

Detroit Lakes, Minnesota

July 12, 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., June 14, 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 Kelcey Klemm; Clerical Accounting Technician Stacy Gray; Finance Officer Pam Slifka; City Attorney Charlie Ramstad; City Engineer Jon Pratt; Fire Chief Scott Flynn; Liquor Store Manager Randy Buhr; Public Works Director Bradley Green; Community Development Director Larry Remmen and Building Official Dave Neisen

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

Absent: None

There being no corrections to the minutes of the Regular City Council Meeting held June 14, 2016 or the Special City Council Meeting held June 30, 2016. A motion was made by Alderman Sukke, seconded by Alderman Schurman and carried, without a dissenting vote. Mayor Brenk declared the minutes would stand approved according to copies sent to each member of the Council.

Mayor Brenk introduced Senior Attorney/Lobbyist Elizabeth Wefel with Flarety Hood appeared on behalf of the Coalition of Greater Minnesota Cities. Wefel informed the Council on the 2016 Legislative outcomes. Wefel stated there is sharp divisions between GOP House and DFL Senate & Governor. It was a very short session of only 10 weeks and without a Special Session there is little to show for 2016. There is no tax bill, no LGA increase, no bonding bill, no additional BDPI funding, no additional clean water funding and no transportation package. Wefel invited Council to the CGMC Summer Conference, July 20-22 in Austin, MN and the CGMC Fall Conference, November 17-18 in Alexandria, MN.

Mayor Brenk introduced Firefighter Kristopher Espe and Firefighter Austin Peterson and proceeded with the Oath of Office.

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 matter of granting an on-sale intoxicating liquor license, Sunday liquor license and 2 A.M. liquor license to Roasted, LLC, dba Roasted 815 Washington Ave, Detroit Lakes, MN 56501, for the period of August 1, 2016 through December 31, 2016, the Mayor called the hearing to order at 5:37 PM. There being no comments, Mayor Brenk closed the hearing at 5:37 PM and reconvened the Regular Council Meeting.

Upon the recommendation of Liquor/Gambling Committee, a motion was made by Alderman Wenner and seconded by Alderman Waller and carried, without a dissenting vote to grant an on-sale intoxicating liquor license, Sunday liquor license and 2 A.M. liquor license to Roasted, LLC.

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 matter of providing host approval for the issuance of revenue obligations to Ecumen (CDL Homes, LLC), the Mayor called the hearing to order at 5:39 PM. There being no comments, Mayor Brenk closed the hearing at 5:39 PM and reconvened the Regular Council Meeting.

Upon the recommendation of Mayor Brenk, a resolution was introduced by Alderman Zeman, who moved its adoption to provide host approval for the issuance of revenue obligations to Ecumen (CDL Homes, LLC). The motion for the adoption of the resolution was seconded by Alderman Waller and carried, without a dissenting vote. Mayor Brenk declared the Resolution 0712 adopted.

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 improvement of curb, gutter, concrete approaches and sidewalks for 2016, the Mayor called the hearing to order at 5:40 PM. There being no comments, Mayor Brenk closed the hearing at 5:40 PM and reconvened the Regular Council Meeting.

Upon the recommendation of Mayor Brenk, a resolution was introduced by Alderman Zeman, who moved its adoption to order the proposed improvement of curb, gutter, concrete approaches and sidewalks for 2016. The motion for the adoption of the resolution was seconded by Alderman Sukke and carried, without a dissenting vote. Mayor Brenk declared the Resolution 0712A adopted.

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 to the establishment of Redevelopment Project No. 36 adoption of a redevelopment plan, and establishment of tax increment financing District 36-1, the Mayor called the hearing to order at 5:41 PM. Community Development Director Larry Remmen commented that the Development Authority is in favor of the plan. There being no further comments, Mayor Brenk closed the hearing at 5:42 PM and reconvened the Regular Council Meeting.

Upon the recommendation of Mayor Brenk, a resolution was introduced by Alderman Imholte, who moved its adoption approving a redevelopment project and redevelopment plan therefor and approving a tax increment financing plan therefor. The motion for the adoption of the resolution was seconded by Alderman Zeman and carried, without a dissenting vote. Mayor Brenk declared the Resolution 0712B adopted.

Mayor Brenk announced the nuisance at 410 Central Street was resolved and there would not be a public hearing on the matter.

