

**CITY OF PARK RAPIDS
CITY COUNCIL MEETING
AUGUST 4, 2014, 6:00 PM
Park Rapids Public Library-Lower Level
Park Rapids, Minnesota**

1. CALL TO ORDER: The August 4th, 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, Public Facilities Superintendent Chris Fieldsend, Police Chief Terry Eilers, Treasurer Angela Brumbaugh, Fire Chief Donn Hoffman, Public Works Superintendent Scott Burlingame, and Clerk Margie Vik. Others Present: Mike Monsrud, Hubbard County Attorney Don Dearstyne, Jeff Green, Cynthia Jones, Joyce Schwengler, and Anna Erickson from the Enterprise.

3. APPROVAL OF AGENDA: A motion was made by Nordberg, seconded by Randall, and unanimously carried to approve the agenda with the following addition: **Item #8.6. Resolution Accepting the Resignation of Full Time Park Rapids Police Officer Thomas Haag.**

4. APPROVAL OF MINUTES:

4.1. City Council Regular Meeting Minutes-July 22, 2014: A motion was made by Utke, seconded by Randall, and unanimously carried to approve the July 22nd, 2014 City Council Regular Meeting minutes as presented.

5. FINANCE:

5.1. Payables & Prepays: A motion was made by Utke, seconded by Nordberg, and unanimously carried to approve the payables in the amount of \$37,104.22, and the prepaids in the amount of \$269,010.60, for a total of \$306,114.82.

6. CONSENT AGENDA: A motion was made by Randall, seconded by Utke, 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 2014 for Sportsmans Plumbing and Heating.**

- 6.2. Resolution #2014-108 Approving Wage Adjustment and Step Increase for Park Rapids Police Officer Jeffrey Hulse.
- 6.3. Approve the Bid in the Amount of \$3,485.00 from Gartner-Johnson Construction and Design for Renovations to the Till Area at the Rapids Spirits Liquor Store.
- 6.4. Approve the Bid in the Amount of \$3,540.00 from Ackerman Plumbing and Heating to Replace the Air Conditioner Unit in the Pilots Lounge Area of the Airport Terminal Building.
- 6.5. Resolution #2014-109 Appointment of Election Judges for the Primary Election for the City of Park Rapids for the Year 2014.
- 6.6. Approve Mandate to Process all Employee Regular Payroll Checks, Full Time, Part Time, Council, and Firefighters, to Electronic Direct Deposit, as per the Personnel Committee's Recommendation.
- 6.7. Approve Pay Request in the Amount of \$101,199.13 to Minnesota Public Facilities Authority for the Water Tower and the Water Treatment Facility Loan Payment.
- 6.8. Approve Pay Request in the Amount of \$1,050.00 to Trillion Aviation for Consulting Services Regarding Municipal Airport Leases.
- 6.9. Approve Budget Adjustments, for Year 2014, to Increase the Liquor Store Fund-Capital Expenditures #609-80200-36700 in the Amount of \$12,300.00.
- 6.10. Resolution #2014-110 Appointing Curt Eischens to the Position of Volunteer Firefighter for the City of Park Rapids.

END OF CONSENT AGENDA

7. COMMENTS FROM CITIZENS: There were no comments.

8. GENERAL BUSINESS:

8.1. Status Report from Chairperson of the Upper Mississippi Arts Council-rescheduled from the July 22, 2014 meeting: Mike Monsrud stated we met first on June 13th. We've been focusing on the legal parts of getting this together. The first thing

we needed to do was ratify all of the resolutions, which appointed members to the board from each of the different entities that belong to this board, like Cynthia Jones from the Downtown Business Association, and Nicole Lalum from the Chamber of Commerce. Now all the members are legal. Nancy Carroll, Alan Zemek, Kiko Zemek, and I are at large members.

Monsrud stated we ratified all of the bylaws. There were questions in there about residency. You had to be either a full time resident of Park Rapids or you had to work in Park Rapids. All board members satisfy that. We're working on state grant requirements. We know it has to be city owned. We've been working on a pro forma. We have a pro forma committee that's working on it. They took the original, which was very liberal and wide open, we defined it quite a bit. We're still working on that. It will be correct before we present it to the Council.

