

Detroit Lakes, Minnesota  
February 9, 2016

The regular meeting of the City Council was called to order in the Council Chambers of the City Administration Building at 5:00 P.M., February 9, 2016; all members of the City Council having been notified of the meeting and the business to be transacted.

Present: Mayor Matt Brenk; City Administrator Robert Louiseau; City Clerk Glori French; Police Chief Tim Eggebraaten; City Attorney Charlie Ramstad; City Engineer Jon Pratt; Community Development Director Larry Remmen; Fire Chief Scott Flynn; Police Chief Tim Eggebraaten; Liquor Store Manager Randy Buhr; Public Works Director Bradley Green; and Building Official Dave Neisen

Aldermen: Boeke, Imholte, Marks Erickson, Schiller, Schurman  
Sukke, Waller, Wenner and Zeman

Absent:

There being no corrections to the minutes of the Regular City Council Meeting held January 12, 2016. Mayor Brenk declared the minutes would stand approved according to copies sent to each member of the Council.

Mayor Brenk administered the Oath of Office to Police Officer Randall Haken who was hired full time with the Police Department on January 22, 2016.

Pursuant to notice having been given to the property owner at 1118 Wilson Avenue, that the Council would, at this present meeting, conduct a hearing for the purpose of hearing public comment on the abatement of nuisance created by multiple motor vehicles parked at the front and rear yard and running an automotive business in an R-2 Zone. Mayor Brenk called the hearing to order at 5:08 P.M. Police Chief Tim Eggebraaten gave a status update on the property. Eggebraaten informed the Council several notices had been sent to the property owner, informing Lyle and Jason Kjonaas of the nuisance that had been created by the multiple motor vehicles and concern about an automotive business being ran out of the home. January 2015, March 2015, April 2015 and a Public hearing was held by the City Council at the May 2015 Council Meeting. At the time of the Public Hearing that was held in May 2015, property owner had cleaned up a lot of the reported nuisances and noted to the Council he was not operating a business out of his house. The City Council decided to not take any action at that time. In September of 2015 and January 2016 complaints had been received and photos have been taken regarding the collection of the nuisances gathering in the yard once again which leads us to the Public Hearing tonight. Police Chief Eggebraaten passed around photos that had been taken on Monday, February 8, 2016, showing the nuisances being created once again and concern an automotive business was being

operated in an R-2 Zone. City Administrator Bob Louiseau informed the Council, if the Council decides to abate the nuisance, the cost created by the abatement would be billed to the property owner. Alderman Imholte expressed he would like to give the property owner allotted time to clean up the nuisance rather than abating the nuisance immediately. Alderman Marks Erickson expressed the Council should act on the City staff recommendations and abate the nuisance, as the property owner has had several opportunities to take of the nuisance. City Administrator Bob Louiseau informed the Council of the nuisance abatement process, notification will be given to the property owner, with an allotted time to get the property cleaned up and if the property owner does not clean up the nuisance, the City would then go in and clean up the nuisance and the cost would be billed to the property owner. Mayor Brenk closed the hearing at 5:15 P.M. and reconvened the Regular Council Meeting.

A motion was made by Alderman Waller, seconded by Alderman Marks Erickson and carried, without a dissenting vote, authorizing the abatement of nuisance created by multiple motor vehicles parked at the front and rear yards at 1118 Wilson Avenue with a seven day notice.

Pursuant to notice having been published and mailed given on the matter of vacating a portion of public right of way and utility easement in the plat of Tower Road Industrial Park Plat. Mayor Brenk called the hearing to order at 5:16 P.M. Community Development Director Larry Remmen informed the Council the request to vacate the portion of the public right of way and utility easement is to allow the Development Authority to sell 12.92 acres of land to the City of Detroit Lakes for the future home of the new Public Works Facility. There being no other comments, Mayor Brenk closed the hearing at 5:17 P.M. and reconvened the Regular Council Meeting.

Pursuant to the recommendations of the Community Development Committee a resolution was introduced by Alderman Imholte, who moved its adoption, adopting the finding of fact and reasons for approval of vacating a portion of public right of way and utility easement between Block 2 and Block 5 in the Plat of Tower Road Industrial Park. The motion for the adoption of the resolution was seconded by Alderman Sukke and carried without a dissenting vote. Mayor Brenk declared the Resolution 0209A adopted.

Building Official David Neisen appeared before the Council and gave a recap of the January nuisance report. City Council Members thanked the City staff for the new format of the nuisance report. A motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote approving the January 2016 Nuisance Report and placing it on file.

Upon the recommendations of the Community Development Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote, that the building permits for the month of January, 2016 in the estimated construction value of \$391,777 to be issued pursuant to their applications accompanied by the required City fees and State surcharges, the issuance of such permits

having been recommend by the Building Official and approved by the Community Development Committee.

