

City Council Minutes
Regular Meeting

Detroit Lakes, Minnesota
July 11, 2023

CALL TO ORDER

The regular meeting of the City Council was called to order in the Jury Assembly Room of the Becker County Courthouse at 5:00 PM, July 11, 2023; 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 Boeke
Alderman Carlson
Alderman Deraney
Alderman Josephson
Alderman Spry
Alderman Stearns
Alderman Zeman

Council Absent: Alderman Buboltz
Alderman Dallmann

Staff Present: City Administrator Kelcey Klemm
City Finance Officer Heidi Tumberg
City Clerk Glori French
Deputy Clerk Kari Tyson
City Attorney Charlie Ramstad
Engineer Jon Pratt
Public Works Director Shawn King
Street Supervisor John Cervantes
Liquor Store Manager Randy Buhr
Police Chief Steve Todd
Fire Chief Mike Hanson

AGENDA

A motion was made by Alderman Carlson and seconded by Alderman Zeman to approve the agenda as presented. The motion was carried without a dissenting vote, and Mayor Brenk declared the motion approved.

**APPROVAL OF
MINUTES**

There being no corrections to the minutes of the Regular City Council Meeting held June 13, 2023, and the Special City Council meeting held June 20, 2023, a motion was made by Alderman Zeman, seconded by Alderman Stearns, and carried, without a dissenting vote. Mayor Brenk declared the minutes would stand approved.

**WEST CENTRAL
INITIATIVE UPDATE**

Samanda VanWechel-Meyer was present to provide the City Council an update on West Central Initiative.

**OATH OF OFFICE –
ETHAN WOTHE AND**

Mayor Brenk swore in Part-time Police Officers Ethan Wothe and Jerron Aschnewitz.

**JERRON
ASCHNEWITZ**

A resolution was introduced by Alderman Zeman declaring the position of the part-time Police Officer meets all the PERA membership requirements for Ethan Wothe. The motion was seconded by Alderman Deraney and carried without dissenting vote. Mayor Brenk declared resolution 2023-0711A adopted.

A resolution was introduced by Alderman Zeman declaring the position of the part-time Police Officer meets all the PERA membership requirements for Jerron Aschnewitz. The motion was seconded by Alderman Stearns and carried without dissenting vote. Mayor Brenk declared resolution 2023-0711B adopted.

**ORDINANCE 507 –
NEIGHBORHOOD
COMMERCIAL
DISTRICT**

Upon the recommendation of the Community Development Committee, a motion was made by Alderman Boeke, to approve the second reading and adoption of Ordinance 507, an amendment to the zoning ordinance to add Section 10A Neighborhood Commercial District. The motion was seconded by Alderman Carlson and carried with two dissenting votes from Alderman Deraney and Zeman. Mayor Brenk declared Ordinance 507 approved.

**ORDINANCE 513 -
REZONE 1150 HWY 59**

Upon the recommendation of the Community Development Committee, a motion was made by Alderman Boeke, to approve the second reading and adoption of Ordinance 513 for the rezoning of 1150 US Highway 59 from “R-A” Residential Agriculture to “R-M” Multi-Family Residential (Eagle Rock Real Estate LLC). The motion was seconded by Alderman Spry and carried without dissenting vote. Mayor Brenk declared Ordinance 513 approved.

**ORDINANCE 514 –
FUNERAL HOMES
AND CREMATORIALS**

Mayor Brenk asked if anyone would like to speak to the proposed ordinance.

Lynn Drewes spoke against having a crematorium in City Limits stating that it creates pollution, increases traffic, and is a health risk to the public. Drewes also stated she did not believe the space where the crematorium is proposed to go, would be large enough to be respectful to the deceased.

James Beaton of David Downhour Funeral Home spoke about the concerns for pollution stating that pollution would not be an issue as the ash is reclaimed multiple times throughout the process.

Beaton also spoke about the need for the community and the patrons that David Downhour serves. Currently 70-80% of the deceased are cremated and the closest facility they use is in Fergus Falls.

Alderman Zeman asked if they would be conducting cremations for other funeral homes in the area.

Beaton stated that the company that owns David Downhour also owns two others in the area and would be doing cremations for them, but it would be unlikely that cremations for others would be done because each cremation takes 2-4 hours to conduct, and they are anticipating about 210 per year.