Monsrud stated we're working on a pre-design, which is a state requirement. It has to be sent into the state and approved before we can do the design. Then the design has to be approved by the city and the state. We formed a marketing committee. They have some dollars in the Northwest Minnesota Foundation that's going to help with the publicity and getting the interest of the people back into the building. We formed a contract review committee. They will be working on some of the contract language. I'm working with Northwest Minnesota Foundation to get some money for funding for attorney's fees. Working with the state for anything leaves you knee deep in paperwork. We need people to figure that out. Our next meeting is Thursday, where we will continue to work on these things.

Randall requested that the minutes of the board meetings be given to the Council after the meetings. McKinney stated they could be sent to him and he'll distribute them to the Council. Mikesch questioned are any updates going to be coming through you? Monsrud stated there are two separate entities, us as a board, and then there's also Zemek's company. He may still make requests on his behalf.

8.2. Resolution Authorizing Proper City Officials to Execute a Contract for Criminal Legal Services by and between County Attorney Don Dearstyne and the City of Park Rapids-rescheduled from the July 22, 2014 meeting: Randall announced she would be abstaining from voting on this issue.

Don Dearstyne stated he submitted the contract for the prosecution of cases for misdemeanors and gross misdemeanors, so you can plan your budgeting. I've also provided the stats of what we have done in the last one and a half years as to the city cases. We had a total of 2,144 criminal cases in our office from January 2013 to July 2014. Of those, 898 were city criminal cases that were opened. We've done a good job for the city in the last couple of years.

Dearstyne stated my assistant just completed the pretrial on an individual for a DUI. It occurred on a Sunday morning when he piled into a couple of other cars while under the influence of controlled substances that resulted in conviction. He is now in custody in the county jail for ninety days. It also resulted in the loss of his vehicle because he was a repeat DUI offender. There was no resolution in that particular case so it had to go to a jury trial. We're not concerned about going to a jury trial. That is one of the things that the city receives from us. Other city attorneys don't always necessarily, when they're in private practice, want to spend that time in a jury trial. But we do that.

Dearstyne stated with the two year contract it helps with my budgeting, and yours as well. The contract has gone up a bit, but you can see that the case load has increased. There are three attorneys in the office, so the city receives one-third of our time. That equates to approximately \$50,000.00 a year for an attorney. That's not a bad deal from the city's standpoint.

Dearstyne stated I think the police department is happy with us. They like the service that we have because we are available to the officers even after hours if they have questions, we can assist them.

McKinney stated I've reviewed this contract with Dearstyne and Chief Eilers and we recommend approval of the contract.

Utke questioned is a forfeiture an automobile? Dearstyne stated not necessarily. If the city had a drug case, it could be dollars, a vehicle, or property. What happens a lot of the time is with the vehicle forfeitures there's not a lot there for value, for the bulk of the vehicles that are forfeited. They're not top of the line vehicles that some of these people are driving. Some of the times the city loses money after you recover the total bill.

Nordberg questioned on the list there are felonies, gross misdemeanors, misdemeanors, and forfeitures, on the contract it lists ordinances, misdemeanors, gross misdemeanors, forfeitures, but not felonies. Dearstyne stated felonies are not part of the contract. We do the felonies anyway because a city attorney would not have jurisdiction to prosecute a felony. A city attorney has jurisdiction to prosecute misdemeanors and gross misdemeanors by statute. I give you that number so you'll know that we are also doing those for the city, but it's not under the contract. We would be doing those anyway. One of the felonies inside the city was the recent homicide at the middle school. That is not part of the contract. Your officers are also involved in those types of cases. Because of the contract it works well. Very frequently gross misdemeanors might be charged out with a felony, and maybe two or three gross misdemeanor counts.

A motion was made by Utke, seconded by Nordberg, to approve Resolution #2014-111 Authorizing Proper City Officials to Execute a Contract for Criminal Legal Services by and between County Attorney Don Dearstyne and the City of Park Rapids.

The vote was called.

The following Councilmembers voted in favor: Mikesh, Nordberg, Utke.

The following Councilmembers voted nay: None.

The following Councilmember abstained: Randall.

