



# BLACKDUCK CITY COUNCIL MEETING

MONDAY JUNE 5<sup>TH</sup>, 2017 6PM

REGULAR COUNCIL MEETING MINUTES

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**CALL TO ORDER:** The City Council of the City of Blackduck met in Regular Session at Blackduck City Hall at 6:00p.m. June 5<sup>th</sup>, 2017. Meeting called to order by Mayor Patch and the Pledge of Allegiance was stated.

**ROLL CALL:**

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

**Councilors Absent:** none

**Staff Present:** City Administrator Christina Regas, Police Chief Jace Grangruth, Public Works Supervisor Bob Klug, and Brandon Carlson WSN, Ernie Tindell, Kurt Benson, Bob Klug Sr. (Planning Commissioners), and Kevin Hand

**Others Present:** none

**APPROVAL OF AGENDA** – Councilor Stade requested an addition under administrator’s report after submitting for review Councilor Stade’s resignation letter for City Council. Moved by Councilor Molnar and seconded by Councilor Stade to approve the agenda with addition to the administrator’s report. Motion carried unanimously.

**CONSENT AGENDA** – Moved by Councilor Stade and seconded by Councilor Molnar to approve the consent agenda as submitted:

- a. May 8<sup>th</sup>, 2017 Council Meeting Minutes
- b. May 10<sup>th</sup>, 2017 Blackduck Development Corporation Meeting Minutes
- c. May 17<sup>th</sup>, 2017 Planning Commission Meeting Minutes
- d. May 18<sup>th</sup>, 2017 Golf Board Meeting Minutes
- e. May 22<sup>nd</sup>, 2017 Council Work Session Meeting Minutes
- f. March 16<sup>th</sup>, 2017 Kitchigami Regional Library Meeting Minutes
- g. May 2017 Fund Balance Report
- h. May 2017 Bills
- i. YTD May 2017 Income Statements
- j. May 2017 Month End Remittance Report
- k. April 2017 LG216 Lawful Gambling Monthly Rent Report
- l. June 2017 Final Approval of Part time seasonal hires
- m. Revolving Loan Fund Satisfaction of Mortgage – Beck’s Auto Service

Motion carried unanimously.

**CLOSE THE PUBLIC MEETING** – Moved by Councilor Kolb and seconded by Councilor Stade to close the public meeting at 6:04pm and open the special planning meeting. Motion approved.

**SPECIAL PLANNING MEETING** – Commissioners Klug, Benson, and Tindell present.



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**CLOSE THE SPECIAL PLANNING MEETING & OPEN THE PUBLIC HEARING** – Moved by Commissioner Benson and seconded by Commissioner Tindell to close the special planning meeting at 6:05pm and open the public hearing. Motion approved unanimously.

## **PUBLIC HEARING** –

1. Application for Variance #2017-01 Carli Hand – Regas reviewed the application for variance, including the setback need and hardship created for the construction of a home and garage on the property at 189 Main Street.
  - a. Public Comment – Commissioner Klug asked for public comment. No one was present from the public to speak. Mayor Patch asked if the same setbacks as what the existing home is now on will be adhered to. Regas stated yes. The current home is setback only 15.5' from Main Street and 10' from Northern Ave. No further comments.
2. Application for Land Use Permit #2017-07 Carli Hand – Regas reviewed the application for land use on 189 Main Street North.
  - a. Public Comment – Commissioner Klug asked for public comment. No further comments.
3. Adjourn the Public Hearing – Motion by Commissioner Tindell and seconded by Commissioner Benson to adjourn the public hearing at 6:07pm. Motion approved unanimously.

**RE-OPEN THE SPECIAL PLANNING MEETING** – Motion by Commissioner Tindel and seconded by Commissioner Benson to re-open the special planning meeting at 6:08pm. Motion carried unanimously.

1. Recommendation to Blackduck City Council –
  - a. Application for Variance #2017-01 – Moved by Commissioner Benson and seconded by Commissioner Tindell to recommend the City Council of Blackduck approve the application for variance application #2017-01 as submitted. Motion approved unanimously.
  - b. Application for Land Use Permit #2017-07 – Moved by Commissioner Benson and seconded by Commissioner Tindell to recommend the City Council of Blackduck approve the application for land use application #2017-07 as submitted. Motion approved unanimously.

**ADJOURN THE SPECIAL PLANNING MEETING** – Moved by Commissioner Benson and seconded by Commissioner Tindell to adjourn the special planning meeting at 6:10pm. Motion carried unanimously.

**RE-OPEN THE PUBLIC MEETING** – Motion by Councilor Stade and seconded by Councilor Molnar to reopen the public meeting at 6:10pm

## **PLANNING COMMISSION RECOMMENDATION TO COUNCIL** –

1. Application for Variance #2017-01 & Application for Land Use Permit #2017-07 – Moved by Councilor Stade and seconded by Mayor Patch to take the planning commission recommendation and approve variance application 2017-01 & land use permit application 2017-01. No discussion. Motion carried unanimously.



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## **BLACKDUCK FORUM –**

No one present to speak.

## **BLACKDUCK ROAD PROJECTS –** Brandon Carlson, WSN

- a. Summit and Main Road Projects – Carlson was present to speak regarding the infrastructure projects. Carlson reported Marks will come in on the 12<sup>th</sup> and begin to reclaim the roads. Marks and Gladens plan to be all remobilized into the City and begin the underground on June 14<sup>th</sup>. Carlson did not know if Summit and Main would be reclaimed at the same time, but could confirm that Frontage would not be reclaimed until Marks is prepared to work on it. Once Summit and Main are completed then they will move to Frontage Road. Regas stated the first construction meeting would be slated for June 15<sup>th</sup> at City Hall.

