

**CITY OF PARK RAPIDS  
CITY COUNCIL MEETING  
March 28, 2017, 6:00 PM  
Park Rapids Public Library-Lower Level  
Park Rapids, Minnesota**

**1. CALL TO ORDER:** The March 28<sup>th</sup>, 2017, Regular Meeting of the Park Rapids City Council was called to order at 6:00 p.m. by Mayor Pat Mikesh, and everyone present recited the Pledge of Allegiance.

**2. ROLL CALL:** Present: Mayor Pat Mikesh, Councilmembers Ryan Leckner, Erika Randall, Dick Rutherford, and Liz Stone. Absent: None. Staff Present: Administrator John McKinney, Treasurer Angela Brumbaugh, Public Facilities Superintendent Chris Fieldsend, Police Chief Jeff Appel, Liquor Store Manager Scott Olson, and Clerk Margie Vik. Others Present: Apex Engineer Jon Olson, Tim Little, Nicole Lalum, Sue Tomte, Paul and Pat Dove, Cynthia Jones, Rod Nordberg, Nancy Newman, Nels Peterson, Hubbard County Attorney Don Dearstyne, Molly Luther, Florence Hedeem, Jerry Munson, Shirley Johnson, and Nicole Vik from the Enterprise.

**3. APPROVAL OF AGENDA:** A motion was made by Randall, seconded by Rutherford, and unanimously carried to approve the agenda with the following changes:

Remove from General Business: Item #9.1. Request for City to Purchase Property Adjacent to Deane Park Point.

Add to General Business: Item #9.6. Approve Additional Repairs to the South Portion of City Hall by Hammers Construction in the Amount of \$9,625.00.

**4. APPROVAL OF MINUTES:**

**4.1. City Council Regular Meeting Minutes-March 14, 2017:** A motion was made by Randall, seconded by Leckner, and unanimously carried to approve the March 14<sup>th</sup>, 2017, City Council Regular Meeting minutes as presented.

**5. FINANCE:**

**5.1. Payables & Prepaids:** A motion was made by Randall, seconded by Rutherford, and unanimously carried to approve the payables in the amount of \$113,049.62, and the prepaids in the amount of \$242,890.98, for a total of \$355,940.60.

**6. CONSENT AGENDA: A motion was made by Rutherford, seconded by Randall, and unanimously carried to approve the following consent agenda items:**

- 6.1. Approve Backhoe Operator's License to Work in the City of Park Rapids in 2017 for Ralph V. Sanquist Construction Inc.**
- 6.2. Approve Low Quote in the Amount of \$6,000.00 from Johnson Jet-Line to Televis the Aged Clay Tile Sanitary Sewer Lines for the Public Works Department.**
- 6.3. Approve the Purchase in the Amount of \$4,568.99 from Taser International for Three (3) X26P Tasers and the Associated Equipment for the Police Department.**
- 6.4. Resolution #2017-59 Acknowledging the Retirement of Volunteer Firefighter Scott Burlingame for the City of Park Rapids.**
- 6.5. Authorize Staff to Advertise and Interview for the Open Firefighter Position.**
- 6.6. Approve Pay Request in the Amount of \$173,510.00 to the League of Minnesota Cities for the 2017 Insurance Premium Policy Renewal.**
- 6.7. Resolution #2017-60 Authorizing Proper City Officials to Execute the Labor Agreement by and between the City of Park Rapids and the United Food and Commercial Workers Union Local No. 1189.**
- 6.8. Resolution #2017-61 Accepting Donations for the City of Park Rapids.**
- 6.9. Resolution #2017-62 Approving Wage Adjustment and Step Increase for Part Time Accounts Payable Clerk Lisa Dormanen.**
- 6.10. Resolution #2017-63 Approve Temporary On Sale Liquor License for the Hubbard First Response and Rescue in the City of Park Rapids.**
- 6.11. Approve Purchase Order in the Amount of \$3,905.00 to Copperhead Innovations LLC for Line and Pipe Locator for the Public Works Department.**
- 6.12. Approve Purchase in the Amount of \$25,603.75 from Cumber Construction, Diamond Vogel Paints, and Brock White for the 2017 Supplies for Maintaining Gravel Roads, Painting Streets, and Crack Filling for the Public Works Department.**

