

**CITY OF PARK RAPIDS  
CITY COUNCIL MEETING  
APRIL 25, 2017, 6:00 PM  
Park Rapids Public Library-Lower Level  
Park Rapids, Minnesota**

**1. CALL TO ORDER:** The April 25<sup>th</sup>, 2017, Regular Meeting of the Park Rapids City Council was called to order at 6:00 p.m. by Acting Mayor Erika Randall, and everyone present recited the Pledge of Allegiance.

**2. ROLL CALL:** Present: Acting Mayor Erika Randall, Councilmembers Ryan Leckner, Dick Rutherford, and Liz Stone. Absent: Mayor Pat Mikesh. Staff Present: Administrator John McKinney, Treasurer Angela Brumbaugh, Public Facilities Superintendent Chris Fieldsend, Police Sergeant Justin Frette, Liquor Store Manager Scott Olson, and Clerk Margie Vik. Others Present: Ruth Ann Campton, Sue Tomte, Nancy Newman, Owen Wagner, Cynthia Jones, Chip Lohmeier, Lowell Wolff, and Kevin Cederstrom from the Enterprise.

**3. APPROVAL OF AGENDA:** A motion was made by Stone, seconded by Rutherford, and unanimously carried to approve the agenda as presented.

**4. APPROVAL OF MINUTES:**

**4.1. City Council Regular Meeting Minutes-April 11, 2017:** A motion was made by Stone, seconded by Leckner, and unanimously carried to approve the April 11<sup>th</sup>, 2017, City Council Regular Meeting minutes as presented.

**5. FINANCE:**

**5.1. Payables & Prepays:** A motion was made by Stone, seconded by Rutherford, and unanimously carried to approve the payables in the amount of \$69,506.52, and the prepaids in the amount of \$56,567.96, for a total of \$126,074.48.

**6. CONSENT AGENDA:** A motion was made by Rutherford, seconded by Stone, 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 L&B Excavating Inc., and Cooperative Development LLC.**

- 6.2. **Resolution #2017-77 Approve the Renewal of an On-Sale 3.2 Beer License for Headwaters Softball League Inc. in the City of Park Rapids.**
- 6.3. **Approve the Reclassification of the Police Secretary Title to Administrative Assistant.**
- 6.4. **Approve the New Job Description for Full Time Police Officer.**
- 6.5. **Approve the Pay Request in the Amount of \$1,242.29 to JHR Garage Doors for Repairs and Reinforcement for Four (4) Garage Doors for the Public Works and Storage Buildings.**
- 6.6. **Approve Pay Request in the Amount of \$1,653.18 to Samuelson Laney Plumbing, Heating & Cooling Inc. for Repairs to the Furnace Chimney in the Police Department Garage.**
- 6.7. **Approve Pay Request in the Amount of \$1,699.52 to Park Rapids Lakes Area Chamber of Commerce for 2017 First Quarter Expenses Pertaining to the Wayside Rest Agreement.**
- 6.8. **Approve Transient Merchant License for Chris Ulmer d.b.a. TNT Fireworks to Sell Fireworks on June 19<sup>th</sup> to July 5<sup>th</sup>, 2017, in the Wal-Mart Parking Lot, at 1303 Charles Street.**
- 6.9. **Resolution #2017-78 Appointing Fire Department Officers for the City of Park Rapids.**
- 6.10. **Approve Purchase in the Amount of \$11,816.80 from Ferguson Waterworks for Spring Supplies for the Public Works Water/Sewer Department.**
- 6.11. **Resolution #2017-79 Accepting the Resignation of Police Officer Carrie Parks for the City of Park Rapids.**
- 6.12. **Approve Staff to Advertise and Interview for the Open Full Time Patrol Officer Position.**
- 6.13. **Approve Installation of a Special Event Sign Regarding Pioneer Park Fundraising in the Main Avenue Downtown Area.**
- 6.14. **Adopt the Revised City of Park Rapids Donation Program Procedures.**
- 6.15. **Resolution #2017-80 Authorizing Proper City Officials to Execute the Purchasing Agent Agreement By and Between Hammers Construction and the City of Park Rapids.**

