

**CITY OF PARK RAPIDS
CITY COUNCIL MEETING
MARCH 11, 2014, 6:00 PM
Park Rapids Public Library-Lower Level
Park Rapids, Minnesota**

1. CALL TO ORDER: The March 11th, 2014 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 Dave Konshok, Rod Nordberg, Erika Randall, and Paul Utke. Absent: None. Staff Present: Administrator John McKinney, Police Chief Terry Eilers, Treasurer Angela Brumbaugh, Liquor Store Manager Scott Olson, Public Facilities Superintendent Chris Fieldsend, Planner Dan Walker, and Clerk Margie Vik. Others Present: Catherine Hensel, Rita Hocking, Dick Rutherford, Cynthia Jones, and Anna Erickson from the Enterprise.

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

4. APPROVAL OF MINUTES:

4.1. City Council Regular Meeting Minutes-February 25, 2014: A motion was made by Utke, seconded by Randall, and unanimously carried to approve the February 25th, 2014 City Council Regular Meeting minutes as presented.

5. FINANCE:

5.1. Payables & Prepaids: A motion was made by Konshok, seconded by Nordberg, and unanimously carried to approve the payables in the amount of \$60,487.34, and the prepaids in the amount of \$164,852.76, for a total of \$225,340.10.

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

- 6.1. Approve Purchase of Sweeper Parts from McQueen Equipment in the Amount of \$2,096.22 for the Public Works Street Department.**

- 6.2. **Approve Purchase of Eleven (11) Cutting Edges for the 770bh John Deere Motor Grader from Kris Engineering Inc. in the Amount of \$1,311.80 for the Public Works Street Department.**
- 6.3. **Approve Purchase of a POS System, including One (1) Data Server, Three (3) POS Computers, Four (4) Battery Backup Units, a Wi-Fi Router, and One (1) Year Annual Software Subscription from Total Registry Systems in the Amount of \$7,427.90 for Rapids Spirits Municipal Liquor Store.**
- 6.4. **Approve Public Facilities Use Permit for Loyd Robbins/Kenneth & Elizabeth Robbins, on Saturday, June 21st, 2014, from 8:00 a.m. to 8:00 p.m. to Use Deane Park, at 19382 Eagle Pointe Trail, for a Wedding Ceremony.**
- 6.5. **Resolution #2014-46 Approve the Renewal of an Off Sale 3.2 Beer License for Hugo's #11, Wal-Mart Supercenter #4244, Coborn's, Cenex C Store, in the City of Park Rapids.**
- 6.6. **Approve a Budget Adjustment in the Amount of an Additional \$2,000.00 to Liquor Professional Services (Fund #609-80200-26490) for Aquatic Invasive Species Inspections.**
- 6.7. **Approve a Transient Merchant License for Frontline Ministries d.b.a. TNT Fireworks for June 25th to July 6th, 2014 to Sell Fireworks at 1303 Charles Street.**
- 6.8. **Resolution #2014-47 Approving Application for Minnesota Lawful Gambling LG230 Application to Conduct Off Site Gambling for Park Rapids Amateur Hockey Association.**
- 6.9. **Approve the Revised Rate Schedule, from \$125.00 to \$200.00 per hour, for the Cooperative Protection Agreement between the Minnesota Department of Natural Resources and the City of Park Rapids for Fire Protection.**
- 6.10. **Approve Pay Request in the Amount of \$7,215.00 to Ulteig Engineers for Professional Services for the Water Treatment Facility Project.**

END OF CONSENT AGENDA

7. COMMENTS FROM CITIZENS: Dick Rutherford stated about five meetings ago we were talking about nitrates. The comment was made that we couldn't do anything to the farmers outside of the city limits. I've been doing some research, and yes we can. We

have five irrigators working outside the city limits that are contracted out by the City of Park Rapids to irrigate. We can control what they put in the ground by the contract that you signed with the farmer. We can cut these nitrates back. It might not help in town, but it will help south of town, and this is a start. We don't have to give the farmers permission to use the five irrigators with all the nitrates they want. I'd like you to look at those contracts. I know they are not renewable right now. This would be a step in the right direction to stop it.