Alderman Carlson stated that discussion had taken place at the Community Development Committee meeting regarding maintenance and emission controls

that the machine has, and he believes it is held to high standards with annual inspections being done.

Alderman Carlson made a motion to amend the ordinance to include the language “and a copy of the result provided to the city annually” be added to Item I, 4. The motion was seconded by Alderman Zeman and carried without dissenting vote. Mayor Brenk declared the amendment approved.

Tim Smitzer of Long Ave requested the City look for a different place in Detroit Lakes the allow the crematorium that is away from people.

Alderman Carlson stated the location does have to be 300’ from any residence.

Alderman Spry stated that machine from her understanding is from a national company and would have to follow state and federal regulations.

Beaton confirmed that.

Alderman Josephson stated the crematorium in Fergus Falls is in a similar location near residential areas and there has been no issues.

Beaton confirmed that, also stating that the machine is 30 years old.

Upon the recommendation of the Community Development Committee, a motion was made by Alderman Boeke, to approve the first reading of Ordinance 514, amending Section 13 of the zoning ordinance to allow funeral homes as a permitted use and crematorium as a conditional use in the “B-3” Auto Oriented Business District and Section 2 of the zoning ordinance regarding definitions. The motion was seconded by Alderman Zeman and carried without dissenting vote. Mayor Brenk declared the first reading of Ordinance 514 approved.

**FINAL PLAT –
DANDREW PLACE**

Upon the recommendation of the Community Development Committee, a resolution was introduced by Alderman Boeke, approving the final plat of Dandrew Place at 609 Terry Street (Daniel Holzgrove). The motion was seconded by Alderman Carlson and carried without dissenting vote. Mayor Brenk declared resolution 2023-0711C adopted.

**2 HOUR PARKING
WASHINGTON AVE**

Alderman Zeman stated that discussion took place during the Public Works Committee meeting regarding 2 hour parking on Washington Ave. No further action at this time.

**ORDINANCE 512 –
TRANSIENT
MERCHANTS**

Upon the recommendation of the Public Works Committee, a motion was made by Alderman Zeman, to approve the second reading and adoption of Ordinance 512, amending City Code Section 604 Transient Merchants, Peddlers, Hawkers, Solicitors. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared Ordinance 512 approved.

**BIDS – STREET
REHAB, SOUTHWOOD**

Upon the recommendation of the Public Works Committee, a motion was made by Alderman Zeman, rejecting the bids for the 2023 Street Rehabilitation

**SHORE ESTATES, AND
WILLOW SPRINGS**

Project, Southwood Shore Estates Street and Utility Project, and the Willow Springs Street Project due to only 1 bid being received with a cost of \$1,000,000 more than estimated. The motion was seconded by Alderman Carlson and carried without dissenting vote. Mayor Brenk declared the bids rejected.

**SET HEARING –
DISEASED TREE
ABATEMENT**

Upon the recommendation of the Public Works Committee, a resolution was introduced by Alderman Zeman, accepting a report and setting a public hearing on the abatement of diseased trees for 2023. The motion was seconded by Alderman Stearns and carried without dissenting vote. Mayor Brenk declared resolution 2023-0711D adopted.

**SPECIAL EVENT –
LAKES AREA BOXING
ASSOCIATION**

Public Works Director Shawn King appeared before the Council stating that the proposed event would be held on Washington Ave, and the County has denied the road closure.

Event Applicant Matt Wimmer stated at this time they would like to remove the application for consideration as they will need to reconvene to plan a new location.

ENGINEERS REPORT

Upon the recommendation of the Public Works Committee, a motion was made by Alderman Zeman, seconded by Alderman Josephson, and carried without dissenting vote, accepting the City Engineer's Monthly Project Status Report. Mayor Brenk declared the motion approved.

**SPECIAL EVENT
APPLICATION – DL
CHAMBER**

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 a Special Event Application for the DL Regional Chamber of Commerce for their WeFest Shuttle, August 3-5, 2023. Mayor Brenk declared the motion approved.

**SPECIAL EVENT
APPLICATION – DL
SHRINE**

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 a Special Event Application for the Detroit Lakes Shrine Septoberfest on September 1, 2023. Mayor Brenk declared the motion approved.

