

**CITY OF PARK RAPIDS
CITY COUNCIL MEETING
AUGUST 28, 2018, 6:00 PM
Park Rapids Public Library-Lower Level
Park Rapids, Minnesota**

1. CALL TO ORDER: The August 28th, 2018, 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 Tom Conway, Ryan Leckner, Erika Randall, and Liz Stone. Absent: None. Staff Present: Administrator John McKinney, Planner Ryan Mathisrud, Public Facilities Superintendent Chris Fieldsend, Treasurer Angela Brumbaugh, and Clerk Margie Vik. Others Present: Kathy Peterson, Nancy Newman, Tom Petschl, Gail Petschl, Jodi Schultz, Sue Tomte, Maria Pretzer, Cynthia Jones, Katie Larson, many Park Rapids Tennis Association members, and Robin Fish from the Enterprise.

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

4. APPROVAL OF MINUTES:

4.1. City Council Regular Meeting Minutes-August 15, 2018: A motion was made by Conway, seconded by Randall, and unanimously carried to approve the August 15th, 2018, City Council Regular Meeting minutes as presented.

5. FINANCE:

5.1. Payables & Prepays: A motion was made by Stone, seconded by Randall, and unanimously carried to approve the payables in the amount of \$19,818.94, and the prepaids in the amount of \$201,982.28, for a total of \$221,801.22.

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

- 6.1. Approve Plumber's Permit to Work in the City of Park Rapids in 2018 for Up Front Plumbing LLC.**

- 6.2. **Approve Backhoe Operator's License to Work in the City of Park Rapids in 2018 for L&B Excavating Inc.**
- 6.3. **Resolution #2018-133 Setting Location of the City Council Meetings for the Remainder of Year 2018.**
- 6.4. **Resolution #2018-134 Setting Guidelines for the City of Park Rapids Municipal Election in 2018.**
- 6.5. **Authorize the Advertisement for the Request for Statements of Qualifications Planning, Architectural, and Engineering Services for the Park Rapids Municipal Airport-Konshok Field, Park Rapids, Minnesota.**

END OF CONSENT AGENDA

7. COMMENTS FROM CITIZENS: Cynthia Jones, representing the Downtown Business Association, stated I'd like to thank the Council for giving us permission to move the Second Street Stage event to Main Avenue this year. I think it worked very well. We still have to refine a few things. Thank you for your cooperation and permission.

8. GENERAL BUSINESS:

8.1. Depot Park Tennis Court Issues: Kathy Peterson, representing the Park Rapids Tennis Association, stated the tennis courts in Depot Park have been a real plus for our community. They are used by vacationers, locals, and people of all ages. They are busy all summer once the snow thaws and until it comes again. These courts were built in 1991. They are about 27 years old. Over the past ten years as an association we have helped maintain the slow deterioration of the asphalt courts. We have patched cracks as we could. When they were really deteriorating we went to a professional to do it, and they actually made the cracks "explode" on us. We are hoping that the city will seriously consider putting the replacement of the Depot Courts on the city's budget as soon as possible. We will certainly support this anyway we can, as we have done in the past. We will help to get details, work on funding, advertising, whatever we can do, which is probably what was done when the first courts were built, as far as cooperation between the association and the city. We did not bring a lot of facts and figures tonight. We can give you estimates. I have someone here who can speak to what we have done to maintain the courts with more detail if you want to hear more information at this time.

Conway stated I would be interested in more of what we need to do than what we've done in the past. Peterson stated we're asking for replacement of the courts. The maintenance of the asphalt is no longer holding. The cracks are getting larger. This summer we had two courts that were safe to play on. This situation has decreased tennis play because of the concern of the availability of the courts. Our conclusion is they need to be replaced to be safe and aesthetically pleasing to the park itself, and to be playable.

Peterson stated roughly, we have talked to other communities that have replaced their courts in the last several years. We don't have a definite estimate, but a ballpark figure would be between \$40,000.00 to \$50,000.00 per court. That would be for asphalt. If we could we'd like to go to concrete. Concrete would be more expensive, but it will last longer and would require less maintenance. One of our concerns is what we have put into maintenance. The Heartland Park courts are about thirty years old and they are now be turned into pickle ball courts. So, we will lose two more courts in this community. At this point, the courts could crack in a day or two, or a week of resurfacing.

Leckner questioned are we in a co-op for those courts with the school? Does the school help with maintenance? Peterson stated the school owns four courts and the city owns four. As far as helping with maintenance, they have contributed to the resurfacing. They have helped to pay for some of the products. In the last month we have logged four-hundred and ninety-nine manhours trying a different product on our own. We had help from the school football and tennis teams. All eight courts look very nice right now. We won't know until spring if it holds or not. Each year the courts have gotten worse.

