthal and second by Carlson to allow Hanson to have a half-day of in-house clerk training with MWRA (Minnesota Rural Water Assn.) All voted in favor, carried.

Motion to accept a quote of \$7,000 from Bargaen, Inc. for crack repair on Buchanan Road, Riverview Road and Otter Drive was made by Woessner and second by Rosenthal. All voted in favor, carried.

Zoning Permits:

Hanson presented the following zoning permits which were issued.

- a. Casady Thiel – 24x85 Home with garage (402 Three Lakes Rd)**
- b. Derek Deshler – 30x72 Shed Addition (145 Lueders Rd)

**Hawes informed the council on the Thiel permit of some concerns he had regarding the drainage and a proposed “lean-to” on the garage that is not on the existing permit. Casady has been told he needs to come in and change is application but he has not at present.

Correspondence/Reminders:

*Council set Friday, October 9, 7:00 a.m. for its next work session. Topic to be determined.

*Reminder that Battle Lake City Council will be having a presentation by Ryan Pesch, U of M Business

*Retention and Expansion program at 5:30 p.m. in their council chambers on September 22nd. Grobeck indicated he could attend.

*“Involving Volunteers for Your City” - October 8th in Fergus Falls. Grobeck, Wheeler and Hanson will attend.

*LMC Regional meeting in Battle Lake on October 21st. Hanson, Grobeck, Carlson and Lueders are attending.

*Update on various Planning/Zoning sessions in October.

*OT County is having a “Roles & Responsibilities for Elected Officials & Senior Leaders” on October 27 at the Government Services Center in Fergus Falls 1-3 p.m.

With no other business to discuss, a motion was made by Woessner to adjourn. Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Elaine Hanson, MCMC
Clerk-Treasurer

Myron Lueders, Mayor