Alderman Imholte stated that action on amending the Conditional Use Permit for Riverview RV Park at 1540 Highway 59 to allow up to a 200 sq. ft. pervious deck or patio per unit in the common area (Riverview Detroit Lakes Association) is being deferred at the request of the applicant.

Pursuant to the recommendation of the Planning Commission that was submitted to the City Council and recommendation of the Community Development Committee, a resolution was introduced by Alderman Imholte, who moved its adoption, denying the variance request to allow a 16x20 foot accessory structure in the front yard in the Shoreland District at 1861 Bridgeview Boulevard (Todd Erickson). The motion for the adoption of the resolution was seconded by Alderman Sukke and carried, without a dissenting vote. Mayor Brenk declared the Resolution 0712C adopted.

Pursuant to the recommendation of the Planning Commission that was submitted to the City Council and recommendation of the Community Development Committee, a resolution was introduced by Alderman Imholte, who moved its adoption, approving the variance request to allow a 16x18 foot addition to a non-conforming building at 414 Front Street East (Ronald Lawrence). The motion for the adoption of the resolution was seconded by Alderman Zeman and carried, without a dissenting vote. Mayor Brenk declared the Resolution 0712D adopted.

Pursuant to the recommendation of the Planning Commission that was submitted to the City Council and recommendation of the Community Development Committee, a resolution was introduced by Alderman Imholte, who moved its adoption, approving a Conditional Use Permit to allow a guest cottage (historic 493 square foot currently on site to be relocated) at 1116 South Shore Drive (Cheryl Newman Olson) based on the following conditions:

- That the project not exceed the 25% impervious surface requirement;
- That the lot be at least 26,000 square feet and a minimum lot width of 135 feet;
- That the guest cottage must not cover more than 700 square feet of land surface;
- That the guest cottage be constructed above grade and be a single level structure not to exceed 15 feet in height; and
- That the guest cottage meet the following setbacks;  
Front Yard: 75 feet from the Ordinary High Water Level  
Side Yard: 10 feet  
Rear Yard: 30 feet  
Minimum distance from other structures: 5 feet
- That the owner obtain approval from the Pelican River Watershed District for a Stormwater Plan before a City building permit is issued.

The motion for the adoption of the resolution was seconded by Alderman Sukke and carried, without a dissenting vote. Mayor Brenk declared the Resolution 0712E adopted.

Pursuant to the recommendation of the Planning Commission that was submitted to the City Council and recommendation of the Community Development Committee, a resolution was introduced by Alderman Imholte, who moved its adoption, approving the variance request to allow up to an 11 foot height for a water oriented accessory structure to remove the roof and replace it with a deck at 1646 East Shore Drive (Robert Hanna) based on the following condition that the owner will direct stormwater from the roof to a low spot on the lot to prevent run-off from going directly into the lake. The motion for the adoption of the resolution was seconded by Alderman Sukke and carried, without a dissenting vote. Mayor Brenk declared the Resolution 0712F adopted.

Pursuant to the recommendation of the Planning Commission that was submitted to the City Council and recommendation of the Community Development Committee, a resolution was introduced by Alderman Imholte, who moved its adoption, approving the preliminary plat of Long Pines Estates at 1885 Long View Drive (Nugget Investments). The motion for the adoption of the resolution was seconded by Alderman Zeman and carried, without a dissenting vote. Mayor Brenk declared the Resolution 0712G adopted.

Pursuant to the recommendation of the Planning Commission that was submitted to the City Council and recommendation of the Community Development Committee, a resolution was introduced by Alderman Imholte, who moved its adoption, setting a public hearing for the street vacation of a portion of Longview Lane. The motion for the adoption of the resolution was seconded by Alderman Zeman and carried, without a dissenting vote. Mayor Brenk declared the Resolution 0712H adopted.

Alderman Imholte informed the Council that the Community Development Committee discussed the request to revise the current assessment policy and the recommendation was to leave the assessment policy as is. Raymond Reading, owner of Nugget Investments appeared before the Council. Mr. Reading proposed payment of 25% of the estimated assessment prior to getting bids for the project with the remainder of the assessment being deferred until the lot is sold or 5 years, whichever comes first. Mr. Reading stated that when the assessments is paid up front it inflates the price of the lot and makes it more difficult to get homes qualified and appraised. Mayor Brenk asked the Council to consider further discussion regarding the assessment policy to aid in the future city development.

Alderman Imholte informed the Council on the Shoreland Committee meetings. Imholte stated they have had three meetings with good participation. City Staff is updating the ordinance and will forward to all Council members. Alderman Imholte invited any council members to attend the next meeting that will be held on August 1.