**TRANSIENT
MERCHANT –
SCHWAN'S**

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 issuance of a transient merchant license for Cygnus Home Service DBA Schwan's pursuant to their application and fees. Mayor Brenk declared the motion approved.

2022 AUDIT

Andy Grice from BerganKDV appeared before the Council and presented the 2022 Audit.

Upon the recommendation of the Finance Committee, a motion was made by Alderman Josephson to approve the 2022 Audit Report. The motion was seconded by Alderman Boeke and carried without dissenting vote. Mayor Brenk declared the report approved.

- FINANCIAL 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 \$8,414,838.22 as of June 30, 2023, 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, 2023, through June 30, 2023, in the amount of \$7,592,501.82. The motion for the adoption of the resolution was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared Resolution 2023-0711E adopted.
- TAXI LICENSE – BROADWAY RICKSHAW** Upon the recommendation of the Public Safety Committee, Alderman Spry made a motion to approve the issuance of a Taxi License to Broadway Rickshaw. The motion was seconded by Alderman Boeke and carried without dissenting vote. Mayor Brenk declared the license issued approved.
- ORDINANCE 515 – USE OF CANNABIS IN PUBLIC** City Administrator Kelcey Klemm and City Attorney Charlie Ramstad presented the proposed ordinance, stating the new ordinance would prohibit the use of cannabis products in public areas such as the beach, city parks, and sidewalks.
- Upon the recommendation of the Public Safety Committee, Alderman Spry made a motion to approve the first reading of Ordinance 515, Use of Cannabis in Public. The motion was seconded by Alderman Zeman and carried without dissenting vote. Mayor Brenk declared the first reading of Ordinance 515 approved.
- DONATION – POLICE DEPT** Upon the recommendation of the Public Safety Committee, a resolution was introduced by Alderman Zeman, accepting an anonymous donation of \$72,000 for equipment for the Police Department. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared resolution 2023-0711F adopted.
- LIQUOR STORE FUND BALANCE** City Administrator Kelcey Klemm reviewed the Liquor Store fund balance.
- SECTION 702 – LIQUOR AND WINE LICENSING** Alderman Deraney stated that discussion occurred at the Liquor and Gambling Control Committee meeting, regarding possible ordinance changes for Section 702. No further action at this time.
- SECTION 704 CONSUMPTION AND POSSESSION OF LIQUOR AND BEER** Alderman Deraney stated that discussion occurred at the Liquor and Gambling Control Committee meeting, regarding possible ordinance changes for Section 704. No further action at this time.

- PERMIT TO CONSUME – BLEACHERS** Upon the recommendation of the Liquor and Gambling Committee, a motion was made by Alderman Zeman, approving the issuance of a Consumption Permit for Bleachers at the Pavilion on July 27, 2023, pursuant to their application and fees. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the license issued.
- SPECIAL LICENSE - BLEACHERS** Upon the recommendation of the Liquor and Gambling Committee, a motion was made by Alderman Zeman, approving the issuance of a Special On-Sale License for Bleachers at the Pavilion on August 19, 2023, pursuant to their application and fees. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the license issued.
- SPECIAL LICENSE - BLEACHERS** Upon the recommendation of the Liquor and Gambling Committee, a motion was made by Alderman Zeman, approving the issuance of a Special On-Sale License for Bleachers at the Pavilion on August 26, 2023, pursuant to their application and fees. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the license issued.
- SPECIAL LICENSE - BLEACHERS** Upon the recommendation of the Liquor and Gambling Committee, a motion was made by Alderman Zeman, approving the issuance of a Special On-Sale License for Bleachers at the Pavilion on September 16, 2023, pursuant to their application and fees. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the license issued.
- SPECIAL LICENSE - BLEACHERS** Upon the recommendation of the Liquor and Gambling Committee, a motion was made by Alderman Zeman, approving the issuance of a Special On-Sale License for Bleachers at the Pavilion on September 23, 2023, pursuant to their application and fees. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the license issued.
- SPECIAL LICENSE - BLEACHERS** Upon the recommendation of the Liquor and Gambling Committee, a motion was made by Alderman Zeman, approving the issuance of a Special On-Sale License for Bleachers at the Pavilion on October 7, 2023, pursuant to their application and fees. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the license issued.
- GAMBLING PERMIT – DL JAYCEES** Upon the recommendation of the Liquor and Gambling Control Committee, a motion was made by Alderman Zeman and seconded by Alderman Josephson to approve the issuance of a Gambling Permit for the Detroit Lakes Jaycees for their raffle on July 15, 2023, at the Becker County Fairgrounds. The motion was carried without a dissenting vote. Mayor Brenk declared the permit approved.
- GAMBLING PERMIT – DL JAYCEES** Upon the recommendation of the Liquor and Gambling Control Committee, a motion was made by Alderman Zeman and seconded by Alderman Josephson to approve the issuance of a Gambling Permit for the Detroit Lakes Jaycees for their bingo on July 20, 2023, at the Becker County Fairgrounds. The motion was carried without a dissenting vote. Mayor Brenk declared the permit approved.