- 6.13. **Approve Receipts for January 2017.**
- 6.14. **Approve Receipts for February 2017.**
- 6.15. **Approve Pay Request in the Amount of \$6,584.54 to TKDA for Professional Engineering Services for the Airport Master Plan.**
- 6.16. **Deny Request for a Donation to Shell Prairie Agricultural Association.**
- 6.17. **Resolution #2017-64 Approving the Sale of Tax Forfeited Property Within the Corporate Limits of the City of Park Rapids.**
- 6.18. **Resolution #2017-65 Appointing Kay J. Peloquin to Serve on the Library Board for the City of Park Rapids.**
- 6.19. **Approve the Purchase in the Amount of \$5,680.58 for Two (2) Sets of Turn Out Gear from Heiman Fire Equipment for the Fire Department.**

**END OF CONSENT AGENDA**

**7. COMMENTS FROM CITIZENS:** Sue Tomte stated I'm a resident on North Main Avenue. This past week there was some water discoloration. I went to your website and on Facebook to see whether or not there were any notices. The only notice that was in there was that the hydrants were being flushed this week. I would make the recommendation to include what might be the result of the flushing. For example, if there was a statement that said potentially you could have a discoloration in your water, and a quick way to solve it would be to run the water. That would give people a comfort that if we're flushing the hydrants this could be the impact. Randall stated good idea.

Nels Peterson stated I'm a resident of Park Rapids and I would like to go on the record to state that I would like to speak to the issue of your ordinance amendment regarding golf carts on the agenda as #9.4. Will there be an open public discussion on that ordinance? Will we be allowed to speak at that time?

Randall stated typically not. I suppose we could open it up for comments now. McKinney stated the question is would he be allowed to talk when it comes up and normally they would not. Randall stated any comments about the golf cart ordinance would need to be now.

Peterson stated it is not my normal routine to come to the Council meetings. I was drawn here because of an article I read in the paper about golf carts possibly being banned from the city. I'd like to read a small article from the Detroit newspaper published on April 26<sup>th</sup>, 2015, titled 1900-1930 The Years of Driving Dangerously, by Bill Loomis. It says, for centuries horses were the proven method of ground transportation for most of the world. There was no enterprise or individual that did not rely on horses. The very first

gasoline powered vehicle driven on the streets of Detroit was built in 1896. It went as fast as twenty miles per hour, and was described as tearing along the street at a lively rate, dodging people and teams of horses. Vehicles soon followed. They were very loud, disruptive. They scared the horses and the people. The transition from the horse age to the motorized age would prove to very dangerous. At first speeding vehicles weren't a problem with only a few of them on Detroit streets. In the first decade of the 21<sup>st</sup> century there were no stop signs, warning signs, traffic lights, traffic cops, driver's education, street lighting, brake lights, driver's licenses, or posted speed limits. Our current method of making a left turn was simply unknown at the time. Drinking and driving was not considered a serious crime. There was little understanding of the speed and pedestrians crossed randomly. Children played in the streets because there were no such things as playgrounds. There were appalling tragedies of children struck and killed by autos as they played in the streets, many times in front of their own homes. In the 1920's 60% of the automobile fatalities nationwide were children under nine years old.

Peterson stated the writer asks is the automobile inherently evil? His question lead me to ask is the golf cart inherently evil? That's a resounding no. It's not. Imagine if autos were deemed inherently evil and they were banned at that time when they were going through that grey area when they were trying to figure them out. Fortunately the public was able to overcome their fear, muddle through it and embrace the problem.

Peterson stated in the beginning of the auto era many people wanted to rid the streets of automobiles, warn the public of the dangers of noise and air pollution, and these people were called the horse barons. Horse barons created a culture of fear among the public and were successful in lobbying for legislation that restricted the cars from traveling the same roadways as horses, all based on fear. A quarter of a million horses traveled in New York City daily. These animals required vast amounts of feed and water and created waste amounts of manure. During the summer the flies were intolerable. I, along with many others here, are glad we don't have to contend with waste amounts of manure. I'm perfectly fine contending with a golf cart instead. The golf carts are no nuisance to me, and it's probably no nuisance to the majority of the people here. While there are genuine dangers that exist with golf carts on the road we all know that everything comes with a risk. The likelihood of someone being hurt is real, but it is grossly overblown. I can't over state this. It's is grossly overblown.

