

CITY OF NOWTHEN
CITY COUNCIL MEETING DRAFT MINUTES
TUESDAY, JANUARY 10, 2017 @ 7:00 PM

The Nowthen City Council met for the Regular City Council Meeting on Tuesday, January 10, 2017 at 7:00 PM, at the Nowthen City Hall, 19800 Nowthen Blvd NW, Nowthen, Minnesota.

Present:	Councilmember Paul Reighard
Mayor Jeff Pilon	Councilmember Dan Breyen
Councilmember Randy Bettinger	
Councilmember Mary Rainville	Others: Lt. Wayne Heath

Approve/amend the meeting agenda – Rainville made a motion to approve the amended agenda, as presented; Bettinger seconded. All in favor; motion carried.

- 1). Sheriff Report** - Lt. Wayne Heath provided an update of Sheriff's Services for the month of December 2016. – He also said that a secured trailer was stolen from a property close to town and wanted to remind everyone to take extra steps to make sure that their property is secure. He also wanted the public to be diligent about drunk drivers. The Sheriff's Office is still seeing identity theft around the County and wanted to remind everyone to keep their identity and personal information safe.
- 2). Floor Items:** There were no floor items presented.
- 3). Public Hearing - John Wegner/Bill Ulwelling** – Request for Land Use Plan Amendment – *The request involves revision to the City's Land Use Plan by removing the Conceptual Frontage Road alignment from Quadrant 2 (The northeast quadrant of the Viking Boulevard/Nowthen Blvd.)* – Mayor Pilon explained in December 2013, the City adopted a Concept Plan for frontage roads and back roads at our major intersections. As the traffic volumes go out, the County said they are likely to be dividing CR 22 (Viking Blvd.), Hwy 47(St. Francis Blvd.) and CR 5 (Nowthen Blvd.) When the Council does that, businesses would only be allowed right in/right out access to the property.

Before those areas develop, the City thought it was wise to at least put a Concept Plan in, so when people are developing their property, they have a general idea in the future that the major intersections are going to be a mile apart from each other. In between those major intersections, you would only be able to access your property by means of right in/right out. Since the development by the County is likely some years off and businesses didn't want the threat of a road going through their property, the Council decided not to enforce the frontage road plan in the areas that people are developing. It is part of the Comprehensive Plan and in order to change that the City has to go to the Metropolitan Council, the County, and the neighboring communities to inform them that we want to change our Comprehensive Plan.

Earlier last year, a property just south of the City Hall wanted to rezone their commercial property back to residential. They requested a Comprehensive Plan

Amendment to do so, which they paid for. Subsequent to that, A&B Welding and John Wegner made an agreement to swap property. Mr. Wegner wanted some reassurance that the road was not going to go through the property that he would be getting in exchange with A&B Welding. In order to do that, they wanted to do a Comprehensive Plan Amendment. Since there was already a Comprehensive Plan Amendment in the works, they could piggy back onto that amendment. They were willing to pay the additional cost to do this. Because it is a land use change, the City is obligated to have a public hearing about it. The City is trying to be cooperative with A&B Welding and John Wegner, so they can be assured that if they make these changes, they can proceed without any surprises down the road.

Pam Coolidge, of 7680 Old Viking Blvd., has some questions that have come up. They were looking at long term plans regarding her property. She asked if the removal only included the area in red, because if it does her property would still be included in the Concept Area. Pilon said no, it is not just the area in red; it includes the whole area on the notice. The red just shows the Commercial District within that quadrant. If it is removing the whole road, that would be awesome because it would change the whole outlook for her and her own family. Her question is if there are any obligations on their part to see this through. Pilon said that public hearing is her chance to weigh in on the decision. Mrs. Coolidge is in favor of this amendment.

Kelly Snaza, of 7720 Old Viking Blvd., is in favor of the amendment as well.

Mathew Schmidtbauer, of 19721 Nowthen Blvd., wonders what the alternative is. If the frontage road is a Concept Plan that nobody wants.