Mikesh stated the contracts are renewable in 2015. That is something that we can start looking at.

8. GENERAL BUSINESS:

8.1. Ribbons on Main Avenue Light Poles: McKinney stated we received a request on February 19th which we discussed at the last meeting that you directed staff to look into and come back with a recommendation. Our response is in the packet. My recommendation is since there is no existing policy, you're going to have to make one. You could not allow it, or to allow it on a case by case basis each time as to whether you want to do it or not. My recommendation is to adopt a policy to not use the facilities for that purpose, because of the reasons stated in my memo to you.

Mikesh questioned so your recommendation is to not adopt anything? McKinney stated the official action required is to respond to the request for the use of the light poles in that manner. It is certainly a worthy cause. It's not directed at that cause. It's just that there are so many opportunities for confusion and conflict, and that's not the intended use of the light poles in the first place. I think you would be opening up yourselves to possible conflicts and difficulties, which can be avoided by simply not using them for that purpose.

Konshok questioned have we done this in the past, historically speaking? Utke stated I don't remember putting anything on the poles. I was wondering, if it wasn't on the poles, could it be hung on the windows, buildings, do something to make it as effective? There's nothing greater than what they are doing, raising funds for cancer. I think we all support that 100%, but want to see it successful without opening the can of worms of who wants to do it next.

Rita Hocking questioned do Hafner's hang the flower baskets from the light poles downtown? Utke answered yes. Hocking questioned is there anything against if we hung ribbons on the pots and let them stream down? Cynthia Jones stated the downtown businesses pay for them. Randall stated they are individual donations from each business to pay for each one. It's not about your cause at all. It's about the next person's cause might be extremely offensive to a large majority of the population. It opens a huge can of worms.

Catherine Hensel questioned if Main Street flowers are purchased by downtown businesses, how about the ones on Highway 34? Randall stated that is all donated. Utke stated businesses donated to that cause up and down the highway. Hocking questioned so we couldn't do them either?

Hocking stated our whole thought was other towns have done what's called the Color Purple, it's for cancer survivors. In the year 2012, from Hubbard County there were one-hundred thirty-two residents that had cancer. They say that every seventy-five seconds someone comes down with it. We have talked to the downtown people already.

We want each business to decorate their windows however they'd like. We would give them posters. This would be just a little added extra, but if you're not going to allow anything. This is new to us, as the Relay for Life, but we have heard that other towns do this. Utke stated we all agree that we would be in favor of it other than when the next group comes along and we say no. They will say somebody else did it. How do we create that policy.

Nordberg questioned would it be any different if there was a charge for a permit for it? Hensel stated it would depend on what the charge would be. If it was \$150.00, then we wouldn't do it.

Nordberg stated the City of Bemidji Council just went through this a few weeks ago with decorating Paul Bunyan. They had not had a policy. Public works tended to oppose it. Somehow a visiting group who was bringing thousands of dollars to Bemidji, decorated Paul in the middle of the night. It got a lot of national publicity for their organization. It becomes a promotional question. I'm wondering is this something the Downtown Business Association has discussed.

Cynthia Jones stated we would follow the Council. We have had one incident where people went around and put posters on the poles. We had to go around and take them all off. Because we know that nothing is supposed to go on the poles. They were advertising Santa Claus at a business for pictures. Other than that, nothing has gone on the poles for the very reason that you are talking about. I thought there was a policy that we weren't supposed to put anything on them. McKinney stated it's not in an official book of policies, it's an assumed practice.

Mikesh stated it's something that we need to write a policy on. We understand what you are trying to do. We're sympathetic about it. But who's going to get them this time, when do they want them, who's going to take them down, who's going to take care of them. Ask the store fronts to put them up. But at this time we're not going to allow them on the poles or the baskets.