Peterson stated in 2008 Park Rapids adopted the comprehensive plan that gave us our guide that we are supposed to conform to. On page 52, in case you haven't read it, because this is your bible, goal number one says maximize Park Rapids potential as a thriving center for business, recreation, while maintaining and enhancing its livability. How does a golf cart not comply with that. It's all about this town enhancing its livability and maximizing its potential for a thriving center. The golf cart will only enhance that. Page 97 says if community attitudes change the comprehensive plan shall be updated. I don't believe goal number one has ever been revoked. It's still there. Maximize Park Rapids' potential as a thriving center for business, recreation, while maintaining and enhancing its viability. We have a very unique area in the rural country here. We have diversity, agriculture, tourism, second homes, snowbirds, year round retirements, health facilities, and it's through this diversity that gives us retirees. They area a significant portion of our population. Embrace them and work with them, help them enhance their livability here by letting them and others drive those golf carts.

Peterson stated I would like to ask are golf carts part of a well-managed, effective transportation system, or would we assume golf carts on our roads are part of a defective transportation system? It's clear to me which one we would want to shoot for there. In closing I would ask the Councilmembers how do we promote the commerce in this community. Do we simply shut it down, go home, do nothing? Or do we embrace our fears and move past them? Our community is rural. Rural communities are fragile. Imagine walking downtown on a summer day and you see ten golf carts parked on the street. They are all empty, and those constituents and visitors are in the stores, restaurants, eating and having a good time, and spending money. That would make me smile because they, our guests, are smiling. Smiling spreads. To obtain the smile doesn't come without risk. Take on risk, muddle through the unknown, embrace it, move forward, not backward. Making golf cart illegal on the streets of Park Rapids is nothing more than boarding up the town, decreasing it's livability, minimizing our commerce, and worst of all, it leaves a pile of manure right in the middle of our town. Please leave ordinance 73 as is, and I would recommend you move it to chapter 72 so it's in our transportation plan as snowmobiles are.

Florence Hedeon stated I'm a resident of Park Rapids and I walk most of the streets of Park Rapids most every day. I experience motor vehicles in a different way than most of you do because I'm on foot. I can imagine that Ronny Waterman experiences the roads differently too because his mode of transportation is a golf cart. It is the thing I see him in and I rejoice for him for the independence that it gives him. I seek justice for all people who use different methods of transportation than the automobile.

Nicole Lalum stated I'm the President and CEO of Park Rapids Lakes Area Chamber of Commerce. We represent over three hundred businesses in our area. Our mission is to serve, connect, and promote all of our members. At first glance a golf cart ordinance doesn't seem like something the chamber would be concerned with or take an interest in. However, in the interest of accessibility to our local members it is an issue we are tracking very closely. At a recent chamber board meeting we discussed the ordinance at length and decided to poll our members. We sent out an email to our member businesses in city limits and the immediate vicinity.

Lalum stated the one question survey asked do you believe that golf carts should be allowed within the City of Park Rapids. We allowed four answers, a resounding yes, probably as long as proper rules are in place and enforced, maybe with more discussion on the issue, not really but I'm not that concerned about it, and no. We received eighty-four responses. 68% of those respondents responded with yes, and probably. Overwhelmingly our businesses at the chamber support the golf cart ordinance. Only eleven respondents said no, and eleven said not really but I'm not concerned.

Lalum stated for our members safety, access, mobility, and livability, all play a vital role in the economic viability of their business. When the city cracks down on multimodal forms of transportation you dramatically decrease access that our residents have to our area businesses. You reduce that resident's ability to engage in your community, such as attending Second Street Stage, or going to church. You isolate people. That isn't the friendly, welcoming Park Rapids that I heard about in a recent branding discussion group. It isn't the warm and inviting Park Rapids that new seasonal residents who move into our area want to eventually retire to. We need to be proactive and embrace our small town feel, and our down home way of life.