It was discussed that in the future the County could be separating the road. What is going to be the solution then if they divide the road? Mayor Pilon said that it's unknown when that will happen, but when it does happen it will be most likely on CR 22 (Viking Blvd.). In that case, the parcels that access CR 22 will be accessed by right in/right out access only. If both Nowthen Blvd. and Viking Blvd. were divided, it would be a similar thing. Before people developed, we wanted people to be aware of that. As properties develop, it could be harder to access them and we wanted people to be aware of the Concept Plan that could be applied there so it made it easier to access onto a frontage road to go down to the major intersection and still have access. Because a number of the parcels are residential, at this time, which would mean when they want to develop, the frontage road would be blocked until commercial and residential properties decided it would be more profitable to them to sell the property and put up smaller lots on either side of the frontage road. Until then, nobody is going to lose access to their land on their property because we are going to impose a road. It is just to try and make people aware. If you own the property along there, your access could be limited once the County decides to make that a state road with divided access. This is not pending or eminent. The County is just giving us a heads up that it is in the long range plans.

John Berg, of 7763 Viking Blvd., said that he would also be in favor in removing the road as well.

Tony Elfelt, of 19803 Nowthen Blvd., said assuming there is a vote to remove the Concept Plan, that doesn't mean that it will never happen. Pilon said that is correct, because Comp Plan's change every ten (10) years. As the City develops, more people will say that it is more financially beneficial to them to sell off their property as commercial. Some homeowners may say that their kids aren't taking over the property or that they can make a lot more money if they sell it commercially. What we try to do as a City is not to impose that. We have people that want to keep residential areas that are already in the Commercial District. We make it possible to do this. Until they decide to sell it as commercial, they can stay there as a residential. Those that are outside the Commercial District that are adjacent to it can come to the City and request a rezoning to commercial. That can all change as the City grows. John Wegner and A&B Welding wanted to make this change now and not have to wait until the Comp Plan update is done next year.

Public Hearing Closed at 7:25 PM.

4). Planning and Zoning

- a). **John Wegner/A&B Rentals LLC – Council discussion and decision on request – Rainville made a motion to approve the request for amendments to the City's 2030 Land Use Plan by removing Quadrant Two from the Viking Boulevard Transportation Plan and Land Use Study adopted on December 3, 2013, as recommended by the City Planner and with the conditions, as set forth in the January 10, 2017 City Council Findings & Decision; Bettinger seconded. All in favor; motion carried.**
- b). **Cory & Hailey Sheldon – Agricultural building on property without green acre status – Rainville made a motion to approve the removal of the reference to Green Acres from the Zoning Ordinance and submit the amended ordinance to the Planning and Zoning Commission for public hearing; Breyen seconded. All in favor; motion carried.**
- c). **Ordinance 2016-07- Fee Schedule – Approve for public hearing – Rainville made a motion, based upon the discussion at the January 5th City Council Workshop, to table Ordinance 2016-07 and that council directs internal staff to provide a detailed report showing how our fees compare to surrounding cities. The report should include but not be limited to comparison of Oak Grove, East Bethel, Bethel, Ramsey, St. Francis, Linwood, and Elk River. In addition using the new information staff is to refine the Fee Schedule for council's review at the April Council Meetings.**

The final report should include:

- **Whether the comparison cities provide services such as building, engineer, planning and zoning administration internally or are they contracted out.**
- **If a fee is imposed by another governing body.**
- **A reason for a fee being increased or decreased.**

- **Stating which line items can be combined?**
- **Whether the General Labor rate is appropriate i.e. does it include hourly rates, payroll taxes and benefits. Do we need an administrative and an outside labor category?**
- **Whether the Park Fees are in line with the new Park Facility Use application; Breyen seconded.**

Bettinger would like to move forward with the fee schedule that was presented. To gather all this information that Rainville is requesting is going to take months.

The Building Official asked for the increase in building permit fees based on cost. All our fees are based on cost and the way we do business. To lower the fees, the City is going to have to change the way we do business. The way we do business now, the fees help to cover the costs. He thinks we should move forward with the fee schedule today, do the research and then come back with all the information.

Rainville would prefer that they have information in front of them first, so they can make that decision. They are giving staff until April to gather the information. She thinks that it is important to get information from the neighboring cities. There has always been discussion that our fees are too high and that people don't build here because of the fees. She would like to see how we relate to the neighboring communities.

Breyen said that the fees could also be affected based on business that is yet to be discussed tonight on the publication fees.

Pilon said that the fees would remain in place until this is changed. What Bettinger was relating to is what changes the Building Official was recommending. We might be short changing ourselves in the building permit area. Pilon said there have been comments over the years that it is costly to do business in Nowthen, compared to other cities. He thinks that it is important to determine if that is true. The only sacrifice being made is the request by the Building Official to increase a couple of fees.

