

MILACA CITY COUNCIL MINUTES
JULY 16, 2015 MEETING

The regular meeting of the Milaca City Council was called to order at 6:30 p.m. by Mayor Harold Pedersen. Upon roll call the following Council members were present: Dillan, Muller, Gahm, and Johnson.

Staff present: Lerud, Gann-Olehy, and Toven.

Others present: Jeff Hage, Jim, Roxie, Jesse Gerads, Tim Truenbach, Coleen Fitzgerald, Chris Carlson, Melvin Schmucker, Samuel Borntrogen, Rudy Gingerich, Joseph E. G. Yoder, Jon Carlson, Tobie Borntreger, Levi Borntreger, Jeff Minks, Pam Novak, and Bruce Turnquist.

Motion by Muller, second by Johnson to approve the consent agenda:

1. Minutes of the June 23 council meeting.
2. General bills, 815143E-815148E, #41413-41415, #41474-41485, #41488-41547, totaling \$197,232.80; Liquor bills, 915022E-915025E, #23332-23349, #23374-23390, totaling \$174,225.42.
3. RESOLUTION NO. 15 – 13 ASSESSING MOWING CHARGES (entire text appears in Resolution book.)
4. RESOLUTION NO. 15 – 14 ASSESSING UNPAID FIRE SERVICE CHARGE (entire text appears in Resolution book.)
5. RESOLUTION NO. 15 – 15 ASSESSING UNPAID FIRE SERVICE CHARGE (entire text appears in Resolution book.)
6. City Treasurer's report.

Unanimous consent.

Mayor Pedersen opened citizen's forum and invited anyone to speak to an item not on the agenda. Tim Truenbach introduced himself as the new superintendent of schools.

Bruce Turnquist said he is concerned about failure to yield at yield signs along 2nd Avenue NW. He said there have been several accidents, and he was in a near accident recently. He said that he thought that stop signs should be on each cross street. Council member Gahm said that there was a similar complaint last month and the police have been out patrolling that area. There was a brief discussion about the issue, but no action was taken.

No one else came forward.

Jim and Roxanne Gerads said they are prepared with a building addition to their property. They said that the building would be 60 feet by 100 feet and they would use it to sort demolition debris. They said they believe that by sorting the demolition debris and recycling all they could with area vendors would

decrease the amount they are taking to the landfill by about half. They said the estimated building cost is \$350,000 and RW Builders will be doing the building project. They requested the council approve a four-year extension following the present contract with no rate increase. Roxanne Gerads said they lowered rates initially when they purchased the business and they have not increased rates during their ownership.

Mayor Pedersen said that the city uses tax increment financing and property tax abatement for other development projects, and in this case the new building will go right on to the tax rolls.

After a brief discussion a motion was made by Johnson, second by Muller to extend the solid waste contract with Jim's Mille Lacs Disposal for a period of four years beginning January 1, 2017, conditional on the project, as proposed, be completed by December 31, 2016, unanimous consent.

A letter from Thomas Dahlheimer was reviewed.

Motion by Johnson, second by Dillan to hold the second reading and for passage of Ordinance No. 414

ORDINANCE NO. 414

AN ORDINANCE REGULATING THE USE OF HORSES, MULES AND ALL MEMBERS OF THE EQUINE FAMILY WITHIN THE CITY OF MILACA AND ALL PROPERTY WITHIN THE CITY OF MILACA

Melvin Schmucker said he understands that the public has concerns about animal feces on the road, but they are not in favor of using a catch option for the animal feces because he said some animals will not tolerate the catch. He said they would consider other options, including using designated routes. Mayor Pedersen said that there would not be an issue if the feces was picked up immediately, and that is the reason for the proposed ordinance. Schmucker said that is not an option either because a horse might not stand still if no one is holding the reins, and if it is left alone on the shoulder of the road, traffic could startle the animal.

Council member Gahm said the council understands their position, but do they understand the city's position? She asked if there is a way that this can be made a win-win situation. Council member Dillan said that he has received a dozen to 15 complaints about this and it is by far the thing he receives the most complaints about. Schmucker said that this is a new complaint for them. He said in previous communities they have never had this issue. Council member Muller said that he searched the internet for similar issues, and this is a very common issue that cities are dealing with.

Council member Johnson asked how often do you come to town with one person, and could you bring a second person so the feces could be immediately cleaned up? Mayor Pedersen suggested that they use 10th Street and Central Avenue as their primary corridors for coming into town, and they need to make a better effort to clean up after the animal.