The motion carried 3-0.

8.3. Appeals for Run Water Adjustments 2014:

A. Joyce Schwengler at 810 Charles Street: Schwengler stated my request is written down. Mikesh stated you're looking for an adjustment for the first and second quarter of 2014, down to 54 units. He added Tim Little looked at this and is recommending the change.

Nordberg questioned is that per quarter, which would make it similar to last years? Schwengler stated not the first six months because it was pretty high and my husband wasn't there. Nordberg stated it looks like the 54 units is what you got billed on September

27th, 2013 for that quarter. That's what you're agreeing to? Schwengler answered yes. Utke stated it would be the small quantity but with the new rates. Nordberg stated I think that's fair.

Schwengler questioned what if this happens again this winter? Are you going to fall back on the first six months again? Look at the bill I have there. Mikesh stated hopefully that's not going to happen again. McKinney stated we have not talked about that. In this case we looked at the situation when it occurred and made what we thought was an equitable adjustment and we would do the same thing. We'll take into account what happened.

A motion was made by Nordberg, seconded by Utke, and unanimously carried to accept the adjustment to 54 units which equal \$78.72 per quarter, for the first and second quarters of 2014, for Joyce Schwengler at 810 Charles Street.

B. Summerfield Place/Dave Barnum at 705 East River Drive:

McKinney stated this is a request for a waiver of sewer charges. Tim Little checked this one out. Mikesh stated we have approved these types of requests in the past.

A motion was made by Utke, seconded by Nordberg, and unanimously carried to remove the excess sewer portion from the 2014 second quarter billing, to reduce the sewer portion by \$278.00, in accordance with the findings, for Summerfield Place/Dave Barnum at 705 East River Drive.

C. Jeff & Sandy Green at 1200 Fishhook Avenue:

Jeff Green stated you have the paperwork in front of you. The last quarter of 2013, the house was unoccupied and the bill was \$36.00, the minimum. The house has been unoccupied and I had the water running outside in the yard so I didn't use the sewer at all.

Mikesh stated you're asking to reduce your bill to \$37.84 per quarter. McKinney stated Tim Little also checked this out and is recommending reducing it due to the fact that no one was living there and they were running water due to the freezing issue.

A motion was made by Utke, seconded by Randall, and unanimously carried to reduce the 2014 first and second quarter billing to the minimum of \$37.84 per quarter, due to running water to prevent freeze up, for Jeff & Sandy Green at 1200 Fishhook Avenue.

8.4. Red Bridge Park Update: McKinney stated we've had a second meeting with the DNR. I agreed at the last Council meeting to get in contact with the DNR on the situation involving the channel of the river that goes under the new Red Bridge. I met on Monday, the 28th, with the Area Supervisor David Schotzko, who was very helpful, and his assistant John Stewart. I went to Bemidji and was provided with a lot of information and support for the situation. We looked at some documents. Because we were getting conflicting reports of what the actual situation was on site, the DNR contracted with an individual in Park Rapids to provide transportation on the river on a barge. Fieldsend, myself, the Hubbard County Sheriff and his Chief Deputy, and the two DNR officials, got on the river at the Heartland Park access. We went down the river and went through all of the different situations to identify the problems.

McKinney stated the problem is if you look at the bottom of the profile on the sheet, you'll see that the channel is on the extreme west end of the new bridge. That in fact was

close to where the old bridge was. You'll see that just to the right of the channel an area in dotted lines. That represents the area of the fill that was put in when they built the old Red Bridge and was not part of the river until they did that. There are in addition to these nice clean lines on the bottom shown by this map, rock impediments to travel. The question was raised as to whether or not the original channel was impeded by the construction of the new bridge by the leaving of rocks in the channel. The consensus of the group present was that there were no rocks that weren't there before in the channel.

McKinney stated you can see the flow of the depth of the river is definitely to the west end. The problem becomes if you're traveling south on the river the intuitive goal would be to go to the middle of the bridge because that's the high point between the water and the bottom of the bridge. Unfortunately it's not the high point on the depth of the water, nor is it the route most clear of obstructions.

