

**CITY OF PARK RAPIDS  
CITY COUNCIL MEETING  
JULY 11, 2017, 6:00 PM  
Park Rapids Public Library-Lower Level  
Park Rapids, Minnesota**

**1. CALL TO ORDER:** The July 11<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, and Liz Stone. Absent: Councilmember Dick Rutherford. Staff Present: Administrator John McKinney, Planner Ryan Mathisrud, Public Facilities Maintenance Superintendent Chris Fieldsend, Treasurer Angela Brumbaugh, Police Chief Jeff Appel, Liquor Store Manager Scott Olson, Public Works Superintendent Scott Burlingame, Police Officer Dannon Yliniemi, Police Sergeants Justin Frette, Dan Garner, and Sabin Rasmus, and Clerk Margie Vik. Others Present: Sue Tomte, Nancy Newman, Apex Engineer Jon Olson, Nicole Vik, David Collins, Tulaine Collins, Mark Lohmeier, Florence Hedeem, Cynthia Jones, many family and friends of the Park Rapids Police Officers, and Kevin Cederstrom from the Enterprise.

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

- 7.18. Resolution Approve Minnesota Lawful Gambling LG220 Application for Exempt Permit for St Joseph's Area Health Services.
- 7.19. Approve Public Facilities Use Permit for Bachmann Auctioneers / Diane Mary Clark to Close ½ Block of Pearle Avenue, from Main Avenue, East to the Alley, on July 22, 2017, from 8:00 a.m. to 5:00 p.m.
- 7.20. Approve Pawnbrokers License for Royce A. Holland d.b.a. Fuller's Gun & Pawn for May 1, 2016 to April 30, 2018.

**4. RECOGNITION:**

**4.1. Oath of Honor for Park Rapids Police Officers:** Police Chief Appel stated we are recognizing three promotions and one new hire. The process is different this time due to me arriving here in October of 2016. We had three recent promotions and then hired someone, so we have four here tonight. Going forward for each new hire or promotion they will read the Oath of Honor in front of you.

Appel stated the Oath of Honor represents a trust between the community and the law enforcement officer. The Oath of Honor for police officers is a binding representation of this trust. A trust that is a dedication to our policing profession, our fellow officers, the

police department, the City of Park Rapids, and the citizens that we serve. The oath is an affirmation of our commitment to our country, state, jurisdiction, community, and an acknowledgement that we are part of a cause that is greater than ourselves. The officers will take the Oath of Honor upon being hired or promoted.

Appel stated we have three promotions starting with Sergeant Justin Frette. He has worked for the Park Rapids Police Department since November of 2008, and was promoted to the rank of Patrol Sergeant in August of 2016. Sergeant Daniel Garner has worked for the Park Rapids Police Department since August of 2010 and was promoted to the rank of Patrol Sergeant in August of 2016. Detective Sergeant Sabin Rasmus has worked for the Park Rapids Police Department since 2011 and was promoted to the rank of Detective Sergeant in December of 2016. Patrol Officer Dannon Yliniemi has worked for the Park Rapids Police Department since 2014 and was moved to full time status in January of 2017.

All four officers moved to the front of the room and stood before the City Council and recited the Oath of Honor, stating, I swear on my honor I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for my actions. I will always uphold the laws of my country, my community, and the agency I serve. The badge pinners approached and pinned each individual officer with their Park Rapids City Police Department badge. The newly pinned officers were greeted with a round of applause.

**4.2. Commending David W. Collins for Outstanding Community Service:**

Mayor Mikesh read the letter of commendation for David W. Collins into the record, stating:

