

**CITY OF PARK RAPIDS
CITY COUNCIL MEETING
OCTOBER 14, 2014, 6:00 PM
Park Rapids Public Library-Lower Level
Park Rapids, Minnesota**

1. CALL TO ORDER: The October 14th, 2014 Regular Meeting of the Park Rapids City Council was called to order at 6:00 p.m. by Acting Mayor Paul Utke, and everyone present recited the Pledge of Allegiance.

2. ROLL CALL: Present: Acting Mayor Paul Utke, Councilmembers Dave Konshok, Rod Nordberg, and Erika Randall. Absent: Mayor Pat Mikesh. Staff Present: Administrator John McKinney, Planner Dan Walker, Liquor Store Manager Scott Olson, Facilities Maintenance Superintendent Chris Fieldsend, Treasurer Angela Brumbaugh, Public Works Superintendent Scott Burlingame, and Clerk Margie Vik. Others Present: Cynthia Jones, Jeff Voigt, John DeCoster, Brenda Mason, David Drown, Pam Hauber, 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 additions:

Consent: #6.16. Resolution in Recognition for Minnesota Citizens for the Arts Forty Years of Service by the City of Park Rapids.

Minutes/Reports/Information: #12.10. Park Rapids Community Development Commission Meeting Minutes-October 10, 2014.

4. APPROVAL OF MINUTES:

4.1. City Council Workshop Minutes-September 23, 2014: A motion was made by Randall, seconded by Nordberg, and unanimously carried to approve the September 23rd, 2014, City Council Workshop minutes as presented.

4.2. City Council Regular Meeting Minutes-September 23, 2014: A motion was made by Nordberg, seconded by Randall, and unanimously carried to approve the September 23rd, 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 \$37,632.74, and the prepaids in the amount of \$336,280.28, for a total of \$373,913.02.

6. CONSENT AGENDA: Konshok removed Item #6.1. A motion was made by Konshok, seconded by Randall, and unanimously carried to approve the following consent agenda items:

- 6.1. *Removed from the consent agenda.*
- 6.2. **Resolution #2014-133 Accepting Donations for the City of Park Rapids.**
- 6.3. **Approve the Internal Service Fund Budget Adjustments for 2014 to Increase by \$12,000.00.**
- 6.4. **Approve the Purchase of Seventy (70) Feet of Skyline Christmas Decorations from Mainstreet Designs Inc. in the Amount of \$2,000.00 plus Shipping Charges.**
- 6.5. **Approve the Purchase of a Park Bench for Pioneer Park from Belson Outdoors in the Amount of \$1,371.00.**
- 6.6. **Resolution #2014-134 Approve Minnesota Lawful Gambling LG220 Application for Exempt Permit for Hubbard First Response and Rescue.**
- 6.7. **Approve Advertisement and Interviews for Vacant Full Time Patrol Officer Position.**
- 6.8. **Resolution #2014-135 Permitting the Destruction of Aged Documents as Determined by Adopted Minnesota General Records Retention Schedule.**
- 6.9. **Approval to Proceed with the Process to Advertise for Request for Qualifications for Engineering Services for the Municipal Airport.**
- 6.10. **Approve Pay Request in the Amount of \$5,000.00 to Kennedy and Graven for the Legal Fees Regarding the Water Revenue Bonds for the Water Treatment Facility.**

- 6.11. **Approve Pay Request in the Amount of \$1,410.00 to Touch of Eden for Adjustments to the Pioneer Park Retaining Wall.**
- 6.12. **Approve Pay Request #1 in the Amount of \$224,847.95 to Aspen Construction for Work Completed on the Airport Hanger and Site Preparation and Drainage Improvement Project.**
- 6.13. **Approve the Purchase of the Banyon Direct Deposit Module for the Payroll Software System in the Amount of \$795.00.**
- 6.14. **Resolution #2014-136 Authorizing Proper City Officials to Execute Supplemental Authorization No. One to the Professional Services Agreement by and between TKDA and the City of Park Rapids.**
- 6.15. **Resolution #2014-137 Adopting the Policy for Impounded Vehicle Release for the City of Park Rapids Police Department.**
- 6.16. **Resolution #2014-138 Recognition for Minnesota Citizens for the Arts Forty Years of Service by the City of Park Rapids.**

