

City Council Minutes
Regular Meeting

Detroit Lakes, Minnesota
July 12, 2022

CALL TO ORDER

The regular meeting of the City Council was called to order in the Council Chambers at 5:00 PM, July 12, 2022; all members of the City Council having been notified of the meeting and the business to be transacted.

ROLL CALL

Council Present: Mayor Matt Brenk
Alderman Bly
Alderman Boeke
Alderman Dallmann
Alderman Josephson
Alderman Marks-Erickson
Alderman Spry
Alderman Sukke
Alderman Wenner
Alderman Zeman

Council Absent: None

Staff Present: City Administrator Kelcey Klemm
City Clerk Glori French
City Finance Officer Heidi Tumberg
Deputy Clerk Kari Tyson
City Attorney Charlie Ramstad
City Engineer Jon Pratt
Community Development Director Larry Remmen
Public Works Director Shawn King
Public Utilities General Manager Vernell Roberts
Fire Chief Ryan Swanson
Police Chief Steve Todd

**APPROVAL OF
MINUTES**

There being no corrections to the minutes of the Regular City Council Meeting held June 14, 2022, and the Special City Council Meeting held June 21, 2022, a motion was made by Alderman Sukke, seconded by Alderman Zeman, and carried, without a dissenting vote. Mayor Brenk declared the minutes would stand approved.

CGMC UPDATE

Elizabeth Wefel from Flaherty & Hood presented the CGMC Annual Update including presenting an Excellence in Service Award for 2022 to City Administrator Kelcey Klemm.

**TERRY STREET
HEARING**

Pursuant to notice having been published in the official newspaper that the Council, at this present meeting will conduct a hearing to receive public comment on the proposed Street and Utility Improvements for Terry Street. Mayor Brenk called the hearing to order at 5:27 PM.

City Engineer Jon Pratt presented the proposed project.

City Engineer Jon Pratt spoke to the City Council about the possibility of connecting Broadway Ave to Terry St and asked for feedback.

Alderman Zeman stated that since the residents of Broadway were not notified of this meeting, then discussion on the connection should take place at a later date.

There being no further comments or questions, Mayor Brenk closed the Public Hearing at 5:38 PM.

Upon the recommendation of the Public Works, a resolution was introduced by Alderman Zeman, ordering the preparation of plans and specifications for the Street and Utility Improvements for Terry Street. The motion was seconded by Alderman Sukke and carried without dissenting vote. Mayor Brenk declared resolution 2022-0712A approved.

RDG SCHEDULE

Alderman Josephson said discussion occurred at the Community Development Committee meeting regarding the RDG West Lake Drive Project Schedule. No further action at this time.

NONCONFORMING USE EXPANSION PERMIT – 517 NORTH SHORE DRIVE

Upon the recommendation of the Community Development Committee, a resolution was introduced by Alderman Josephson, approving a nonconforming use expansion permit to enlarge a nonconforming storage shed by 24 square feet and to raise the sidewall height from 8 feet to 9 feet and to grant a variance to allow a 3 foot side yard setback at 517 North Shore Drive (Patrick Bakken). The motion was seconded by Alderman Wenner and carried without dissenting vote. Mayor Brenk declared resolution 2022-0712B approved.

VARIANCE – 807 WHITE TAIL LN

Upon the recommendation of the Community Development Committee, a resolution was introduced by Alderman Josephson, approving a variance to allow an 18 foot 7 inch side yard setback instead of a 20 foot side yard setback on a corner lot at 807 Whitetail Lane (Agassiz Builders). The motion was seconded by Alderman Wenner and carried without dissenting vote. Mayor Brenk declared resolution 2022-0712C approved.

FINAL PLAT – LONG PINE ESTATES THIRD ADDITION

Upon the recommendation of the Community Development Committee, a resolution was introduced by Alderman Josephson, approving the final plat of Long Pine Estates Third Addition. The motion was seconded by Alderman Wenner and carried without dissenting vote. Mayor Brenk declared resolution 2022-0712D approved.

PUBLIC WORKS FACILITY UPDATE

Deb Brandwick from Oertel presented an update on the new proposed Public Works Facility.

MN FLYERS PARKING LOT

Alderman Sukke stated that discussion/review occurred at the Public Works Committee meeting regarding parking lot options for the MN Flyers Gymnastics space. Alderman Sukke stated that the question wasn't so much which parking lot design to move forward with, but more so if the City would allow the MN Flyers to expand their building since it is on City property. The

Public Works Committee, wanted to discuss if the Council wants to approve them expanding now, or if the decision needs to be made after the RDG study is complete.

