

City of Ottertail
March 10, 2016
7:00 PM

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

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

Others present: Chad Koenen, Citizen's Advocate, official paper; Heidi Kratzke, Perham Focus; Butch Wang, resident; Rick Adams, Community Wireless Consultants.

Regular meeting of the Ottertail City Council was called to order at 7 p.m. with the Pledge of Allegiance recited by all present.

Additions and corrections were made to the Consent Agenda. A motion to approve consent agenda items was made by Grobeck and second by Carlson. Motion carried.

- a. Minutes of 02-16-16, Regular Meeting, 03-04-2016 Work session Notes
- b. Month End Financials
- c. Approved bills of \$28,292.83 and authorized paying those bills that come in late due to early meeting date.

PRESENTATIONS/PUBLIC FORUM:

Hanson reported on a meeting between Bob Schlieman from Apex Engineering, Hawes, Mayor Lueders and herself on the Downtown project. A timeline was reviewed. A special meeting was set for March 21st at 7:30 a.m. (note later time changed to 3:30 p.m.) to review and approve design and to go over estimated cost/cost sharing to the City with MnDOT. A resolution will be required for MnDOT agreement. Schlieman will also provide contract documents for their work.

Reviewed planning committee notes presented by committee liaison/Council member Grobeck.

Butch Wang, 127 Shores Road, came before the council to discuss the approximate \$9.00 difference between the Residential Non-Use Rate (\$31.41) and the Vacant Lot Rate (\$22.43) for curb stop and water availability fee. Mr. Wang felt that the two rates are basically charged for the same situation. And those that do have water are getting a bonus of \$8.14 for the 2000 "free water" that is not billed along with the base rate. He also thought the city should consider a "refund" for the charges since the system went in. Mr. Wang was assured by Council member Rosenthal that the whole city council is looking into its base rates as well as considering reducing the gallons from 2000 to 1000. The council could not speak for the council members that helped set up the rates and are working on trying to find a common ground and uniform rate structure and have done so since last fall. It was noted that Wang had chosen not to hook up to the water at the time the system went in, but agreed to the residential non-user rate.

OLD BUSINESS:

Hawes reported that he heard from Chad Thompson of Ferguson Waterworks that the city should not be concerned about upgrading the handheld reader at this time as suggested by Neptune at a cost of approximately \$10,000. Our present reader should work just fine and when it doesn't work then consider the replacement.

Council again reviewed the spread sheet of water system projections. Hanson went over the "Items to Consider" for options to increase the revenue for the water fund. With City Attorney Karkela present the council asked questions on what and how a developer's Letter of Understanding affects the water rates as they are being discussed. Karkela offered to review the Letter and get back to the clerk. Discussion

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focused mainly on the “new development rate” offered to newer developments and when those should have ended and what the legal authority the city has in increasing these rates. Karkela will look into the ordinance again to see where some of these answers can be found. The council will continue to study the rates to find a more uniform structure that will allow for future development and maintenance on the water system.

Rick Adams, Senior Consultant, of Community Wireless Consultants, a firm that helps small cities contend with wireless providers that wish to erect communication towers in their city. Adams related information regarding FCC rules and the “TeleCom” Act. His firm helps to write ordinances and is the interface between wireless carriers and communities to get to a good working relationship with the carrier. Last month the city went into a moratorium and his associate Joe Egge, working with Verizon, who had originally contacted staff, thought Ottertail could use some help, moratorium or not an application has to be processed within 150 days should an application be made. His services would include a pre-application process, application, consulting, engineering, legal, inspections with fees associated charged back to the carrier. City Attorney Karkela admitted that he knew little about this law and it would be a good idea to contact the League of MN Cities for their advice. Tabled until further discussion can be had and changed time for March 21st meeting to 3:30 to allow for this.

NEW BUSINESS:

Council reviewed information from the League regarding Temporary Family Health Care Dwellings. The League is gathering information in response to a new bill “requiring” cities to allow such dwellings. Council was urged to respond. This brought about a discussion on whether cities can regulate the width of a structure as they do height restrictions. Hanson found sample ordinances in which cities had done this. City Attorney Karkela will look at the information and get back to the city.

Motion by Rosenthal and second by Carlson to accept the application for membership to the Fire Department for Brandon A. Menze as recommended by Chief Fleischauer. All voted in favor. Carried.

After some confusing emails and discussion with League attorney George Hoff and his associate Theresa Bartlema, it has been determined that the county has paid \$11,995.58 which was not reimbursed by the State on the Multi-Use Trail. Central Specialties has been paid in full. The League and Mr. Hoff suggested waiting until an invoice has been sent. Council directed Hanson to contact Otter County and acknowledge the bill and ask them to send an invoice and we can work out the details with the League’s agreement to pay \$6544.

Council agreed it would be good to look further into the uses of an Interim Use Permit. This permit would be handled the same as a CUP and it would be at the discretion of the Council when and where to use it. This will be another topic to add to the Zoning. Our zoning ordinance would need to be amended to allow for IUP’s.

Staff expressed concerns on the dock leases that are provided to Lots 1-9 Lakeview Heights and that of the extra lease to Joe Rice. Staff would like to see some guidelines to be given to those leasing so that they don’t misuse city property. Council suggested City Attorney Karkela look at the minutes regarding the leases to determine if the leases are binding “as forever” or if there is ever an end date. In the meantime, Hawes was instructed to come up with a partial list of some restrictions on what the lessee’s can do to the area where they put their docks.

Motion was made by Rosenthal and second by Grobeck to authorize Chief Fleischauer to have the doors on the Fire Hall repairs for approximately \$1,100. All voted in favor, carried.

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Motion was made by Grobeck and second by Carlson to authorize repairs to the Fire Tanker (\$2000) and brown grass rig (\$1000) as stated by the Chief. All voted in favor, carried.

Mayor Lueders related that he had talked to some townships and there are concerns on the cost of a new pumper and at this time feels that the department needs to have to agree that there are other options than going with a new truck as a 1st engine. At this point no real specifications on the needs of the department have been offered, so far what is wished for and what the city and townships can afford is way off. Rosenthal agreed that the city needs to look at what meets the need and be economical in its decision.

Motion by Rosenthal and second by Carlson to approve a “Lot Split” form for applications to split lots after it has been reviewed by City Attorney Karkela. All voted in favor, carried.

Motion to raise Election Judge salaries to \$9.50 for regular judge and \$10.50 for head judge(s). All voted in favor, carried.

Zoning Permits: None

Correspondence/Meetings/Trainings/FYI-reminders

Next work session is scheduled for April 8th and next council meeting will again be one week early on April 14th. Back to regular schedule after that.

Correspondence from Tyler Currie regarding an exclusive liquor store was reviewed and consensus was that if he wants to see if someone wants to give up their off-sale, the city could consider but will not be changing the ordinance to allow for more.

Ottertail Food Drop reminder for April 13th at the community center and the 2015 Annual Henning Ambulance Service report is available.

With no other business to discuss the council adjourned at 8:50 p.m. with a motion by Carlson and second by Grobeck. Meeting adjourned.

Respectfully submitted,

Elaine Hanson, MCMC
Clerk-Treasurer

Myron Lueders, Mayor