END OF CONSENT AGENDA

6.1. Resolution Accepting the Resignation of Full Time Planner Dan Walker:

Konshok questioned are we going to talk about this now, or will it be addressed in the comment section? McKinney stated the Mayor was intending to pull it and talk about it, but he is not here. Konshok stated my first inclination is to deny it. I didn't know if we had an official recognition. Since he has one more meeting I'll defer comments until then. **A motion was made by Konshok, seconded by Nordberg, and unanimously carried to approve Resolution #2014-139 Accepting the Resignation of Full Time Planner Dan Walker.**

7. COMMENTS FROM CITIZENS: Cynthia Jones thanked the Council for working with the Downtown Business Association to replace some aged, old Christmas decorations that are very vintage. We appreciate the support. We are going to work with city staff to try to replace the aging wreaths on Main Avenue with live green wreaths with a red bow, but no lights. I think the lights from the carriage style lamp will carry those. The downtown will pay for those. The tree lighting has become such a big deal with so many people so we'd really like to spiff up the street. We do the flowers in the summer and we'd like to do this for the Christmas season. City staff is working with us to manage the little lights that we put on the trees. They have been storing them for us, they get them to us and then we put them on the trees. With the addition of these wreaths, it will make the downtown nicer. They've used them in Maple Grove and they look quite nice. Thank you very much, we appreciate it.

8. PLANNING:

8.1. Resolution Approving a Conditional Use Permit to Allow a Home Occupation in the R-B Zoning District at 512 Park Avenue South, PID #32.40.01700:

Walker stated the applicant is Brenda Mason, who is the owner of the property. She is requesting a conditional use permit to allow a home occupation for a massage therapy salon. The property is located at 512 Park Avenue South. The site is .36 acres. They are currently remodeling the home to accommodate the massage salon. The property is zoned R-B, Residential Business Transitional District. They do have city services at that location.

Walker stated the applicant is proposing to practice massage therapy out of her home after the closing of Brigid's House. The applicant will use a main floor room close to the main entrance as the massage salon. The applicant has stated that she has an established clientele and there will be approximately one to four appointments per day. She has also stated that she does not intend to expand the business. There is adequate parking available on the site to accommodate the proposed use.

Walker stated the request for a home occupation meets all of the other provisions in the ordinance. A conditional use permit issued by the City Council for a home occupation shall not transfer with the change of ownership of the dwelling. A sign permit would also be required if the applicant would like to have signage on the site although none is being proposed with this application.

Walker stated staff and the Planning Commission are recommending approval of the conditional use permit to allow a home occupation for a massage therapy salon with three conditions. The home occupation must comply with all of the provisions listed in Chapter 151.146 Home Occupations. A sign permit is required and must meet all of the zoning requirements for signage in the R-B Zoning District. A conditional use permit issued by the City Council for a home occupation shall not transfer with the change of ownership of the dwelling.

Utke requested comments from the Council. Nordberg questioned are there separate licenses required? Walker stated we don't have a city license but I assume that she would have licensing through the state. Brenda Mason stated there are no state requirements like that.

A motion was made by Konshok, seconded by Randall, and unanimously carried to approve Resolution #2014-140 Approving a Conditional Use Permit to Allow a Home Occupation in the R-B Zoning District at 512 Park Avenue South, PID #32.40.01700.

8.2. Resolution Approving a Conditional Use Permit to Allow Outdoor Sales in the B-1 Zoning District at 1310 First Street East, PID #32.30.00700:

Walker stated the applicants, Brian Gray and Shawn Gray, who are the property owners, are requesting a conditional use permit to allow outdoors sales for fish houses and sheds on a vacant portion of their property at 1310 First Street East, which is currently the location of Espresso 34, which is also owned by the applicants. The site is 2.56 acres. The property is currently zoned B-1, Highway Business District, and it does have city utilities.