Alderman Sukke also stated there are not enough funds available in the Food and Beverage Tax budget for renovations to the parking lot at this time.

Alderman Sukke than asked for further discussion from the whole Council.

Alderman Dallmann asked if the MN Flyers could raise the money for the parking lot improvements and how many spots they would need for their facility.

MN Flyers stated that they could raise the money if needed, but they had concerns about the amount of parking spaces that were presented as options. They stated they believe they would only need 35-40 spots.

Alderman Sukke stated the true answer is not how much parking spots they need, but how many parking spots the City Ordinance requires.

Alderman Dallmann asked if a variance could be granted to them if needed to reduce the amount of required parking spaces, reiterating if they can raise the money for the parking lot, then he would be in favor of the project.

Community Development Director Larry Remmen stated that as the ordinance cites now and the size of the current building, they would be required more parking spaces than they currently have.

City Administrator Kelcey Klemm stated that the current management agreement, which was done in 2000, states that the MN Flyers would construct the building and maintain it at their cost moving forward. The parking lot and driveway would be maintained by the City. Klemm said that he believes an amendment needs to be done for the management agreement for the expansion. The amendment could be done a few ways depending on who is paying for the parking lot.

Alderman Bly stated that she believes the parking lot expansion will benefit the arena more than the MN Flyers. Bly would like to see the City Council not hold up the MN Flyers project until the RDG study is complete.

Alderman Zeman stated that for the last 40 years the City has been wondering what it would like to redo the arena and fairgrounds area. The time has come, and RDG has been hired to complete the study. Zeman would like to pause the MN Flyers project until RDG has completed the study and the City decides how they would like to move forward with the entire area.

Alderman Zeman also stated that his concern for the Food and Beverage Tax Funds have been going into parking lots, and not leaving money for bike trails. Voters voted for the tax based on parking lots and trails, and too much has gone to parking lots and not enough trails.

Mayor Brenk suggested a motion be made to allow the MN Flyers to move forward with their project.

Alderman Dallmann stated that the RDG study should not be relevant to the expansion of the MN Flyers building since they are raising their own money for the project.

A motion was made by Alderman Sukke to have the City Administrator and City Attorney draft a couple different addendums to the management contract to allow them to expand with different parking lot expansion options.

Mayor Brenk stated that the City Council needs to figure out a way to allow the MN Flyers to expand so they can assist the kids they are turning away every month.

Alderman Wenner stated it is City property, which means it is a City Parking Lot. The City doesn't give variances to itself. Alderman Wenner recommended that the MN Flyers raise money to pay for the 35-40 spots that they need, and the City will pay for the rest sometime in the future.

Alderman Spry asked if the the MN Flyers expand, are we required to immediately work on the parking lot issue, or could they expand now, and the City could address the parking lot area in the future.

Alderman Wenner stated that he believes the parking lot needs to be looked at as a campus parking lot, and not a MN Flyers parking lot.

Alderman Josephson asked for clarification on what the discussion needs to be, is it an amended agreement, or is it approval for the MN Flyers to expand and put the parking lot discussion onto future councils.

City Administrator Klemm stated that any project that is done in town has a parking plan. So that is why he keeps asking about a parking plan. The draft amendment will have a stipulation that the City pays for the parking lot in the future, but Klemm doesn't know at this time how the parking lot will be paid for by the City.

Mayor Brenk asked if the City Council could ask the MN Flyers to pay for a certain dollar amount towards the project.

City Administrator Klemm clarified that yes, the City Council could ask for that.

Alderman Spry stated that in the past, the City has required businesses to have a parking plan for the required spaces at a business, and said at some point she believes the City needs to follow their own rules regarding parking requirements in this area.

Alderman Zeman stated that there are a lot of City projects happening right now in Detroit Lakes, and that he believes that we should hold on the expansion of the MN Flyers until we have a solution with RDG for the area.

Alderman Zeman also spoke about money that will be tied up in bonding for other projects and recommends holding off until we know the costs/funding is complete for all the other projects, and the RDG study is complete.

Mayor Brenk stated that the study could take months to complete, and he would like to see the MN Flyers start raising their money now, and not have to wait months.

Alderman Boeke seconded the motion.

Alderman Boeke stated that the RDG study will solve the parking lot issue but doesn't believe we should require the MN Flyers to wait until the project is complete since it will be a communal parking area.

Alderman Boeke also stated that maybe this is a .5% sales tax for the whole entire project once RDG is complete.