McKinney stated you have two problems with navigating, one is obstructions and the depth of the water, and two is they didn't remove all of the fill that they lead the Council to expect would be done. They have written on the plans, which I'm not sure was original language, that there would be no lake bottom excavation. In the contract, according to this, they never intended to remove the fill. That they agreed was a fair understanding, but the problem that the DNR has is, first of all they have to have a permit to do any excavation of the bottom from the Corp of Engineers. There was a permit granted which is probably still in effect for the work that would be removing the fill for the old bridge. There is no permit covering areas north and south of the bridge itself. The immediate problem is, it's fair to say that you can use the old channel, and not have any more difficulty than you would have had before the bridges were changed. But anything to the east, there are problems.

McKinney stated one of the difficulties was marking where the channel is. As I indicated in my memo, the sheriff has been primarily the one who has done that. Since he was with us on the inspection he is intending to redo some of the ways the buoys are in there and to put up some kind of impediment that people cutting across to the east end of the bridge and getting in trouble, until we can come up with a different solution. It's just as you go down the river, and if you didn't know any better, and you weren't looking at any of the markings, it's not unreasonable to assume that you would go to the middle of the bridge, which is the highest above the water and would likely be the deepest part of the channel, but it is not. What we agreed to is to take those temporary steps immediately. Also, mark on the bridge itself where the channel is so that you can visually have some indication of the situation from a distance far enough away. If they get close and then see the buoys, they have to cut across stuff that's not good to cut across. That could be a problem. We think that marking would help, it least on the temporary side of it.

McKinney stated to go back to the problem of the removal of what must have been fill ground and go back to the original bed of the river will require some effort on the part of the DNR and they have not started that process nor were they aware that they needed to start it and solve the problem with us. Mr. Schotzko was very helpful and it was agreed that I would recommend to the Council that we be authorized to send a letter to the DNR office requesting to take whatever steps they can to remediate that problem, and the sheriff will join us in that request. That isn't going to happen in the next week or two. There's quite a bit of fill. That may not be the total solution because if you take that out, all they're obliged to do is clear the part under the bridge and to the extent there might be impediments outside of that perimeter there is no action proposed. You still might have a nice deep

channel underneath the bridge and still not be the best way to go through that area. We can't really tell yet. That's the status as of this last week. The DNR was very helpful in helping us get some facts together on the situation and came down and did that field trip with us.

Utke questioned now you're looking for us to recommend sending a letter? McKinney stated if you'd authorize me to continue to follow up on that with the DNR, and then we'll see what follow up means because he will have to institute and do the process to get a project defined and funded.

A motion was made by Utke, to authorize McKinney to follow up on the Red Bridge channel issue.

Discussion: Utke stated we want to keep this on the forefront. Everything is looking nice and to me buoys and signs hanging from the bridge isn't what we were after, even though this wasn't our project, it's in our community.

Randall questioned if the authorization is only to remove the fill that they got that permit for. McKinney stated its to remove previously placed fill material. Utke stated it's what's under the bridge, if there are rocks out into the bay area that's beyond this project. Randall questioned did they indicate that they would be willing to seek a permit from the Corp of Engineers to get the other stuff? Utke questioned is most of the challenge right under the bridge or is the other part tough to navigate in? McKinney stated there are a lot of rocks out there. Fieldsend stated there are problems ten feet out on both sides. Utke stated that's part of the old bridge makeup. Fieldsend stated if you are on the bridge you can see the drop off. There is some fill that can be removed from there. He seems optimistic that he could at least get a permit to have that done. But we need to request that they do something. McKinney stated we also need to understand that they are not talking about dredging the channel or the river from the lake to the dam. That's not what they are interested in.

Mikesh questioned wasn't there talk once about removing some of the bigger rocks? Did that ever happen? McKinney stated that was part of the reason we did the barge trip. It was unclear which rocks were there that were a result of the construction. There were some people that seem to believe that because the way the contractor worked in that area some of the original fill fell back into the channel. We couldn't find any support for that. That may have happened but you couldn't tell that by looking at it. If we go back and take all of that fill out it won't matter anyway, we'll get it out of there. I'm concerned that people are going to think that if we get this done they will assume they can zoom anywhere under that bridge, but getting to the bridge and after you've gotten there can still be very difficult. Mikesh stated they'll have to put signs up.