Walker stated the applicant is requesting to display fish houses and sheds on a vacant portion of the property, east of the existing Espresso 34. The applicant has stated that the sales area will not be staffed and they are requesting signage, which would have a contact phone number for customers to call. They would then meet the customer at the property and do the business transaction there. They have stated they would only be displaying a few fish houses at a time and plan to fully develop or sell the property in the future. They will use the existing entrance off of Highway 34 and no parking areas or new bituminous is being proposed at this time. The sheds and fish houses are proposed to be displayed on grass, which is consistent with similar uses in the past. There is adequate vehicle parking on the site to accommodate the outdoor display area, so no additional parking is required. The applicant must maintain all outdoor storage and display in a neat and attractive manner per the approved site plan and the site must remain free of all noxious weeds and debris.

Walker stated we did receive a comment from Bob White who lives in Discovery Circle, which is located to the south of the applicant's property. Mr. White has concerns about snow, garbage, and other debris, which blows across the applicant's property and deposits in his yard. The Planning Commission did recommend that the applicant contact Mr. White directly and come to an agreeable solution to the problem prior to the City Council meeting. The applicant met with Mr. White and they agreed upon a snow blocking fence that will be installed by the applicant to shield Mr. White's property from snow and debris. Staff is agreeable to that solution.

Walker stated any expansion of the display area will be required to meet all applicable zoning standards. A sign permit will be required for any proposed signage. Staff and the Planning Commission recommend approval of the conditional use permit to allow outdoors sales of fish houses and sheds with four conditions. The applicant must maintain all outdoor storage and display in a neat and attractive manner per the approved site plan and the site must remain free of all noxious weeds and debris. A snow/debris blocking fence must be installed by the applicant to screen the neighbor to the southwest as agreed upon. Any expansion of the display area or use in the future will be required to meet all applicable zoning standards. A sign permit will be required for any proposed signage.

Nordberg stated in the pictures there is some fence already up. Is that what the fence will look like? Walker stated it will be a snow fence, not a permanent fence.

A motion was made by Nordberg, seconded by Randall, and unanimously carried to approve Resolution #2014-141 Approving a Conditional Use Permit to Allow Outdoor Sales in the B-1 Zoning District at 1310 First Street East, PID #32.30.00700.

9. GENERAL BUSINESS:

9.1. Tax Increment Finance Issues: McKinney stated we have had an ongoing agreement with David Drown and Associates for about two years to help us get into compliance with the state regulations regarding TIF and TIF reporting. In the past we had an associate of David Drown's working with us. That associate has moved on, and David Drown himself is here to introduce himself and talk about his approach to the contract. We have a contract with them that can be canceled at any time. We are very

comfortable working with them. They bring an expertise to the table that we do not have and it's a good thing for the city to meet Mr. Drown.

David Drown stated I had a meeting with the staff this afternoon. I don't have any issues to discuss. Mainly I wanted you to see my face and let you know about the staffing change. We value the work that we get to do with your community and we look forward to working with you and doing a good job in the future. When we have something of substance to talk about I'll be the person that you will see.

Konshok questioned how would you classify Park Rapids in comparison to other communities in northern Minnesota regarding use of TIF. Are we behind the times, ahead of the times? Drown stated probably for a community of your size you've used it as much as I would expect you to. I've reviewed your TIF districts, generally speaking, you have some interesting twists, but everything looks pretty much in good shape. You have no major problems, but we have some details to work out. Konshok questioned what do you mean by interesting twists? Are we unique? Drown stated some of them are a little more complicated than is usual. Some of them have had some ebbs and flows of money that came from the county that shouldn't have been, which is a little unusual. But in terms of your use of TIF, it seems to have been used wisely and prudently and in a manner that was probably good for the community.

