

City of Ottertail
May 18, 2017
7:00 PM

Council present: Mayor Myron Lueders, Heather Rosenthal, Jill Carlson, Ronald Grobeck, and Mike Windey.

Staff present: Deputy Clerk, Shari Wheeler; Maintenance/Zoning Coordinator, Loren Hawes; Bob Schlieman, Apex.

Absent: Clerk-Treasurer Elaine Hanson.

Others present: Brian Koehn, CPA; Chad Koenen, Citizen's Advocate, official paper; Heidi Kratzke, independent reporter; Chris Schulke, OT County Historical Society; Rick Adams, Verizon; Lauris and Becky Woessner; Darold and Vicky Woessner; Mike Avelsgaard; Denny McLeod; Bradley Prescher.

CALL TO ORDER

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

CONSENT AGENDA:

A motion to approve consent agenda with additions and corrections and payable items with additions and corrections including those regular that come later was made by Windey and second by Grobeck. Motion carried. Following are consent items approved.

- a. Approve Minutes- Regular meeting of April 20, 2017.
- b. **Resolution #2017-21** Acknowledge Donation for Fire Department Supplies (\$25.00) from Stan Watkins; **Resolution #2017-22** Acknowledge Donation for CC Carpet (\$2000) CC Tables/Chairs (\$1000) & Fire Dept. Equipment (\$1000); **Resolution#2017-23** Acknowledge Donation from Lions (\$4491.57) for CC Tables/Chairs; **LG220 Application for Exempt Permit with no Wait: OTBCA - Otterfest (8-12-2017) & Otterdazzle (12-2-2017) @ CC**
- c. Month End Financials & various reports
- h. Approve payables of \$58,944.48

PRESENTATIONS/PUBLIC FORUM/STAFF REPORTS:

2016 Audit: An audit summary was presented by Brian D. Koehn, CPA. Koehn stated that the City has had a clean audit. Review of the revenue and expense summaries and charts of 5 year history. Three finding and responses were explained which are the same three and expected for a city the size of Ottertail. A motion was made by Carlson and second by Windey to approve the audit as presented. All voted in favor, carried.

Engineering: Bob Schlieman, Apex, reported on the project and goals to get the downtown project useable and completed as scheduled by Memorial Day weekend. Eagles Trail and S. of 108 report will start through coordination of Ottertail Aggregate.

An outline was presented for the work to be done on North Maple Avenue surface and water main improvements. Schlieman reviewed the project thus far. Schlieman recommended exercising a change order estimated at \$50,000 in addition to Eagles Trail/S of 108 to add the additional work. Communication with Hilltop indicates that they eventually would like to pave the alley. He recommended that the water main be lowered to a depth of at least 8 ft. under the valley gutter and anything less than 8.5 ft. to be insulated as well to ensure there will not be a freeze problem and this would be a separate item and could be done as maintenance, eliminating the bidding process and expense thereof. \$50,000 is the estimated cost of lowering the water lines. Utility location is a concern. Schlieman suggested the City meet with the utilities and try to coordinate. Motion to authorize Schlieman to obtain quote for lowing the water lines was made by Grobeck and second by Carlson. All voted in favor, carried.

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Chris Schulke, Administrator of Otter Tail County Historical Society appeared before the City Council and addressed a question regarding the monument located at the corner of 78 and Bay View and now located on private property. The monument was dedicated June 25, 1933 and is the property of the Society and they will figure out how to move it if the owner doesn't want it. Schulke made a presentation on the upcoming 150th Anniversary of Otter Tail County in 2018, schedule of the Society and a request for funding for the coming year. A motion was made by Rosenthal and second by Carlson to appropriate \$500 for 2016 for the Historical Society. All voted in favor, carried.

Staff Reports:

Fire Department: Council reviewed pictures of the New Pumper and training burn with Battle Lake. Chief Fleischauer gave a report on meeting attendance, incidents and calls in April and number of personnel responding. SCBA replacement is due soon. Bad news is bottles and masks are overdue and some did not pass inspection. Good news is that there will be FEMA grants available for replacement. Suggested hiring a grant writer to help with application.

Clerk's Office: Hawes reported he obtained two quotes for fertilizing and spraying the City Hall, Community Center/Fire Hall and Community Park lots. Quotes were \$11,046 and \$630. Brian's Lawn Care (lowest) will be contacted to do the work.

