



# BLACKDUCK CITY COUNCIL WORK SESSION

MONDAY MAY 22<sup>nd</sup>, 2017 6:00PM

## WORK SESSION MEETING MINUTES

---

**CALL TO ORDER:** The City Council of the City of Blackduck met in a scheduled work session at the City Hall at 6:00 p.m. on May 22<sup>nd</sup>, 2017.

**Roll Call**

**Councilors present:** Mayor Patch, Councilors Molnar, and Kolb

**Councilors Absent:** Stade

**Staff Present:** City Administrator, Christina Regas

**Others Present:** none

The meeting was called to order at 6:00pm the Pledge of Allegiance was not recited.

Topics covered in the work session were as follows:

**1. OLD BUISINESS –**

**a. Blackduck Road & Infrastructure Projects –**

**i. Submitted letters to the DNR & TAP** – Regas updated council on the letters sent to the DNR and TAP regarding turning back the awarded funds for the Blackduck Trail Phase 2. Regas reported she received a phone call from Luane Tasa. Tasa wanted to confirm again that the City of Blackduck wanted to turn the funds back to the respective entities. Regas reported to Tasa the City understood that the City commitment above the awarded funds would be too high to put on the residents and agreed to put the project on hold. Tasa then informed Regas that turning back the funds would not affect the City negatively in the future if the City were to apply for TAP funding again. Tasa recommended the City notate the reason for the fund returns on the next application. Nothing further at this time.

**ii. Summer Road Project Timeline** – Regas reported the City heard from Beltrami County that Gladens timeline would be put off until June 12<sup>th</sup>. Gladens has delays on a project in North Dakota. Nothing further at this time.

**b. Capital Improvement Plan** – Regas had nothing new to report on the CIP from WSN since the City Council Meeting.

**c. Paperless Packets** – Regas reported she reached out to the school about the Chromebooks, and Nate Lien will get back to the City. Regas stated that Beltrami IT was also notified. Regas wants to confirm if the server would work with the Chromebooks or other platforms. Mayor Patch stated that it doesn't have to be a Chromebook; it could be iPads, depending on what works best. Regas stated many Cities are using a Dropbox account for the council packets. Regas stated what is nice about Apple hardware is that you can put Microsoft software on Apple Hardware but you cannot put Apple software on Microsoft hardware. Regas stated if the City choses to move forward she would like it to be user friendly for the councilors.

**d. Vacant Committee Seats –**

**i. City of Blackduck Council Seat** – Regas reported that Kris Stade will be moving and turning in a resignation letter in June. Regas reported requesting Stade to be present through the July council meeting. Regas reported Stade could not



# BLACKDUCK CITY COUNCIL WORK SESSION

MONDAY MAY 22<sup>nd</sup>, 2017 6:00PM

## WORK SESSION MEETING MINUTES

---

confirm if he could be present in July. Regas stated that having a council at 3 members or less is not a good thing. Regas recommended having an urgency to find more interested residents to sit as a council member. Nothing further

- ii. Kitchigami Regional Library Board – Regas stated that the City may want to consider offering a stipend to a resident to sit on the Library Board since Blackduck has the longest drive. The Library Board reimburses the members for their mileage. Mayor Patch stated that Jane Patch has interest in sitting on the board. Regas reminded the council that the Blackduck board position has been vacant since 2012. Regas recommended the council consider a \$100 stipend to the board member that can go to the meetings. Councilor Kolb asked if that would be minus the mileage. Regas stated that the stipend would be paid for by the City of Blackduck because the mileage is paid for by Kitchigami. Councilor Kolb stated he believes \$100 is a large amount. Councilor Kolb stated that the per diem is to offset your travel, once subtracting the 4 hours of travel that is a high amount to pay. Councilor Kolb suggests a \$50 stipend instead. Regas stated that when someone travels that person gets paid their travel time. Kitchigami only reimburses mileage, not time. Councilor Kolb does not feel a stipend of \$100 is necessary. Regas asked for suggestions on how to fill the board position. Councilor Kolb asked if the City must have the seat filled. Regas stated yes. Councilor Kolb recommended a \$50 stipend again. Regas asked if there are councilors that would sit on the board just for the mileage before opening up the seat to a non-councilor. Councilor Molnar stated she would take the seat for just the mileage; however, she already takes time away from her job to sit at council, and cannot commit more time. If the council has no problem nominating a non-council resident and paying a stipend for 2018 meetings, then Regas will reach out to Jane Patch and ask for a letter of interest for council to approve at the June 5<sup>th</sup>, meeting. Nothing further at this time.
- iii. Park & Trail board – Regas had nothing to report for the park & trail board position.
- e. **Local Sales Tax** – Regas reported she had nothing new to report on sales tax. Mayor Patch stated he has done nothing on the sales tax topic as the City plan would be coinciding with the Capital Improvement Plan when it is completed. Regas will post the topic under the CIP going forward. Nothing further at this time.
- f. **TG Sales & Service Sewer tap fees** – Regas reported that the City had not heard from the business owners since the City Council meeting. The City has had no payment from the business owners. Mayor Patch stated he has had no communication regarding the sewer tap fee with the business owners. Regas stated that the business owners have their letter from March. Councilor Kolb asked if a follow-up letter could be sent. Regas stated yes. Nothing further.