Edward Gehrke with Manna Food Coop, 900 Highway 34 East, appeared before the Council to formally request the consideration of the Council to approve a one year lease on the facility space known as the old liquor store. City Administrator Bob Louiseau informed the Council, several other companies over the past couple of years have also inquired about leasing the space and at that time were told it was not available. Louiseau also stated the City is in the process of hiring an Architectural and Engineering Service firm to conduct a Facility Assessment/Space Needs Assessment for City Administration Office and Police Department which includes the old liquor store space. After a lengthy discussion a motion was made by Alderman Imholte, seconded by Alderman Schiller authorizing discussions to take place for a one year lease between the City of Detroit Lakes and Manna Food Coop.

Alderman Waller expressed concern to allow only one business to have discussions regarding a lease for the old liquor store space.

Mayor Brenk called for a roll call vote on the motion: Yays: Alderman Imholte, Wenner, Schiller; Nays: Alderman Zeman, Schurman, Waller, Boeke, Sukke; Abstained: Alderman Marks Erickson. Mayor Brenk declared the motion failed.

Upon the recommendations of the Public Works Committee, a resolution was introduced by Alderman Zeman, who moved for its adoption, accepting a Cooperative Agreement with MNDOT for the TH 34 Improvements. The motion for the adoption of the resolution was seconded by Alderman Imholte and carried without a dissenting vote. Mayor Brenk declared Resolution 0209B adopted.

City Engineer Jon Pratt informed the Council that a request had been received from Midwest Minnesota Community Development Corporation (MMCDC) to prepare a preliminary engineering report cost to determine the estimated cost of extending water, sewer and streets to undeveloped portions of Long Bridge Estates housing development. (MMCDC will pay 100% of the cost of the report).

Upon the recommendations of the Public Works Committee a resolution was introduced by Alderman Zeman, who moved for its adoption, authorizing a Preliminary Engineering Report for the reconstruction improvements of Long Bridge Heights Phase Three (water, sewer and streets). The motion for the adoption of the resolution was seconded by Alderman Schurman and carried without a dissenting vote. Alderman Marks Erickson abstained from the vote.

Upon the recommendations of the Public Works Committee a motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote approving the request submitted by Brian Cooksey to hold their wedding rehearsal and ceremony on the City Beach in front of the Pavilion on June 3 and 4, 2016.

Upon the recommendations of the Public Works Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried without a dissenting vote approving the request for quotes for mowing of various lots throughout the City for the 2016 mowing season according to specifications laid out by the City.

Upon the recommendations of the Public Works Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried without a dissenting vote approving the request for quotes for the removal of diseased elm and oak trees according to specifications laid out by the City.

Upon the recommendations of the Public Works Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried without a dissenting vote approving the request for quotes for the 2016 bituminous repair or construction to streets, alleys and parking areas according to specifications laid out by the City.

Upon the recommendations of the Public Works Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried without a dissenting vote approving the request for quotes for the 2016 concrete repair or construction of concrete curb and gutters, approaches and sidewalks according to specifications laid out by the City.

Upon the recommendations of the Public Works Committee, a motion was made by Alderman Zeman, seconded by Alderman Imholte and carried without a dissenting vote approving the Detroit Lakes Youth Soccer Association, Rotary Park Soccer Field Complex Lease Agreement for the 2016-2018 seasons.

City Engineer Jon Pratt informed the Council on the Long Lake Annexation Phase four (4) planning process and a summary of the Public Informational Meeting held on January 14, 2016. Mr. Pratt noted the majority of the people in attendance desired moving forward sooner rather than later. Property owners were also interested in getting electrical service from the City Electric Utility.

Upon the recommendations from the Public Works Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried without a dissenting vote authorizing the issuance of a More Than Two Animal Permit to Gina Benson at 1324 Jackson Avenue effective February 1, 2016 through December 31, 2016.

Upon the recommendations from the Public Works Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried without a dissenting vote authorizing Jonny's LLC to use the City Beach during the Flashpoint National Snow Bike Racing Series, if the weather is too warm and the ice on the lake isn't safe to be on.

Upon the recommendations of the Public Works Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried without a dissenting vote approving the request for Jonny's LLC to park on Holmes Street in front of the

Eagles Club or in the southeast corner of the Washington Square Mall to cater a private event for the Fire Department on April 1, 2016, pursuant to their application to obtain an obstruction of right away permit.

Upon the recommendations of the Finance Committee, a motion was made by Alderman Zeman, seconded by Alderman Waller, and carried without a dissenting vote approving the Proposal for Architectural and Engineering Services from BKV Group for \$18,500 and authorizing them to complete the Facility Assessment/Space Needs Assessment for the Police Department and City Administration Offices.