**GAMBLING PERMIT –
DL JAYCEES**

Upon the recommendation of the Liquor and Gambling Control Committee, a motion was made by Alderman Zeman and seconded by Alderman Josephson to approve the issuance of a Gambling Permit for the Boys & Girls Club of Detroit Lakes for their raffle on August 17, 2023, at the Holmes Theatre. The motion was carried without a dissenting vote. Mayor Brenk declared the permit approved.

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 pursuant to their application and fees:

Massage Therapist

Chelsey Baer

Rental

Marc and Sandra Heffern 315 Park Lake Blvd #303

Marc and Sandra Heffern 315 Park Lake Blvd #306

Joyce Omang 1146 Jackson Ave

Short Term Rental

Michael Vickerman 1334 Washington Ave #5

Michael Vickerman 1334 Washington Ave #6

Larry and Suzanne Wheeler 1038 West Lake Dr.

Shawn and Candice King 1814 Celia St

Matthew & Jodie Johnson 1304 South Shore Dr.

The motion was carried without dissenting vote, and Mayor Brenk declared the licenses approved.

**DEPARTMENT
REPORTS**

A motion was made by Alderman Zeman to accept the June Code Compliance Official's Report, the June Variance/Conditional Use Permit, Land Disturbance Permit, and Stormwater Mitigation Permit Status Report, the June building permits in the amount of \$1,505,363, the June Animal Control Report, the June Public Works Director's Report, the June Police Chief's Report, the June Fire Report, the June Parking Violations Monthly Report of \$360, the May Becker County Court Report of \$3,661.48, and the June Liquor Store Manager's Report be approved and placed on file. The motion was seconded by Alderman Josephson and carried without dissenting vote. Mayor Brenk declared the motion approved.

**APPOINTMENT –
AIRPORT
COMMISSION**

Upon the recommendation of the Mayor, a motion was made by Alderman Zenab to appoint Ross Gonitzke to the Airport Commission to fulfil the term vacated by Howard Hansen, whose term expires September 30, 2023. The motion was seconded by Alderman Boeke and carried without dissenting vote. Mayor Brenk declared the motion approved.

ANNOUNCEMENTS

Mayor Brenk announced the 2024 Budget Committee Meeting Schedule. (Please note: A quorum of the Council may be present at these meetings)

Tuesday, August 1st, 2023, 7:00 a.m.

Thursday, August 3rd, 2023, 7:00 a.m.

Thursday, August 10th, 2023, 7:00 a.m.

Thursday, August 17th, 2023, 7:00 a.m.

Thursday, August 24th, 2023, 7:00 a.m.

Thursday, August 31st, 2023, 7:00 a.m.

Thursday, September 7th, 2023, 7:00 a.m. (if needed)

Mayor Brenk announced the 2023 Joint Governance Meeting Dates
October 3, 2023 – County

Mayor Brenk announced the 2023 Council Meeting Dates

July 11, 2023

August 8, 2023

September 12, 2023

October 10, 2023

November 14, 2023

December 12, 2023

Alderman Boeke thanked City Engineer Jon Pratt for the work on West Lake Dr. stating it looks great.

Alderman Zeman reminded the public that the HRA has funds available to assist with home renovations.

ADJOURNMENT

There being no further business to conduct, by general consent, Mayor Brenk adjourned the meeting at 6:13 PM.

Respectfully submitted, Kari Tyson, Deputy Clerk