

City of Ottertail
November 19, 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; Deputy Clerk Shari Wheeler; Loren Hawes, Maintenance Coordinator; Terry Karkela, City Attorney.

Others present: Chris McConn, Interstate Engineering; Jade Berube, Apex Engineering; Chuck & Cindy Bailey; Joe Rice & Jerry Kern, Otter Jam; Karen Tolkkinen, Citizen's Advocate; Heidi Kratzke, Focus.

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

Pursuant to MS§13D.05, subd. 3(b) Mayor Lueders closed the regular council meeting for the purpose of complete confidentiality and attorney/client privilege as required and so served to outweigh the balance of the Open Meeting Law. Attendees not privileged were sequestered in the break room to allow for a phone conference with Attorney George Hoff, League assigned attorney for a lawsuit initiated by Central Specialties vs City of Ottertail.

Mayor Lueders reopened the regular city council meeting. On record, Attorney Hoff stated that he was representing the city in the legal action of Central Specialties vs City of Ottertail. Members of the council had taken part in an all-day mediation session in Bloomington, MN and had reached a settlement agreement. The agreement as written has been presented for action and it was recommended the City Council adopt the settlement agreement in the best interest of the city and based on the terms listed in the settlement.

A motion was made by Rosenthal and second by Grobeck to adopt the Mediated Settlement Agreement and Release dated October 19, 2015 between Central Specialties and the City of Ottertail. All voted in favor, carried.

A public hearing was then called to consider a request by Chuck & Cindy Bailey, 101 Pelican Road to vacate the portion of Pelican Road, a dedicated road in the Plat of Simmons Addition described as beginning at the Southernmost corner of Lot Two, Block One of said addition; thence South 69 degrees 51 minutes East on the Southeasterly extension of the Southwesterly line of said Lot Two to the Southeasterly line of said road and then terminating. The reason for the request is that the Baileys maintain that portion of the road. No questions arose from the public. The public hearing was then closed by Mayor Lueders.

Continuing with the regular meeting, a motion to approve Resolution #2015-23 Vacating a Dedicated Street was made by Woessner and second by Carlson. All voted in favor, carried. Clerk will send documents to the County for recording.

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

Consent Agenda:

- a. Approve Minutes 10-15-2015 Regular Meeting; 11-13-2015 Work Session Notes.
- b. Resolution #2015-24 Winter Maintenance Agreement with Otter Tail County Highway Dept.; Resolution #2015-25 Adoption of Assessments for Unpaid Water Bills.
- c. Approve 2016 On/Off Sale Liquor Licenses for Thumper Pond Lodge & Resort; The Otter Supper Club and Hoot-n-Holler contingent upon receiving required documentation.
- d. Month End/ Quarter End Financials.
- e. Approve bills with additions in the amount of \$50,058.66.

November 19, 2015

PRESENTATIONS/STAFF REPORTS/PUBLIC FORUM:

Jade Berube, Apex Engineering, provided information on the project status of the Down Town Project of Main Street Sidewalk and Drainage Improvement with revisions made to the plan to eliminate the center crossing lanes and to eliminate 60-50' of parking on both the east and the west sides. Berube represented Bob Schlieman, who was involved in a hunting accident, said that communication received from Lori Vanderhider, MnDOT Project Manager responsible for Downtown Project indicated that MnDOT would review design and prepare a cooperative agreement which would take approximately 12 weeks. MnDOT's share would be approximately \$259,000 and the City \$133,000. Final cost sharing would be outlined in the agreement noting that lighting or other decorative features have not been included in the costs, but options may still be considered.

Berube went over the next steps which would be that if the City Council authorized the design at this meeting it could be sent to MnDOT by January. January-April MnDOT would review and prepare the agreement. April-May advertising for bids and May-June receive bids and award contract. If the city determined that it would be assessing a portion of the project, the timeline would need to go out further to accommodate requirements of MS § 429 for Local Improvements, Special Assessments.

A motion to authorize the design was made by Carlson and second by Grobeck. All voted in favor, carried.

Councilmember Grobeck provided planning committee notes.

OLD BUSINESS:

Council reviewed a spreadsheet that outlines possible revenue for the water department if base rates for residential user were to be charged to the "new development" the same. Also some revenue could be accessed by charging for vacant lots that are not currently being charged because the developer put in some of the infrastructure. It is estimated that the city could realize around \$25,000 for future expansion, maintenance and repairs. Chris McConn, Interstate Engineering was asked for opinion on getting prices for maintenance needed on the water tower. He will prepare an RFP for the work to be done in order for the council to know exactly what they are looking for in repairs. The water rates/study was tabled until more information is received from Henning on a possible increase.