Lalum stated if we're truly a great place at a slower pace, then encourage that slower pace with access. Demographics bear it out, 46,000 baby boomers retire each day. 10,000 of them turn 65. We didn't plan to become a retirement community, but we are fast becoming one. A University of Minnesota second homeowners study says that 56% of their respondents surveyed planned to transition permanently to their second homes. 35% of the housing units in Hubbard County are seasonal. That's approximately 7,200 units. There are renovations happening at Heritage Living Center, there is new complex being built by Knute-Nelson. There are numerous accounts of communities where golf carts are welcomed in Minnesota. We need to keep our charm, quaintness, and embrace multimodal transportation.

Mikesh stated I'm going to stop everyone right now. This section is for things not on the regular agenda. Golf carts are on the regular agenda. We will continue on with our regular meeting. Randall stated unless there are comments from citizens about things not on the regular agenda.

Jerry Munson stated I'm a resident of Park Rapids. I'm here to talk about the leash law and the cleaning up of those that are on a leash. I live in Timbers Addition. The boulevards on both sides look like a dog dodo place. Half of the dogs in the neighborhood are not on leashes. The dogs are running wild. The lady next door has stepped into the dodo before in her own yard. What are we going to do about our dogs? It's not just the people in our neighborhood putting their dogs through. Most of those people I haven't even seen before. It's different people every day.

Shirley Johnson stated I live in the same area as Munson. I live across the street from someone who has a dog. I've never seen a leash in their hands. I do not have a dog, and I don't appreciate cleaning up after other people's dogs. I walk all around the Timbers Loop and it looks like a farmer's pasture. As the weather changes now you know what's going to happen to it. I don't appreciate it. I don't think as a homeowner we should have to put up with it, with our neighbors who are either too lazy or do not think it their responsibility to take care of their animal that they choose to have.

Don Dearstyne stated as you are aware I've announced my resignation as Hubbard County Attorney. I wanted to come before you folks because I've been your city attorney, prosecuting your city crimes since 2008. I've really enjoyed working with the Council, Chief Appel and the city officers, and Chief Eilers before that. I felt it appropriate to come and say good bye to you guys. Thank you for extending me the courtesies that you have. I hope that whoever my successor is that you will extend the same thing to them. The contract is with the county so there doesn't need to be any change in that.

Pat Dove stated I appeared here on January 24<sup>th</sup> at your meeting just to say the Arts Council at our January meeting decided we would like to make people aware of our arts community. We said we would come periodically. It's been three months so it's time to say hi again. I've provided you with information that gives you an idea of what we do. We have a community band and a classic choral having a concert soon. Our opera company is having auditions this week. We're going to Bemidji, Minneapolis, Pine Point, and Park Rapids to find people to do a product of South Pacific this summer. We're excited about that. Heartland Concerts have had their last meeting. We're doing well but we're winding down. We want you to know that we are part of the community and we want to be responsible and welcome you to our events. We went to arts advocacy day at the state capital on February 8<sup>th</sup>. There were over a thousand arts people there. There were

seventeen of us from District One and Two that stopped in to see Senator Paul Utke. The arts community gives back a lot of economic impact in each community, of which we are very proud. We were at the firemen's ball on Saturday night. It was the first time in fourteen years that it's been back at the armory. It was a tremendous success. I was proud of the Park Rapids community for supporting all these activities.

## **8. PLANNING:**

**8.1. Resolution Adopting the Sixth Amendment to the Future Land Use Map to the 2008 Park Rapids Comprehensive Plan:** McKinney stated the amendment is a redo of a decision that was made earlier to change the zoning from commercial to residential of the then property owner who was going to work on the property and rent it out or live in it for a residential use. Since then the property has been acquired for a commercial use, which is consistent with the use that it was before we made that change. The recommendation from the Planning Commission is to approve the rezoning. **A motion was made by Rutherford, seconded by Randall, and unanimously carried to approve Resolution #2017-66 Adopting the Sixth Amendment to the Future Land Use Map to the 2008 Park Rapids Comprehensive Plan.**

**8.2. First Reading of the Ordinance Rezoning Land to B-1 in the City of Park Rapids, PID #32.39.01000, PID #32.39.01200, and PID #32.39.01400:** McKinney stated this request is to rezone land to B-1 with the development of the property to a commercial use. The Planning Commission recommends approval of the request based on the findings of fact. **A motion was made by Leckner, seconded by Stone, to approve the first reading of the Ordinance Rezoning Land to B-1 in the City of Park Rapids, PID #32.39.01000, PID #32.39.01200, and PID #32.39.01400.**

The vote was called.