Whereas, David W. Collins joined the Park Rapids Community on June 1, 2006 to serve as the Executive Director of the Hubbard County Regional Economic Development Commission. David has worked to coordinate with numerous community members and organizations to expand and bring new businesses and industries to Park Rapids. David has secured numerous federal, state and local grants for the Main Street Reconstruction Project, Park Rapids Water Tower Construction Project, Armory Square Project, and for area broadband development. David has worked tirelessly to cultivate relationships with developers that resulted in the construction of Pleasant Court Apartments, Park Avenue Plaza, and Crystal Brook Senior Living. David has worked on numerous small projects with substantial impact including fundraising for the local high school scoreboard, Partners for Pianos, Food Angels backpack program, establishment of the Park Rapids Police K-9 Program and the Park Rapids Rotary Fireworks Display, and numerous other local programs. His dedication and willingness to serve his community are well known to the Mayor and the City Council of the City of Park Rapids. As Mayor of the City of Park Rapids, and on behalf of our city, we commend David W. Collins for his outstanding contributions to our community, and, in honor of his recognition by the City of Park Rapids, I, the Honorable Mayor along with the City Council of the City of Park Rapids, County of Hubbard, State of Minnesota do hereby proclaim, July 11<sup>th</sup>, 2017, in honor of David W. Collins.

Collins thanked the Council and was greeted with a round of applause.

**5. APPROVAL OF MINUTES:**

**5.1. City Council Regular Meeting Minutes-June 27, 2017:** A motion was made by Randall, seconded by Leckner, and unanimously carried to approve the June 27<sup>th</sup>, 2017, City Council Regular Meeting minutes as presented.

**6. FINANCE:**

**6.1. Payables & Prepaids:** A motion was made by Randall, seconded by Stone, and unanimously carried to approve the payables in the amount of \$59,775.86, and the prepaids in the amount of \$33,220.64, for a total of \$92,996.50.

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

- 7.1. Resolution #2017-111 Approving Ordinance No. 574 Amending the Park Rapids City Code of Ordinances of the City of Park Rapids, Chapter 73 Recreational Vehicles, Section 73.08 Motorized Golf Carts.**
- 7.2. Ordinance No. 574 Amending the Park Rapids City Code of Ordinances of the City of Park Rapids, Chapter 73 Recreational Vehicles, Section 73.08 Motorized Golf Carts.**
- 7.3. Approve Backhoe Operator's License to Work in the City of Park Rapids in 2017 for Area Excavating Service.**
- 7.4. Approve Temporary Golf Cart License to Operate on City of Park Rapids Streets in 2017 for Brad Lee.**
- 7.5. Resolution #2017-112 Appointing Kim Donahue to Serve on the Parks & Beautification Board for the City of Park Rapids.**
- 7.6. Approve Change Order #3 for the Fire Hall Expansion Project for a Reduction in the Amount of \$3,250.00.**
- 7.7. Approve Purchase in the Amount of \$26,154.72 from Dell for the Replacement of Computers in Various City Departments.**
- 7.8. Approve Public Facilities Use Permit for the Park Rapids Downtown Business Association c/o Mike Bruhn to Use Pioneer Park on Saturday, September 23<sup>rd</sup>, 2017, from 11:00 a.m. to 6:00 p.m. for Potty-Aid – Music in the Park.**

- 7.9. Resolution #2017-113 Accepting and Approving the Final 2016 Audit Report for the City of Park Rapids.**
- 7.10. Resolution #2017-114 Authorizing Proper City Officials to Execute the Park Rapids Municipal Airport Corporate Hanger Lease by and between R.D. Offutt and the City of Park Rapids.**
- 7.11. Approve Pay Request in the Amount of \$21,301.66 to SLL Inc. for Professional Services for the 2017 Assessment of Property Valuations in the City of Park Rapids.**
- 7.12. Approve Pay Request in the Amount of \$92,359.89 to MN Public Facilities Authority for the Water Tower and the Water Treatment Facility Loan Payments.**
- 7.13. Approve Pay Request in the Amount of \$28,400.00 to Bergan/KDV for Conducting the 2016 Audit.**
- 7.14. Approve Pay Request in the Amount of \$3,161.55 to Allsteel Inc. for the Purchase of Filing Cabinets for the Reception/Office Area at City Hall.**
- 7.15. Approve Quote in the Amount of \$8,315.00 from Cumber Construction to Regravel 190<sup>th</sup> Street, as per the Todd Township Shared Road Agreement.**
- 7.16. Approve Pay Request #2 in the Amount of \$849,358.33 to Anderson Brothers Construction for Professional Services for the 2016 Apron and Taxiway Rehabilitation Project at the Municipal Airport.**
- 7.17. Resolution #2017-115 Accepting Donations for the City of Park Rapids.**
- 7.18. Resolution #2015-116 Approve Minnesota Lawful Gambling LG220 Application for Exempt Permit for St Joseph's Area Health Services.**
- 7.19. Approve Public Facilities Use Permit for Bachmann Auctioneers / Diane Mary Clark to Close ½ Block of Pearle Avenue, from Main Avenue, East to the Alley, on July 22, 2017, from 8:00 a.m. to 5:00 p.m.**