Reighard agrees that we do need to look at the fee structure. He also agrees with Bettinger that we need to look at the way we do business and how we conduct that and charge for that. He thinks they need to look beyond just the set fees. How is the City going to operate and how we are going to charge for that? Reighard said they need to look at the bigger picture. The Planner charges three (3) different rates.

Bettinger doesn't think March or April will not be enough time to gather the information. We also need to look at what the City can do to also mainstream some of these things?

Four in favor of Rainville's motion; Bettinger opposed. Motion carried.

- 5). **Todd & Mary Haubrick** – *Request for reduced Fire Call Fee* – The Council consensus is to put this on hold until the City can consider the Fire Call Fees when reviewing the other fees.

6). Park and Recreation

- a). **Porta-potty for Ice Rink – Reighard made a motion to have staff work with Jimmy Johnny’s to bring a porta-potty and place it as close to the benches as possible next to the ice rink, and that staff work with them in removing it at the end of the ice skating season; Bettinger seconded. All in favor; motion carried.**
- b). **Use of Tanker Truck – *To flood the ice rink* – no action required at this time.**

7). Consent Agenda:

- 1.1 **Approve the December 13, 2016 City Council Meeting Minutes**
- 1.2 **Financial Report**
- 1.3 **Approve All Audited Bills Claim # 10541 through Claim # 10551 and Claim # 1 through 49, plus Net Distribution reports dated December 13th, 19th and 27th, 2016**
- 1.4 **Adopt Resolution 17-05 – *A Resolution accepting donation from A & B Welding of Hockey nets***

Bettinger made a motion to approve the Consent Agenda Items; Breyen seconded. All in favor; motion carried.

8). Council Items:

- a). **Resolution 2017-01-*Resolution making appointment to certain offices/positions* – Rainville made a motion to move forward with the recommended appointments that were presented by her at the workshop; Breyen seconded.**

Reighard asked Rainville if she is willing to move forward with the appointments as were discussed at the workshop. Rainville said no. Reighard said that we have two people that are more qualified for the Road and Bridge and Park and Rec. Committees than the people listed on Rainville’s recommendations. There were members of the Park and Rec. Committee that voiced their opinion about the appointments. On the Road and Bridge Committee, to not appoint Bettinger is wrong, and more information came in about the paper.

Reighard said for years Rainville has been talking about zero costs. They now know it is not necessarily zero costs. There may be zero costs this year, but there are other costs involved. If citizens want to get a subscription, it is 2-1/2 times the amount than to get a subscription with the Anoka Union Herald. His whole point about the official newspaper is the distribution numbers and you can see by the numbers, the distribution is significantly different from one paper to the other.

Breyen said as far as the record goes; the public can get a free subscription online. As for the liaison appointments, the liaison is a liaison based on City policy. They are non-voting members and their roles shall be limited to the clarification of Council’s direction to the Commission/Committee and to report back to the Council the substance and intent of the Commission/Committee recommendations. He can handle that.

Reighard said Breyen's experience on the Road and Bridge and his contribution to Road and Bridge does not even come close to Bettinger's experience and knowledge in that area. Reighard has been on the Park and Rec. Committee for 7+ years. There were committee members that even stated they would prefer Reighard to be the liaison as well. He finds it shocking and he doesn't understand the change and Rainville has not given any reason for the change, other than, this is what she would like.

Rainville said that the Council did receive information on the paper distribution for the Anoka Union and Elk River Star. They have a total delivery route of 1480. She thinks that is misleading. They have a count, then a percent amount for Nowthen. She doesn't know if that 50 percent is our count or if it is 50% of the 1480. The Anoka Union talks about the Anoka Shopper, but those numbers aren't applicable because the Anoka Shopper doesn't publish notices. They may claim these delivery routes, but she knows people on the east side of the City that do not receive any of the papers. She believes the Anoka Record is a better value for our residents. It is a savings to them, whether items are published in the Anoka Record or the Anoka Union, both are available online. Anyone can access that information online for free. This is a savings to the taxpayers. In 2017 the proposal from the Anoka Record will be no charge to the City for publications. She can only speak to the proposal that is in front of them. She never said it would be free forever.

Rainville said as for the liaisons, it is her prerogative to put forward her recommendations for the liaisons. Any Council member has that right. She has the recommendations that Reighard put forward in 2016. It is no different than what he did last year. The liaison is only a conduit. It doesn't mean that a Councilmember cannot provide input to something that any of the committees are dealing with at the time.