Mayor Brenk called for a vote, and it carried with one dissenting vote by Alderman Zeman. Mayor Brenk declared the motion to have a draft amendment done by the City Attorney and City Administrator for next month's agenda approved.

EMINENT DOMAIN APPROVAL

Upon the recommendation of the Public Works Committee, a resolution was introduced by Alderman Sukke authorizing eminent domain proceedings relating to multi use trail improvements. The motion was seconded by Alderman Boeke and carried without dissenting vote. Mayor Brenk declared resolution 2022-0712E approved.

SET HEARING – ABATEMENT OF DISEASED TREES

Upon the recommendation of the Public Works Committee, a resolution was introduced by Alderman Sukke accepting a report and setting a public hearing on the abatement of diseased trees for 2022 for August 8, 2022 at 5pm. The motion was seconded by Alderman Bly and carried without dissenting vote. Mayor Brenk declared resolution 2022-0712F approved.

ENGINEERS REPORT

City Engineer Jon Pratt provided a review of his monthly report. Upon the recommendation of the Public Works Committee, a motion was made by Alderman Sukke, seconded by Alderman Bly and carried without dissenting vote accepting the City Engineer's Monthly Project Status Report. Mayor Brenk declared the motion approved.

WEFEST SHUTTLE REQUEST

Upon the recommendation of the Public Works Committee, a motion was made by Alderman Zeman, seconded by Alderman Josephson and carried without dissenting vote approving the request from the Detroit Lake Chamber for WeFest Shuttle Bus parking at the Kent Freeman Arena. Mayor Brenk declared the motion approved.

FOOD TRUCK SNAPPY PARK REQUEST

Upon the recommendation of the Public Works Committee, a motion was made by Alderman Zeman, seconded by Alderman Josephson and carried without dissenting vote approving the request from the DLCCC to have a food truck at

Snappy Park during the Water Carnival Softball Tournaments July 16 and 17, 2022. Mayor Brenk declared the motion approved.

**SNAPPY PARK
CONCESSION
BUILDING UPDATES**

Upon the recommendation of the Public Works Committee, a motion was made by Alderman Zeman, seconded by Alderman Josephson and carried without dissenting vote approving the Snappy Park Concession Building updates. Mayor Brenk declared the motion approved.

**COMMUNITY
GARDEN BUILDING
UPDATES**

Upon the recommendation of the Public Works Committee, a motion was made by Alderman Zeman, seconded by Alderman Josephson and carried without dissenting vote approving the Community Garden Building updates. Mayor Brenk declared the motion approved.

**SPECIAL EVENT – DL
CRAZY DAZE**

Upon the recommendation of the Public Works Committee, a motion was made by Alderman Zeman, seconded by Alderman Josephson and carried without dissenting vote approving the Special Event Application for the DL Chamber of Commerce for their DL Crazy Daze held on August 9, 2022, on Washington Avenue and Holmes. Mayor Brenk declared the motion approved.

**SPECIAL EVENT –
TEAMSTERS BBQ**

County Administrator Pat Oman was present to discuss concerns about parking and ADA compliance with the sidewalk due to the proposed location for the Special Event Application for the Teamsters Local 320 BBQ held on August 23, 2022, near Lake Ave and Holmes Street.

Oman requested the event be held in a different location such as the mall parking lot.

Alderman Josephson stated that there have been staffing issues at Becker County and since this is related to their employee union, he would prefer the City not interfere with it without talking to the Applicant first.

A motion was made by Alderman Josephson to table the application until a possible location change could be discussed with the Applicant. The motion was seconded by Alderman Spry and carried without dissenting vote. Mayor Brenk declared the motion approved.

**SPECIAL EVENT –
UNITED WAY
CELEBRATION**

Upon the recommendation of the Public Works Committee, a motion was made by Alderman Zeman, seconded by Alderman Josephson and carried without dissenting vote approving the Special Event Application for the United Way Community Celebration held on September 22, 2022, at the Pavilion. Mayor Brenk declared the motion approved.

**TOURISM BUREAU
CONTRACT**

Upon the recommendation of the Finance Committee, a motion was made by Alderman Zeman to approve the Purchases of Services Contract with the Detroit Lakes Tourism Bureau and the Detroit Lakes Regional Chamber of Commerce. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the Contract approved.

Upon the recommendation of the Finance Committee, resolution was introduced by Alderman Zeman giving authorization to execute a MNDOT

**MNDOT GRANT
AGREEMENT –
AIRPORT
IMPROVEMENTS**

Grant Agreement for Airport Improvements. The motion was seconded by Alderman Spry and carried without dissenting vote. Mayor Brenk declared the Resolution 2022-0712J adopted.

