

**CITY OF PARK RAPIDS  
CITY COUNCIL MEETING  
APRIL 8, 2014, 6:00 PM  
Park Rapids Public Library-Lower Level  
Park Rapids, Minnesota**

**1. CALL TO ORDER:** The April 8<sup>th</sup>, 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 Rod Nordberg, Erika Randall, and Paul Utke. Absent: Councilmember Dave Konshok. Staff Present: Administrator John McKinney, Liquor Store Manager Scott Olson, Planner Dan Walker, Public Facilities Superintendent Chris Fieldsend, Treasurer Angela Brumbaugh, and Clerk Margie Vik. Others Present: Cynthia Jones, Dick Rutherford, Ruth Ann Campden, and Anna Erickson from the Enterprise.

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

**Amend:**

Item #6.10. Approve Public Facilities Use Permit for LuAnn Hurd-Lof d.b.a. Park Rapids Downtown Business Association to Use Pioneer Park for Crazy Days Events on July 24<sup>th</sup>, 2014, from 7:00 a.m. to 5:00 p.m.

**Add onto Consent:**

Item #6.15. Approve Public Facilities Use Permit for Molly Luther d.b.a. Park Rapids Downtown Business Association to Close a Portion of Second Street West: Main Avenue to Alley (1/2 Block) on Thursdays, 6/19, 6/26, 7/3, 7/10, 7/17, 7/24, 7/31, 8/7, 8/14, 8/21, all in 2014, 2:30 p.m. to 9:00 p.m. for Second Street Stage Events.

Item #6.16. Resolution Appointing Zachary Deshayes to the Position of Volunteer Firefighter for the City of Park Rapids.

Item #6.17. Authorize Staff to Send a Letter of Support to Heartland Express for Increased Hours of Service for the City of Park Rapids.

**Add onto General Business:**

Approve The Calculation of Water Credits and an Extension of the Water Credit Policy.

**4. APPROVAL OF MINUTES:**

**4.1. City Council Regular Meeting Minutes-March 25, 2014:** A motion was made by Randall, seconded by Nordberg, and unanimously carried to approve the March 25<sup>th</sup>, 2014 City Council Regular Meeting minutes as presented.

**5. FINANCE:**

**5.1. Payables & Prepaids:** A motion was made by Utke, seconded by Randall, and unanimously carried to approve the payables in the amount of \$44,024.53, and the prepaids in the amount of \$352,841.66, for a total of \$396,866.19.

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

- 6.1. Approve Purchase of a Hand-Held Colorimeter from USA Blue Book in the Amount of \$1,250.00, plus shipping, for the Public Works Water Department.
- 6.2. Approve Public Facilities Use Permit to Close Fourth Street West, from Main Avenue to Pleasant Avenue, on Saturdays, May 24<sup>th</sup> to September/October 2014, for the Park Rapids Farmer's Market, and to waive the permit fee.
- 6.3. Approve Transient Merchant License for Brian Osowski d.b.a. BJI Jewelry and Coin, on April 14<sup>th</sup>, 15<sup>th</sup>, and 16<sup>th</sup>, 2014.
- 6.4. Approve Pay Request in the Amount of \$3,072.98 to TKDA for Professional Services Pertaining to the Development of Private Hangers at the Municipal Airport.
- 6.5. Approve Pay Request in the Amount of \$16,679.00 to Apex Engineering Group for Professional Services Pertaining to the Riverside Area-Phase One Utility Project.
- 6.6. Approve Pay Request in the Amount of \$9,640.00 to Watch Guard for the Replacement of Recorders and Cameras for the Police Department, Utilizing the Forfeiture Fund.
- 6.7. Approve Pay Request in the Amount of \$9,923.30 to Ulteig Engineers for Professional Services Pertaining to the Water Treatment Facility Project.
- 6.8. Approve Pay Request in the Amount of \$1,260.00 to Howard Products LLC for Repairs to the Door at Rapids Spirits.
- 6.9. Approve Pay Request in the Amount of \$1,549.25 to Roger's Two Way Radio for the Purchase and Installation of Light Bar and Radio into a Police Squad Car, Utilizing the Forfeiture Fund.