Konshok stated one of the reasons that we brought on David Drown in the first place was we had TIFs from many different eras. The concern was that they were all current and met the legal requirements and also served the purpose, which is economic development. Drown stated you got rid of a few, and we'll probably be suggesting that you get rid of a couple more in the future. What used to be an unmanageable beast, is getting down to be pretty manageable.

McKinney stated you might want to explain the agreement that we have, which is to prepare the reports that are required by state law. As part of that agreement they also agree to work with us on analyzing what we have and what needs to be done, if anything. So it's that part that we are looking at now. Drown stated we talked about that this afternoon.

Drown stated TIF reporting can be done a couple of ways. It can certainly be an accounting exercise where you regurgitate the expenditures and revenues of the district in the form that the state asks for. That's really not our approach to it. We try to turn it into something valuable. As we go through the reporting we look at what we are reporting on and think on it so we can advise staff and Council, not that the reports aren't done, but if we see potential problems that could happen in the future or opportunities for a way that TIF might be managed more effectively and used more productively in the community. I will make those kinds of suggestions to you. It's less of an accounting exercise and more of a strategic thinking exercise. We think that's the greater level. In getting up to speed and solving some of the complexities that your old TIF districts had, we spent quite a bit of time and that's part of the deal. Our fee is to charge you for the TIF reporting work. We try to do it a little better than everybody else and we are not going to change the way we do it.

Nordberg stated one of the last times we were using your office was because the property values had decreased on the area which changed the flow of money back and forth. Instead of increasing they were decreasing. Is that typical or unique, and what's the prognosis for the future? Drown stated that's typical for communities that in the mid to late last decade created big multi-parcel TIF districts. Because in the last five to six years in

Minnesota, declining property values have happened everywhere. So if you had a lot of parcels in your TIF district, the new projects obviously have more property value, but properties that have seen no activity have seen their values lowered a bit. TIF math is done on a collective basis. You add them all together and you look at the net. The net, for your community, the idle parcels were cannibalizing the increment from the active parcels. The prudent thing to do would be to remove the non-productive parcels, which you accomplished. That's not unusual for Park Rapids. We've done that for five other locations for exactly the same reason.

Utke thanked Drown for coming, and said we look forward to working with you in the future.

9.2. Municipal Airport Lease Agreements: John DeCoster stated earlier this year we were engaged by the city to look at a couple of different airport documents. One was to develop standards for operating procedures at the airport, and the other one was to develop a template for a contractual document to use for all the new leases on the airport. We brought that to the City Council and you approved it. The first task we had under that new regime was to update an existed lease with Jeff Voigt. As we started looking at it we had a number of things that were not consistent with the way we wanted to approach business in this new realm. We ended up breaking the agreement into two different documents. Both of those are in front of you tonight. One is the two paint facilities on the north side of the existing FBO, which really are not part of the FBO. The facilities are used by one of Voigt's companies to do painting. So we separated those out as a separate agreement but it would be coterminous with the FBO agreement. Obviously, if he's doing that business we want to make sure that he had continuity of the facilities. The second agreement is the actual FBO agreement for the FBO related facilities.

DeCoster stated the first document in front of you is for the Northwoods Aircraft Painting facility. These are two buildings that were under the original FBO lease so we broke them out. Under the business terms that we identified in the standard lease form we started assigning a cost per square foot that was going to be assigned to these with exhibits to quantify it. What is in front of you tonight is a recommendation that you approve this new lease for these two buildings as a separate unit that will be coterminous with the FBO agreement, with a rent that will be increased every five years at 7%. That is something that was not in the previous agreement. We put an escalator provision in for every five years which is pretty standard on aviation property. 7% is a fair market value that we see often as being a realistic value for an increase. The total net from the two agreements equals what is being paid today under the expired agreement. There is no immediate revenue increase from the FBO. We did look at it, I will say candidly the rent is fair. We work with a lot of airports and FBOs and these kinds of facilities, as we broke it back down to the agreement the amount of rent that was being paid by Park Rapids Aviation is a reasonable amount of money for the kind of airport that you are and the land values that you have. There wasn't a compelling reason to change the initial rent. By having the increase in a going forward basis, for each five years, that will keep us up with the times.