## 2. NEW BUSINESS –

- a. **Ordinance Revisions** – Regas stated that the submitted ordinance changes stemmed from the recommendation of the Police Chief after reviewing some of the penalty fees attached to the City Code. Chief Grangruth is recommending the City make the penalties more in line with state statute.



# BLACKDUCK CITY COUNCIL WORK SESSION

MONDAY MAY 22<sup>nd</sup>, 2017 6:00PM

## WORK SESSION MEETING MINUTES

---

- i. **2017-01 – Chapter 7 Section 730 “Traffic Regulations”** – Regas stated the §700.03 “Stop Intersections” is being repealed because it is repetitive with §720.07 “Stopping and Yielding”. Councilor Kolb asked if §700.06 through §700-10 were already in existence. Regas stated yes, the reason for any changes was to apply a different penalty amount to the ordinance.
- ii. **2017-02 – Chapter 11 “Licensing” Section 1120 “Beer, Wine, and Liquor General Provisions”** – Regas stated the main change to this Ordinance was expanding on §1120.06 “Sale to Minors” Regas stated that is it being reworded to “Intoxicating Liquor Sale to Minors”. The current section included Subdivision 1 but not Subdivision 2 “Conduct Prohibited” & subdivision 3 “Penalty”. Regas stated that Chief Grangruth investigated the necessary changes and found a model to use from the City of Bemidji. Regas stated that Bemidji has an ordinance that includes liquor sale to minors, beer sale to minors, and wine sale to minors all separate. Regas asked Chief Grangruth if the three types could all be lumped together. Chief Grangruth stated yes. Mayor Patch asked if 3.2% is still considered intoxicating. Regas stated she believes it is different. Councilor Kolb asked if the City needed to have all three separate. Councilor Kolb stated the Bowling Alley has a 3.2% Alcohol on sale license. Councilor Kolb stated that by changing the ordinance in this manner the City is making it appear like the bowling alley can serve 3.2% Alcohol to kids now. Councilor Kolb believes that the way it is written more people could read into it. Mayor Patch stated that the bowling alley must abide by state law also. Councilor Molnar recommended adding 3.2% Alcohol to the list of liquor sale to minors to avoid any issues. It was recommended that the City change Section §1120.06 to read “Alcohol sales to minors” to cover any alcoholic beverage. Regas will consult the State statute and resend the changes to the City Attorney. Nothing further.
- iii. **2017-03 – Chapter 13 “General Offenses”** – Regas stated that the Chapter is needed to codify all the General Offenses ordinances into one chapter. Councilor Kolb asked if all the ordinances were new. Regas corrected by stating that the ordinances existed however they were not codified into one chapter. Regas stated the is one ordinance that is new and that is §1300.07 “Disorderly Conduct”. Regas stated it was never adopted. Councilor Kolb asked if “Disorderly Conduct” is being thrown into Littering. Councilor Kolb is referencing §1300.07 subd. 1.9. Regas and Mayor Patch stated that it was considered disorderly conduct to do so.  
Councilor Kolb questions §1300.06 “Skateboarding Regulations” if the conduct prohibited could be allowed with Summit and Main Street are so close to the School. Kolb recommended changing that ordinance. Mayor Patch asked if it can be revised. Councilor Molnar asked if it could be revised so that the ordinance can be used only if the skateboarding becomes a nuisance. Regas asked council if the council is questioning the conduct or the ordinance. Councilor Kolb stated we should not prohibit rollerblading but skateboarding should have restrictions. Mayor Patch stated that the ordinance gives the City some teeth if the skateboards are to become a nuisance. Councilor Kolb stated the ordinance is too vague. Regas recommended getting Chief Grangruth involved in revising the Skateboard regulations. Mayor Patch believes the



# BLACKDUCK CITY COUNCIL WORK SESSION

MONDAY MAY 22<sup>nd</sup>, 2017 6:00PM

## WORK SESSION MEETING MINUTES

---

ordinance is in place to protect the health and safety of the public walking on the sidewalk. Councilor Kolb stated that vehicles not giving him right of way while he is running on the road could be the same issue as a skateboarder on the sidewalk with a person walking. Councilor Molnar stated we don't drive vehicles on the sidewalk. Kolb stated no, but you drive them on the road. Molnar stated the purpose of the ordinance is to prevent skateboards and roller skates on the sidewalks where people are walking. Kolb states the way the ordinance is currently written the City wants no skateboards or roller skates to touch the roads or sidewalks on Summit or Main. Regas wants Chapter 13 codified, so the Police Department can uphold the penalties. Regas will try to revise the skateboarding ordinance before the June 5<sup>th</sup> meeting. Nothing further.

