

**CITY OF PARK RAPIDS
CITY COUNCIL MEETING
JUNE 13, 2017, 6:00 PM
Park Rapids Public Library-Lower Level
Park Rapids, Minnesota**

1. CALL TO ORDER: The June 13th, 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, Liquor Store Manager Scott Olson, Planner Ryan Mathisrud, Police Chief Jeff Appel, Treasurer Angela Brumbaugh, Public Facilities Maintenance Superintendent Chris Fieldsend, Public Works Superintendent Scott Burlingame, Fire Chief Donn Hoffman, and Clerk Margie Vik. Others Present: Tom Petschl, Paul Dove, Ryan Zemek, Nancy Newman, Rod Nordberg, Cynthia Jones, David Collins, Florence Hedeon, Sue Tomte, Chip Lohmeier, Char Christiansen, 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 with the following additions:

Add to Consent: #7.16. Approve a Temporary Golf Cart License in 2017 for Ronald Waterman.

Revised Resolution for #9.2. Resolution to Approve a Variance to Allow Off-Site Signage on Property in the B-1 Highway Business District at 1011 First Street East, PID #32.24.05500.

Revised Information for #9.3. Authorize Execution of the Declaration of Covenants and Agreement for Construction, Operation and Maintenance of Lift Station for KI Developers.

Additional Information for Item #10.1. Proposed Amendment to the Park Rapids City Traffic Code.

Information was presented for Sunday Liquor Hours and the Second Street Stage Event.

4. EMPLOYEE APPRECIATION: Acting Mayor Randall presented Scott Olson with a Certificate of Achievement for twenty-five years of employment. Police Chief Appel accepted the Certificate of Achievement for Kristine Cook for her fifteen years of employment with the City of Park Rapids.

5. APPROVAL OF MINUTES:

5.1. City Council Regular Meeting Minutes-May 23, 2017: A motion was made by Rutherford, seconded by Leckner, and unanimously carried to approve the May 23rd, 2017, City Council Regular Meeting minutes as presented.

6. FINANCE:

6.1. Payables & Prepaids: A motion was made by Stone, seconded by Leckner, and unanimously carried to approve the payables in the amount of \$27,102.52, and the prepaids in the amount of \$386,142.79, for a total of \$413,245.31.

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

- 7.1. Approve Plumber's Permit to Work in the City of Park Rapids in 2017 for Ron Steinkraus Plumbing & Heating.
- 7.2. Approve Public Facilities Use Permit to Close Fourth Street West, between Main Avenue and the Alley, for Cynthia Jones d.b.a. Park Rapids Community Development Corporation on Thursday, July 27th, 2017, from 12 noon to 2:00 p.m., for Crazy Days Entertainment.
- 7.3. Resolution #2017-98 Permitting the Destruction of Aged Documents as Determined by Adopted Minnesota General Records Retention Schedule.
- 7.4. Approve Permit for an Outdoor Public Fireworks Display for Flashing Fireworks Spectacular on July 4th, 2017, to be held at Heartland Park within the City of Park Rapids.
- 7.5. Approve Repairing the Rusting Box of Plow Truck Unit 16 at an Approximate Cost of \$1,500.00.
- 7.6. Approve the Replacement of the Library Roof at a Cost of \$65,670.00. to the low quote from Herzog Roofing.
- 7.7. Approve Pay Request to Hubbard County Regional Economic Development Commission for the 2nd half of the 2017 Annual Investment in the Amount of \$20,000.00.

- 7.8. Approve invoice #271570314 to Wallwork Truck Center for Repairs of the EGR Cooler to Truck 571 in the Amount of \$4,577.90.
- 7.9. Resolution #2017-99 Accepting Donations for the City of Park Rapids.
- 7.10. Resolution #2017-100 Approve Temporary On Sale Liquor License for Shell Prairie Agricultural Association in the City of Park Rapids.
- 7.11. Approve Transient Merchant License for Alan Kurth d.b.a. Park Rapids Assembly of God to Sell Fireworks on June 25th to July 4th, 2017, in the Lot across from Thielen Motors on Hwy 34 West.
- 7.12. Approve Transfers and Designations for 2016.
- 7.13. Approve Receipts for March 2017.
- 7.14. Approve Payment #1 to Anderson Brothers Construction in the Amount of \$234,299.45 for the 2016 Apron & Taxiway Rehab Project (State Project #2901-69).
- 7.15. Resolution #2017-101 Approving the On Sale/Sunday Liquor License for Gregory Parsons d.b.a One More Club in the City of Park Rapids.
- 7.16. Approve a Temporary Golf Cart License in 2017 for Ronald Waterman.