- 6.10. **Approve Public Facilities Use Permit for LuAnn Hurd-Lof d.b.a. Park Rapids Downtown Business Association to Use Pioneer Park for Crazy Days Events on July 24<sup>th</sup>, 2014, from 7:00 a.m. to 5:00 p.m.**
- 6.11. **Approve Public Facilities Use Permit to Use Pioneer Park for the Youth Music & Art Showcase VI, for the Park Rapids Lakes Area Arts Council, on Friday, August 15<sup>th</sup>, 2014.**
- 6.12. **Approve Purchase of Radiator for the Plow Truck Unit #16 from Boyer Truck in the Amount of \$1,785.97 for the Public Works Department.**
- 6.13. **Resolution #2014-54 Approving Resignation of Full Time Public Works Street Maintenance Worker Jade Wattenhofer.**
- 6.14. **Authorize Staff to Advertise and Interview Potential Candidates for the Open Public Works Street Maintenance Worker.**
- 6.15. **Approve Public Facilities Use Permit for Molly Luther d.b.a. Park Rapids Downtown Business Association to Close a Portion of Second Street West: Main Avenue to Alley (1/2 Block) on Thursdays, 6/19, 6/26, 7/3, 7/10, 7/17, 7/24, 7/31, 8/7, 8/14, 8/21, all in 2014, 2:30 p.m. to 9:00 p.m. for Second Street Stage Events.**
- 6.16. **Resolution #2014-55 Appointing Zachary Deshayes to the Position of Volunteer Firefighter for the City of Park Rapids.**
- 6.17. **Authorize Staff to Send a Letter of Support to Heartland Express for Increased Hours of Service for the City of Park Rapids.**

**END OF CONSENT AGENDA**

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

**8. PLANNING:**

**8.1. First Reading of Ordinance Amending the City Code of the City of Park Rapids, Chapter 151 Zoning, Sections 151.154, 151.155, 151.156, 151.157:**

Walker stated this is for numerous changes to the parking requirement standards of the zoning ordinance. We have been working with the Planning Commission over the past few months on proposed changes and updates to the parking regulations. We've had a good discussion at that level on what we'd like to do. When we set out a number of goals that

we outlined, I think we hit on most of those goals. They allow us to basically have a little more flexibility with the ordinance and also remain consistent with the goals of the comprehensive plan. Some of the major changes that were done were reducing the minimum requirements for off street parking, reorganizing some of the language to make it clearer, allowing some exemptions for low intensity uses, and allowing on street parking in certain circumstances. Also there is some new language regarding storm water management to be consistent with our storm water policy. The city attorney did review it and approved the changes. The Planning Commission did recommend approval of the changes to the chapters listed as presented in the packet.

Nordberg stated I appreciate all the work. I don't know that I have a handle on the car parking, but I'm interested in the storm water management. In the parking lot proposed for Red Bridge Park, under this it looks like it still has to be paved. Walker stated that is correct. We make some changes to the surface requirements, but if they are in an area that has existing or proposed storm water facilities we require that they are paved. The reason being is that if you don't a paved surface, you're going to have runoff into our facilities and that's going to require additional maintenance for the city. That's the reason that we made those changes.

Nordberg questioned there's no material that could be used in Red Bridge Park, for example, that could either filter or protect without having to put a piece of pavement there? Walker stated there are things that are considered impervious surfaces. If you have a pervious paver or a surface that does meet that criteria we would consider that as long as it's not putting a burden on the city's infrastructure. That would allow us to consider that.

Nordberg questioned how does the pavement protect the city's infrastructure from runoff? It's going to runoff into the city's infrastructure. Walker stated if it's cement or a bituminous surface it's not carrying the sand and the sediment. Utke stated it's not carrying sediment or any other type of loose product down into the storm water pipes. Then that would have to be cleaned back out. That is the reasoning behind this.

Nordberg stated one of the places that this has come up before was at a proposed car lot. How would that be affected? Walker stated one of the changes was if it's not in a location that either is adjacent to a street that has curb, gutter, and storm sewer they could have a different paving surface as long as it's non-existing or not on the capital improvement for the next five years. That would allow some of the areas that are on the fringe to have those different surface types that aren't serviced by storm sewer. Nordberg stated we were talking about a property along Highway 34 West. Walker stated correct. They don't have storm water facilities. Nordberg questioned the old Gulbranson building asked us for a variance for parking, so that would now be permitted under this? Walker stated it would be permitted, but there's a provision that says they need to maintain the property from noxious weeds and dust and things like that.

Walker stated I think we made some good updates. Utke stated the parking was reduced on average of about 25%. It's a working document. We've gone here to see how it will work. Walker can report back as to whether it was successful. Maybe it will need to be tweaked a little more.