- 7.20. Approve Pawnbrokers License for Royce A. Holland d.b.a. Fuller's Gun & Pawn for May 1, 2016, to April 30, 2018.**

**END OF CONSENT AGENDA**

**8. COMMENTS FROM CITIZENS:** There were no comments.

**9. GENERAL BUSINESS:**

**9.1. Fish Hook Lake Lots:** Mark Lohmeier stated the county board has asked me to come before you to talk about the county's proposal to purchase the three lots on Fish Hook Lake. I'd like to ascertain your attentions. We've had numerous requests for funding for our parks money. The board wants to know where you are at on the project. We don't need a definite timeframe, but I need something I can take back to them as far as what are your intentions on those lots.

Randall stated we've had some discussion about this after the last meeting. This subject was brought to the Council in the last three months when the property owner came to the Council directly and offered the purchase agreement to the Council. We were unaware of this, except for Mayor Mikesh, that this was even an option out there. This is very, very new to the Council. It was brought to the Finance Committee last year. The Finance Committee at that time chose not to present it to the Council. While the county board may think that we are dragging our feet, it's just that it's too new to us. I don't think that the property owner coming to us was necessarily the right way to approach us with a purchase agreement in this amount. So we were in the same situation. It's not responsibly of us to make a purchase like this without budgeting for it during a budget discussion. My recommendation today is that we refer this to the Finance Committee so that there can be a meaningful discussion and a decision and recommendation made back to the Council about whether to proceed or not. We will certainly try to do that in a very timely manner. If that's how the other Councilmembers wish to proceed.

Lohmeier stated I didn't mean to infer that the county board was pushing you in any certain direction. We have other requests for these funds and they want to know whether to release them or whether we should hang onto them. We're starting our budget process for next year too. Randall stated part of my comments are based on the county board summary and the comments made by the commissioners that I read last week. Leckner stated I agree with that. The Finance Committee can get an idea of whether we can pay for it and where the money is going to come from.

**A motion was made by Randall, seconded by Leckner, and unanimously carried to refer the purchase of the Fish Hook Lakes Lots to the Finance Committee for a recommendation.**

**9.2. Preliminary Engineering Report for Highway 71 South Improvements:** Jon Olson, from Apex Engineering Group, stated I was originally intending to present the preliminary engineering report for the Highway 71 South Project. However, it's looking like I'll be presenting a simple update instead. We're going to have more time

than we originally anticipated. It's looking like this is going to be a 2019 project instead of a 2018 project. The reason for that is this was an extremely aggressive design schedule and it didn't allow for an early bid date. We were looking at receiving bids in June of 2018, making construction in 2018. With this delay it's going to allow the design to come together in a much more organic fashion, and I think it's going to be in everyone's best interests. Rather than presenting a report today, the update is simply we're looking at one year later and I will plan to present that report here in the next few months. The design will continue to develop, and I will be back here in the relatively near future.

McKinney stated the part we're responsible for is not the roundabout. Olson stated the DOT portion of the project will be the roundabout and the highway improvements. The city will be responsible for only the frontage road improvements and the utilities. We have done quite a bit of work on this project, and put quite a bit of effort into it, however, this additional time will allow us a much better coordination with DOT and the city to develop a more comprehensive preliminary engineering report. McKinney stated staff concurs with that.

**A. Resolution Receiving Engineering Report and Calling for Public Hearing for the Trunk Highway 71 South Utility Improvement Project:** The Council took no action on this item.

**B. Resolution of Support for the Development and Construction of State Project No. 2904-15 to Include Reconstruction of Trunk Highway 71 from 8<sup>th</sup> Street to County State Aid Highway 15/ Industrial Park Road and the Construction of a Roundabout at the Intersection of Trunk Highway 71 and County State Aid Highway 15/ Industrial Park Road:** The Council took no action on this item.