Alderman Imholte informed Council that there will be a public hearing on August 8, 2016 regarding annexing a 2.5 acre tract of land at 16267 Highland Drive in Detroit Township to the City of Detroit Lakes and it will also be discussed at the Community Development meeting on August 4, 2016.

Community Development Director Larry Remmen updated the Council on the progress of the McKinley Plaza project. They plan to be open in September. The Fairfield Marriott project has been started. It is a \$12 million dollar project and they hope to be done in April 2017. Holiday Stationstores project is set to start this summer. It is a \$5 million project.

Upon the recommendations of the Community Development Committee, a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried, without a dissenting vote, that the building permits for the month of June, 2016 in the estimated construction value of \$2,642,896.26 to be issued pursuant to their applications accompanied by the required City fees and State surcharges, the issuance of such permits having been recommended by the Building Official and approved by the Community Development Committee.

Public Work Director Brad Green updated the Council on the 4<sup>th</sup> of July activities. He stated everything went very well and commended his staff for a job well done.

Upon the recommendation of the Public Works Committee, a resolution was introduced by Alderman Zeman, who moved its adoption, accepting a bid for the 2016 Street Rehabilitation Projects. The low bid was received from Central Specialties, Inc. 6325 County Rd 87, Alexandria, MN in the amount of \$1,787,935.23. The motion for the adoption of the resolution was seconded by Alderman Waller and carried without a dissenting vote. Alderman Marks Erickson abstained from the vote. Mayor Brenk declared Resolution 0712I adopted.

Upon the recommendation of the Public Works Committee, a resolution was introduced by Alderman Zeman, who moved its adoption, accepting a Preliminary Engineering Report and setting a public hearing for a water/sewer extension projects from the intersection of Randolph Road/Kris Street to Fortune Avenue. The motion for the adoption of the resolution was seconded by Alderman Waller and carried without a dissenting vote. Mayor Brenk declared Resolution 0712J adopted.

City Engineer Jon Pratt gave a status update of City projects. 1) Washington Avenue Reconstruction, substantially complete; 2) TH 10/59 Frontage Road Improvements, project is substantially complete, final clean-up/punch list items will be addressed over the next couple of months; 3) The street improvements to Dan Street, Peter Street and Tower Road are substantially complete, Contractor will be addressing some turf issues in the next week or two; 4) The PER for the West Lake Drive Reconstruction and Multi-Use Trail (Legion Rd to CSAH 6) is 95% complete. Will finalize after some further discussion and input from City Council and County Board. Working with PRWD on potential funding sources; 5) Long Lake Annexation – Phase 3: the next step is to begin the master planning document and try to have it completed by the end of summer, construction is tentatively set for 2017 or 2018, ultimate project will include extension of sewer and water utilities to north and west sides of Long Lake; 6) Longview Lane Drainage Improvements – Holmes Property: Preliminary design has been approved by the plaintiff's engineer. Easements have been acquired. Will solicit

quotes from local contractors in July; 7) Long Bridge Heights – Phase 3: Project has been awarded to Feldt Plumbing. Construction will begin in early September. Project includes street and utility improvements for final phase of residential subdivision and water main looping to standpipe water tower; 8) TH 34 Improvements & Multi-Use Trail: Project has been awarded to Mark Sand and Gravel. Construction on TH 34 (east of town) to begin July 11<sup>th</sup>. In town work on TH 34 (TH59 to Riverside Drive) will start in the middle of August. The project is being lead/administered by MnDOT with minor involvement and cost participation from the City. Project will include surface improvements and lane modifications to TH 34 and a multi-use trail from Riverside Drive to Curry Avenue; 9) Traffic Signal Study – TH 10/East Shore Dr/CSAH 54 & TH 10/Kris St/Randolph Rd: Current options being considered include a ¾ or a right-in/right-out intersection at Kris Street/TH 10 and signals at TH 10/East Shore Drive. Project may also need to include improvements to Randolph Road. Second public input meeting scheduled for July 25<sup>th</sup> at 5:00 PM at MnDOT; 10) 2016 Street Rehabilitation: Bids were opened July 7<sup>th</sup>, project includes mill and overlay and FDR pavement rehabilitation to various streets (+/- 8 miles); 11) Street & Utility Improvements – Briard Development: Project is on hold. A motion was made by Alderman Zeman and seconded by Alderman Waller and carried, without a dissenting vote to accept the City Engineers report as presented.