Randall questioned did they seem receptive to talking further about fixing it so we don't have to have these buoys and the sign on the bridge? Ideally that's not what we want. We don't want a bunch of buoys under it. Right now it looks extremely tacky. It's not marked even close to properly right now. McKinney stated they are going to redo that. But as I understand it all of the work in the river, apart from what they have that permit for, would require new permitting from the Corp of Engineers, which they do not have, nor do they have funding to do it if they did have. So all we are asking is to get the old fill out of there. They will only take the fill back out to the original state. Randall stated I understand that. I want to make sure that we are going to pursue asking them to obtain this permit to

clear a channel so we don't have to have the buoys and the signs. McKinney stated that will be part of our request. You can expand it, but only so far. Fieldsend stated it was his thought that they would try to extend the permit that is already there, and they would dredge that. McKinney stated but that's under the bridge. Fieldsend stated right, under the bridge area.

Nordberg stated an additional issue other than what's under the bridge in that channel is we had presentations here that there would be 7 ½ foot clearance between the top of the water and the bridge, in other words how big of a boat can go underneath the bridge, and presently with the old bridge we were told it was 7 ½ feet, and we were told the new bridge would have 7 ½ feet of clearance. If you look at the numbers, the low number member of the mid span is 1433.4. The existing water elevation is 1425.7. Meaning at the middle of the bridge the clearance is about 7.7 feet. If you go over to the channel, near the berm, the berm elevation is 1429.64, meaning that the clearance on that end of the bridge, near the channel, is less than 5 feet. That means that only a smaller boat can go thru under the present channel just because of the curvature of the bridge. So this is not worrying about what's underneath, but just the top. You can't have the same height of a boat, and so we need to get that height on top of the water, which would be facilitated if the channel were moved to the center. But, you need to get to the channel under the bridge.

Mikesh stated by moving out all of that fill you should be able to get that height there. McKinney stated they took considerable measurements of that. I didn't get copies of their work. They are aware of that but I don't know what they concluded from that. We were standing on a barge and we had to duck to get under. We went clear across the bridge measuring different things, the depth of the water and looking for rocks. Nordberg stated this would imply that the depth of the channel, the old channel, is only 3.7 feet. Is that likely to be accurate? McKinney stated according to this, they had the existing water elevation at 1425. Nordberg stated and the bottom at 1422. Fieldsend stated they said it used to be 40 inches. Most boats can get under with 40 inches. It's a little more than 40 inches, but it's less than that with the rocks. McKinney stated as you get to the center of the span it's not the deepest water. Nordberg stated you can see it from the bridge that it's very, very shallow. McKinney stated the distance from the level of the water to the top is the greatest at the center of the span. Part of what we are trying to do is figure out since it wasn't our contract and it isn't our river or our bridge, the only thing is the rocks. We have to go get them. It's a delicate negotiation.

Nordberg questioned wasn't our approval conditional on 7 ½ feet of clearance? McKinney stated I don't know what we approved. Nordberg stated the city got involved. We had to approve some kind of removal of the bridge. McKinney stated I'm not aware of what all has been done. We'll try to reconstruct what was done. Nordberg stated there were several presentations by engineering companies. They seemed to need city permission. Utke stated we voted for the height because this maintained similar clearance between water and the underside of the bridge. There was talk of adding a foot, which would have been very expensive. We had to approve several factors of it. Nordberg stated we talked about the arch. McKinney stated there's a possibility that some of what you were doing was negotiating the fact that the trail was going to be on our land on not the county's. I wasn't there so I don't know. Sometimes when they ask for your approval, it means they want your blessing not your authority. They have not been difficult to deal with, but I'm not sure how much they can do.