FINANCE REPORTS

Upon the recommendation of the Finance Committee, a motion was made by Alderman Zeman, and seconded by Alderman Josephson, that the trial balance and monthly financial reports, submitted by Finance Officer Heidi Tumberg, showing a balance in the City treasury to be in the amount of \$14,485,209.91 as of June 30, 2022, be accepted, approved, and placed on file. Mayor Brenk declared the financial reports approved.

PAYMENT OF CLAIMS

Upon the recommendation of the Finance Committee, a resolution was introduced by Alderman Zeman, who moved its adoption, approving the payment of claims paid by proper authorization covering the period of June 1, 2022, through June 30, 2022, in the amount of \$7,214,317.75. The motion for the adoption of the resolution was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared Resolution 2022-0712G adopted.

BODY CAMERAS

Police Chief Todd presented a memo to the City Council requesting the purchase of Body Cameras from Getac Systems. Upon the recommendation of the Public Works Committee, a motion was made by Alderman Wenner and seconded by Alderman Dallmann to purchase Body Cameras for the Police Department. The motion was carried without dissenting vote. Mayor Brenk declared the motion approved.

**FIREWORKS DISPLAY
LICENSE- DL
JAYCEES**

Upon the recommendation of the Public Works Committee, a motion was made by Alderman Zeman and seconded by Alderman Josephson to approve a a Fireworks Display License for the Detroit Lakes Jaycees for Pyrotechnics at the Bash on the Beach event on July 15, 2022. The motion was carried without dissenting vote. Mayor Brenk declared the motion approved.

**ACCESS CONTROL
SYSTEM – LIQUOR
STORE**

Upon the Liquor and Gambling Control Committee, a motion was made by Alderman Boeke to approve a quote for an Access Control System Doors at the Liquor Store. The motion was seconded by Alderman Boeke and carried without dissenting vote. Mayor Brenk declared the motion approved.

**GAMBLING PERMIT –
MARSHMALLOW
ANIMAL SHELTER**

Upon the Liquor and Gambling Control Committee, a motion was made by Alderman Zeman to approve a Gambling Permit for the Marshmallow Animal Shelter for their raffle on August 26, 2022, at Zorbaz, 402 West Lake Drive. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the motion approved.

**GAMBLING PERMIT –
VFW**

Upon the Liquor and Gambling Control Committee, a resolution was introduced by Alderman Zeman to approve a Gambling Premises Permit for the VFW for their Pull-tabs at Shorewood Pub, 1743 Long Bridge Rd. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared resolution 2022-0712H adopted.

**GAMBLING PERMIT –
DL JAYCEES**

Upon the Liquor and Gambling Control Committee, a motion was made by Alderman Zeman to approve a Gambling Permit for the Detroit Lakes Jaycees Water Carnival for their Bingo on July 14, 2022, at the Pavilion, 1361 Washington Ave. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the motion approved.

**SPECIAL ON-SALE
INTOXICATING –
SANDBAR**

Upon the Liquor and Gambling Control Committee, a motion was made by Alderman Zeman to approve a Special On-Sale Intoxicating Liquor License to the Sandbar2, LLC to serve intoxicating liquor at the Fairgrounds July 28-30, 2022, for the Becker County Fair. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the motion approved.

**PERMIT TO CONSUME
– CHARLES BAKKEN**

Upon the Liquor and Gambling Control Committee, a motion was made by Alderman Zeman to approve a Permit to Consume to Charles Bakken to consume intoxicating liquor at the Pavilion on August 13, 2022, pursuant to receiving the application and fees. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the motion approved.

**SPECIAL ON-SALE
INTOXICATING –
BLEACHERS**

Upon the Liquor and Gambling Control Committee, a motion was made by Alderman Zeman to approve a Special On Sale License to Bleachers for a wedding at the Pavilion on July 23, 2022, pursuant to the application and fees. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the motion approved.

**SPECIAL ON-SALE
INTOXICATING –
BLEACHERS**

Upon the Liquor and Gambling Control Committee, a motion was made by Alderman Zeman to approve a Special On Sale License to Bleachers for a wedding at the Pavilion on September 9, 2022, pursuant to the application and fees. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the motion approved.

**WATER TOWER
STATUS**

Public Utilities General Manager Vernell Roberts gave a status update on the new proposed water tower.