- 6.16. Resolution #2017-81 Approve Temporary On Sale Liquor Licenses for the Park Rapids Community Development Corporation in the City of Park Rapids.**
- 6.17. Resolution #2017-82 Appointing Ellen Albee as Full Time Rapids Spirits Liquor Store Clerk for the City of Park Rapids.**
- 6.18. Approve Public Facilities Use Permit for Cynthia Jones d.b.a. Park Rapids Community Development Corporation on Thursdays, 6/15, 6/22, 7/13, 7/20, 8/3, and 8/17, all in 2017, to Close Second Street West, from Park Avenue to Main Avenue, 5:00 p.m. to 8:00 p.m., and on Thursdays, 6/29, 7/6, 7/27, 8/10, all in 2017, to Close Block One of Main Avenue South, 5:00 p.m. to 8:00 p.m.(hours 5-9:00 p.m. on 8/10 only).**
- 6.19. Approve Transient Merchant License for Cynthia Jones d.b.a. Park Rapids Community Development Corporation on June 15, 22, 29, July 6, 13, 20, 27, August 3, 10, 17, 2017, on Second Street West, Park Avenue S. to Main Avenue S., and on Block Two of Main Avenue South.**
- 6.20. Approve Public Facilities Use Permit for Cynthia Jones d.b.a. Park Rapids Community Development Corporation to Close Blocks One, Two, and Three, on Main Avenue South, on Thursday, July 27<sup>th</sup>, 2017, from 7:00 a.m. to 5:00 p.m. for Crazy Days.**
- 6.21. Approve Multi-Vendor Transient Merchant License for Cynthia Jones d.b.a. Park Rapids Community Development Corporation on Thursday, July 27<sup>th</sup>, 2017, for Crazy Days, on Blocks One, Two, and Three, on Main Avenue South, on Thursday, July 27<sup>th</sup>, 2017, from 7:00 a.m. to 5:00 p.m.**
- 6.22. Approve Public Facilities Use Permit for Cynthia Jones d.b.a. Park Rapids Community Development Corporation to Use Pioneer Park on Friday, July 28<sup>th</sup>, 2017, from 8:00 a.m. to 5:00 p.m. for Crazy Days Entertainment.**
- 6.23. Resolution #2017-83 Approving Plans and Specifications and Ordering Advertisement for Bids for the Pioneer Park Restroom in the City of Park Rapids.**

**END OF CONSENT AGENDA**

**7. COMMENTS FROM CITIZENS:** Nancy Newman stated I'd like to thank the police and fire department that helped to divert a very bad tragedy last Friday. There was a very quick response.

**8. GENERAL BUSINESS:**

**8.1. Eagle Scout Project-Owen Wagner:** Owen Wagner stated I'm here tonight to let you know about my Eagle Scout project. It is to paint this stencil, which says "Keep it Clean, Drains to River", on all the storm drains to let people know if they see litter, or not to throw litter in the storm drains because it leads to Fish Hook River. Jan Rumpza of the Fish Hook Lake Association contacted me and asked me to do this project. She got a grant five years ago to put a Downstream Defender storm drain filter south of River Heights Apartment, and to paint this stencil. They have been looking for help and I was looking for an Eagle Scout Project. She contacted me about this.

Stone questioned how many people are going to be helping with this? Wagner stated I have two stencils, so two groups. At this moment I don't know how many people will be helping me. I have about fifty drains to do, so each group will do about twenty-five. It shouldn't take too long. We're going to leaf blow the dirt off of the road. We have a box to put on the ground over the stencil to keep the paint from going anywhere else. And then we move on to the next stencil. The painted stencil will be white.

The Councilmembers all agreed this would be a great project. **A motion was made by Stone, seconded by Rutherford, and unanimously carried to approve Owen Wagner's Eagle Scout Project to paint the stencil "Keep it Clean, Drains to River", on city streets by the storm sewer drains.**

**8.2. First and Second Reading of Ordinance Amending the Park Rapids City Code of Ordinances, of the City of Park Rapids, Chapter 91 Alcohol Beverages, Section 91.063 Hours and Days of Sale:**

McKinney stated this request came from one of the restaurants in town that has started to serve breakfast on Sunday mornings. The state statute that permits the on sale of liquor at noon has been changed to allow sales to start at 8:00 a.m. Our ordinance was never amended to allow for that. We have prepared for your consideration an amendment to the ordinance which would allow the serving of alcohol beverages, with the sale of food, starting at 8:00 a.m. This would only be allowed with the serving of food, and not just liquor. That information is before you with an ordinance that would change the time from 12 noon to 8:00 a.m. We have prepared this with the waiver of the second reading at a future meeting, it would be done tonight as well, which would authorize the clerk to publish on Saturday the 29<sup>th</sup>. It would enable the restaurants to serve alcoholic beverages on Mother's Day.