END OF CONSENT AGENDA

8. COMMENTS FROM CITIZENS: There were no comments.

9. PLANNING:

9.1. Resolution to Approve a Conditional Use Permit to Construct a Detail Shop, Auto and RV Repairs and Sales, Boat and RV Storage and Shrink Wrap along with a private residence at 1013 1st St E located in a B-1 Hwy Business District PID #32.24.05100: Mathisrud stated this is a request from Todd Payne of Covenant Ridge Investments LLC, to construct an automotive detail shop, with automotive sales, future RV repairs, boat and RV storage and boat wrapping, and a private residence, located at 1013 First Street East. This is the former Guida Mill Works site. We recently approved a cell tower site on this property. The Planning Commission reviewed this request. The proposed

use has established this business which includes the auto and RV detailing. They did recommend approval of this request subject to the following conditions, the owner obtain an access and utility easement that adequately serves the site for utilities, and the developer shall complete site improvements according to the attached site plan. He requested comments or questions. There were none.

A motion was made by Stone, seconded by Leckner, and unanimously carried to approve Resolution #2017-102 Approve a Conditional Use Permit to Construct a Detail Shop, Auto and RV Repairs and Sales, Boat and RV Storage and Shrink Wrap along with a private residence at 1013 1st St E located in a B-1 Hwy Business District PID #32.24.05100.

9.2. Resolution to Approve a Variance to Allow Off-Site Signage on Property at 1011 First Street East located in a B-1 Highway Business District:

Mathisrud stated this request is to allow off premise signage on the property located right in front of it. They are requesting to place a pylon sign on the property in front of theirs. This property was split at a time when there wasn't a review of property splits. That resulted in a property without access to utilities and road frontage. It technically doesn't meet the definitions to allow pylon signage because we prohibit off premise signage. This request would allow placement of a pylon or monument sign in front of the Bruin Optical building for this parcel. That sign would have to meet the standards set forth in city code 151.158. The location shall be determined on a city approved site plan with appropriate pavement removals and landscaping. The applicant shall obtain an easement from the owner, which would allow that sign on that property and it has to be legally described and depicted in a certificate of survey, pins or nails set. The signage shall only benefit the property owner that is requesting this pylon sign, and shall not count towards the property on front of it if ownership should change, or something of that nature. It shall run with the land. If it's abandoned it shall not be utilized by the owner of the Bruin Optical building and all the sign faces shall be removed. A copy of any agreement that is created between the two private landowners shall be provided to the city. The Planning Commission reviewed this request and recommended its approval subject to those conditions. He requested comments or questions. There were none.

A motion was made by Stone, seconded by Rutherford, and unanimously carried to approve Resolution #2017-103 Approve a Variance to Allow Off-Site Signage on Property in the B-1 Highway Business District, at 1011 First Street East, PID 32.24.05500.

9.3. Approve Declaration of Covenants and Agreement for Construction, Operation, and Maintenance of Lift Station for KI Developers of Park Rapids for the Development of a Lift Station to Serve Lot 2 of Crystal Brook:

Mathisrud stated this is a request from KI Developers. They are requesting approval of the Declaration of Covenants and Agreement for Construction, Operation, and Maintenance of a lift station to serve lot two of Crystal Brook. At the last meeting we reviewed a conditional use permit which permitted the eighty-eight unit senior housing facility. They need a lift station in order to serve that building for that specific lot. In order to handle that they need to have an agreement with the city stating that that is essentially a privately developed, constructed, maintained, and replaced in the future lift station. The amended agreement in

front of you does that, which includes a couple of minor changes. We're not requiring security from the developer because they have a vested interest in the outcome of this. It only serves their lot. They won't be able to flush their toilets without it. So we're not requiring a security for that. The city will not unreasonably withhold a change of ownership. The attorney's fees shall be reciprocal and paid for by whichever party is entitled to the coverage. Our recommended motion is that the city approves the document to form, allowing minor and technical changes and authorizing the mayor and city clerk to execute the final agreement.

A motion was made by Rutherford, seconded by Leckner, and unanimously carried to approve the "Declaration of Covenants and Agreement for Construction, Operation and Maintenance of Lift Station" to form, allowing minor and technical changes, and Authorizing Mayor Mikesch and Clerk Margie Vik to Execute the Final Agreement.