Reighard said that he is well aware of how the liaisons roles have changed. He is the one who pushed for it. He has been on the Park and Rec. Committee for 7+ years. He has more experience with the committee; Bettinger has more experience with the Road and Bridge Committee. If the Council votes the way Rainville is proposing, they are doing a huge disservice to both of the committees. They already had a couple committee members say who they would prefer and now they are taking their voice and opinion out of it and you are taking away the experience. Because they are a conduit of the Council and committee doesn't mean they cannot add opinion and input. If they have that experience and resources, they should be able to add those. They are not a voting member, but you can add input. If the Council votes that way on the liaison, it is a huge disservice to our citizens and committees.

Bettinger agrees with Reighard and most of the things he said. As far as the paper goes, you cannot argue that distribution is far better with the Anoka County Union Herald and the Star News. More people get it. If that is really the goal to get the information to more people then hands down, the Anoka County Union Herald is far better. The paper is available at the store, city hall and online. There are about 400

homes on the west side that get the Elk River for free delivered right to their house. There are 30 people in Nowthen that subscribe to the Anoka County Union Herald, there's no one in Nowthen that subscribes to the Anoka Record. As far as Committee liaisons, we had at the workshop a discussion about a strategy session to work on goals and collaboration and if Rainville's recommendations pass, he doesn't see that as a sign of them working together. It is kicking some of the Councilmembers off as kind of retaliation. If that is what the Council wants to do, do it, but that is not a sign of them working together.

Dan Williams said that he doesn't know how they can do that to them. He said that Rainville was campaigning against the ideas for the Park and Rec Committee. How can she be a conduit for the Park and Rec. Committee if she is against them?

Williams said she is not enthusiastic. She also shouldn't be on the committee when they are working on the Special Events Permit because Pilon's wife and Rainville are co-chairs of one of the main events in Nowthen. She shouldn't even be in on it because the committee is representing all the events. It is kind of a conflict of interest. Why would they sabotage the committees like that.

Reighard said that Williams does bring up a good valid point. One of the biggest things the Park and Rec. Committee are working on is the Special Events Guidelines. Councilmember Rainville is a huge part of one of those events, which may or may not be affected by the guidelines. That is a conflict of interest.

Rainville said as a liaison, she is a conduit. The Council tells her to direct the committee with something and the committee directs her to tell the Council something. If they find that she violates that, then call her on it; but to assume that she is going to play preference to something or disallow something. Her job is to bring information back and forth. To assume that she can't do that is incorrect. As for the volunteers, Reighard will always have access to those volunteers. If he chooses not to participate and do that, that is his call. The job of the liaison is to bring information from one body to the next.

Reighard said that the liaison also constructs the committee on what the Council wants and how they want it. You can construct them in all kind of different ways. He doesn't think that she is a good fit for the Park and Rec. Committee. She was a liaison before and look at the issues they had with the committee. Why would they think things have changed when they have already had committee member voice their opinions. Rainville would like examples of issues. Reighard said that they had examples at the workshop.

Three in favor of Rainville's motion; Reighard and Bettinger opposed. Motion carried.

b). Resolution 2017-02 — Resolution appointing a city responsible authority – Rainville made a motion to adopt Resolution 2017-02; Bettinger seconded. All in favor; motion carried.

c). **Resolution 2017-03** — *Resolution making official appointments committee/ commission* – **Rainville made a motion to table Resolution 2017-03 until after the City Council Strategy Session, in which the Council may discuss possible changes, that the committees/commission continue to operate under the same policies that are currently in place and that all the committee/ commission chairs would stay in place until then; Breyen seconded.**

Reighard asked how they can postpone this in regards to some Strategy Session, when some of them don't even know what the Strategy Session is, what is on the agenda, or what the topics are. He has no idea what they are going to talk about. How can they postpone the appointments because of that?

Bettinger agrees with Reighard. This is part of the committee's frustrations in the past. Everything gets tabled. The Council never gets anything done because everything gets tabled. This is a very simple thing. If they have a Strategy Session and have changes in the future, they can change them then. Let's just move forward. This is the time of year to get it done.

Breyen said if they are having a Strategy Session and these committees/ commission come up, then it would be worth it to table it until then so they can have the discussion on the direction of the committees/commission and which direction the Council wants them to go.

Bettinger said the appointments have nothing to do with the direction that the Council wants them to go. It is just appointments. We are a Council with no action, which is what we are becoming. We just keep tabling everything and that has been going on for a few years now. Just like the porta-potty discussion being tabled.