- iv. **2017-04 Chapter 7 Section 730 "ATV's and Golf Carts"** – Regas submitted a revision of Section §730 entitled "ATV's and Golf Carts" to make the City of Blackduck more ATV friendly. Regas informed council that there is an ATV club being formed in the Blackduck area and representatives met with the City Public Works and Police recently to revise the City Ordinance to allow safer travel through Blackduck on ATV's and create a designated ATV trail through Blackduck.

Regas presented to council a revision of the current ordinance for discussion. Regas highlighted the changes made and asked for questions. Regas stated most of the changes were made to §730.03 "Restrictions" which would become §730.04 "Operation Requirements & Restrictions". Councilor Kolb asked where the trail is located the club is trying to designate. Regas stated it is unknown at this time. Councilor Kolb stated that with the changes to the ordinance the city is now allowing the ATV's to be run on our roads minus the 150 yards of any public recreational area or gathering of people. Mayor Patch questioned §730.04.J stating that 150 yards is too much space if ATV's have to cross past the Pond and cross State Hwy 71. Patch asked for clarification. Regas stated a public recreational area would be the Wayside Rest. Kolb and Patch both noted that 150 yards is too much space to limit. Regas suggested changing §730.04.J to 100 feet. Patch and Kolb both recommended 100 feet. Regas stated that Chief Grangruth reviewed the revisions and had no issues with the ordinance changes. Regas further stated that she will discuss the concerns of the council with Chief Grangruth and not recommend the Ordinance be revised at the June 5<sup>th</sup> meeting. Councilor Kolb wants clarification of a gathering of people. Molnar suggested a birthday party. Regas asked Councilor Kolb for his definition. Kolb stated when you are outside have a party then that is a public gathering. Kolb would like the Police Chief's definition. Molnar stated she feels the intent is someone having a birthday party or a wedding in the park, you would not want to have 30 ATV's running past you. Kolb stated he feels the same way if he is having people at his residence. Patch stated that is not a public gathering but a personal gathering. Molnar thinks it is private land vs. public land. Kolb asked if a dirt bike is considered an ATV. Regas stated not by state statute, an ATV has more than 2 wheels. Kolb just wants to be as thorough as possible. Regas will speak with Grangruth and confirm the distance and get back to council and defining a gathering of people. Nothing further.



# BLACKDUCK CITY COUNCIL WORK SESSION

MONDAY MAY 22<sup>nd</sup>, 2017 6:00PM

## WORK SESSION MEETING MINUTES

---

- b. **Revision of Resolution 2017-01 “Schedule of fees”** – Regas reviewed the fees that would be changed after the ordinance revisions are made. Changes to be made include:
- i. Having a 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> Offense to Animals running at large instead of one fee;
  - ii. Fee for Dangerous Animals will be increased to \$60. Kolb asked if Dangerous animals are breed related and Regas stated no.
  - iii. Public Nuisance affecting Peace and Safety most concerning loud parties will be changed to \$60. Kolb asked if the City has a lot of these. Regas stated she did not know.
  - iv. The fee for U-Turns will be lowered to \$20. Kolb asked if the City has a lot of them, Regas stated in her opinion yes. Kolb asked why lower it if there are a lot of them. Regas stated that would be a question that the Chief could answer better. Regas stated the Chief believes the \$50 exceeds what the state statute penalty is. Kolb agreed but questioned why the City should have the fee. Regas stated she couldn’t answer that question.
  - v. The fee for a Water connection should be listed at \$25 this ordinance is already in existence.
  - vi. The fee for a load discharge to the holding ponds will be \$25. The City is restricting the number of contractors that are doing this and the City is forming a policy to support it. No further questions.
- c. **Updates on Upcoming Construction in the City** – Regas reported the following construction in the City this summer:
- i. Whelan Properties broke ground last Thursday for the apartment building;
  - ii. Frenzel Construction Inc. is building 2 single family homes this summer;
  - iii. Dollar General’s building permit was approved for building this summer;
  - iv. Property owners of 189 Main will be requesting a variance for setbacks to build on the existing footprint of the home after removing the old home. Mayor Patch asked if they are taking advantage of the Deed money and Regas stated no as they are rebuilding vs. remodeling.
  - v. Mayor Patch asked about the Paul Bunyan Telephone house. Regas stated that the home will be removed and then a telecommunications building is being moved in it its place.
- d. **2016 City Audit** – Regas reported that Miller McDonald may have the financial report at the June meeting if not the July at the latest. Nothing further.
- e. **Budget Meetings** – Regas reminded that the budget meetings will begin in August. Nothing further.
- f. **Agenda Reminders for Council** – Regas reminded council how the meeting agenda would look with the planning commission needing a public hearing prior for the variance request prior to the regular council meeting convening. Nothing further.
3. **ADJOURN** – Council adjourned their work session at 7:30pm.

---

Christina Regas, City Administrator

---

Rudy Patch, Mayor