10. GENERAL BUSINESS:

10.1. Proposed Amendment to the Park Rapids City Traffic Code:

McKinney stated you have been provided the history with respect to this action. We have three items that need to be addressed based on the recommendations of staff. An ordinance was presented to you to amend the existing ordinance. It received a first reading, and then was tabled at the subsequent meeting. After that tabling the Council directed me to organize a committee to study this and come back with the recommendations that were presented at the 5:00 p.m. workshop. We have this tabling in a form of the ordinance we no longer will be utilizing. We're suggesting that a motion be made to recall that and not use it anymore so we can move forward with a new ordinance.

McKinney stated we are recommending that you authorize staff to prepare a new ordinance consistent with the report that you received at the workshop and bring it back in two weeks for a first reading. The third item is when it was decided to table the first resolution we had permit requests that we'd have to wait until all of this unfolded so you authorized us to issue temporary sixty day permits. The sixty days expires on June 11th. We are recommending that you grant an extension of those until the new legislation becomes effective. Then they would have to get a new permit. Those are the three items that we are recommending.

A motion was made by Leckner, seconded by Stone, and unanimously carried to recall the second 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, and rescind consideration of such order.

A motion was made by Rutherford, seconded by Stone, and unanimously carried to authorize staff to prepare a new revised Traffic Code Ordinance based on the recommendations of the appointed Transportation Committee and the City Council.

A motion was made by Rutherford, seconded by Leckner, and unanimously carried to extend the time frame for the issued temporary Golf Cart Permits until such time as the amended Traffic Code Ordinance takes effect.

Discussion: Stone questioned there are three temporary permits that have been issued. So will those folks who paid the \$10.00, will they have to pay the full \$25.00? McKinney stated you'll have to tell us what you want when you adopt the ordinance.

10.2. Fish Hook Lake Lots: Fieldsend stated Hubbard County has come up with a proposal on how we would move forward with this. They propose to buy the property and then prepare a contract for deed for half of the purchase price to be repaid in five installments over a five year period. I've provided some information on what we'd have to do to those lots. Currently, it's not in our plan to do that. We didn't plan that this would be available to buy either. All the parks plans would need to be shuffled again. This may be a ten year project. As part of our discussion with the county and the owners, either the owner would remove the house, or the county would, and then they would deduct whatever it costs from the purchase price, then the city's cost would be half of that number. The owners have decided they would remove the house and that will be part of the purchase agreement, so the house will be gone when the county buys it.

Leckner questioned how does the Parks Board feel about this according to their plans? Fieldsend stated this is part of their plan. I've talked to a lot of people that really want this, a bigger beach with showers. There are people that don't want this because it's on the river. Since the water is there, if we could hook up showers on a pad that would work for now but any long range plans would be further out.

Randall stated if this goes forward it will take away priorities from the other parks. Is the Park Board supportive of that? Fieldsend stated yes. Rutherford stated the Park Board still wants to redo the gazebo, all of the rock work, down there. To do the whole project, we're looking at \$1/2 million by the time you lay paving and build a nice shower. I can't see where we can spend \$1/2 million at one park and not take care of some of the other stuff in Park Rapids.

A motion was made by Stone, seconded by Randall, to approve the purchase of the Gulbranson property on Fish Hook Lake, according to the Hubbard County proposal.

The vote was called.

The following Councilmembers voted in favor: Randall, Stone.

The following Councilmembers voted nay: Leckner, Rutherford.

The motion failed to pass.

10.3. Arts Plan Presentation by Arts & Cultural Advisory Commission:

Mathisrud stated in 2015 there were discussions held at the Arts and Culture Advisory Commission about how arts are integrated into the community. The city receives requests for sculptures and murals, and musical performances. So the Commission decided that they wanted to pursue an Arts and Culture Plan for the community and develop a work plan for how the city would handle requests going forward and to develop a policy. In June of 2016, the Council authorized the Arts Commission to apply for a grant to help pay for development of a plan. The contributors of the grant include the Northwest Minnesota Foundation, the HRDC, PERLAC, and the Park Rapids Area Community Fund.

Ryan Zemek, from HRDC, stated we were approached last spring with a request to help the Arts and Culture Commission to put together a plan that would better define the

role of the commission and its responsibilities, and how to provide guidance to the city. It would also create priorities. From the city's perspective it would provide staff with some goals and policies so that they can interpret the requests to the city when it comes to a mural, etc., based on a policy rather than just taking them as they come. The goals for that were to define the roles and responsibilities. At this time the city's comprehensive plan has no goals or policies directed to arts and culture. There are a number of things that point to livability, and a number of areas that interact with that, but there is no specific area that references art and culture. This in addition to providing the commission with some guidance it would also add some policy that would be an addendum to the comp plan.