Pilon disagrees with that because they discussed last spring about warming houses, benches and restrooms. The fact that nothing happened prior to that is not the Council's fault. That could have taken place months ago. That is not an appropriate assessment. He thinks it's the responsibility of the Council to make the most effective use of the taxpayer's money.

Pilon said sometimes the questions do come up about how to do it in the most cost effective way. If there is redirection on any of the committees/commission, rather than disappoint people, tell them the direction they are going and if they don't agree with the change, they may not even want to be on the committees anymore. At this point there is no change, so you can continue with the committees as necessary. He doesn't think it is a problem to hold off at this point.

Reighard wonders what was the point then of going through all the roles and responsibilities of the committees/commission last year. He doesn't know what the Strategy Session is supposed to be about.

Pilon said that the Council has never discussed the Comp Plan, Park and Trail Plan, or a thorough job on the Road Study. What they are trying to do is give staff direction so they can come up with specific goals. They are trying to give

committees direction as to what would be beneficial advice coming back. He said that with the Park and Rec. we kind of avoided the Park and Trail Fund and Plan we have and only focused on the recreation portion. The discussion to him would be if they want to have a park and trail focus and a recreation focus and it is important for people that are more concerned about park and trail to be bogged down with those who are more concerned about recreation and vice versa. The big picture is what they are going to be talking about.

Reighard disagrees 100% with that comment. He said years ago specifically Pilon pushed hard for park and trails. Everyone on the committee got a Park and Trail Plan including all the trails, layout, everything. The problem is there's no money out there. There's no building and no land, so that is why the Park and Rec. Committee has been focusing on what they have because there are no funds out there to acquire these trails that Pilon wants. He cannot say they never looked at it because they have.

Bettinger said that they could have handled the porta-potty issue differently. They could have directed staff to get 3 bids and get a porta potty out there. We could have been a month ahead of where we are today. It should be that simple. The Council is micromanaging and overthinking things.

Pilon said that was never presented to them.

The committee made recommendations and didn't take into account the service we already use. Once the Council determined we were going to put up an ice facility, it could have been brought to the Council rather than bogging it down at the Park and Rec. Committee. It would have been appropriate that if the Council was going to fund this, to have staff research restroom facilities. That is part of defining what is a day to day activity compared to what is a recommendation by the advisory committee. Some of the things discussed on advisory committees are really day to day activity items. He doesn't expect Park and Rec. to determine when to take out the porta-potty or even when to take down the boards. That would be something that should be taken care of by staff.

Three in favor of Rainville's motion; Reighard and Bettinger opposed. Motion carried.

d). RCA-Purchase of LMC Handbook for Mayor and City Council – Rainville made a motion to approve Resolution 17-04, a Resolution approving the purchase of LMC Handbooks for any Councilmember that wants one; Breyen seconded. Reighard asked why spend the money when all the information is on line. They complain about being fiscally responsible, yet they are going approve spending money on this when they can find the same information online. Rainville said it is a good resource for the Council and it is a value. It allows Council Members to do their job. It is easy to read and easy to use. Reighard said that everything is on line. It is undue costs. Breyen said just because it is on line, it is

not the most economical way to search. He is ok if any Councilmember wants a book. **Three in favor; Bettinger and Reighard opposed. Motion carried.**

e). **RCA-Amend Nowthen City Council Policy 1-1-11 – Breyen made a motion to approve the amendments to City Council Policy 1-1-11, that he has recommended.** This would allow staff more time to get the agenda together as well as more time for the Council to review the items. Having more information is better in aiding and clarifying for the Mayor, Council and the public. The amendments would include that all requests to be placed on the City Council Agenda must be received by the City Clerk/Treasurer by Monday noon before the Thursday City Council Workshop and must be on the Request for Council Action Form with the requestor's name on it. **Rainville seconded the motion.**

Reighard asked how it addresses amending the agenda at the beginning of the meeting. If someone wants to amend the agenda to include items they can. Breyen said that is addressed under section 1-1-10 of the policy and that is not getting changed.

Reighard said if you are adding a new item to the agenda, how would you have the proper forms filled out and the proper documentation. Breyen said that they would prefer that they have as much information as possible, but they are not saying they can't be there. The main purpose with this is to get as much information as possible and he would prefer that they have a Request for Council Action Form if action is being requested and an item is being added to the agenda. In Breyen's opinion, this would help dramatically and would help not having to go back and forth on issues.