Upon the recommendations of the Finance Committee, a motion was made by Alderman Zeman, seconded by Alderman Sukke, and carried with one dissenting vote from Alderman Schiller approving the purchase and installation of three (3) TV's for the Council Chambers.

Upon the recommendations of the Finance Committee a motion was made by Alderman Zeman, seconded by Alderman Waller and carried without a dissenting vote approving the 2016 fee schedule for the Detroit Lakes Country Club.

Upon the recommendations of the Finance Committee a resolution was introduced by Alderman Zeman, who moved its adoption approving the miscellaneous purchases from Swanson Repair Incorporated for 2016. The motion for the adoption of the resolution was seconded by Alderman Schurman and carried without a dissenting vote. The Mayor declared Resolution 0209C adopted.

A motion was made by Alderman Waller, seconded by Alderman Wenner and carried without a dissenting vote that the trial balance, submitted by Finance Officer Pamela Slifka, showing a balance in the City treasury to be in the amount of \$12,180,011.73 as of January 31, 2016, be accepted, approved and placed on file.

Upon the recommendations of the Finance Committee, a resolution was introduced by Alderman Waller, who moved its adoption, approving the payment of claims paid by proper authorization covering the period January 13, 2016, through February 9, 2016, in the amount of \$6,129,169.14 the motion for the adoption of the resolution was seconded by Alderman Wenner and carried without a dissenting vote. The Mayor declared Resolution 0209D adopted.

Upon the recommendations of the Public Safety Committee, a motion was made by Alderman Waller, seconded by Alderman Boeke and carried without a dissenting vote to approve the application and waive the fee for a Fireworks display during the Polar Fest event on February 13, 2016.

Upon to the recommendations of the Public Safety Committee a motion was made by Alderman Waller, seconded by Alderman Wenner and carried without a dissenting vote to approve the request submitted by B. J. Alan Company to sell fireworks at Menards, 1456 Menard Drive.

Upon the recommendation of the Liquor/Gambling Control Committee, a motion was made by Alderman Marks-Erickson, seconded by Alderman Schurman and carried, without a dissenting vote, approving the request from the Rossman & Roosevelt Elementary PTO Carnival Committee a \$100.00 donation was approved with funds to be used from the Liquor Fund.

Pursuant to the recommendations of the Liquor and Gambling Control Committee the consideration to the issuance of a noise variance permit submitted by Zorbaz of Detroit Lakes, Inc. to exceed the City's noise limits was deferred.

Upon the recommendations of the Liquor/Gambling Control Committee a motion was made by Alderman Waller, seconded by Alderman Wenner approving the issuance of a Temporary 3.2 Liquor License to the Detroit Lakes Jaycees for their event held on February 13, 2016 at the Detroit Lakes Pavilion. Note can only consume in the designated area and must be at least 21 years old.

Upon the recommendations of the Liquor/Gambling Control Committee a motion was made by Alderman Waller, seconded by Alderman Wenner approving the issuance of a Temporary On-Sale Intoxication Liquor License to the Detroit Lakes Jaycees for their event held on March 11, 2016 at the Historic Holmes Theater Ballroom. Note can only consume in the designated area and must be at least 21 years old.

Upon the recommendation of the Liquor/Gambling Control Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote, approving the gambling application submitted by the Boys & Girls Club of Detroit Lakes to conduct a raffle at Lakeside Tavern, 200 West Lake Drive, on February 12, 2016.

Upon the recommendation of the Liquor/Gambling Control Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote, approving the gambling application submitted by the Detroit Lakes Lions Club to conduct a raffle at Shorewood Pub, 1743 Long Bridge Road, on February 27, 2016.

Upon the recommendation of the Liquor/Gambling Control Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote, approving the gambling application submitted by the Detroit Lakes Jaycees to conduct a raffle at the Historic Holmes Theater Ballroom, 806 Summit Avenue, on March 11, 2016.

Upon the recommendation of the Liquor/Gambling Control Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote, approving the gambling application submitted by the Detroit Lakes Fire Department Relief Association to conduct a raffle at Detroit Lakes Armory, 1220 Rossman Avenue, on March 19, 2016.

Upon the recommendation of the Liquor/Gambling Control Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote, approving the gambling application submitted by the Patriot Assistance Dogs to conduct a raffle at Zorbaz of Detroit Lakes, 402 West Lake Drive, on March 20, 2016.

Upon the recommendation of the Liquor/Gambling Control Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote, approving the gambling application submitted by the United Lakes & Trail Riders Association to conduct a raffle at the Holiday Inn, 1155 Highway 10 East, on April 9, 2016.

Upon the recommendation of the Liquor/Gambling Control Committee, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote, approving the gambling application submitted by the Detroit Lakes Chapter of Whitetails Unlimited conduct a raffle at the Holiday Inn, 1155 Highway 10 East, on May 7, 2016.