**Mikesh seconded the motion.
The vote was called, and carried unanimously.**

8.5. Authorize Negotiations and Purchase of Ladder Truck for the Park Rapids Fire Department: Fire Chief Donn Hoffman stated this isn't something that we are necessarily going to purchase. We want to take a look at it, but it's far enough away that we want the ability to purchase on the spot if it is something that we deem is fitting for our department and our future needs far enough out that we don't have to do this again real soon. It's in Aurora, Illinois, which is just outside of Chicago. It's about ten hours from here. My understanding is that they've arranged for flight travel for a very nominal fee, in the neighborhood of about \$300.00. I don't think we can drive there for that. Expenses will include a meal and the flight. The truck is a 1996 Pierce with a one-hundred and five foot platform. It has a 2,000 gallon pump on it. It has 63,000 miles on it. I talked with the chief of the fire department that traded this and another one in just like it. They bought two new ones at the same time. The new ones are \$1.2 million. The reason this came about is that we had applied for a FEMA grant for the purchase of a ladder truck. Two weeks ago our application was rejected. It was for a lot of money, \$950,000.00. Aside from a department the size of Minneapolis or St. Paul, I haven't seen anyone get a grant for that kind of money. Most of the grants that I have seen are at \$200,000.00 or less.

McKinney stated I understand that you are going to take a crew, fly over there on a private plane and look at it. If you like it, you want the Council to authorize you to spend a certain amount. Hoffman stated the easiest lid to put on the amount is the value of what we have in the capital expenditures fund. It's more than what we are going to spend on this no matter what. We don't want to spend any more than \$125,000.00. McKinney questioned you're asking the Council, that if you go over there, if you like it, and if you get it for \$125,000.00, you would expect us to wire the funds based on this authority. Hoffman answered yes. It would actually be a down payment that would be wired. It doesn't have to be a large sum at that time. This broker that we are working with, they make up a punch list for you. They go through that punch list and fix anything that you are not happy with. In roughly two weeks they deliver it here, so we won't have another trip into it.

Utke questioned this is at a company that sells new ones and this is a trade that came in on the new equipment? Hoffman stated this is at Pierce Manufacturing in Illinois. It's the facility that this truck was actually built at. Nordberg questioned is this in the capital budget now for replacement? McKinney stated we have a fund for the fire equipment. It has to be within the amount in that fund. The city puts so much in every year. Hoffman stated this particular replacement was in the 2014 budget. We aren't necessarily in a hurry to make that happen. I'd rather wait if we can't find something that we are comfortable with and gather more money for it than spend money prematurely on something that we aren't going to be happy with. McKinney stated we don't have enough money for a new one. Nordberg stated I understand that, but a 1996 is also a little old. Utke stated not necessarily. Hoffman stated it's a pretty big jump to the next level of quality in these vehicles. It's about double to get to the next threshold. Utke stated we're replacing a 1964, so we're jumping up 32 years if we did this. We've have authorized a couple of trips already to look at equipment.

A motion was made by Utke, seconded by Nordberg, to authorize fire department representatives to travel to Aurora, Illinois, to inspect, and possibly negotiate and purchase a ladder truck for the city.

Discussion: Mikesh stated he would be abstaining from voting. He stated he would be going with to help broker the deal for the city.

Nordberg questioned if there should be a lid on the purchase price, possibly \$200,000.00. Brumbaugh stated the most that there would be in the account is \$150,000.00. Hoffman stated I don't want to spend that much. We don't want to spend over \$125,000.00. Utke stated we've approved two other trips. I believe they will do it right. I'd leave the numbers out of the motion. Mikesh stated both Hoffman and I know what the cap is. If they don't want to meet our number, then we won't buy it. Hoffman stated we have the advantage of knowing what they paid for it.

The vote was called.

The following Councilmembers voted in favor: Nordberg, Randall, Utke.

The following Councilmembers voted nay: None.

The following Councilmember abstained: Mikesh.

The motion carried 3-0.

8.6. Resolution Accepting the Resignation of Full Time Park Rapids

Police Officer Thomas Haag: McKinney stated the individual named has interviewed for a new position, has been accepted subject to a medical examination. The letter that we have from him isn't as strong as I would like it. If you adopt it tonight, that would mean that the effective date would be August 18 as stated in the resolution. The difficulty is we don't have a Council meeting until after that date. Eilers stated I could use a part time officer to fill his shifts once he's gone on the 18th. I'd also like to start the process to fill that spot permanently. Nothing would be done until the 26th at the next Council meeting.