Bettinger said it may be true, but they table things. Evidently there must be other discussions going on with Council that have other ideas on how we can do things in the future. They are not receiving all the information for all the items. There is no form to fill out for everything; there never has been. We have residents that come in and request to be put on the agenda. There were residents that came before the Council tonight. Are we going to make them fill out a form?

Breyen said there is currently a policy that states "All requests to place an item on the agenda must be submitted on the Request for Council Action Form". If they want to change that policy, then that can be an item for another discussion.

Pilon said the intent is to get background information. We haven't been requiring the public to utilize the form, even if it is in the policy. We are still asking them to supply something and put it in writing.

Reighard said that there are things that warrant background information, but there are simple things that don't need background data and never have. For someone to come to the meetings for 4 to 6 months and say we are doing it the wrong way and have been doing it the wrong way is pretty bold.

Breyen isn't saying they are doing it the wrong way. He thinks, after sitting in the audience and observing meetings, there may be a better way to help to have background information and who is bringing it up.

Three in favor of Breyen's motion; Reighard and Bettinger opposed. Motion carried.

f). RCA - HVAC Evaluation and Replacement for City Hall – Breyen made a motion to direct internal staff to generate sealed bids for the replacement of the HVAC system conforming to industry standards, including at a minimum a detailed list of work to be performed, product specifications, insurance or bond requirements, job references, submission detail, the address where the sealed bid is to be submitted and its deadline, time and place of bid opening and the city's right to reject the bids; Rainville seconded.

Breyen said that the Building Official and Maintenance Supervisor have been working on this. Reighard said that as discussed at the Workshop, why go out for sealed bids. Sealed bids slow down the process. Breyen knows that there are several HVAC vendors in the City that he thinks would be interested in bidding on this. That can be easily done without going through the sealed bid process.

Rainville would like to see Breyen pull his motion until the Council figures out what they want the use of the basement to be. That should help determine what they need for equipment. Once they know the specifications, then they can go out for sealed bids. It doesn't have to delay any process because there is still a period of time where you are either getting quotes or sealed bids. It also treats all contractors fairly. Rainville would still like to see the sealed bids. It is just the matter of determining the use of the basement.

LaDoucer asked Breyen to clarify which staff person(s) is going to be directed to put the specifications together for the sealed bids. Breyen is willing to work with staff on putting that proposal together.

Bettinger said that they still need to define how the building is going to be used first because that could change everything with the system. He thinks they should just get Request For Proposals and have different vendors come in. You can get quotes the same way you get bids. Getting quotes is simpler than sealed bids. Just because you say sealed bids doesn't mean every vendor in town is going to be aware of it.

Breyen asked if they want to talk about it at the strategy session.

Reighard thinks that they need to look at the big picture and they cannot have that without a discussion of the Council as a whole.

Breyen withdrew his motion.

Discussion that took place later in the meeting on this topic: **Bettinger made a motion to have the Building Official and Maintenance Supervisor meet with contractors to discuss ideas for the furnace replacement at the City Hall; Breyen seconded.** Breyen said that the Building Official is asking the Council when they anticipate the space in the basement will be used for. The Council consensus is to have the space in the basement continue as it currently is. Usable for limited use by the public and staff, as needed. **All in favor; motion carried.**

g). **RCA-Amend Nowthen City Council Policy 1-1-13 – Breyen made a motion that all Council meeting minutes, including the Thursday Council Workshops and budget planning meetings, be taken and published in the same manner per Chapter 1, Section 1, 1-1-13, which states “Minutes shall be published as required MN Statute §412.191, 331A.08, subd.3, 331A.01, subd.10”;** Pilon **seconded.**

Reighard asked, with the audio video equipment, are we not doing that already and getting a better product. It is not required that all minutes be done this way, just the meetings that they will be taking action. We are already doing what is required by statute.

Bettinger said that not only are we meeting the statute, but to have documented minutes for every meeting is taking up staff time. That is dollars and there are only two staff members. Their plates are already full. He thinks what we are doing now is just fine. It works and when the meetings are getting recorded and when people want the information, it is there.

Breyen said when reading through the statute he didn't see any reference to video recordings. It only references written and text, so it is not clear to him if the City is meeting the statute.

Reighard said that the statute references the meetings that they are taking action at. At workshops the Council is not taking action. Budget meetings the Council is not taking action. We are doing the citizens a great favor by now having an audio/video and audio recordings.