Public Forum:

Lauris, Becky Woessner, Darold, Vicky Woessner and Mike Avelsgaard brought concerns regarding the proposed Bay View Park area improvements that were approved at the last meeting. A petition against the improvements was provided as well as letters read in favor of them. Windey explained the intent as a quiet place for reflection, not swimming or fishing. Largest improvement would be for the stabilization of the bank and allow for continued snowmobile access. Advertisement (signs, parking or benches) were highly opposed. Suggestion were made to alleviate the concerns and possibly send back to the citizen's planning group and to reach a compromise on the plan

OLD BUSINESS:

In a conference call with Doug Green, Springsted Financial, Doug reviewed purpose and procedure of sale for the GO Bonds for the street reconstruction. The authorization will authorize Springsted seek bids for the bonds. This resolution doesn't obligate the city if something should happen or decide to reject any bids. A motion was made by Grobeck and second by Windey to adopt **Resolution 2017-24 Providing for the Competitive Negotiated Sale of \$780,000 General Obligation Bonds, Series 2017A**. All voted in favor, motion carried. Bonds will be rated within the next month. Bids will be brought for consideration at the June 15th regular meeting.

Wheeler presented **Ordinance 2017-03 Repealing and Replacing Chapter 93 of the City Code for Right-of-Way Construction**. Council felt that they had reviewed it enough to consider. Fees were approved as recommended at \$50.00 for excavation, \$30.00 for obstruction and \$15.00 per day delay penalty. A motion was made by Carlson and second by Grobeck to approve the Ordinance contingent upon review by Attorney. All voted in favor, carried.

Rick Adams, consultant for Verizon appeared to discuss the lease for the Cell Tower proposed site. Concerns were posed regarding the rental rate proposed by the City. \$800 with 10% escalator was the highest Verizon would consider. Other concerns expressed were with Section 9 Termination, Section 10 Indemnification (suggested by attorney), Section 14 Removal at End of Term, Section 21 Subordination and Non-Disturbance. Rate was the largest concern. Additional ground space could be leased out to other providers while Verizon would lease out the tower space if the rental space was reduced from 100' to 55'. Motion to approve the lease at \$800 and the draft lease with further discussion with Verizon on concerns and a smaller footprint (55'x65') was made by Grobeck and second by Carlson. All voted in

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favor, carried. Adams will make the changes on the site plan and provide to council for approval noting that in the future the City can use this lease as a template for another carrier.

Brad Prescher approached the City Council regarding purchasing a lot from Krogman's on Co. Rd. 1 (Empire 2nd Addition) and then splitting the existing lot into two parcels, then combining one with a non-conforming parcel that was left when he sold his home next door. As long as he has 100' of frontage and 40,000 sq. feet there would be no issue. He will have the property surveyed by Anderson Brothers in Fergus Falls and will fill out the lot-split application.

Council was provided copies of RFP's for City Attorney to review. A special meeting/work session will take place before the next council meeting.

Community Park Restroom. Hawes informed the Council that it will cost \$565.00 to cap the well by Ciche Well Drilling in the existing structure at the park. Soil & Water has a cost share grant program to help with expense. Two proposals were received for the restroom structure. Woessner Construction's proposal was \$57,032 and Hammers Construction was \$59,971. A motion was made by Rosenthal and second by Grobeck to proceed with demoing the existing building, plumbing and slab and there by accepting the proposal from Woessner Construction contingent on the financing. All voted in favor, carried. It was suggested that a urinal should be put into the men's side at the request of the Lion's Club.

Reviewed amendment to Chapter 112.33 of the City Code inserting language to regulate wholesale solicitation. Motion made by Carlson and second by Windey to adopt **Ordinance 2017-02 Amending Chapter 112.33 Hours of Sale**. All voted in favor, carried.

Motion to enter into 75/25 agreement with Otter Tail County Soil and Water District for shore stabilization/restoration at the proposed Bay View Park was made by Grobeck and second by Rosenthal, all voted in favor, carried. Rod & Gun has dedicated \$2300 towards the project if it moves forward. An In-Kind donation of labor could go for City 25% share. Total cost of the project is \$10,450 of which \$6285 is the Soil & Water share.

NEW BUSINESS:

A motion was made by Rosenthal and second by Carlson to **DO 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.

Otter Tail Power requires a Street light agreement to remove pole in downtown area. Motion was made by Windey and second by Carlson. All voted in favor, carried.

ZONING PERMITS

Kenny Nelson – 40'x60' garage on backlot. Demo house at 219 River View Road.

Correspondence/Meetings/Trainings/FYI-reminders

- Work Session on June 15th at 6 p.m. to discuss Attorney RFP's and Zoning amendments.
- Zoning committee needs to meet prior to work session to review some updates.

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

Respectfully submitted,
As reviewed via recording

Elaine Hanson, MCMC
Clerk-Treasurer

Myron Lueders, Mayor