**9.3. Nuisance Ordinance Amendments Regarding Tall Grass:** Mathisrud stated this item is for city code changes regarding tall grass. Most of the Council is probably aware that Park Rapids does receive complaints to deal with long grass every summer. Many of these properties with long grass are occupied, but some are not. Typically city staff contacts the resident with the long grass and informs them of a complaint, sends letters, and works with them to cut the grass. Sometimes the property is vacant and people complain with the expectation that we will track down the owner or that the city will cut the grass. This is customary in most cities in Minnesota. Traditionally our process is to send several letters. Ultimately, the parks department will cut the grass a month or two later. This process does consume a significant amount of staff time and resources and it doesn't always achieve the result the complainant expects, which is the timely abatement of the nuisance. The city authority to assess the property under our current ordinance is somewhat unclear so that the process is more involved when you go to bill a violator. In some instances we have not always billed for the service, and those properties tend to be repeat offenders. Typically if we can get ahold of the property owner the city doesn't need to abate the nuisance. If we cannot reach the owner due to the fact that the owner is deceased, available, in foreclosure, or otherwise unresponsive, it will be helpful to abate the nuisance and then pass those direct costs unto the owner.

Mathisrud stated staff has identified two solutions to this issue. One is to not worry about grass nuisances. However, this option is not going to be the best and will result in

additional complaints and residents expectations not being met. The other would be to clarify the process, which is the presented draft ordinance. It would allow us to abate these nuisances, reduce uncertainty for the process at the staff level, and have a more professional way of dealing with these programs.

Mathisrud stated the amendments include increasing the grass height from six inches to seven inches. It creates a process for improving areas for official native plantings that are not required to be mowed. It addresses brush piles and accumulation of yard debris. It creates a system to get violators due process. It does create a procedure for billing for the services that the city performs and it creates an assessment procedure, and it clarifies the penalties associated with the process. At this time staff is recommending approval of the first reading of the presented ordinance.

Mikesh questioned so if we take care of it we put it on their property taxes? Mathisrud stated that's the proposed route if they don't take care of it. That's the end result if the issue is not resolved.

**A. First Reading of Ordinance Amending the Park Rapids City Code of Ordinances, of the City of Park Rapids, Chapter 92 Nuisances, Sections 92.02 and 92.05:** A motion was made by Stone, seconded by Randall, 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 92 Nuisances, Sections 92.02 and 92.05.

**B. First Reading of Ordinance Amending the Park Rapids City Code of Ordinances of the City of Park Rapids, Chapter 36 Fee Schedule, Section 36.13 Miscellaneous Fees:** Mathisrud stated the second item is the creation of a fee schedule for this process. There would be a fee for the abatement and an administrative charge. If it gets to the point with these properties that we actually have to go out and abate the nuisance and hire a contractor to cut the grass, we would hire a contractor to cut the grass, they would invoice the city, we would pay the invoice and once we do then we would add the \$100.00 administrative charge on top of that invoice. Once we send that bill to the property owner and if it goes unpaid there will be an assessment charge of \$50.00. Each one of these steps takes a lot of time to go through all of the steps to process this so that amount should cover the staff time involved. **A motion was made by Randall, seconded by Mikesh, and unanimously carried to approve the first reading of Ordinance Amending the Park Rapids City Code of Ordinances of the City of Park Rapids, Chapter 36 Fee Schedule, Section 36.13 Miscellaneous Fees.**

**10. CITY ADMINISTRATOR COMMENTS:** McKinney had no comments.

**11. DEPARTMENT HEAD UPDATES:** Scott Olson stated the liquor store finished the first six months of 2017 up over 1%. In the first week of July we were up 2.9% in sales.

Burlingame stated the airport paving is complete and it looks good.

Mathisrud stated the city has issued \$14 million in building permits for projects so far this year.

**12. COMMENTS FROM COUNCIL:** There were no comments.

**13. ADJOURNMENT:** A motion was made by Randall, seconded by Leckner, and unanimously carried to adjourn the meeting at 6:25 p.m.

[seal]

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Mayor Pat Mikesh

ATTEST:

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Margie M. Vik  
City Clerk