Pursuant to the recommendation of the Public Utilities Commission, a resolution was introduced by Alderman Imholte, who moved its adoption, approving a wastewater treatment facility plan addendum and authorizing the plan to be filed with the Minnesota Pollution Control Agency. The motion for the adoption of the resolution was seconded by Alderman Zeman and carried without a dissenting vote. Mayor Brenk declared Resolution 0209 adopted.

Public Utility General Manager Vernell Roberts gave an update on the waste water treatment plant funding through the Public Financing Authority (PFA) and bonding bill. Roberts noted Minnesota Governor Mark Dayton came out with a two step proposal for the 2016 bonding bill. First one came out with a little over \$221 million dollars for water and wastewater infrastructure projects within the State of Minnesota. Detroit Lakes was on the list for a little over \$30 million. Separately the City had submitted a request to the Senate Bonding Committee for a \$15 million dollar grant. Governor Dayton is recommending for funding be sent to the Public Financing Authority. Roberts noted all indications he received was that Governor Dayton really did intend to have the \$30 million dollars as part of a Grant for the City of Detroit Lakes, but when it went to the PFA, the PFA has statutory limitation on how much they can issue in grants. Roberts noted it is about \$3 million dollars for a phosphorus reduction grant, and \$3 million for a waste water infrastructure financing grant. Roberts noted the rest of the \$24 million dollar balance would be a low interest loan. The City is working with Senator Eken and Representative Marquart to make sure the bonding includes provisions to waive the PFA Statutory Limits so Detroit Lakes can received the regular \$6 million plus the additional moneys being requests through Senator Eken and Representative Marquart.

Upon the recommendations of the Public Utilities Commission, a motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a

dissenting vote to approve the purchase of an Equipment Trailer from RDO Equipment. in the amount of \$15,544.75. The purchase is a budgeted item.

A motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote, that the December 2015 Becker County Court Report of \$6302.16, Chief of Police Monthly Report, Fire Chief Monthly Report, Animal Control Report, City Engineer Project Status Report, Liquor Store Manager's Monthly Report, Parking Violations Monthly Report \$550.00, and the Variance/Conditional Use Permit Status Report be approved and placed on file.

A motion was made by Alderman Waller, seconded by Alderman Wenner and carried, without a dissenting vote, approving the following licenses for 2016:

**Plumbing Licenses:**

- Air Mechanical, Inc.
- Esser Plumbing & Heating
- Hanks Heating & Plumbing, LLC
- Laney's Mechanical
- Legacy Plumbing
- Manning Mechanical
- Peterson Mechanical
- T & T Plumbing

**Tobacco Licenses:**

- Big Daddy's Quick Stop
- Casey's General Store
- Cenex Convenience Store
- DL Tobacco, Inc.
- Food N Fuel
- Holiday Stationstores
- Masterpiece Vapors
- Mellow Moods Pipe & Tobacco, Inc.
- North Shore Travel Plaza
- Petro Plus #105
- Walmart Store 2957
- Zorbaz of Detroit Lakes, Inc.

Mayor Brenk announced the Board of Review for the 2016 Assessments Meeting will be held on May 4, 2016, at the Becker County Courthouse starting at 9:30 A.M. Mayor appointed Finance Committee Members, Mark Erickson, Zeman, Sukke and Wenner to the Board of Equalization who will be attending the Board of Review Meeting on May 4, 2016.

Upon the recommendation of Mayor Brenk, a motion was made by Alderman Imholte, seconded by Alderman Schiller and carried, without a dissenting vote,



appointing Brooks Larson, Aaron Tate and Sam Rufer to the Detroit Country Club Board effective January 1, 2016. The terms are a four year term and limited to two terms.

Upon the recommendation of Mayor Brenk, a motion was made by Alderman Imholte, seconded by Alderman Sukke and carried, without a dissenting vote, appointing Brenda Beebe Wieland to the Planning Commission to fill out the term of Matt Boeke which will expire on 2/28/2017.

Mayor Brenk announced the Detroit Lakes Regional Chamber of Commerce will be hosting a 2016 Economic Development Summit on March 17, 2016, more information to come.

Mayor Brenk announced the Detroit Lakes Regional Chamber of Commerce will be hosting a 2016 Tour of Manufacturing on March 31, 2016 for the public and April 1, 2016 for area high schools.

Mayor Brenk gave the State of the City Address, noting overall the City of Detroit Lakes remains an excellent place to live and to work. Key areas shaping our past success and that will continue to define our future are strong finances, excellent quality of life opportunities, good planning, pro-active leadership, quality City Management and staff, a vibrant business climate and a citizenry that is supportive and philanthropic. (Exhibit A) copy of the State of the City Address, February 9, 2016.

There being no further business to conduct, by general consent, Mayor Brenk adjourned the meeting at 6:28 P.M.

Respectfully submitted,  
Glori French, City Clerk