Stone questioned does the city co-op with the courts at the Century School as well? Peterson stated that's totally the school's. We have not helped there in any way. Leckner questioned when you do your maintenance you do it together? Peterson stated we do all eight courts at the same time. McKinney stated there is no formal agreement with the school with respect to the courts.

Stone questioned did you go out and get estimates for the repair or replacement? Peterson answered no. Not at this point. We have made some calls and we're ready to proceed further. Before we invest a lot of time getting estimates we want to know that the city has approved it in the budget and made a commitment toward building the courts. We have called a few contractors and made a couple of requests for consideration for funding. For the original construction there was a lot of private funding, fundraising, grants. We have a person already who's interested in looking up all possibly grants. As we have always been, we're very willing to be involved.

Randall stated with all of those things it's probably not likely to make the city's budget for next year. Peterson stated that would be up to you. We'd like it to get in the planning at the very least. Do we expect it to happen next year? No. We realize it's a large amount and a lot of ground work needs to be done. If by some miracle money fell upon us from all kinds of sources we'd certainly work with the city and be their lead as far as when the project would take place.

Conway questioned what about the Parks Board? Peterson stated I'm very happy that the Parks Board identified this as one of their priorities. I thank them for that. Chris Fieldsend is very aware of it already. He asked that I address you as well. It's listed on their report as one of their priorities.

McKinney stated all of the processes that the Council has followed in the past, regarding this kind of request, would ultimately become part of the CIP plan. To get on the CIP, the Parks Board shares their plan with the Council, and then it's included in the CIP, also included is the methodology we purpose to fund it with. We haven't seen the one from the Parks Board yet for this year. We haven't done the city's plan yet.

Conway questioned would we refer this to staff to make a recommendation to the Council? Mikesh stated they should get their numbers together and work with the Parks Board and get it on the CIP before it comes back to us again. Peterson questioned what is

the time frame on that? Fieldsend stated the Parks Board meets every month. McKinney stated if the Council wishes to refer it to staff, the best way is to get it to the Park Board and they can make their decision. They prioritize their budget as well and we are just starting the process of developing the budget for 2019. The tennis courts are not in the CIP right now. It would be included upon recommendation and then put into the plan. The Council would then look at the proposed CIP and either adopt it or not.

Peterson stated we had been told that we needed to bring it to your attention now because of the budget planning. We appreciate your time. Would you recommend we contact Fieldsend? McKinney stated if the Council recommends that, then they will contact you. Peterson stated in ten years the courts will really be horrible. McKinney stated the CIP is not cast in stone either. In the worst-case scenario, if it's beyond ten years on the CIP, if you have funding and the priorities change, we can amend the CIP. It's not locked in. But it's not in there at all, so you need to get the Parks Board involved.

A motion was made by Conway, seconded by Leckner, and unanimously carried to refer to the Parks Board to make a recommendation as to the needs for the Depot Park Tennis Courts for repair or replacement.

8.2. Park Rapids Library Parking Lot Issues: Maria Pretzer, the Chair of the Library Board, stated the library has a parking issue, which has come to a head recently. At the June 7th Library Board meeting, Librarian Jodi Schultz informed the board that parking has become an issue again. Often when she was coming to work even before the library opened the lot was more than half full with non-library patrons. There have been no-parking signs up in the lot for thirteen years. It seems that people stopped seeing them. There are some enforcement issues about what you can and can't do. Between the June 7th meeting and the August 2nd meeting some new signs were put up. That was the work of the librarian and the city staff. The topic was discussed at the August 2nd meeting of the Library Board. At the board's direction, the librarian was told to notify the city police department if when coming to work there were non-library patrons in the lot. Then the police department would attempt to location who were the owners of the vehicles and notify them of a possible parking violation. It's my understanding that did happen. Based on that occurrence the police notified the owners of the cars that they shouldn't be parking there.

Pretzer stated it became an issue with some of the neighboring businesses. I was not at the last meeting of the Council on August 15th but I understand that Katie Larson, an owner of a building on Main Avenue, did come to the meeting and expressed her concern about whether or not she or some of the employees of the businesses on Main could park in the library's parking spaces. I understand they have been parking there for quite some time. That's a source of frustration for the library staff given the lack of parking that is available for library staff and patrons. Shortly after that meeting on August 15th the new no-parking signs were taken down.