Randall questioned how long has it been at that rate? DeCoster stated I don't know. Voigt stated about five years. Brumbaugh stated I think it's about five, because it went up

previously. Randall questioned how much did it go up? Brumbaugh stated I don't know. I'd have to look.

DeCoster stated the services provided by Park Rapids Aviation as far as operating the FBO on a daily basis, responding to calls, doing the fueling, are included in the second agreement that you have in front of you, which is the actual FBO lease agreement. We have broken those out and assigned a value to those. So the rent has kind of been masked. Because there have been services in kind being provided, but it's all been lumped together and you pay X. There really wasn't any kind of accounting, or a breakdown, of what value was being associated with the services being provided, which is very common. We tried to assign those values, if you were to take the amount that we assigned to the services, you would have increased the rent by about \$11,000.00. There has been some give and take. I feel very comfortable about the fact that we now have that quantified. So that if Park Rapids Aviation or the city chose to not to have those services in the future you would know what the impact is going to be based on the contract and not on a negotiation we'd have at some later date. The rent is, from what we see from a market standard, is very competitive. It's certainly not low or high balled. It's right in the middle.

McKinney stated these documents and presentation have been presented to the Airport Commission. They have approved them.

A. Resolution Authorizing Proper City Officials to Execute the Facility and Ground Lease at the Park Rapids Municipal Airport by and between Northwoods Aircraft Painting Inc. and the City of Park Rapids: A motion was made by Konshok, seconded by Nordberg, to approve Resolution #2014-142 Authorizing Proper City Officials to Execute the Facility and Ground Lease at the Park Rapids Municipal Airport by and between Northwoods Aircraft Painting Inc. and the City of Park Rapids.

Discussion: Nordberg stated these are for the two existing buildings. If there is a future change does that roll into this, or would that be a whole new process? DeCoster stated any new building would be a separate agreement and would be brought forth on the merit of that transaction. So this is memorializing these facilities. We have exhibits identifying these facilities related to this agreement. Any additional new facilities would be brought forth through a separate action.

Nordberg questioned the terms are identical for the two part? DeCoster answered yes. That was a reasonable request. It's something that we see quite often. From a city standpoint, you're in an awkward position with one expiring one time, and another expiring another time. It turns into an ugly situation. I absolutely support that we have these coterminous.

Nordberg questioned this is for fifteen years? DeCoster stated yes. It's fifteen years for the base and two ten year options. Konshok stated so they are aligned date wise.

The vote was called.

The motion carried unanimously.

B. Resolution Authorizing Proper City Officials to Execute the General Fixed Base Operator and Fuel Farm Lease and Operating Agreement at the

Park Rapids Municipal Airport by the between Park Rapids Aviation and the City of Park Rapids:

DeCoster stated this agreement will include the public terminal, the hanger attached to the terminal, the shop, the mezzanine area, the fuel farm, and the public aircraft parking ramp. This is also the document that we assign services to Park Rapids Aviation to provide for the airport and have that as an addendum to the agreement that is quantified, identified. We took a shot at identifying what services are actually being provided out there, which was not addressed in the old agreement. This helps clarify for everyone, including Voigt, what the operating expectations are. This is a very standard agreement. Often the FBO does provide services for the governance of the airport. We've assigned values on this to what we think is the appropriate value for the properties under this agreement.

Nordberg questioned the city still has the right to set the prices for parking or fuel? DeCoster stated no, that is done by the FBO. The city still has a fuel flowage fee it receives. You have the right to adjust the fuel flowage fee. But as far as the retail price that Park Rapids Aviation charges users that's at their discretion. That's very standard practice. Randall questioned was that city fee addressed at all? DeCoster answered no. You can take that on any time that you want to. That is a city decision. It's not tied to the agreement.