Zemek stated we started with the data available to us like what impacts arts right now, what kind of things are happening. What things are other communities doing when it comes to public art and culture. We also did a community survey that was done on line. In addition to that we also went down to Second Street Stage in the summer and handed out placards that took us to the community survey. We were engaging with folks that were already engaging with our culture in a public way in Park Rapids. In December we held two focus groups with about forty-four people to give us their input on things that they'd like to see. This is from a city's perspective. How does a community interact with arts and culture in their planning, public spaces, parks, rather than is the theatre group going to put on Hamlet this year. It's how does the community and public spaces interact with arts and culture. We took in all that information with our selected goals and policies to fit the wants and desires of the community, and put together goals and policies that will serve the commission's work over the next five years.

Zemek stated the goals and policies that were selected by the commission based on the feedback from the community are:

1. Promote the creation and inclusion of art in public and private spaces. This comes down to a concept we often call place making. Its how can you liven up spaces whether it's with murals or sculptures.
2. Financially support the Park Rapids Arts and Culture Commission goals. This is not necessarily a direct request to the City Council for money for a specific project. The commission has challenged themselves to think creatively on how can we get these things done and move them off the planning document and into the implementation stage.
3. Recognize and support preservation of Park Rapids' historic and cultural assets. This is really a broad range of things from historic buildings to recognizing the different cultures that have created this community, whether it's all the way back to pre-colonization, to the immigrates that made this community.
4. Make the City of Park Rapids a regional destination for unique arts and cultural experiences. We know that arts and culture create an economic impact to the area.
5. Support the Arts and Culture Plan and respond to changing needs of the community. We know that planning is a static process. We know that once you have a plan it's never done. We recognize there are changing needs and ideas that are important to the community.

Paul Dove, Chair of the Arts and Culture Advisory Commission, stated I'd like to express gratitude to Ryan Zemek and the HRDC for facilitating the creation of the arts road

map for the City of Park Rapids. Through this document the commission has identified a number of important strategic goals to work on and a process that will keep us focused from year to year. Park Rapids and the community have great strength in the arts and the document that you have before you will further identify how the arts can become a vital force in our future community.

Mathisrud stated we ask that you place Park Rapids Arts and Culture Plan on the agenda for the next Council meeting. We can review the plan and consider adopting it at your next meeting.

10.4. Acknowledge Receipt of Letter from Thomas Petschl to serve on the Planning Commission: McKinney stated normally the process is for an invitation to be issued for the public to apply. We got this letter and we wanted you to know that. You can do as you wish. I think you would direct us to advertise the opening. Randall stated then we should refer it back to staff and open it up for any other applications.

A motion was made by Rutherford, seconded by Stone, and unanimously carried to acknowledge receipt of the letter from Thomas Petschl to Serve on the Planning Commission, and refer the matter to city staff to advertise the open position.

11. CITY ADMINISTRATOR COMMENTS: McKinney thanked the Council for allowing him to be gone for three weeks, and thanks to the staff for doing a wonderful job. We have now made the new administration part of the building functional. We are moved in, except for some loose ends. The staff is inviting the Council to come to city hall before the next Council meeting to look around and we'll show you the space. We have received nothing but compliments from the public so far. We appreciate your support in getting that done. We will be back to you soon with some suggestions on how to proceed with the remainder of the building.

12. DEPARTMENT HEAD UPDATES: Scott Olson stated I presented you with information for your consideration regarding Sunday liquor sales.

Donn Hoffman stated on Saturday we had our open house. We had seven-hundred people attend. It was a very nice day and the event was well received. We have some upcoming events. On Saturday, we'll be part of the Kinship's program from 2:00 p.m. to 4:00 p.m. It's an event that takes place all over town. On July 29th we'll have our third annual 5K race, starting at 8:00 a.m. On August 12th we have our Fishing Frenzy Tournament on Potato Lake, from 7:00 a.m. to 3:00 p.m. We have thirteen signed up so far. October 8th to the 14th, is Fire Prevention Week. We'll be busy with that. The event is mostly about the kids. If you have not seen the Fire Department's Facebook page, you should go there. It's very good.

Randall questioned I hear that you filled the open firefighter position? Hoffman stated that will come up at your next Council meeting where we'll be making a recommendation for two appointments.

