

**MELROSE CITY COUNCIL
REGULAR MEETING
THURSDAY, OCTOBER 17, 2019 – 6:00 P.M.**

AGENDA

1. Call to Order/Roll Call/Pledge of Allegiance
2. Approval of Agenda
3. Open Forum
4. Consent Agenda
 - a. Approval of Minutes
 - b. Approval of Bills / Purchase Orders
 - c. Approval of Investments
 - d. Ambulance Department Bad Debt Account
 - e. Fire Department Bad Debt Account
 - f. Donation Resolution:
 - 1) Resolution No. 2019-51, Donation from the Melrose Lions
 - g. Resolution No. 2019-52, Resolution Designating Polling Place
- ** 5. ~~Presentation~~
 - a. ~~Induction of Police Officer – Allyssa Engfer~~
6. Reports
 - a. Police Chief Report
 - b. City Attorney Report
 - c. Community Development Director
 - d. City Administrator Report
7. Public Hearing
 - a. Public Hearing – Chapter 76 Motorized Golf Carts
8. Action Items
 - a. Ordinance No. 10-17-2019, An Ordinance Amending Chapter 76 Motorized Golf Carts and All-Terrain Vehicles
9. Old Business
 - a. Stearns County Intra County Mutual Aid Agreement
 - b. Rock Arch Rapids / Dam / Bridge Project (**RDB**)
10. New Business
 - a. Notice of Appointments
 - * b. Sprint Lease Agreement

11. Informational Items
 - a. Ambulance Quarterly Reports
 - b. Utilities Commission Meeting Minutes

12. Adjournment

* Amendment

** Deleted

**MELROSE CITY COUNCIL
REGULAR MEETING
THURSDAY, OCTOBER 17, 2019 – 6:00 P.M.**

A.I. #1 CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE

The Melrose City Council met in a Regular Meeting on Thursday, October 17, 2019 at 6:00 p.m. at the Melrose City Center pursuant to due notice being given thereof. Present were Council Members Tony Klasen, Justin Frieler, Travis Frieler, Mark Hill, and Mayor Joe Finken, City Administrator Colleen Winter, and City Clerk Patti Haase. Also in attendance were Senator Torrey Westrom, Stearns County Engineer Jodi Teich, Sauk River Watershed District Water Resource Manager, Sarah Boser, Al Gettel, several members of the Melrose Lake Improvement Association, and other community members. Mayor Finken presided thereat.

The Council then recited the Pledge of Allegiance.

A.I. #2 APPROVAL OF AGENDA

A motion was made by Mr. Klasen, seconded by Mr. Justin Frieler and unanimously carried to approve the agenda as amended and moving #9a and #9b after Reports.

A.I. #3 OPEN FORUM

Al Gettel addressed the Council regarding a barbwire fence that he installed on the property he is currently renting adjacent to Rose Park. He stated the reason for installing the fence was to keep debris off the property. City staff had notified the property owner that the fence was to be removed by October 4, 2019. Mr. Gettel met with Community Development Director Lisa Atkinson regarding the fence. Mr. Gettel was informed barbwire fencing is only allowed for agricultural purposes within City limits, and a fence permit is required prior to installation. Mayor Finken directed Mr. Gettel to meet with City staff and go through the proper permitting process.

A.I. #4 APPROVAL OF CONSENT AGENDA

The following items were considered for approval under the Consent Agenda:

- a. The minutes from the Council's September 19 Regular Meeting.
- b. List of bills in the amount of \$1,022,695.29. (See attached list)
- c. List of investments for the month of September. (See attached list)
- d. Ambulance Department uncollectible accounts in the amount of \$20,507.78 have been submitted to Revenue Recapture, collections, or written off. A complete list of accounts is on file at the City Office in the third quarter. There was a total of \$2,919.74 collected from account holders during this time.
- e. Fire Department uncollectible accounts in the amount of \$100 has been submitted to Revenue Recapture, collections, or written off in the third quarter. A complete list of accounts is on file at the City Office. There was a total of \$289 collected from account holders during this time.

- f. Donation Resolution:
- 1) Resolution No. 2019-51, donation in the amount of \$500 from Melrose Lions towards the Melrose Area Chamber of Commerce Holiday Kick-Off Fireworks.
- g. Resolution No. 2019-52, Resolution Designating Polling Place. Per Minnesota Statute, Section 204B.16, Subdivision 1, the governing body of each municipality must annually designate a polling place for each election precinct.

A motion was made by Mr. Justin Frieler, seconded by Mr. Klasen and unanimously carried to approve the Consent Agenda items.

