

City of Ottertail
April 14, 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; City Attorney Terry Karkela.

Others present: Chad Koenen, Citizen's Advocate, official paper; Heidi Kratzke, Perham Focus; Jerry Martin, Brad Hahn.

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. Hanson asked that the CD totals report be discussed later in the meeting. 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 /1st Quarter End Financials-Interim Budget Report-CC 2015 Financials-CD's-YTD Capital Outlay
- c. Approved bills of \$31,204.75 and authorized paying those bills that come in late due to early meeting date.

PRESENTATIONS/PUBLIC FORUM:

Bob Schlieman from Apex gave an update to the Council on visits with MnDOT's Project Manager, Lori Vanderheider, regarding ADA accessibility to the downtown businesses. Schlieman provided minutes of the discussions with the downtown businesses which indicated that ADA access to the buildings were not necessary. MnDOT has indicated that they want the City to approve a 10 ft. wide sidewalk instead of the 8 ft. originally planned. The cost of this change could be a wash since the city would not be paying for the 2 ft. of bituminous. The State would be picking up 90% of the sidewalk. Schlieman did not have time to run the numbers from the council, but he was happy that MnDOT indicated paying the 90% share. A discussion regarding Hilltop Lumber, who may be looking into some expansion to the west of Maple Ave. North and some of their plans regarding parking and access was posed to MnDOT. It was indicated by Vanderheider that MnDOT is not interested in disturbing the multi-use trail, they absolutely would not allow diagonal parking and if the ditch were disturbed for access, they would need a permit and MnDOT would not participate in any of the costs. No action was taken, but it was agreed that Brian Klimek from Hilltop would be encouraged to attend a council meeting with his plans for the expansion.

Discussed engineering agreement with Schlieman as City Attorney Karkela had concerns with certain language of the agreement. Schlieman explained that the engineer has to be careful on what they can tell the contractor to do for liability reasons, this was an acceptable explanation to the Council. Schlieman will check with his superior to see if the indemnification can be changed so that it reads City of Ottertail, Ottertail City Council and Ottertail City Employees (or staff). With those modifications, a motion was made by Rosenthal and second by Carlson to accept the engineering agreement with Apex Engineering. All voted in favor, carried.

Council member Grobeck presented the notes from the March planning committee. (Notes were presented at the previous Special joint meeting at which time planning committee will become independent of the council with no council or staff representation.) Grobeck reviewed projects in process. Ice rink funding details have not been finalized. Council previously approved the outdoor skating rink subject to conditions provided.

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Hanson thanked the City Council for the opportunity to go to the 2016 MCFOA Conference in St. Cloud and shared information from the LMCIT Loss and Safety Control workshop attended by Wheeler and herself.

Discussed Elm Street and road surveys that were done by the City Council last fall. Karkela will check with the League to see if the work on Elm would be considered maintenance.

OLD BUSINESS:

Reviewed Guideline for Dock Leases which was developed by Hawes and Wheeler. The guidelines will go out this year in letter form and then as an attachment to the lease application each year. Motion was made by Carlson and second by Grobeck to adopt the guidelines as presented. All voted in favor, carried.

Wheeler and Hawes said they have been reviewing number of curb stops, vacant lots and missed properties. Hanson suggested that to get the base rates more in line, a 10% increase per year until they are comparable is an option. Karkela added to avoid backlash the Council could have a public hearing explaining why a rate increase is needed. Council will be kept up to date on further financial comparisons.

Tower ordinance was tabled until further information is obtained from Karkela.

A motion to execute the Cooperative Landscaping Agreement with MnDOT when the documentation is received was made by Grobeck and second by Rosenthal. All voted in favor, carried.

Brad Hahn discussed with the Council the possibility to extend water to his lot 8 in Lakeview Addition. Hawes will get an opinion from a plumber on whether there would be sufficient pressure, according to statutes, in the lines to extend from the hydrant to a 2" line and then a 1" line to the Hahn property by easement through lot 9 which has been purchased by Dan Schultz. This service line would potentially connect lots 7, 8 & 9 to the water system with lot 7 as a vacant curb stop. Briefly discussed doing some grading in the ditch to address some water drainage in the row adjacent to lot 8.

Council heard that A Stipulation of Dismissal With Prejudice and Order had been filed in Seventh Judicial District by Atty. George Hoff, League appointed legal counsel which states that the lawsuit filed by Central Specialties is settled and dismissed. No other information was available on whether Otter Tail County has been paid by federal funds for the balance of the multi-use trail.

NEW BUSINESS:

Laurie & Becky Woessner would like to use the City property next to theirs on Bay View Road for a wedding in the fall. Woessner said his insurance company did not want to list the City as additional insured, but would provide a letter. City Attorney Karkela said he would have to see the letter before he could recommend that as an acceptable form. Grobeck suggested the clerk send information regarding the LMC Tulip Insurance program. Hawes discussed the posts that have been removed and suggested and Council agreed, that some temporary chain could be put up for the wedding but not to place permanent posts in again because of snow removal.

Motion by Carlson and second by Rosenthal to accept the 2016 Mowing Contract with S B Lawncare and to note that the City will no longer mow on a regular basis the area known as the Tri-Park in Three Lakes Retreat. All voted in favor, carried.

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Hanson presented the Council with the 2015 Consumer Confidence Report of the City's water as compiled by MPCA. As a requirement the City must have available to each user the report by proper notifications such as the web-site and newsletter. Report has been available since April 1st.

Hanson reported the Zoning Map is still in the works and is contingent upon the Tower Ordinance by adding a Public District. Karkela opined that an IUP or Interim Use Permit could be a useful tool instead of granting Conditional Uses up front. This will be decided after a public hearing which would include all the zoning changes that are being considered.

A motion was made by Rosenthal and second by Grobeck to NOT WAIVE the monetary limits on municipal tort liability established by MN Statutes §466.04 as recommended by Clerk and City Attorney. All voted in favor, carried. Hanson also informed the council that coverage for the 2015 Ford will include replacement value since it is under 10 years old.

Council viewed letter that was approved to send to the State Legislators who authored a bonding bill for a un-authorized request for support of safe room, asking they rescind the bills and apologizing for improper protocols.

Motion to approve Emily Guck as a 1st Responder for the Fire Department as recommended by Fire Chief Stuart Fleischauer and presented by Hanson was made by Carlson and second by Grobeck. All voted in favor, carried.

Hanson explained that as CD's come due in July and August, they will be reinvested for optimum rates and/or use for downtown improvement project. Karkela offered to find out about options to request additional pledged securities.

Zoning Permits:

- a. Michael Johnson 12' x 16' shed - 129 Shores Rd (2016-03)
- b. Rob & Kathy Bope 30' x 48' shed - 233 Park Circle (2016-04)
- c. Jason & Randi Resler Move on 14' x 70' 1989 mobile home - 203 Wallenberg Dr (2016-05)
- d. Jeff & Linda Partington 24' x 28' shed - 911 Three Lakes Rd (2016-06)
- e. Myron Lueders 9 x 12 WOAS - 102 Lueders Rd (2016-07)

Correspondence/Meetings/Trainings/FYI-reminders

Next work session is scheduled for May 6 and next council meeting will back to regular schedule of 3rd Thursday.

Reminder that the tree planting is on May 21st. Council was encouraged to participate in the League Annual Conference in June and Brian Koehn, auditor will present the 2015 Audit at the May meeting.

With no other business to discuss the council adjourned at 8:10 p.m. with a motion by Rosenthal and second by Carlson. Meeting adjourned.

Respectfully submitted,

Elaine Hanson, MCMC
Clerk-Treasurer

Myron Lueders, Mayor