Pilon said it is important on how we they make their decisions from workshops and budget meetings. He thinks it is important for people to see how they deliberate and come to final decisions.

Reighard said that the City Clerk said that the notes she takes at the workshops are for her reference to obtain the additional information that the Council is requesting to make decisions at the meetings. Those workshops are typically 2.5 times longer than the Council Meetings; how much more of her time is going to be taken to publicize the minutes. He thinks staff time is better used somewhere else.

Rainville said because they don't have a copy of the statute, it is going to be difficult for her to make a decision. She asked if he would be willing to pull his motion and provide the statute so they have a chance to review it.

Breyen withdrew his motion.

h). **RCA – Start time for all Council/Committee Meetings – Breyen made a motion to have all the meetings start at 7:00 PM. Rainville seconded.** Reighard said that the reason they start the workshops at 5:30 is because those meetings tend to run a lot longer. They have sometimes gone until 11:00 PM. He said if they change the workshop time, he would rather remove the workshop all together.

Breyen said that part of the intention of requiring more information be provided for on a Request for Council Action Form, there would be less need for lengthy discussion on items.

Reighard said there are 5 different opinions, there is always going to be discussion.

Bettinger said that he has been on the Council for two years and has not received any complaints on this. He said that they are having the exact same discussion, and maybe even longer, than the discussion they had for the workshop. The workshop did not serve a purpose to get anything accomplished. Maybe they should look at their format and have two Council Meetings instead. He said the 5:30 time for the workshop is fine and he hasn't seen any complaints. **Three in favor of Breyen's motion; Reighard and Bettinger Opposed. Motion carried.**

i). **Bass Lake – Tax Forfeited property- Does the City want to acquire property? – Rainville made a motion to accept the offer from Anoka County; Breyen seconded.** Bettinger doesn't think the City has any use for the property. He thinks that it would be better to go to the abutting property owners.

Reighard said it would be nice to know if any neighbors would be interested in this. If the county isn't pushing, do we need to make a decision right away? Have staff to contact the County and find out the process and if the State would attempt to sell the property to the neighboring properties first.

Rainville withdrew her motion.

Pilon made a motion to direct staff to contact the neighboring property owner to see if there is any negotiating, with the County, in obtaining the property. If there is not, bring this issue back to the Council; Breyen seconded. All in favor; motion carried.

j). **End of the Year Transfer of Funds – Road and Bridge Fund to equipment fund – Rainville made a motion to table the transfer of funds until after the Council Strategy Session; Breyen seconded.** Bettinger said that this has been tabled time and time again.

Reighard said that both the Road and Bridge Equipment and Road Improvement Funds are underfunded and he doesn't see any reason why transferring the funds is an issue.

Pilon would say specifically, if the City has a Capital Improvement Plan, how do they plan on funding it. That should be very specifically directing funds accordingly, that's assuming what to do with what is determined as excess funds. If you look at the Cash Control report right now, how much would you determine, without policy, should be rolled over? It is uncertain how much money they are talking and the other aspect is, if they are going to have a Capital Improvement Plan for equipment, it should include how they are funding it. If they have a Road Plan, it should include how they are going to be funding that. They can say that some of the funds can roll over to assist in that, but right now it is very vague. How much and what other accounts need to have reserves. When this has come up, there has never been a specific plan. They just keep hearing the Road and Bridge say, "let's do this".

There has never been a specific plan of what they are doing, how much and what they are going to do once they get the money over to the fund.

Breyen's concern is what the total dollar amount is, is 50/50 the right split and is it possible that some of those funds can go to other areas like replacing the HVAC system in the City Hall. To him it needs discussion.

Bettinger said that staff had figured that amount out and it was around \$76,000. That was what is left over from last month's budget that was unspent. We are under budget now, so there wouldn't be any shortages. If you go over budget in the future, you can always transfer money back into the fund. It doesn't have to stay there. Bettinger said there is a real deficiency in our Capital Improvement Fund for equipment and roads and that is where the money should be spent. Not a HVAC system for City Hall. Our roads need to be taken care of and in dire need of help. If the roads don't get help soon, they will have to go back to gravel. We need to fund our roads. It should have been done through tax levies, but that has not been done. There were also many years that the equipment fund had zero dollars put into it. That was before he was elected onto Council. When he got elected, the Council was only putting \$25,000 into the Road Improvement Fund. You cannot do anything for \$25,000. These funds are underfunded. If we have some left over revenue, that is where the money should be placed. We should be planning our future for our City. Transportation is everything for businesses and for residents to get to and from work every day.