McConn also explained the pay requests that will be submitted to MnDOT for the Bike Path. Pay request #4 will be \$74,591.77 will include the change orders. A final, pay request #5 of \$1000 will be held until final close-out documents are submitted. A motion was made by Woessner and second by Grobeck to submit Pay Request #4 and # 5 when close out documents are provided. All voted in favor, carried.

Changes were made to a draft policy for Accepting Designated Roads/Streets. Information was obtained from Otter Tail Township and reviewing Sub-Division Ordinances from neighboring cities. All in all 5 criteria was agreed upon for the policy. A motion was made by Rosenthal and second by Grobeck to approve the Accepting of Designated Road/Street Policy as presented. All voted in favor, carried.

Briefly discussed the Sheriff's Sale on December 16th. City Attorney Karkela will contact Wayne Stein, County Auditor for information on the valuations. No other action taken.

Hanson reported on information received from LMCIT for insurance rates. Health insurance estimates have increased. It was decided to table any discussion regarding salaries and insurance for budget purposes until more information is obtained.

November 19, 2015

NEW BUSINESS:

Joe Rice and Jerry Kern met with the City Council to present their plan for Otter Jam 2016. No date has been set, but they are looking at July 2nd or mid to late-August. There have been no negative comments. Council gave the green light to move forward on their event. Hanson noted that last year Rice paid for a MDH Special Event Camping fee. This fee should be paid by the city and spread over all the users that provide camping at their event. Annual Fee is \$200.

Motion was made by Carlson and second by Grobeck to participate in the 2016 Otter Tail County Traffic Marking Bid for projects as recommended by MCZ Hawes for Maple Ave. and Donald Road. All voted in favor, carried.

Motion made by Rosenthal and second by Woessner to accept the Letter of Engagement for 2015 Auditing Services with Brian D. Koehn, CPA. All voted in favor, carried.

Hanson reported that unnecessary phone lines at the Community Center/Fire Hall have been eliminated. After some investigation and discussion with the fire chief and Mayor it was determined that these lines were no longer useful. Numbers eliminated were 2852, 2952 and 2752. The city should see a cost savings of approximately \$150 per month.

After reviewing ISO Rating Summary for the Fire Department at the work session a letter was developed to send to ISO indicating that the city will accept the rating of 6/10, a step-down from the 5/10 rating. The new rating will take effect in one year. A motion was made by Carlson and second by Rosenthal to approve the letter accepting the report. All voted in favor, carried.

Motion to approve the purchase up to \$100 of Holiday Lighting for a tree lighting ceremony downtown during Otter Dazzle was made by Carlson and seconded by Rosenthal. All voted in favor, carried.

Clerk will try to set up a special meeting at City Hall with members of Otter Tail Township. Scheduling for the regular meeting dates for either board or council didn't work.

Motion by Rosenthal and second by Woessner to allow Council Member Grobeck to pursue information on an ice skating rink for the public noting that Thumper Pond, per General Manager Brad Stevens, will be providing a skating rink during Otter Dazzle this season. All voted in favor, carried.

Zoning Permits:

Wheeler presented the following zoning permits which were issued.

- a. Ronald & Michele Behl-28'6" x 48' Garage – 132 Bayview Road
- b. Tim Klinkner, 24' x 30' Garage & 10'x12' Shed – 111 West Ave.
- c. Mark Larson – 35'x70' Home at 214 Cozy Oak Dr. E

Council also approved Gary Sellman, Door Stoop – impervious 25.7 - 44261 Hawes Beach Road impervious and James Werre, removing stairways, sidewalks and retaining walls and replacing with new without any increase in impervious at 26.2 – 427 MN Hwy 78 S.

Correspondence/Reminders:

*Council set Friday, December 11, 7:00 a.m. for its next work session.

*Truth In Taxation hearing 7 p.m. next regular council meeting on December 17th.

*Hearing 12/9/15 for two preliminary plats from Otter Tail County. Sunny Shore & Kathy's Beach.

With no other business to discuss, a motion was made by Woessner to adjourn. Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Elaine Hanson, MCMC
Clerk-Treasurer

Myron Lueders, Mayor