The following Councilmembers voted in favor: Leckner, Mikesh, Randall, Stone.

The following Councilmembers voted nay: Rutherford.

The motion carried 4-1.

## **9. GENERAL BUSINESS:**

**9.1. Request for City to Purchase Property Adjacent to Deane Park**  
**Point:** *Removed from the agenda.*

**9.2. Resolution Authorizing Proper City Officials to Execute Task Order No. 9 for Main Lift Station Improvements by and between Apex Engineering Group Inc. and the City of Park Rapids:** Jon Olson, an Engineer with Apex, stated this is a task order to address some proposed improvements at the city's main lift station south of County 15 by the county facility. It was installed in the last 80's. Typical design life for a station with that much usage is around the twenty year mark. The city has done very well in keeping that station in good working condition. The maintenance and repairs have been

increasing in frequency, which is not surprising given the age of it. At this point the condition is such that it's certainly due for major rehabilitation or even reconstruction if the existing structure is found to be insufficient. We're here today to request authorization to proceed with a study to evaluate the existing station and provide recommendations for improvements. As part of that recommendation we come with a task order that would cover our work, if the city is interested in pursuing this.

McKinney stated we previously adopted this process where our engineers are given authority under their general contract to do specific projects and that's authorizing them to look into this. Staff concurs with this action.

**A motion was made by Randall, seconded by Rutherford, and unanimously carried to approve Resolution #2017-67 Authorizing Proper City Officials to Execute Task Order No. 9 for Main Lift Station Improvements by and between Apex Engineering Group Inc. and the City of Park Rapids.**

**9.3. Resolution Authorizing Proper City Officials to Execute Task Order No. 10 for Highway 71 Frontage Road and Underground Utility Improvements by and between Apex Engineering Group Inc. and the City of Park Rapids:**

Olson stated this is another task order in relation to the Highway 71 South improvements. MN DOT is planning to reconstruct Highway 71, from County 15 up to Eighth Street in 2018. As part of that reconstruction they will be doing a full regrade, a complete removal and replacement along with the addition of a roundabout at the intersection of County 15 and Highway 71. As part of that process we looked at the city's existing infrastructure in that corridor. We identified four existing underground utilities the city has within that location, and also looked at the existing condition of the frontage roads themselves, which are owned by the city. There are a couple of the underground utilities that we are likely going to recommend replacement due to their age and material type. There's a chance the forcemain and the watermain, pending on their location, that those may remain. There are some utilities that we want to evaluate to determine if there are any improvements that we'll want to recommend to the city. The city has identified the frontage roads as a desired improvement at some point. It's scheduled in 2019 in the city's capital improvement plan. Given that the state is coming through in 2018, we're recommending that you consider moving that project up one year to coordinate those efforts. There are a lot of benefits to doing it under one construction contract and season. MN DOT is willing to take on additional work beyond their contract, but those would be city shares. The first step in the process is a study to evaluate the existing conditions and providing recommendations. From that point if you want to move into design we sure can.

McKinney stated part of the problem is that we're not in charge of the principle project. We're reactionary. I concur that we need to get more information. Olson stated MN DOT is in the very, very preliminary stages of this project, which is a very good thing. Getting in at this point and coordinating efforts from the start is really beneficial to all involved. Timing is really good on this. They just selected their engineer. They have not made it public at this point who is going to be doing the work. They plan to start rather quickly and have 30% designed by the end of the year. They do plan to proceed with this project rather rapidly with a 2018 construction. Design would basically start now, all the way through October, with bidding in February.

McKinney stated we're asking for advice on planning rather than doing the work. Randall stated this way we'll gather all of the information so we have time to decide going forward. **A motion was made by Randall, seconded by Stone, and unanimously carried to approve Resolution #2017-68 Authorizing Proper City Officials to Execute Task Order No. 10 for Highway 71 Frontage Road and Underground Utility Improvements by and between Apex Engineering Group Inc. and the City of Park Rapids.**

**9.4. First Reading of Ordinance Amending the Park Rapids City Code of Ordinances of the City of Park Rapids, Chapter 73 Recreational Vehicles, Section 73.08 Motorized Golf Carts:**

McKinney stated on the direction of the Council we've put before you an ordinance amendment to comply with your instructions to not allow golf carts. Although the ordinance allows for golf carts with permits, you directed us to have a moratorium and not issue any permits. Technically, there are no permitted golf carts on the streets. You asked us to provide an ordinance with a provision with regards to golf carts not being a part of the traffic code.