Pilon said that Bettinger has only been on Council for two (2) years and the Road and Bridge Committee. He keeps on saying the Council isn't doing anything, but where is the proposal from Road and Bridge to split \$75,000 two (2) ways. When Bettinger says that \$25,000 doesn't do anything, well \$38,000 doesn't either. Where is the plan that has come out of Road and Bridge. Something that shows; what needs to be done, what is the priority and here is what the Council needs to

fund. They haven't heard any of that. They just continue to just say that nothing is being done.

Bettinger said that is very untrue. The City Engineer just updated the ratings and the cost estimates and reprioritized our roads.

Pilon said that the Road and Bridge Committee didn't even have the study.

The Council had the engineer update it and they did a tentative look at Old Viking Blvd. and Rogers Lake. Not one proposal came out because we didn't have any money. There is a lot of work as to what they want to do as a Council. Where does this fit in?

Bettinger said the Road Study done by the engineer is the City's plan and we are not funding it. The plan has been there for years. One was done before he was on the City Council and it has never been funded. The Road and Bridge Equipment and the Road Improvement Funds have been underfunded and to blame that on the Road and Bridge Committee is wrong. They want to overlay roads and such, but the money isn't there. The committee wanted to do Old Viking Blvd. this year, but the money isn't there. When the Council voted to add more money to the Road Improvement Fund and the Equipment Fund this year; Pilon voted against it.

Pilon doesn't recall an actual proposal coming before them. He knows there was discussion and statements that there was no money, so we can't do it. He doesn't see a recommendation saying this road because of traffic or because of the condition or that the general study was discussed.

Three in favor to table the transfer of funds; Reighard and Bettinger opposed. Motion carried.

k). Nowthen Lions Ice Fishing Contest – Use of City Staff for plowing/garbage – Rainville made a motion to approve the request from the Nowthen Lions for use of City staff for plowing and garbage removal for the Nowthen Lions Ice Fishing Contest on February 4, 2017; Bettinger seconded. All in favor; motion carried.

l). Offer to purchase Lot 1 Block 2 Update– Jason Regenscheid – Rainville made a motion to approve the purchase agreement from Jason Regenscheid in the amount of \$78,400 for the purchase of Lot 1 Block 2, Burns Town Center; Bettinger seconded. Bettinger thinks after paying off the deficit fund balance, we should put the remaining money in a fund for future improvements. All in favor; motion carried.

m). Donation of safe – Donate safe in City Hall to the Historical Society — Rainville made a motion to table the donation of safe and direct staff to work with the individual who is qualified to move the safe and have it

moved to the basement until the floors are redone; Pilon seconded. Pilon will check with the Historic Society and see if they would consider us just lending them the safe. **All in favor; motion carried.**

n). **Strategy Session** – Pilon said that they did do this a few years ago and they had a template that was used. They had a half a day session at the Anoka County Government Center. The idea is the big picture. How do they communicate effectively, the big picture for Nowthen. Identify the roles and what the Council is responsible for and what the staff is responsible for. He has a template that came from the League of MN Cities. It defines who does what and where the overlap is. The attempt is to provide vision without micromanaging. The intension is to go through the template and determine the big picture items the Council wants to go through in the next couple of years. Then they can better provide direction to staff without having to manage every detail. It would be the only thing on the agenda.

Bettinger feels the meeting should be held at the City Hall, not at the Government Center. Since they changed their meeting times to 7:00 PM, this would also need to be at 7:00 PM.

Pilon said that this would be a special meeting for the purposes of strategic planning.

Reighard would like to see an agenda and what the topic items are. Depending on what is being discussed, what staff needs to be present. It all depends where he wants to go with this. There may or may not be staff that should be a part of it.

Pilon withdrew his motion at this time until he comes up with more details.

o). **Approve Newly Elected Officials Conference – Dan Breyen – Rainville made a motion to approve Dan Breyen to attend the Newly Elected Official Conference; Pilon seconded. All in favor; motion carried.**

9). **Introduction of New Items:** No new items were introduced.

Bettinger made a motion to adjourn the meeting at 9:34 PM; Rainville seconded. All in favor; motion carried.

Respectively submitted by:

Corrie LaDoucer, City Clerk

Mayor Jeff Pilon