Pretzer stated I've had some conversations with city staff and the librarian and it's my understanding that perhaps we should have done some homework on this issue. There is a resolution that the City Council adopted in 2005, which designates the library parking lot for library staff and its patrons only during library business hours. Based on that the Library Board is requesting the signage be put back up as soon as possible and that the resolution be enforced. There is some question about how that enforcement happens. One

of our concerns is that the library staff not be put in the awkward position of having to enforce parking issues. There could be a call to the police department. But we don't want the library staff getting into a confrontation with someone about their car being parked in the library lot. They don't need to get into a bad public relationship situation with people that are potentially violating the resolution.

Pretzer stated there was some contact with Council members and city staff with Marian Ridge from KRLS to see if there was anything in the joint powers agreement about whether parking was addressed. A suitable facility has to be provided but parking is not addressed. It's our concern that based on this resolution from 2005, we would be requesting that the no-parking signs go back up and that the library parking lot be designated for library patrons and staff, only during library business hours. Then there's the question of the enforcement and how the towing or parking citations might occur.

McKinney stated the signs that were removed said violators would be towed. At this point we don't think there's support for that action. There would be for ticketing. To clarify your intentions before we go through another round of signage, that doesn't speak to enforcement. The referenced resolution from 2005 says any designated area by signage, if someone parks there they are in violation. Since 2005 the entire lot is under that resolution, restricted to personnel and patrons. They won't initially be towed away. They will be ticketed. That doesn't speak to the enforcement problem. It speaks to the signage. They were taken down because of what they said, besides the no-parking part.

Randall stated I don't support the towing, but I support citations with the proper process. A city citation is going to cost individuals \$100.00 by the time you tack on a Minnesota surcharge and a law library fee, which gets tacked onto every citation that gets issued in Minnesota.

McKinney stated with regard to enforcement I appreciate that the library doesn't want to police the parking lot. But the police department has other things to do as well. The problem is just because the car is there, you can't tell whether the owner is in the library or not. If someone isn't initiating something that's what raising the issue of enforcing. We can't share the owner's name. What we've done in the past is call the owner to say you appear to be violating parking restrictions. But we can't give you that name because of privacy issues. One of the times we did that, we called the individual and they were in the library. There's a factual difficulty. We have to know the violation is recurring.

Randall stated at this point it sounds like the librarian is aware of vehicles that have been parking there from neighboring businesses. Hopefully, she's aware of that and confident the next time she calls. McKinney stated we can give them a ticket. But we have to have some trigger of which car is violating. You can help us work that out. The current status is that whole parking lot is restricted to library patrons and employees only. We can enforce that by giving tickets, but we have to figure out a trigger. Unless the Council wishes to change the policy.

Sue Tomte stated seeing that there are businesses involved would it make sense to also work with the downtown businesses so that they are aware of the policy, the public relations part of this. Randall stated in 2005 the city did a great job of doing that. There was a lot of opportunity for public comment. They sent letters out to the downtown businesses. They went above and beyond to have discussions with all of the businesses. Maybe another reminder letter should go out. None of us were on the Council back then. Pretzer stated I wanted to make the point that there was a lot of correspondence in 2005,

with the business owners, about what was taking place, prior to the adoption of the resolution.

Stone questioned was there research done into how this issue has been addressed in other communities? Based on what I've read it seems that we're not the only ones that struggle with this issue. How do other communities monitor this? Pretzer stated I don't know how to answer your question at this point. Stone stated other libraries might assist you with ways to identify violators.

Randall stated I'm hopeful that after a reminder that there is this resolution and some communication, that we won't even have to go there and that they will be respectful of the resolution and that there has already been a decision made. This has been in effect for a long time. It's gotten pretty lackadaisical. We're fortunate to have a library that is used a lot. We need to give the priority to those patrons and hopefully the downtown businesses will be respectful of that. We need to give them the opportunity to do that, and hopefully they will.

McKinney stated unless I get other direction we will do the signs that say no-parking during library business hours, and we will send out a letter to the people affected by this. I have had no direct contact from the Downtown Business Association. It's the immediate neighbors that have raised the issue. Randall stated it's just those few right on the corner. Unfortunately, they are the few that don't have parking directly behind their building. Most others do.

Pretzer questioned to clarify did you say the signs will be redone? McKinney stated if the Council so directs me. Randall questioned the signs will say no-parking during library hours? McKinney stated we will use the literal language in the resolution. I don't think there is a problem with nighttime parking. Pretzer questioned is there anything else the Council needs from the Library Board?

Stone questioned do you have events in the evening? Pretzer stated the hours are posted on the front door, and there are evening events. Jodi Schultz stated the problem is during the daytime hours. We have a lot of elderly patrons and parents carrying young children in car seats. We have a lot of people who come in on their lunch hour. The lot might look empty for a while and then suddenly it's full. That's just the nature of it. We open at 9:30 a.m. every day.