Randall questioned if we choose to go forward with the first and second readings today then we would need to suspend the code provision of 30.26(A)(2) and the reason would be we're going into the busy season. McKinney stated that is correct.

Randall stated I talked with McKinney about this prior to tonight and my concern is addressed in the current and proposed city code, which also conforms with state law, this would only apply to businesses that sell food at the same time, so you couldn't open solely for the purpose of the sale of alcohol. Stone questioned what constitutes food, a bag of chips? Vik stated they have to have a restaurant license.

**A motion was made by Rutherford, 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 Alcohol Beverages, Section 91.063 Hours and Days of Sale.**

**A motion was made by Stone, seconded by Leckner, and unanimously carried to authorize the suspension of the rules in City Code 30.26(A)(2) to allow the second reading of the Ordinance Amending the Park Rapids City Code of Ordinances, of the City of Park Rapids, Chapter 91 Alcohol Beverages, Section 91.063 Hours and Days of Sale, to be held at the same meeting as the first reading.**

**A motion was made by Rutherford, seconded by Stone, and unanimously carried to approve Resolution #2017-84 Approving Ordinance 572 Amending the Park Rapids City Code of Ordinances, of the City of Park Rapids, Chapter 91 Alcohol Beverages, Section 91.063 Hours and Days of Sale, and the second and final reading of Ordinance No. 572 Amending the Park Rapids City Code of Ordinances, of the City of Park Rapids, Chapter 91 Alcohol Beverages, Section 91.063 Hours and Days of Sale.**

**8.3. Approve/Deny the Purchase of Fish Hook Lake Lots from the Verdell Gulbranson Estate:** Chris Fieldsend stated the Gulbranson family came to the last Council meeting. They are offering to sell their lake lots to the city. The Council asked for a plan. I'm presenting the Parks Plan to you, which is a summary of what is expected in that area. The current beach, which is owned by the city, is bermed up. The Gulbranson lots are more level. We're looking to put in showers. We've had swimmer's itch there so we'd have to put in showers, and a better dock system, a bigger turn around, and handicapped accessibility. The Parks Board is redoing their plan. This won't change. It's been about ten years since we've redone it.

Randall questioned the plan here is to make the beach bigger? Fieldsend stated it would extend the beach. This land is sloped. What we have is a drop off. The only way to get on it is to go through rock. Randall questioned are you saying without this property there can't be beach? Fieldsend stated we'd have to reshape the whole thing. Randall questioned so would you reshape the whole thing. Fieldsend stated I don't know that we would. It's pushed up because it's closer to the end and the ice pushes it up.

McKinney stated the Park Board has this plan on the CIP for 2018, only to acquire it, not to develop it. There is no current plan for development. If we acquire this property as proposed there are some overtures from the county that would allow us timed payments.

Chip Lohmeier, from the Hubbard County Parks and Recreation Department, stated the Gulbranson family met with the city and the county a couple of years ago regarding the potential purchase of this property by the city. At that time the city said they didn't have the money available to purchase the property. The county has a sizable fund balance in the recreation department where we would be willing to purchase the property, hold it until the city has funds available and is ready to purchase the property. We'd sell it back to the city. Our current policy has been that we would fund 50% of those kinds of recreational projects. We would sell the property back to the city at half the purchase price that we paid for it. We can hold the property until 2018 if that is what your capital improvement plan is looking at. We would not do anything with the property once it's in our ownership and the

city is ready for it. This was brought to us a couple of years ago. Since then we've had a couple of changes in county commissioners. This has not been brought to the county board for discussion. It's been strictly at the Park Board level so I can't make any guarantees but that had been discussed at the county board but no decisions had been made. That was the position of the county at that time.