**A motion was made by Randall, seconded by Stone, and unanimously carried to approve the first reading of the Ordinance Amending the Park Rapids City Code of Ordinances of the City of Park Rapids, Chapter 73 Recreational Vehicles, Section 73.08 Motorized Golf Carts.**

**Discussion:** Randall stated I do want to point out that this is an issue that the citizens are concerned about, yet even before the moratorium there was not one permitted golf cart. No one had actually come to obtain a permit for their golf cart. While I understand the concern, the demand is not there. Safety concerns have been occurring. All this attention to it would just spread more safety concerns if people would all start thinking that they could and were not following the rules.

Rutherford questioned you don't think we should have golf carts in town? Randall stated that's the amended ordinance. I want to point out there are not any legal golf carts in Park Rapids prior to all of this discussion. Leckner stated I'd like the board to think about not just getting rid of it, but maybe there isn't a problem. How do we know there is a problem if there have never been any golf carts? I know there are some driving around but we've never enforced it either. Randall stated I don't think it's worth the enforcement. The amount of enforcement that would be needed when this became the new thing, I don't think this is what our police department should be focusing on. My motion is to approve the amended ordinance.

Leckner stated my question is, is it any different pulling over a golf cart than it is a car? For example if someone is driving on the sidewalk and you have to give them a ticket or if they're not licensed? Appel stated it would be, in essence, the same. It would be considered a stop just like a motor vehicle. It doesn't matter whether you're stopping them for breaking a city ordinance or a state statute. Randall questioned why would we need a golf cart on a sidewalk with kids riding bikes or people walking. Leckner stated they should not be on sidewalks. I'm saying enforce the law. Rutherford stated enforce the ordinance we got.

Nels Peterson questioned if he would be allowed to speak. Randall stated we had a second and this is a discussion among the Council right now. Firstly, the existing

ordinance needs a lot more work. Leckner stated I would agree with that. Scott Wilson stated I would concur with you. McKinney questioned have you been recognized to speak. Wilson answered no. McKinney stated then wait until you get the authority to speak.

Molly Luther stated I co-chair the Downtown Business Association, I sit on the Chamber Board, I own The Good Life Café, and Molly Poppins Gourmet Snacks on Main Avenue. I spend a lot of time on Main Avenue. I agree with our current ordinance golf carts are not a nuisance on Main. There's one visible at times. I'm not sure if that person is following the current ordinance or not, but I don't think that would be a reason to remove the ordinance completely and disallow it for anybody that was law abiding, rule following person that wanted to use a golf cart for the future. That's not saying that this could be added if the demand was there in the future. But instead of putting that barrier up for future residents it would be good to work with the ordinance that we already have and enforce it, if that is a more welcoming and accessible stance for the city to have. As a year round business owner I will take anybody in any vehicle that they have that's safe to travel the streets. I'm not saying that people are going to travel on Main Avenue in a golf cart in January, but there are other types of vehicles in the future to consider. I'm here to promote access and not change the rules for one incident.

Florence Hedeem stated I concur with if the ordinance is in place it ought to be enforced, and permitting is the way to do that. As a bicycle rider, when I went to license my bicycle I was third person ever to license a bike. McKinney stated as a point of information the individual that you are talking about if they were to apply for a permit it wouldn't be granted because you have to have a valid driver's license. Hedeem stated the permitting process would have to take some things into consideration. We had Carl Hendrickson living with us for eight and a half years. He was a foster adult in our home with disabilities, but he was able to be permitted, with a provision permit to ride a small motorcycle from our house which was four and a half miles east of Park Rapids into Park Rapids on a provisional license. I really appreciated the opportunity for him to be independent. I don't think any of you can understand what that kind of independence means for somebody.