Hocking questioned if the store front had one of those big barrels of flowers, if they wanted to put a purple ribbon around it that is acceptable, you just don't want them on the posts? Utke answered right. Randall stated those flowers are donated to the city, so they are city property. Hocking stated you're saying you don't want them on the baskets either? Randall stated we're saying no for the hanging baskets. You can do whatever you want to the baskets and flower pots owned by the businesses if they let you. Jones stated most of us have something right in front of us, which you could use.

Mikesh stated I know it's not the answer that you wanted. Hocking stated we do understand. We thought we'd present it to you. McKinney stated thank you for asking ahead of time.

McKinney stated there was a request submitted to the Council. Would you like us to act on the request, or would you like to withdraw it? You asked for permission, and that's what drove all of this. Officially they haven't acted on your request, they acted on my report, which would be to not allow it. Your request is still on the table unless you choose to remove it. If it's on the table they would vote now to deny your request. Hensel stated if the Council votes to deny it then the next person that comes along will have to go through this. I would say vote on it.

McKinney stated to be consistent with this discussion the motion would be to deny the request. **A motion was made by Utke, seconded by Randall, to deny the request**

from the Hubbard County Relay for Life Committee to hang purple ribbons on the light poles on Main Avenue, with staff following up with a policy so the city is consistent in the handling of similar requests.

The vote was called.

The following Councilmembers voted yes: Konshok, Mikesh, Randall, Utke.

The following Councilmembers voted no: Nordberg.

The motion carried 4-1.

Discussion: Jones requested the policy be forwarded to the Downtown Business Association so that it could be forwarded out to all of its members.

9. CITY ADMINISTRATOR UPDATE: McKinney stated the ongoing saga continues. As of this afternoon, with respect to frozen water service lines, we have two-hundred and thirty-six. We are working on it. We're hoping that the problem will eventually go away. We are not terribly successful in remedying a completely frozen line. There are so many things that haven't worked. We were able to open two out of every twelve lines we attempted to open. Utke stated it's the problem with modern construction. We've gone to plastic and PVC, non-conductive materials. You can't hook a welder to it to warm them up. McKinney stated staff is continuing to receive requests. They address them as they can. The public has been very patient with the situation.

McKinney stated we'll need to address the Council as to what to do with the rate adjustments or rebates. We have not come to any decisions on that. We would have to do that at the end of this quarter, the end of March. Konshok questioned do you have a proposal, or do you want us to give you something. McKinney stated we have not discussed it to the point that we have something to bring to you. Konshok stated my advocacy would be to keep it simple, and offer a flat fee.

Mikesh questioned how are they doing with the water treatment plant? McKinney stated they started flushing today. By the end of the month the system would be up and running. It's going very well.

10. DEPARTMENT HEAD UPDATES: Fieldsend stated he has been working on the city's website trying to get that up and running, and also working on a riprap issue at Deane Pointe. I'm trying to get a grant.

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

12. COMMENTS FROM COUNCIL: Konshok stated I attended Aviation Day at the Capital with David R. Konshok. It went well. We spoke with Skoe, Erickson, and Green. I thanked them for the restoration of \$15 million to the airport fund. They have to iron out how exactly they are going to spend it. The Director of Aviation was there from MN DOT. The recommendation is \$7.5 million to move the matches from 90/10 back up to the 95/5.

Meaning the state would pick up the 5%. Unfortunately that is not going to take effect in time to assist with our crosswind runway project. The other half of the \$15 million will be for smaller maintenance projects around the state. We need to repair the cracks in the asphalt in our ramps and taxiways and the runway itself. That's a project that has been on the state's CIP for a quite a while for airports. It looks like that will benefit from some of the restoration of this funding because that doesn't qualify for FAA funds. We thanked them for that and asked them to make sure it stays in there.

McKinney reminded the Council that the EDA meeting will be held on Tuesday, March 18th at 6:00 p.m. on the armory square proposal, in this same room.

13. ADJOURNMENT: A motion was made by Utke, seconded by Randall, and unanimously carried to adjourn the meeting at 6:23 p.m.

[seal]

Mayor Pat Mikesh

ATTEST:

Margie M. Vik
City Clerk