Mikesh stated the biggest problem was placing the signs without approaching the Council. You need to work with the downtown businesses so this isn't just headbutting. I don't think our law enforcement officers should drive around looking for violators. They have other more important things to do then waiting for someone to park in the wrong spot. Schultz stated the signs that were put up, instead of the ones that had been there for many years, said the exact same thing. We just did the exact same wording we had for ten plus years. Mikesh stated we had to do a lot of research to find out what was said in this resolution. Work with staff to try and get this resolved. Something is already established. We just need to send out reminders. Pretzer questioned will those reminders come from the city staff? McKinney stated we will post signs and send out the letters.

A motion was made by Conway, seconded by Stone, and unanimously carried to request that city staff redo the no-parking signs for the library parking lot and to send out reminders to downtown businesses consistent with Resolution #2005-103.

8.3. 2018 Apron Lighting Upgrades and Pavement Crack and Joint Repairs at the Municipal Airport: McKinney stated these are items that you've already dealt with regarding the grant programs through the Federal Aviation Administration and the Minnesota Department of Transportation-Aviation. We have already reviewed and approved the bids for the projects. We need to make an official decision to accept the grants and to move the projects forward. The grant paperwork needs to be submitted by September 7th.

A. Resolution Authorizing Proper City Officials to Accept Grant Funding from the Federal Aviation Administration and Minnesota Department of Transportation-Office of Aeronautics for the 2018 Apron Lighting Upgrades and 2018 Pavement Crack and Joint Repairs Projects at the Park Rapids Municipal Airport: A motion was made by Randall, seconded by Leckner, and unanimously carried to approve Resolution #2018-135 Authorizing Proper City Officials to Accept Grant Funding from the Federal Aviation Administration and Minnesota Department of Transportation-Office of Aeronautics for the 2018 Apron Lighting Upgrades and 2018 Pavement Crack and Joint Repairs Projects at the Park Rapids Municipal Airport.

B. Resolution Awarding Low Bid from Lee Davis Electric Inc. for the 2018 Apron Lighting Upgrades Project at the Park Rapids Municipal Airport: A motion was made by Randall, seconded by Conway, and unanimously carried to approve Resolution #2018-136 Awarding Low Bid from Lee Davis Electric Inc. for the 2018 Apron Lighting Upgrades Project at the Park Rapids Municipal Airport.

C. Resolution Awarding Low Bid from Fahrner Asphalt Sealers LLC for the 2018 Pavement Crack and Joint Repairs Project at the Park Rapids Municipal Airport: A motion was made by Randall, seconded by Stone, and unanimously carried to approve Resolution #2018-137 Awarding Low Bid from Fahrner Asphalt Sealers LLC for the 2018 Pavement Crack and Joint Repairs Project at the Park Rapids Municipal Airport.

9. CITY ADMINISTRATOR COMMENTS: McKinney stated thanks to the hard work of staff the new Council Chambers will be ready to go for the first meeting on September 11th. Most of the furnishings are in. You authorized the change of the Council's meeting place with the adoption of the consent agenda.

10. DEPARTMENT HEAD UPDATES: Fieldsend stated the bathroom in Pioneer Park that suffered fire damage is back in operation.

Brumbaugh stated we're working on the 2019 budget process. The Council will be seeing that shortly.

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

12. COMMENTS FROM COUNCIL: Stone stated I have two concerns regarding the Red Bridge. There is a lot of ATV traffic on the bridge. Should we post a sign since motorized traffic is not allowed on that bridge? And we have a lot of youth that walk along the top of the bridge on the railings. They could fall off. We should post it. These things are happening on a daily basis. Fieldsend stated that bridge is owned by the DNR. The ATV issue is the DNR's problem. I can check into it. If it's a DNR problem I can notify them. Stone stated if it's a city issue we need to post something. I don't want anyone to fall into the water.

Randall stated there is going to be a public notification on Thursday, September 6th at city hall regarding a level three predatory offender that is moving in Park Rapids. Chief Appel received notification today from the Minnesota Department of Corrections. We notified Administrator McKinney. I received notice being in the county attorney's office and also on the Council. The notice will be in the newspaper and on the city's Facebook page. McKinney stated that is a procedure that is required by Minnesota Statutes.

13. ADJOURNMENT: A motion was made by Stone, seconded by Conway, and unanimously carried to adjourn the meeting at 6:45 p.m.

[seal]

Mayor Pat Mikesch

ATTEST:

Margie M. Vik
City Clerk