Scott Wilson questioned to McKinney have I been in your office to talk about golf carts? I say that because the golf cart you're talking about is one person. I got him that golf cart. He asked me how can I get around? He said I want to be able to do my laundry, be independent, so I bought him a golf cart. It didn't have lights, a mirror, or a horn. I went and got that for him. It gave him his independence. You may see him on Main Avenue, he's just sitting there. You told him ten years ago that he couldn't sit there in his pickup because he was loitering. Him and Wally got kicked off every time they were up there because it was loitering. That's all they wanted to do, and now you're going to take that away from him because of one person. The issue isn't golf carts, it's what do you want him to do to make it better. If I have to visit with him to talk about driving differently, we can do that. But don't change everything because of one person. You go to Arizona the cars there are golf carts. They are driving 55 miles per hour. If someone falls out at 55 miles per hour you have insurance. Ron does have insurance on his golf cart. The issue is you're taking away someone's freedom and you're hindering your community. I own the movie theatre. I am downtown. I'm a development professional. Other communities have golf carts in their communities. You have 80 units for the elderly in the City of Park Rapids where people could have golf carts and have the freedom to go downtown. How are you going to cross the river? There's only two ways without using the highway. You can't go across the dam

because you put a sign no motorized vehicles. You can't go over the Red Bridge because the DNR owns it. What's a person to do? A snowmobile, a four wheeler, and a side-by-side can go on the sidewalk and that's okay. That's the next ordinance that you're going to have to ban.

Randall stated none of that is allowed. An ATV and a snowmobile are completely different statutes and regulated completely different. Wilson questioned then why do we see them all the time? McKinney stated we're not authorized to regulate those. Wilson stated what I'm saying is in order for you to have an ordinance for one person, what about the rest of our freedom? Randall questioned at what point did this become about one person? I don't even know the person's name they are talking about. You need to quite referring to this as being about one person. Wilson stated at the last meeting didn't you say you almost hit a person? Randall stated I did almost hit a golf cart, but if it was him I don't know.

Stone stated I think the bigger issue is safety. Golf carts aren't something that drivers expect. If we have an influx of golf carts because now we're giving the green light then we are creating a lot of potential issues. Wilson stated you didn't give a green light. You still have an ordinance and you have a police department to enforce it. This came up at the last meeting, out of the blue, and this fall, all of a sudden you've decided to ban golf carts in the City of Park Rapids. Mikesch stated there was more talk than just a few months and last year. Randall stated we had a changeover of our department heads and the ordinance was looked at. It was recommended from the department head that enforces this to put a moratorium on this so it could be looked at further. It has been looked at a lot further. This is not a kneejerk reaction. It has been reviewed and discussed at length amongst city hall and the Council at meetings.

Wilson stated when I look at the potential you're losing by doing that in the City of Park Rapids, in the City of Wadena you can't drive a snowmobile in town. You'll get a ticket. Think of all that potential. No one goes to Wadena to snowmobile. Think of all that lost potential and that's what you're going to do to this community. You want to have a trail head, what for, when all you're going to do is cater to a certain demographic and bypass others. Mikesch stated you're looking at two different things, one is a state trail. We're not looking at snowmobiles. Wilson stated I'm looking at it from the standpoint of transportation. Randall stated snowmobiles and ATVs are regulated by state statute, golf carts are not. Wilson stated state statutes allows you to drive to and from a point within a community. Randall stated it depends on what the accessibility is. Wilson stated from the same group that looks at abolishing four wheelers came the state of the art transgender bathrooms downtown for everyone to use but spent \$100,000.00 on a park that hardly anyone uses, so good job.

Nels Peterson questioned how many fatalities have we had in town with golf carts. Stone stated we haven't. Peterson questioned how many accidents? How many tickets? How many people are you fearful of? What are we fearful of? Mikesch stated you're done. Peterson stated it's a fair question. I smell some real hypocrisy going on. We allow snowmobiles to come through town, and I'm all for snowmobiles. Mikesch stated we don't have any say over that. Peterson stated we sure do because we are a community here. Mikesch stated that's all Nels. Peterson stated I'd like to let you know that snowmobiles are under chapter 72, they're under our transportation plan. Our golf carts are under recreational under chapter 73 they don't even match with the other recreational vehicles. A

golf cart is the most docile, tame, unthreatening vehicle there is on the road, and it's appalling that you would even think you would deny someone the opportunity to drive into town with that. It's simply appalling. Where do you even come up with that conclusion of such fear. It's all fear. We have never experienced it here. We have never muddled our way through the process to make the system work, and you have already thrown your hands in the air. That is not how the real world works. That is not how a congress works. That's not how I work every day. Mikesh stated you're done now Nels, thank you. Peterson stated well, I'm dissatisfied. If that's all the farther we can go with this, that's hypocrisy at its deepest.