A.I. #5 PRESENTATION

- a. Deleted

A.I. #6 REPORTS

- a. Police Chief Craig Maus presented the Police Department's September report. He noted there were 330 calls for service during the month, compared to 465 for September 2018. A total of 27 citations were written for the month of September. The year-to-date number of calls is 3,353 compared to 3,988 in 2018. For the month of September 2019, the Department received 33 agency assist calls. Chief Maus noted that improvements have been made to the abatement property. He will continue to monitor the situation. Chief Maus also stated that counterfeit \$100 bills have been circulated in Melrose and the surrounding area and advised the public what to look for in the modified bill.
- b. City Attorney Scott Dymoke reported on projects he has been working on for the City:
- Burlington Plat: Prepared quit claim deeds conveying Melrose Burlington Plat lots to adjoining property owners.
 - Hernandez Easement: Prepared electric utility easement from Hernandez to City of Melrose.
 - Emergency Management Agreement: Reviewed proposed emergency management agreement submitted by Stearns County. Prepared opinion concerning audit requirements in agreement.
- c. Planning and Development Director Atkinson provided an update on the various current and upcoming projects. Ms. Atkinson presented the Third Quarter Building Report.
- d. City Administrator Winter provided an update on the following:

Kraft Lot: Staff continues to refine options for this lot and look at mixed uses. It is hoped to deliver a viable package to two interested parties in the next couple of weeks.

St. Mary's: The EAW has been published and the public has until October 30, 2019 to submit their comments to the City.

Strategic Planning: Originally, it was discussed to holding a one-hour visioning session before the regular December 12, 2019 meeting; however, City Administrator Winter will need to present to the LCCMR Board that evening, so looking at scheduling something for February 20, 2020.

Housing: Staff will be meeting with two different interested parties regarding the construction of apartments.

HVAC and Miscellaneous Building Improvements: The roof at the Fire and Ambulance Station needs to be repaired and that will be taken care of within the next couple of weeks. Work is almost finished at the City Center for the first part of the HVAC upgrades, including new piping for heating, a/c and condenser units on the roof. There is one boiler currently not in service; however, the other five boilers are working which will be fine.

A.I. #7 PUBLIC HEARING

- a. The Council held a public hearing on Thursday, October 17, 2019 at 6:00 p.m. or as soon thereafter at the Melrose City Center on the following to consider amending Chapter 76 of Melrose City Code, Motorized Golf Carts, to consider allowing Class 1 ATVs by permit. The Public Hearing was opened at 7:16 p.m.

City Attorney Scott Dymoke provided an overview of the revised ordinance.

There being no further comment, the Public Hearing was closed at 7:18 p.m.

A.I. #8 ACTION ITEMS

- a. At the Council's August 15 meeting and again at the September 19 meeting, the Council reviewed Chapter 76 of the Melrose City Code, Motorized Golf Carts. Chief Maus noted that according to Minnesota State Statutes, Class 1 ATVs must be permitted by the City in order to drive on City streets. The ordinance adopted in 2018 removed licensing requirements for all classes of ATVs. In order to come into compliance with Minnesota State Statute, City Attorney Scott Dymoke has made revisions to Chapter 76 Motorized Golf Carts and All-Terrain Vehicles.

Council Member Justin Frieler moved to adopt Ordinance No. 10-17-2019, An Ordinance Amending Chapter 76 Motorized Golf Carts and All -Terrain Vehicles with no permit fee. The motion was seconded by Mr. Klasen with a roll call vote recorded as follows:

FOR: Council Members Justin Frieler, Klasen, Hill, Travis Frieler, and Mayor Finken
AGAINST: None

A.I. #9 OLD BUSINESS

- a. Mayor Finken stated that the Council, at its September 19 meeting, reviewed the Stearns County Intra-County Mutual Aid Agreement for Emergency Management and Homeland Security. This mutual aid agreement was developed to allow for the sharing of resources between jurisdictions in times of emergency. Stearns County is aware that there are existing mutual aid agreements for law enforcement and fire services however other department often times do not have these agreements in place prior to emergency situations taking place. This agreement was designed to allow for mutual aid of any and all functions, personnel and resources. This agreement was written by the Stearns County Attorney's Office and reviewed the League of Minnesota Cities.

Council Member Klasen expressed concerns on Article 12 of the agreement and recommended review by City Attorney Dymoke prior to adoption.

Mr. Dymoke has reviewed the Agreement and does not have an issue with Article 12 of the agreement. The audit review only pertains to the transactions related to the emergency situation.

A motion was made by Mr. Travis Frieler, seconded by Mr. Klasen and unanimously carried authorizing staff to enter into the Stearns County Intra-County Mutual Aid Agreement for Emergency Management and Homeland Security.

- b. City Administrator Winter stated that staff has spent the last three months reviewing the documents related to the Rock Arch Rapids/Dam/Bridge project (RDB) and discussing it with several people who have been involved in the project over the last several years. Based on the information the City has, staff believes that there are five alternatives to addressing the RDB project. Administrator Winter presented the priorities and public meetings regarding RDB along with the five alternative and costs associated with each.

PRIORITIES

Bridge – the bridge itself is outdated, does not meet today's street design standards, ADA (American with disabilities) standards, and does not accommodate traffic very well. The Stearns County Highway Department has had the 5th Ave NE Bridge on their bridge plan since 2013. The County is still willing to work with the City on this project but would like a definitive end date.

Street Realignment – currently, 5th Avenue NE is an offset street and aligning the streets would create a safer intersection.