**ELECTION JUDGE
DESIGNATION**

Upon the recommendation of the City Administrator a resolution was introduced by Alderman Zeman providing for the conduct of the Primary Election on August 9, 2022, designating the election judging and setting the hourly rate of pay. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared resolution 2022-0712I adopted.

BUSINESS LICENSES

Upon the recommendation of the City Administrator, a motion was made by Alderman Zeman and seconded by Alderman Josephson to approve the following licenses:

1) Excavator

D&B Septic & Excavation LLC
Shaw Excavating

2) Yard Waste

Premium Lawn and Snow Removal

3) Rental

Susie Reitmeier	317 Langford St.
Bryan Domholt	1315 Summit Ave

**DEPARTMENT
REPORTS**

A motion was made by Alderman Sukke to accept the June Variance/Conditional Use Permit Status Report, the June building permits in the amount of \$5,581,316, the June Animal Control Report, the June Police Chief's Report, the June Fire Chief's Report, the June Parking Violations Monthly Report of \$50, the May Becker County Court Report of \$5,039.01, and the June Liquor Store Manager's Report be approved and placed on file. The motion was seconded by Alderman Boeke and carried without dissenting vote. Mayor Brenk declared the motion approved.

**APPOINTMENT –
DEVELOPMENT
AUTHORITY**

Upon the recommendation of the Mayor, a motion was made by Alderman Sukke to appoint Josh Hochgrabber to fill Phil Hanson's seat on the Detroit Lakes Development Authority effective August 6, 2022. The motion was seconded by Alderman Boeke and carried without dissenting vote. Mayor Brenk declared the motion approved.

**APPOINTMENT –
DEVELOPMENT
AUTHORITY**

Upon the recommendation of the Mayor, a motion was made by Alderman Sukke to appoint John Hanson to fill Mike Stearn's seat on the Detroit Lakes Development Authority effective August 6, 2022. The motion was seconded by Alderman Boeke and carried without dissenting vote. Mayor Brenk declared the motion approved.

**APPOINTMENT –
LIBRARY BOARD**

Upon the recommendation of the Mayor, a motion was made by Alderman Sukke to appoint Tim Eggebraaten to the Library Board to fill the seat of resigned Linda Schell which expires on August 31, 2023. The motion was seconded by Alderman Bly and carried without dissenting vote. Mayor Brenk declared the motion approved.

**APPOINTMENT –
LIBRARY BOARD**

Upon the recommendation of the Mayor, a motion was made by Alderman Sukke to appoint Carol Oberholtzer on the Library Board for her second three year term effective September 1, 2022. The motion was seconded by Alderman Bly and carried without dissenting vote. Mayor Brenk declared the motion approved.

ANNOUNCEMENTS

Mayor Brenk announced the August Committee Schedule on Mon, August 8:

- 11:00 AM Community Development
- 12:30 PM Public Works
- 2:00 PM Public Safety
- 3:00 PM Finance
- 4:00 PM Liquor/Gambling

Mayor Brenk announced the 2023 Budget Committee Meeting Schedule.
(Please note: A quorum of the Council may be present at these meetings)
Thursday, August 4th, 2022, 7:00 a.m.

Thursday, August 11th, 2022, 7:00 a.m.
Thursday, August 18th, 2022, 7:00 a.m.
Thursday, August 25th, 2022, 7:00 a.m.
Tuesday, August 30th, 2022, 7:00 a.m.
Thursday, September 1st, 2022, 7:00 a.m. (if needed)
Tuesday, September 6th, 2022, 7:00 a.m. (if needed)

Mayor Brenk announced Candidate Election filing will be open August 2 through August 16

Council Member First Ward - Four-Year Term
Council Member Second Ward - Four-Year Term
Council Member Third Ward - Four-Year Term
Alderman at Large - Four-Year Term
Alderman at Large - Four-Year Term

Mayor Brenk announced the 2022 Joint Governance Meeting Dates
October 4, 2022 – Becker County

Mayor Brenk announced the 2022 Council Meeting Dates

August 8, 2022 **Monday (Elections)
September 13, 2022
October 11, 2022
November 7, 2022 **Monday (Elections)
December 13, 2022

Alderman Boeke thanked the Public Works Department for all their work over the 4th of July.

Alderman Wenner stated he is not seeking reelection and encourages those who want to make a difference in their community to run for City Council.

There being no further business to conduct, by general consent, Mayor Brenk adjourned the meeting at 7:05 PM.

Respectfully submitted, Kari Tyson, Deputy Clerk

ADJOURNMENT