13. MINUTES/REPORTS/INFORMATION: There were no comments.

14. COMMENTS FROM COUNCIL: Leckner stated on those Fish Hook Lake lots, I'd like to thank the staff for the time you put in on that. I think there is good in that, but I'd like to look further into it to see what we have to spend on streets and parks. Maybe the Parks Board can focus on that and come up with more of a plan to see what we can cut back on. I hope the possibility doesn't completely go away. I'd like to have more of a discussion on it.

Randall stated the whole thing came up very quickly. Something like this should be on our CIP with a plan on how we are going to pay for it. I hope it doesn't go away as well. Leckner stated we have to know how we are going to pay for it.

Leckner questioned for the bathrooms on Main Avenue are we still just getting donations now? Rutherford stated we have about \$5,000.00 donated. I think that we should look at putting in the infrastructure and the footings this fall because we have some of the money to do that. The city has offered \$25,000.00 towards that project.

Randall questioned how does the bidding work for that? McKinney stated you directed us to go to rebid it but they aren't out yet. Leckner stated we should keep this in our radar and not wait too long. I don't know if it's bad to do bids in increments. If we have to wait for that fundraising, if there is a certain portion, like the underground work and the foundation, we could put bids out this fall and get that done. Then we'd have all winter to raise money so it's ready to go. McKinney stated because of the size of the project we are required to go with engineering and designs. You have to design the whole thing and not just the bottom. You have to know what's going on the top of it. Leckner questioned don't we already have architectural designs. McKinney stated we are going to review them because the last time the bids came in higher than what you would accept. You directed us to start over which is what we are doing. We understand the intention was for us to get that done right away and we'll go to bids at the end of the summer so you would have construction in the fall if that's what you'd like to do if the bids come in right. You'll have to agree as to what we are going to do. The fundraising should continue because hopefully we'll get a bid that will allow them what they want which is to get the thing ready to go as soon as possibly next spring. That's what we are trying to do. Fieldsend stated I would agree with that. I talked to the architect. There are some things that we can change to bring the price down.

Randall questioned the design right now is for the bathrooms to be up to the front of that park? Fieldsend stated they would be about ten feet back. That's where the water and sewer connections are. Randall questioned is it impossible to move it to the back? Fieldsend stated we could but we'd have to move all of the rock. Randall stated I'd like to see that as an option otherwise we're wasting the whole park because the bathrooms are going to be blocking the entire rest of the park. I have my own thoughts about those rocks. I wouldn't hate to see them go. If we have that space it would be nice for the public to use it. But if we have bathrooms there we are wasting all of that space. Fieldsend stated the bathrooms would take up about a third of the lot. Randall stated the open space would be behind it. Its unlikely people would use it. Rutherford stated I agree with you one hundred percent. The bathrooms should be right at the back. Leckner stated I was thinking that's the way it was drawn up. McKinney stated it was designed in the front because that's

where the water and sewer is. If you want to keep the price under \$100,000.00 you just added to it. Randall stated if we are going to do it we should do it right. I'd like to see it explored.

McKinney stated I'd like some clarification. Your comments indicate you think something is going to happen further on the Fish Hook Lake lots. You received a proposal which you did not accept so what are you thinking. What's going to happen next? Randall stated I think we have to talk about it at budget time and then go back to the county to see if it's still an option to explore at that time. McKinney stated I need to tell the county something that the offer they made to us has not been accepted. Randall stated right, and that we'll be discussing it as part of our budget. McKinney stated it may or may not be available at that time. Leckner stated they need to know that we'll still be thinking about it. Randall stated it was nice that the county was able to act on it. Maybe they had a little more heads up than we did. This was very, very fast. McKinney stated we've known about it for over a year. Randall stated it only came up two Council meetings ago when we got asked to look at purchasing it. McKinney stated the county is going to be thinking this is something that has been going on for over a year. Leckner stated I was thinking that by saying yes to the proposal we were for sure buying it. McKinney stated you were. Leckner stated I thought you were saying we were agreeing to the deal if the county bought it. But we haven't decided yet if we can afford them. McKinney stated the county is going to say they made a proposal and you did not accept it. So I'm going to tell them that is true, so it may go away. Rutherford stated they may say if they want Park Rapids to have it as a beach, we'll give it to you for this price.

15. ADJOURNMENT: A motion was made by Rutherford, seconded by Stone, and unanimously carried to adjourn the meeting at 6:43 p.m.

[seal]

Acting Mayor Erika Randall

ATTEST:

Margie M. Vik
City Clerk