Dam – the dam is considered a significant hazard dam and was last inspected on December 11, 2017. Regardless of what alternative the Council decides to pursue, funding needs to be allocated to addressing dam safety.

Water Quality/Bank Erosion/Sedimentation of pool – the Sauk River and related Melrose Lake are impaired bodies of water. The Lake has seen a significant growth in algae bloom over the last few years, increased sedimentation and vegetation. There has also been significant erosion downstream of the dam. Any proposed plan should consider the ecological benefits long term.

Recreational Opportunities – currently, the amenities are very limited.

Costs – all of the options have varying costs associated with them. The City has firmly committed to \$700,000 towards the RDB project.

PUBLIC MEETINGS AND ACTIONS

Since October 2016, the Council has discussed or taken action on issues related to RDB 29 times.

Ms. Winter presented the Rock Arch Rapids options; one being no lake level reduction; the other the lake level drops seven feet. Then there are three options which relates to the bridge and repair the dam and/or also realign 5th Avenue NE to connect north-south across Main Street.

Council Member Klasen stated that in previous Council's discussion, it was determined that the Council only supported the full pool Rock Arch Rapids and that it needs to be determined if the DNR would support that option. It was also determined that the bridge was the priority not aligning the streets on Main Street. Mr. Klasen does not want this to go back to having discussions on all options.

Ms. Winter stated that the City has not received formal notification from the DNR; however, in a phone conference call, the DNR does not support the full pool Rock Arch Rapids.

After further discussion, the Council determined to dismiss the Rock Arch Rapids options and reviewing the remaining options. The City's Engineer, Mike Nielson of WSB, then gave a brief overview of Options 2, 3 and 4. Option 5 was removed as the traffic count did not meet 70% of the warrants, therefore, does not qualify for streetlights or a round-about.

The City Administrator reviewed the costs associated with the remaining options and the City's portion of those costs.

Mr. Klasen asked how the County funding request is submitted to the state for bonding. Jodi Teich, Stearns County Engineer, stated the money comes through the local bridge replacement program and MNDOT assigns money and the legislature allocates the funds. Currently, the bridge is on the waiting list.

The County also shares in the right-of-way costs. Mr. Klasen stated that he would like a 90% assurance of receiving a grant or other funding sources for the 10-foot sidewalk in order to determine if it should be left in the plan.

Council Member Klasen stated that he felt the Option 3 costs were not definitive as to City/County costs.

Mr. Klasen stated that at a previous meeting where realigning the bridge and street, he believed the City costs to be much higher than indicated on the numbers presented this evening. Mr. Klasen stated that Option 2 takes care of many of the issues that exist. Mr. Klasen stated his preference is Option 2.

Mayor Finken concurred with Council Member Klasen with Option 2. Mayor Finken noted that the intersection has not been deemed a dangerous intersection.

After further discussion, Mr. Klasen made a motion to move forward with Option 2 as it the most cost-efficient. The motion was seconded by Mr. Finken with a roll call vote recorded as follows:

FOR: Council Members Klasen, Mayor Finken, Justin Frieler, and Travis Frieler
AGAINST: Council Member Hill

A.I. #10 NEW BUSINESS

- a. At the Council's first meeting in January 2020, consideration will be given to making appointments to the various boards and commissions. A notice regarding same will be published in the Melrose Beacon on October 16 and October 30 informing residents that those interested in seeking appointment should submit their application to the City Clerk by no later than Friday, November 8. Applications are available at the Melrose City Center. Terms are expiring on the following boards and commissions:
- Melrose Public Utilities Commission – one member (three-year term)
Term expiring: Eric Seanger
 - Planning and Zoning Commission – two members (four-year term)
Term expiring: Jason Seanger and Kevin Thomas
 - Melrose Area Development Authority: one member (6-year term)
Term expiring: Don Brower
 - Melrose Housing and Redevelopment Authority: one member (five-year term)
Term expiring: Matt McDonald
- b. City Administrator Winter stated that the Sprint Lease expired and do not have a signed agreement in place. Currently, they owe the City \$7,500 which they refuse to pay since they do not have a signed agreement with the City. Ms. Winter is recommending the City null and avoid the existing agreement and propose a new agreement effective January 1, 2020. Ms. Winter is recommending more of a real estate agreement rather than a lease per antenna agreement.

Ms. Winter is also proposing an application which would include a fee that could be placed in an escrow account for expenses occurred by the City.

The Council, by consensus, directed staff to work with City Attorney Dymoke to work on a new agreement with Sprint.

A.I. #11 INFORMATIONAL ITEMS

The following informational items were reviewed:

- a. Melrose Ambulance Department Quarterly Report.
- b. Utilities Commission's September 9 Regular Meeting and September 9 Meeting with Industry.

A.I. #12 ADJOURNMENT

A motion was made by Mr. Hill, seconded by Mr. Justin Frieler and unanimously carried that the meeting be adjourned at 7:30 p.m.

PATRICIA HAASE – CITY CLERK