McKinney stated the lease hold doesn't include the upper level. DeCoster stated we did curve out the conference room upstairs. There is some revenue that is generated through public leasing of that. That revenue comes to the city and that property still resides with the city as far as its control. Konshok stated the common room, upstairs and the t-hangers themselves we still have them. DeCoster stated the t-hangers are a different subject. Konshok questioned do we still maintain them directly? Utke answered yes. It's totally outside of what we are looking at here. Konshok stated essentially these two agreements cover everything on the airport except for the t-hangers and the meeting room. DeCoster stated and the facilities that Park Rapids Aviation and Park Rapids Avionics are in. McKinney stated the RDO building is separate also. There are a lot of other things out there. DeCoster stated we're still trying to get our arms around all of the agreements that may or not exist out there.

Nordberg questioned does this cover any state and federal rules that might apply, like hours of operation? DeCoster stated there are no rules that apply. It's up the local discretion. As far as hours, that becomes a discussion between the city and the operator. This agreement is so standard to what I see happening in the industry.

Konshok stated the whole purpose of this was to replace leases that were written back in the time that we had one building, one t-hanger, and the fuel farm out there. It's a good agreement which reflects the complexity of the airport.

A motion was made by Konshok, seconded by Nordberg, and unanimously carried to approve Resolution #2014-143 Authorizing Proper City Officials to Execute the General Fixed Base Operator and Fuel Farm Lease and Operating Agreement at the Park Rapids Municipal Airport by the between Park Rapids Aviation and the City of Park Rapids.

10. CITY ADMINISTRATOR UPDATE: McKinney stated an item that is a carryover from previous directions from the Council have to do with directing me to make a contact

with the county about the potential use of their new facilities for Council meetings. I've had several initial conversations. I talked with Deb Thompson again today. They are very anxious to try and accommodate our use of that facility if possible. Some of the things that were raised was access to the building by the public if we do have our meetings at night. That new facility is designed for that type of thing. They can close off parts of the building that they don't want other people to go to. This facility is on the third floor. There is a principal meeting room and then a couple of conference rooms much bigger than the other I believe. One of our concerns is we need to be consistent with meetings. One of the first things that you do in January is set the date and place for your regularly scheduled meetings. You've had other times, but since I've been here it's been the second and fourth Tuesdays at 6:00 p.m. You have room to have workshops at 5:00 p.m. That I have discussed with Thompson if we do something we need to be assured that we get that time without having to make adjustments at the last minute. The only difficulty that she is aware of is that the fourth Monday of the month is when county Planning/Zoning and the Board of Adjustment meet. They have an ordinance/provision that if they can't conclude their work on Monday by 10:00 p.m. then they will reconvene the next night. That would be the fourth Tuesday. At first blush we talked about there are some other conference rooms on that floor, but they are quite small. The largest of their conference rooms would be a real squeeze for us. We're going over there on Thursday to look at it the facilities and talk to some of the people there. I think the key is whether or not we can work something whereby that provision that they can spill over into the next day and take the time we would normally have regularly scheduled meetings, we'll have to find out if that can work. The other alternative would be for us to change the day or the time of day that we meet. We had not discussed any of those things with you. Assuming that you want to keep the same schedule that you have now, we have to work with Eric as to whether or not he has any flexibility. I think he has indicated to the board that he doesn't have any flexibility because it's in the ordinance. They'd have to change their ordinance to change that rollover time. I don't have a recommendation. If you are not opposed to different times and places we could look at that, but if you're locked into the second and fourth Tuesdays at 5:00 p.m., then we'll have to do something different.

Utke stated I think consistency is pretty important. This place is working so if we can't work it out, if we can't abide by their schedule, then we'll go with what we've got. Randall stated that's my feelings too. An ordinance can be changed very, very easily. Especially a provision that very rarely gets used. Utke stated it's a beautiful room and it would be nice to use, but we have to make sure it fits what we do. People are used to us doing things at certain times.