Mayor Pedersen suggested suspending the second reading and monitor the situation to see if they are cleaning up. He said if they are not, then the second reading would be held, and passage of the ordinance considered, but they would receive meeting notice.

Jeff Minks asked if there were any other ordinances like this in other cities. Roxanne Gerads said she thought Bock had an ordinance requiring an animal's waste be picked up. She said that the main issue here is the feces on the street, and the proposed ordinance prevents that from happening. Chris Carlson said the Amish hold their monthly meals at the Borgholm Town hall and they do a good job cleaning up after themselves. Mayor Pedersen said that is all we are asking for here. Upon voting all voted against the motion.

Motion by Dillan, second by Johnson to table action on Ordinance No. 414, unanimous consent.

There was no planning commission meeting in July.

Lerud said the economic development commission meets tomorrow morning.

Council member Muller said that the airport is getting ready for the fly in on August 2.

Mayor Pedersen said work continues on the band shell, and he thanked those who volunteered to help with the pavers yesterday. He said it looks great.

Council member Dillan said that the pocket park is a work in progress. He said the farmer's market is going strong, and MAC is sponsoring an Art in the Park program at the same time.

Council member Gahm asked if the city send thank yous, like to the Methodist Youth group for putting plants in the pocket park. Lerud said we have not in the past, but we sure could start.

Motion by Muller, second by Gahm to approve the special event permit application from First National Bank, unanimous consent.

The sewer cleaning and televising bids were presented. Lerud recommended accepting the low bid from Overline & Son. Motion by Johnson, second by Dillan to accept the bid from Overline & Son, unanimous consent.

Mayor Pedersen said that two bids were received for the Rec Park building and splash pad. Lerud said that that the city received one bid for both the building and splash pad, and one bid for just the building. He said he spoke to Mark Baas and he said that he submitted his bid on the assumption that he would get both parts or neither part. Lerud said the project is very complex, and he agreed that it would be very difficult to coordinate the work with a second contractor. Lerud also said that given the time of year and the ability of the city to find another contractor to do the splash pad is minimal, meaning that construction would probably not begin until next year, costing the city most of the season next year. He said that is unacceptable.

Lerud said that Baas Construction's base bids plus both alternates is \$466,609. Additionally the city is purchasing the splash pad equipment and features from ARC, and that total is \$70,887, which totals \$537,496. He said there is \$425,000 of the bond issue remaining, which means the shortfall is \$112,496.

Mayor Pedersen said he contacted Ben and Dorothy Gorecki, and they agreed to donate \$100,000 toward the project. He said that they requested the building be named after them. Lerud said the

balance of the difference, plus any other costs that are not foreseen, could come from a one-time transfer from the liquor fund.

After a brief discussion a motion was made by Muller, second by Gahm, to accept the bid from Baas Construction in the amount \$466,609, which includes Part A, Part B, and alternates 2 and 3, and the proposal from ARC for the splash pad and equipment, unanimous consent.

Lerud said that alternate 2 was for removal of the warming house. Lerud said he would like to see if the warming house could be removed by others at a less cost, or even be paid for it. Motion by Dillan, second by Johnson to offer the warming house for sale or disposal in a manner that is in the best interests of the city, unanimous consent.

Lerud said he received a request to change the city code to allow for liquor sales beginning at 8:00 on Sundays, rather than 10:00 as it is now. The consensus of the council was to have the city attorney draft an ordinance for consideration.

City Attorney Toven said the city code is inconsistent in three places with regard to dogs on leashes or being able to be at large. The council decided it would be best to require a leash except in a designated city-owned land. The parks commission will consider the exact off-leash location at its next meeting. Toven said he would work on the revision. Council member Muller said regardless of what the city does, the city needs to enforce cleaning up after the animals.

Mayor Pedersen called for Council comments. Council member Muller asked if the city was going to install additional cameras in Rec Park. Lerud said it was certainly possible to do that work, provided a wireless option was available. Council member Muller asked if the council could receive a monthly report from the police about activities in the Parks. Lerud said he understood what he was looking for and would get that information at future meetings.

Mayor Pedersen said Rec Fest is next weekend.

With no other business a motion to adjourn was made by Johnson, second by Dillan, all voted in favor and the meeting adjourned at 7:47.

Mayor Harold Pedersen

ATTEST

Greg Lerud, City Manager