Upon the recommendations from the Public Works Committee, a motion was made by Alderman Zeman, seconded by Alderman Imholte and carried, without a dissenting vote to deny the request from Leighton Broadcasting to waive the Pavilion rental fee of \$1100 for a community celebration honoring Andy Lia.

Jeremy Walker appeared before the Council to discuss the Flyboard Night Show and answer any questions. Upon the recommendations from the Public Works Committee, a motion was made by Alderman Zeman, seconded by Alderman Waller and carried without a dissenting vote approving the Event Application submitted by Jeremy Walker and Taylor Anderson to hold a Flyboard Night Show and have a DJ on the City Beach Friday, August 19, 2016 from 7:30 PM to 11:00 PM.

Upon the recommendations from the Public Works Committee, a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote approving the issuance of a transient merchant's license to Gary Cox allowing him to sell WE Fest tickets at 1575 West Lake Drive; August 3-6, 2016.

Upon the recommendations from the Public Works Committee, a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote approving the issuance of a transient merchant's license to Mike Chandler allowing him to sell WE Fest tickets at 1377 West Lake Drive and 1042 Highway 59 South; August 3-6, 2016.

Upon the recommendations from the Public Works Committee, a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a

dissenting vote authorizing Jonny's LLC to be the preferred food vendor at Snappy Park for the DLCCC's baseball and softball events from July 15-August 19, 2016.

Upon the recommendations from the Public Works Committee, a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote approving the Event Application submitted by Zorbaz/Mark Knutson to hold the 4<sup>th</sup> Annual Zorbaz Beer Run and close various streets Saturday, September 3, 2016.

Upon the recommendations from the Public Works Committee, a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote approving the Event Application submitted by Fargo Marathon, Inc. to hold the 21<sup>st</sup> Annual Dick Beardsley Run and close various streets Saturday, September 10, 2016. (They have also rented the Pavilion from September 7-10).

Upon the recommendations from the Public Works Committee, a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote approving the request submitted by Shirley Holzgrove to have her daughter's wedding ceremony on the public beach on the south side of the Pavilion August 6, 2016. She does have the Pavilion rented for that day as well.

Upon the recommendations from the Public Works Committee, a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote approving the request submitted by Lynnsey Wimmer to have her wedding ceremony on the public beach on the south side of the Pavilion and to rope off an area on the north side of the Pavilion for yard games and a few tables during the wedding reception on October 22, 2016. She does have the Pavilion rented October 21-22, 2016.

Upon the recommendation of the Finance Committee, a resolution was introduced by Alderman Marks Erickson, who moved its adoption, authorizing the transfer of \$18,000 from the General Fund to the Police Equipment fund to cover the costs of the three (3) Speed Alert Radar Signs. The motion for the adoption of the resolution was seconded by Alderman Wenner and carried without a dissenting vote. Mayor Brenk declared Resolution 0712K adopted.

A motion was made by Alderman Sukke, seconded by Alderman Schurman 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 \$14,985,915.12 as of June 30, 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 of June 15, 2016, through July 12, 2016, in the amount of \$2,054,209.02 the motion for the adoption of the resolution was seconded by

Alderman Sukke and carried without a dissenting vote. The Mayor declared Resolution 0712L adopted.

Upon the recommendations of the Public Safety Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote to accept the compliance report from the Electronic Speed Sign that was set up on Richwood Road on Tuesday, July 5, 2016.

Upon the recommendations of the Public Safety Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote to the appointment of Kristopher Espe to full membership in the Detroit Lakes Volunteer Fire Department effective June 3, 2016 due to his successful completion of the one year probation period.

Upon the recommendations of the Public Safety Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote to the appointment of Austin Peterson to full membership in the Detroit Lakes Volunteer Fire Department effective June 3, 2016 due to his successful completion of the one year probation period.

Sergeant Stand reported that the 4<sup>th</sup> of July weekend was relatively quiet. They operated with limited officers working 12-hour shifts and all went very well.

Fire Chief Scott reported that the fire department is fully staffed with 30 members.

Upon the recommendations of the Liquor/Gambling Control Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote approving the gambling application submitted by the Detroit Lakes Jaycees to play bingo at the Pavilion, 1361 Washington Avenue on July 14, 2016.

Upon the recommendations of the Liquor/Gambling Control Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote, authorizing the issuance of a temporary on-sale intoxicating liquor license for the Sandbar II to sell and serve on-sale intoxicating liquor at the Becker County Fairgrounds for the Becker County Fair, July 27-30, 2016, pursuant to their application and fee.