**A motion was made by Ukte, seconded by Randall, and unanimously carried to acknowledge the first reading of the Ordinance Amending the City Code of the City of Park Rapids, Chapter 151 Zoning, Sections 151.154, 151.155, 151.156, 151.157.**

**Add on General Business:**

**Approve The Calculation of Water Credits and an Extension of the Water Credit Policy:** McKinney stated because of the extraordinary winter we've had we've had a lot of problems with frozen pipes. That was hoped to be relieved in some respects by encouraging the people to turn the water on and let it run at a slow pace to keep the pipes from freezing in their homes. It also helped the city because if we have movement in our mains they're not subject to freezing either. Because of the extraordinary conditions the Council authorized a policy for the first quarter of 2014. That expired the end of March and we don't have relief yet and won't for a couple of weeks. First of all we need to address the question of additional time on the program. We recommend that you allow us to continue it until we can get relief for these people until the thaw goes out of the ground. That's one part of the issue. The other is part of that program entailed figuring out a credit, discount, or adjustment to the fees for the water that was actually turned on at our suggestion. We have information on that.

McKinney stated the first question is do we extend the period into the second quarter until we have relief? Utke stated we need to extend it until all water is flowing. Mikesh questioned should we put a time on it? Utke stated who knows when the ice will be gone. McKinney suggested how about when the public works department tells me of the condition of it.

**A motion was made by Randall, seconded by Utke, and unanimously carried to extend the run water credit until the water is flowing again, based on the public works department's recommended end date.**

McKinney stated we need to ask for the Council's, consideration for this because we have sent out the first quarter's bills. There are two-hundred seventy-one accounts that have not been billed. Under the program people had to come in and sign up for it. In some cases people didn't have water, in some cases there were people providing water to neighbors. Some have a bigger bill than they would normally have, others have a smaller bill. We need direction. It is our recommendation that we come to some understanding about at least the first quarter so we can do that billing. The alternative is to wait until the second quarter and then you're sending people a bill that they don't have any comfort knowing what it would be based on and it would be for two quarters. We'd rather get this out to them so they know where they stand and what the city's position is.

Utke stated the end of the second quarter would in June. By the end of April everything should be flowing. Do we want to wait until the end of April? Why figure these discounts and add-ons twice for those two-hundred and seventy-one customers?

Brumbaugh stated we did consider that, but we started so we could see where we were sitting, so truly we are ready to put them in and it wouldn't take a lot of time. Utke questioned so it's not a big deal. Brumbaugh answered no. McKinney stated if you buy the approach we are taking for arriving at the billing amounts. Utke stated it looks like you are going to go back and keep the averages from the previous year. That's about all you can do. For 99% of them that should be good. Someone might have an odd case with a super

high bill, but averages would be very workable. Brumbaugh stated we did that before. We started the process before we got to the billing because we knew this was coming up. Now the spreadsheet has been updated with the numbers as they have done the reads.

Nordberg questioned in 2010 they pumped more water than we are pumping now. Is there an explanation? Brumbaugh stated Dean Christofferson takes the calculations. He said he recalls that when the Highway 34 Project was done and we had a huge leak right there by the river. We did pump a lot, but we have pumped more.

Brumbaugh stated any additional supplies public works has purchased because of the freezing water is being monitored so we can keep track of it. They purchased a steamer, hoses, and additional chemicals. Most of the numbers are based off of what we figure is our additional pumped gallons. For February we pumped an additional 1,500,000 gallons. For March I took an average based on 2012 and 2013, and I figured about 6,700,000 more gallons pumped in those two years. So \$8.23 million is what I used for the average.

Brumbaugh stated your staff time is based off of any time that the street department helped out. All of their time was put in as extra because they normally would be working in the utility department. Any overtime is also accounted for. There was about 258 extra hours has been used in March. There be more for April. McKinney stated that's reflected in the \$8,420.00 calculation for staff time. Brumbaugh stated correct. That's including any employee benefits the city pays. Mikesh questioned is that overtime, or any time they worked on it? Brumbaugh stated that's overtime for the utility department and any time the street department worked for the utility department. Because typically they'd be on the streets. Utke stated considering the severity, it's not so bad so far.

Brumbaugh stated as a matter of reference, if we actually sold that water what would be the cost be. Our revenue would have been \$32,851.44 and \$29,475.73, for a total of \$62,327.17. There's approximately fifty lines frozen right now that remain frozen.

McKinney stated this method is easiest for us to calculate and to explain. It does take into account the people that are generously giving water to their neighbor. It's tough to figure those out because they are not metered. Utke stated this is as good as you can do. McKinney stated if this is acceptable to the Council then, based on this, we would prefer to go ahead and bill now for the first quarter based on these assumptions with an explanation that will be with the bill so they can come and talk and we can show them our differentials. Mikesh stated that's the best way to do it, bill now. Some people aren't budgeted to get hit in one big shot. I like this approach.