McKinney stated the question is, if the Council approves this as drafted, it assumes an unequivocal resignation. I'm not sure I read that in the letter that he gave. What do we do for example if he fails the physical? Eilers stated he'd probably have a tough time coming back. If he's not physically fit to work there, he wouldn't be physically fit to work here. Randall stated I don't want to create a mess of a situation. I would ask that this get tabled to our next meeting, or until Officer Haag wants to put a resignation letter together, and not the conditional resignation letter that he's done. I would certainly accept his resignation conditioned on him in the next forty-eight hours getting a resignation letter to Mr. McKinney. This is not a resignation letter. This fully anticipates that he would have his job here in the City of Park Rapids if something didn't go right down in Pipestone.

McKinney stated the problem with a deadline on the time is we don't know when he was going to get the physical, which is a pivotal point. Randall stated if he wants to give his two week notice that's his chance, not ours. He needs to make a decision one way or the other. Either we table it two weeks, or we can do something conditional. I think it makes the most sense to table it. I would ask Chief Eilers to get a resignation letter. You'll have a tough time knowing is he going to be gone on the 18th or not. Eilers stated that works. Utke stated you want it definite for your files too.

Nordberg questioned do you have a pool of candidates to pick from? Eilers stated I have some part time people. I'll move a part time person to full time. McKinney stated and we have a union contract that we have to comply with. Brumbaugh stated I'm guessing Haag did this to give two weeks' notice. He needs to give two weeks to get paid out for his vacation. Utke stated but this isn't a resignation letter. Randall stated he can wait to have his physical and evaluation in Pipestone, and then give his two weeks. If he's here longer than he wants, that's unfortunate, but... McKinney stated you're right, but that means he couldn't go to work in Pipestone as soon as he wants to go to work. But that's his call. Randall stated he's going to have to wait. McKinney stated if he wants the two weeks for his benefits, then he's going to have to work that schedule. Either that or notify me in the morning that he really meant to quit and put it in writing. Randall stated he really should have waited to write the letter until he had all of this taken care of. He's trying to be done here as early as possible so he can start down there. McKinney stated and not lose the benefits, which requires a two week notice.

Randall stated I don't think tabling this resolution is even appropriate. I don't view this as a resignation letter. McKinney stated this item should be withdrawn from the agenda. Are you comfortable if he does give us a resignation letter letting him use that timetable or do you want to wait until the 26th for our next meeting? That would throw him off by about a month. Randall stated whenever he wants to give us the resignation letter. Brumbaugh stated I don't know if it makes a difference when the Council actually approves it if he gives us a two week notice. Utke stated he has to have an official two week notice, and this isn't it, but he can give the proper letter to Chief Eilers. Brumbaugh stated it doesn't matter if he's out of here before the Council approves it as long as we have two weeks. That's according to the contract. Randall stated you'll have to let him know that his two weeks doesn't start until he submits a resignation letter.

A motion was made by Utke, seconded by Randall, and unanimously carried to remove this item, the Resolution Accepting the Resignation of Full Time Park Rapids Police Officer Thomas Haag, from the agenda.

9. CITY ADMINISTRATOR COMMENTS: McKinney stated the next Council meeting is the 26th of August, which is a regular meeting, three weeks from now, because we moved the first regular meeting of the month forward one week.

McKinney stated we have received a notice of the dedication ceremony for the airport runway on September 12th.

10. DEPARTMENT HEAD UPDATES: Eilers stated starting at 5:00 p.m. tomorrow night at Heartland Park the public has a chance to come and see law enforcement, the fire department, emergency medical services, their vehicles and demonstrations. There will be free food. There will be helicopter landings. Water Wars will be held downtown on Thursday night, along with the Second Street Stage, and Logging Days will be this weekend.

Hoffman stated the fire department will be holding a 5K run on Saturday.

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

12. COMMENTS FROM COUNCIL: Nordberg questioned is the airport runway open? Burlingame stated it is now open. I witnessed a plane take off today.

13. ADJOURNMENT: A motion was made by Randall, seconded by Utke, and unanimously carried to adjourn the meeting at 7:00 p.m.

[seal]

Mayor Pat Mikesch

ATTEST:

Margie M. Vik
City Clerk