Randall questioned if there were any negotiations in this sale price, it would be the county doing the negotiations? Lohmeier stated that is correct. Randall stated I understand that they've offered a purchase based on the appraised value, but I understand there could be negotiations on the appraised value. I'm wondering what there is to approve or deny if we don't know if the county is still on board with this. McKinney stated one thing you could pursue is to authorize staff to come back with a negotiated deal with the county. It went through the Finance Committee and there were no funds to do it a couple years back.

Randall stated I don't think we have enough information. If the county addressed it and the board again approved it and they came up with a negotiated purchase price, and then it could come back to the Finance Committee, and then the county could also tell us how long they'd give the city to make the decision. What if we're not ready for it in 2018, or could we pay the county back over two years. I think that's a Finance Committee discussion as well. McKinney stated there's an offer to sell to the city from 2016. It's been around about a year.

Randall stated I'd like to see it pursued. I don't know whether I support it or not, but I don't feel that I have enough information today. McKinney stated today we were trying to show you that there is a plan for this. Do you want to implement the plan now, or ever? And if you do, how are you going to fund it. The only thing we can tell you there are no funds at all in the budget this year. Next year there is a CIP which isn't funded. The plan would be to buy it next year. If you follow what the CIP says, in September when you do the budget you'd have to fund that amount.

Leckner stated the information that we need is, is there an agreement worked out with the county, and also what financing is available from them over the next two years. With a plan like that I think we can make a decision. We can give you direction to look further into it. Randall stated I think it would be helpful to see where the proposed beach area is going to be and what part of that is actually on this property. Why do we need this property, other than for a big turnaround. I understand there's been some discussion about showers but that's not going to happen for a while. We only have this in the CIP to purchase this, but a remodel or rebuilding isn't funded. Fieldsend stated the county might even do some of that work. I would say we'd move the house off, and put in some outdoor showers. Rutherford stated you'd have to tear the house down, unless you cut down a whole bunch of trees. I think we're wasting our money.

Stone stated I disagree with you. I think it needs to be looked at further. I think there's some potential there. Leckner stated we have to remember that we're getting some help from the county. Rutherford stated if they'd help us all the way. Leckner stated maybe that's part of your negotiating, the price, and to get the house removed. That's going to be an expense.

McKinney stated you can refer it to staff and we'll get together with Lohmeier and the county. Most of this is driven by the family to make a beach. Fieldsend stated the county is also interested in a beach.

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

**10. CITY ADMINISTRATOR COMMENTS:** McKinney stated the Council authorized me to appoint a citizen committee to deal with recreational vehicles. That committee, along with the chief and I, have met last Wednesday. They've made assignments. Everyone has something to do. They know you'd like to have something done in thirty days. You lifted the moratorium on permits. Four applications have been picked up, but none of them have been returned yet. Even though it's possible to get a permit now, if you see a golf cart, it doesn't have a permit yet.

**11. DEPARTMENT HEAD UPDATES:** Olson stated April sales are looking pretty good. We're having the floors stripped and waxed this weekend.

Frette stated one motorized golf cart has been inspected so far. We have been instructed as officers to help identify these if they are out and about, and to get them to city hall to get a license. So far I've only seen one out and about and we've given them that information. McKinney stated there is a process to get them compliant under the current ordinance. Randall stated I take that to mean once they have been assisted in how to do the process, if they fail to do so and they are still operating their golf cart then enforcement action will be taken. Frette stated every time we come in contact with one we will generate a call for service so it's documented that we've spoken with them. At that point if we have continual issues with them we'll address the enforcement action of a citation.

**12. COMMENTS FROM COUNCIL:** Rutherford stated I had a nice ride with Scott Burlingame the other day to look at equipment. It was very helpful and well worth the time.

Stone stated if you aren't familiar with the library and all that it has to offer, I'd really encourage you to take the time. Our facility here, even though it is small, offers many things besides books on the shelves. It's a great resource for our community.

Randall stated I attended the firemen's banquet on Saturday. It was nice and well attended.

**13. ADJOURNMENT:** A motion was made by Stone, seconded by Rutherford, and unanimously carried to adjourn the meeting at 6:26 p.m.

[seal]

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Acting Mayor Erika Randall

ATTEST:

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Margie M. Vik  
City Clerk