Upon the recommendations of the Liquor/Gambling Control Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote, authorizing the issuance of a temporary on-sale intoxicating liquor license for the Sandbar II to sell and serve on-sale intoxicating liquor at the Pavilion, 1361 Washington Ave for the Holzgrove Wedding reception on August 6, 2016, pursuant to their application and fee.



Upon the recommendations of the Liquor/Gambling Control Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote approving the gambling application submitted by Holy Rosary Catholic Church to hold a raffle at the Holy Rosary Catholic Church at 1043 Lake Avenue on August 21, 2016.

Upon the recommendations of the Liquor/Gambling Control Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote approving the gambling application submitted by Detroit Lakes Rotary Club to hold a raffle at the Lakeside Tavern at 200 West Lake Drive on August 26, 2016.

Upon the recommendations of the Liquor/Gambling Control Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote approving submitted by Holy Rosary Catholic Church to hold a raffle at the Holy Rosary Catholic Church at 1043 Lake Avenue on August 28, 2016.

Upon the recommendations of the Liquor/Gambling Control Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote, approving the issuance of a Permit to Consume request made by Sulena Fuentez for a Quincenera at the Pavilion on September 4, 2016.

Upon the recommendations of the Liquor/Gambling Control Committee a motion was made by Alderman Sukke, seconded by Alderman Schurman and carried without a dissenting vote, approving the issuance of a Permit to Consume request made by request made by Lynnsey Wimmer for a Wedding Rehearsal and Reception at the Pavilion on October 21-22, 2016.

A motion was made by Alderman Sukke, seconded by Alderman Schurman and carried, without a dissenting vote, that the May 2016 Becker County Court Report of \$5663.96, the June Police Chief's Monthly Report, June Fire Chief's Monthly Report, June Animal Control Report, June Liquor Store Manager's Monthly Report, June Nuisance Monthly Report, June Parking Violations Monthly Report \$40, and the June Variance/Conditional Use Permit Status Report be approved and placed on file.

A resolution was introduced by Mayor Brenk providing for the conduct of the Primary Election on August 9, 2016, designating the election judges and setting the hourly rate of pay. Alderman Zeman moved its adoption. The motion for the adoption of the resolution was seconded by Alderman Waller and carried without a dissenting vote. Mayor Brenk declared Resolution 0712M adopted.

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

**Plumbing Licenses:**

All American Plumbing & Heating  
County Line Services, LLC

**Tobacco Licenses:**

Darrel & Brenda Siewert dba BD's Gas & Grub  
Tam Do Inc. dba DL Tobacco

Mayor Brenk announced there will be a Special Council Meeting on Tuesday, July 26, 2016 at 12:00PM and Tuesday, August 16, 2016 at 5:00PM.

Mayor Brenk stated that Senator Franken's office held roundtable discussion regarding Rural Infrastructure in Greater Minnesota on July 12, 2016; 1:00 PM – 2:00 PM in the Council Chambers.

Mayor Brenk announced the date & time changes for August Council & Committee Meetings due to the Primary Election:

**MONDAY, AUGUST 8, 2016**

Public Works – 1:30 PM

Public Safety – 3:00 PM

Finance – 3:30 PM

Liquor & Gambling – 4:30PM

Council – 5:00 PM

Mayor Brenk announced the 2017 Budget Committee Meetings are *tentatively* scheduled for 7:00AM on August 4, 11, 16, 18, 23, 25 (And August 31 & September 6 if needed).

Mayor Brenk announced the next Joint Governance meeting will be July 19, 2016 at the Detroit Lakes School.

Mayor Brenk announced several Council positions will be up for election at the November 8, 2016 General Election. The Candidate filing period is August 2-16, 2016

- 1) Mayor Brenk- (term four years)
- 2) Alderman Zeman (WARD 1)- (term four years)
- 3) Alderman Marks Erickson (WARD 2)- (term four years)
- 4) Alderman Schurman (WARD 2)- completion of the term (two years)
- 5) Alderman Boeke (WARD 3)- completion of the term (two years)
- 6) Alderman Waller (WARD 3)- (term four years)
- 7) Alderman Imholte (AT LARGE)- (term four years)

There being no further business to conduct, by general consent, Mayor Brenk adjourned the meeting at 6:18 PM.

Respectfully submitted,

Stacy Gray, Clerical Accounting Technician