Nordberg questioned on an individual basis it looks like 8,000,000 gallons compared to regular, it's almost 40% of the total that would be credited. Let's say it was twice as much. They would be billed for half. You'd forgive half of the bill? Brumbaugh stated I don't know how much yet. Janel Stewart is finishing the spreadsheet last night. I'll know more about how much the usage was. McKinney stated we run into tiered rates too. We have to run the numbers to know.

Nordberg questioned form staff point of view, other than the requests we get here to allow or forgive sewer bills that we see now and then for accidents, do you get those kind of requests regularly or only in this situation? In time and dollars, is there any other excuse for forgiving a bill? Brumbaugh stated typically when there is a request it comes before the Council. McKinney stated we haven't forgiven any bills at the staff level. Nordberg questioned I'm wondering if there will be exceptions that say in 2013 that I had an

exceptional high bill and I've actually used less than that in 2014. McKinney stated it's just the period that we are talking about not the whole year, and we will invite those people with extraordinary circumstances to present them. We will come to you if we need to. We understand. We haven't done this before and we're going to try to figure out something and hopefully we'll never have to do it again. We need to deal with this now. We feel strongly that we've had great cooperation from the people. They know this isn't something that we created. Some of them have a greater fear of what it might be, than what it will be.

**A motion was made by Utke, seconded by Randall, and unanimously carried to approve the water credit process as explained, and to implement it.**

**9. CITY ADMINISTRATOR UPDATE:** McKinney stated the new water plant is in operation. It's doing great. We've already used the infiltration system both manually and automatically. The quality of the water is excellent. We're getting a lot of water out of it so it's very satisfying. I'm told that it's taken a lot of training to understand how to operate and maintain that thing. They have gone through that training this week, so we are up and running. Christofferson and Burlingame have worked hard to keep us on line.

**10. DEPARTMENT HEAD UPDATES:** Olson stated on Sunday we will be doing our annual stripping and waxing of the floors, and then on Monday and Tuesday we'll put it all back. It sounds like Sunday liquor sales is going to be limited to taprooms and microbreweries being allowed to sell growlers for off sale on Sundays. The issue is headed for the omnibus bill. Nothing on the off sale side yet. The lead liquor store clerk position has been advertised. It's open until Friday.

Walker stated the bridge got put into Red Bridge Park. The DNR has the cooperative agreement. We're waiting for that to get put in place. We opened the bids for the street paving. Ulteig will bring that to the next meeting for approval. We've also put out the RFPs for the landscaping portion. The equipment is in now. Everything is in line to be done by June. Mikesch questioned are we still doing the RDG project on that parking lot with the green space? Walker stated the parking lot will have thirty spaces and there will be some green space. The road won't be a through street anymore, so there will be more green space on that side and will dead end into the parking lot. McKinney stated it's different than the RDG design because we had to do some surface drainage. Fieldsend stated the current parking lot and half the road on the corner will all be green space.

Fieldsend stated tomorrow we are going on line with the new website. There are still some kinks.

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

**12. COMMENTS FROM COUNCIL:** Nordberg stated I have reports from the three committees that the Council sends me to. River Heights Apartments had its HUD inspection. It did better than in 2012. It had some problems with vacancy rate which knocked it down in HUD's estimation. That's been improved. The newly hired engineer

seems to be working out. There had been an engineer who was hired and did not make it past the probationary period. There is a new one and he had a chance to move some snow. They also have a different on site person who is living there. She's taking care of River Heights. It's being discussed with the Riverside Project too.

Nordberg stated the Hubbard County Senior Council on Aging only meets a few times a year. Its main issue is to pick the outstanding Hubbard County Citizen Award. That is awarded at the county fair. If you know people over seventy that have done volunteer work since they were sixty-five, they're looking for solicitation of names for outstanding senior citizen. It's both an honor and a recognition of all the volunteer work that happens in the county.

Nordberg stated the library has been approached by a local 4H group to begin installing little libraries. This is an international project that puts little booklets like a birdhouse full of books around the community. The 4H group asked for help from the library, which has been offered. They have been talking to Walker about possible locations, both inside and city and around the county. It will not be an affiliate of the library but supported with publicity and promotions.

**13. ADJOURNMENT: A motion was made by Randall, seconded by Utke, and unanimously carried to adjourn the meeting at 6:35 p.m.**

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Mayor Pat Mikesh

ATTEST:

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Margie M. Vik  
City Clerk