Rutherford stated I want to clarify one thing, on a golf cart you do not have to have a driver's license. McKinney stated our ordinance requires it to get a permit. Rutherford stated but we're not doing it. Leckner stated but we could. McKinney stated this requires a permit, and a permit requires you have a license. Randall stated but we could make that stricter. Leckner stated I don't think that we should just nix the thing. I'm not 100% for it. I know there's tweaking we have to do, but with as much concern that I've heard over the last couple of weeks, my constituents are concerned about it.

Randall stated I had my own dad ask me how many fatalities and accidents we had. I've had him and my uncles breathing down my neck about this. So with somebody else coming in here and yelling at me, it's not going to be any worse than my dad has already done. We are all entitled to our own opinion. That is what this is. We each individually have an opinion. I ask that I'm giving your opinion the respect that it deserves and that we are given the respect we deserve with our individual opinion.

**The vote was called.**

**The following Councilmembers voted in favor: Mikesh, Randall, Stone.**

**The following Councilmembers voted nay: Leckner, Rutherford.**

**The motion carried 3-2.**

**9.5. First Reading of Ordinance Amending the Park Rapids City Code of Ordinances of the City of Park Rapids, Chapter 91 Alcoholic Beverages, Section 91.083 Operation:** McKinney stated what we have is a change in the state statute with regard to Sunday sales of liquor for off sale. This will make our city code consistent with state statute. It has very little direct impact on sales, because it just would allow us to do it, and we are not recommending that we make that decision yet, we're just saying the ordinance will now be consistent with the state law that goes into effect July 1st. **A motion was made by Randall, seconded by Stone, and unanimously carried to approve the first reading of the Ordinance Amending the Park Rapids City Code of Ordinances of the City of Park Rapids, Chapter 91 Alcoholic Beverages, Section 91.083 Operation.**

**9.6. Approve Additional Repairs to the South Portion of City Hall by Hammers Construction in the Amount of \$9,625.00:** McKinney stated when we started looking at the south end of the city hall building we found some water damage under the windows. The repairs have to do with the state of the building.

**A motion was made by Randall, seconded by Leckner, and unanimously carried to approve the additional repairs to the south portion of City Hall by Hammers Construction in the amount of \$9,625.00.**

**10. CITY ADMINISTRATOR COMMENTS:** There were no comments.

**11. DEPARTMENT HEAD UPDATES:** There were no comments.

**12. MINUTES/REPORTS/INFORMATION:** There were no comments.

**13. COMMENTS FROM COUNCIL:** Stone stated I would like to thank all of those that spoke tonight. We respect your opinions.

Mikesh stated I'd like to draw your attention to the resignation of Scott Burlingame from the Fire Department after twenty years of service. It goes fast, but every time the pager goes off it disrupts your family. Kudos to him for sticking in there for twenty years. The Firemen's Ball was a big success. It was packed. There were a few things that could have been done different, but it went over pretty good. I don't think we had any problems when people left. The count was around 400. Everywhere you looked there were people. The bleachers were full. It was a good turnout.

Randall questioned I heard the bleachers were still there, didn't we get rid of those? I heard comments that it was very small in there. I've been told through this whole process of buying this armory is how big of a space this is and how wonderful it will be for wedding receptions. Numerous people have said no to holding wedding receptions there. Mikesh stated that's temporary sitting. It's in their plan to get something that collapses. Randall stated I understand that but one of the things looking forward was to get wedding receptions in there right away so we better have a way to get that thing out of there with some ease. McKinney stated the stage is also temporary. The ultimate plan is to have the bleachers go up against the wall. Mikesh stated it was a challenge setting up. We had to work around things. But when the music was turned up it sounded really good. Randall stated the sound in there is amazing.

**14. ADJOURNMENT:** A motion was made by Randall, seconded by Leckner, and unanimously carried to adjourn the meeting at 7:05 p.m.

[seal]

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Mayor Pat Mikesh

ATTEST:

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Margie M. Vik  
City Clerk