McKinney stated they are still struggling with what their policy ultimately will be. This is a new game for them as well. They are expecting that if there is an extraordinary or additional cleanup, or maintenance, we would be charged for that. Thompson thinks it would be minimal but they have it in there because they don't know. We wouldn't have to set up the room normally as I understand it and it has some really nice facilities for the public to see what's going on. I would like to work it out, but I'm glad for your direction. We'll see if we can't negotiate something for the second and fourth Tuesdays at the time we meet.

Randall stated it would be nice. The presentations, I'd actually be able to see them, which would be a bonus. Utke stated it would be great for the audience because we're all

looking at a piece of paper, and they'll see it too. It's a nice facility in that way. McKinney stated staff is going to meet with them to work out some details. The board of supervisors would like some response from us by their meeting on Tuesday. I'll take the direction from you and I'll work with that.

Konshok questioned is there any particular reason we could not do the first and third Tuesdays? Vik stated as long as I've been here it's been the second and fourth. McKinney stated one of the rationales for the second is that it gives us time to get the stuff ready from the preceding months to report to you. If we have to do it the day after the end of the month, it doesn't happen.

Nordberg stated we recently changed from starting at 7:00 p.m. to 6:00 p.m. What time does their meeting start? Our meetings are often over by 7:00 p.m. If their meeting doesn't start until 7:00 p.m. we might be out. McKinney stated I was under the impression that they start at the same time on the rollover date that they would have met on the first date, which is 6:00 p.m. So that's dead in the middle. Utke stated we have to make sure it's a comfortable working position so we don't have to worry about hurrying to get done or switching places. Randall stated when I asked, they have never had a rollover. Utke stated right, but it is in their language. Utke stated it would need to be changed just so we couldn't be pushed. McKinney stated the problem is it's a combined county board of adjustment as well as planning. That might drive additional opportunities for him to need a day. If they could change the ordinance that would solve it, but I would not be comfortable without knowing we got it.

Konshok stated if we were forced to put a sign on the door that says the City Council meeting has been moved, if we're inside the three day window are we in violation? Randall stated we would never be within the three day window. Utke stated we would only know the night before at 10:00 p.m. McKinney stated that's the problem. Utke stated I don't think we want to be hung on the end of the string like that. Nordberg stated there is another meeting room there. The meeting could be announced for the third floor of the courthouse. Utke stated those are just conference rooms. McKinney stated they only hold about twelve people. Konshok stated the only other large room is in the basement of the law enforcement center.

McKinney stated with your permission I'll meet with them. Konshok stated I would point out to them that we have like they have legal requirements. If we find out at the last minute that they need to rollover the meeting that violates our state statute concerning public meeting laws. That's why it causes a significant issue for us. Randall questioned are one of the commissioners going to be there? McKinney stated I don't know. Thompson was setting it up. Randall stated I don't think you're going to get very far without a commissioner there. McKinney stated we aren't meeting to negotiate, just to see it.

11. DEPARTMENT HEAD UPDATES: Burlingame stated Ferguson Water has started installing the new water meters today. Utke questioned what's their expected time period? Burlingame stated they think they can do two-hundred and fifty meters a week. Konshok questioned are they getting good response? McKinney stated they said they had appointments for over half of the accounts. Nordberg stated I called today for the meter at the old courthouse and they were all booked up until Friday the 24th, so I couldn't get

anything sooner and the water will be turned off by then. They are going to give me an emergency update.

Walker stated we talked at the staff meeting about getting my duties wrapped up to leave things in as good of shape as I can. If there are things with deadlines we'll make sure they are addressed by myself or somebody else.

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

13. COMMENTS FROM COUNCIL: Nordberg stated last night the library sponsored another smash sell out event at the armory with over two-hundred people in attendance, the Flamingo Dance Concert.

14. ADJOURNMENT: A motion was made by Randall, seconded by Konshok, and unanimously carried to adjourn the meeting at 6:50 p.m.

[seal]

Acting Mayor Paul Utke

ATTEST:

Margie M. Vik
City Clerk