## **PUBLIC WORKS REPORT –** Bob Klug Jr., Public Works Supervisor

- b. Wastewater Load Discharge Policy – Klug submitted for council review a policy to allow discharge of a septic truck into the City holding ponds. The City needs a policy to allow the discharge. Klug stated that he and Regas have been creating a license application for an annual permit fee of \$100; and per load discharge fee ticket of \$25; together with the policy.  
Moved by Councilor Kolb and seconded Mayor Patch to approve the Policy for Wastewater Load Discharge. Further discussion by Councilor Stade asked if the charges were on par with other communities. Klug reported that MN Rural Water stated that Cities are not in the business of allowing this service. It will be a courtesy to allow it. If the MPCA would come and check the City and they did not have a policy it would not be allowed. Councilor Kolb asked who would be in charge of making certain that the water that is dumped is acceptable. Klug stated he would be responsible. Klug stated that prior to implementing a policy the City only charged \$15 a load. Now the City will have a policy. Councilor Kolb asked if the permit would be annually. Regas stated yes. Klug stated he does not believe there will be many businesses that will take advantage of it. Councilor Kolb asked if there is a specific time when the City will not accept the water. Regas stated there is in the policy restrictions. Councilor Kolb asked if there is an issue with the water will there be a fine. Klug stated that the permit holder needs a permit from the MPCA. Councilor Kolb asked if the water can be tested. Klug stated that it would take two weeks to receive results. Klug further stated that the permit holders should only be pumping residential waste. Councilor Kolb asked what lakes the City is pushing the water into. Klug stated the holding ponds are owned by the City and located north of the Golf course. Regas stated they are not actual lakes. Councilor Kolb asked if the pond will hold multiple dumps. Klug stated yes the ponds are 5 acres each. Mayor Patch called for a vote on the motion. Hearing no further discussion. Motion carried unanimously.
- c. Certification of Commendation from MPCA – Mayor Patch presented Klug with a certification of commendation from MPCA for achieving successful qualifications for the Blackduck Wastewater Treatment Plant. Nothing further.

## **LIQUOR STORE REPORT –** Shawnda Lahr, Liquor Store Manager

No report submitted.



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### **LAW ENFORCEMENT REPORT** – Jace Grangruth, Police Chief

- a. Chief Grangruth reported that the trainings he attended in May were very good. Grangruth has an ALICE training in July. Nothing further.

### **FIRE DEPARTMENT REPORT** – Brian Larson, Fire Chief

No report submitted.

### **GOLF COURSE REPORT** – Jim Andersen, Golf Course Superintendent

No report submitted.

### **LIBRARY REPORT** – Alayna Nestberg, Head Librarian

No report submitted

### **ADMINISTRATOR’S REPORT** – Christina Regas, City Administrator

- a. Ordinance #2017-01 – Moved by Councilor Stade and seconded by Mayor Patch to approve Ordinance #2017-01 An ordinance amending Chapter 7 entitled “Traffic Code” as to City Code section 700 “Traffic Regulations” to repeal section 700.03 entitled “Stop Intersections”. Discussion by Regas requested clarification by Chief Grangruth to comment to the reasons for repealing section 700.03 as Chief Grangruth believed it to be repeated in another ordinance. Klug asked if it is repeated word for word. Klug stated that §700.03 gives the City the right to designate intersections with stop signs if needed. Klug stated he does not believe §700.03 has anything to do with moving violations. Chief Grangruth stated that he believed it was listed in the ordinance as a fineable offense. Chief Grangruth stated that §700.03 is listed in the administrative citations as a fineable offense of which it is not. Chief Grangruth stated that after reviewing it closer he believes §700.03 should not be repealed but should be removed from the citation flyer. Regas recommended Mayor Patch call for a vote on the motion. Mayor Patch called for a roll-call vote on the motion. The votes are as follows: Councilor Molnar: nay; Councilor Stade: nay; Mayor Patch: nay; Councilor Kolb: nay. Motion fails.
- b. Ordinance #2017-02 – Moved by Mayor Patch and seconded by Councilor Kolb to approve Ordinance #2017-02 An ordinance amending Chapter 11 entitled “Licensing” as to city code section 1120 entitled “Beer, Wine, and Liquor General Provisions” to add section 1120.06 entitled “Intoxicating Liquor and 3.2% Alcohol Sale to Minors”. Councilor Kolb noted §1120.06 sub.2.9 and asked if no minors are allowed in the Pond without a parent or guardian. Regas stated yes. Mayor Patch called for a vote on the motion. Hearing no further discussion. Motion carried unanimously.
- c. Ordinance #2017-03 – Moved by Mayor Patch and seconded by Councilor Molnar to adopt Ordinance #2017-03 – an ordinance amending the city code codifying Chapter 13 entitled “General Offenses” and adopting ordinance 1300.06 entitled “Disorderly Conduct”. No discussion. Motion carried unanimously.
- d. Resolution #2017-01 Revised – Motion by Councilor Molnar and seconded by Councilor Stade to approve Resolution 2017-01 revision a resolution adopting a schedule of fees and charges for various services, licenses, and permits for the City of Blackduck, MN. Discussion by Regas highlighted the changes. Hearing no discussion. Mayor Patch called for a vote on the motion. Motion carried unanimously.
- e. Reminder June 19<sup>th</sup>, 2017 next Council Work Session



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- f. Reminder July 5<sup>th</sup>, 2017 next Council Meeting
- g. Resignation Letter from Councilor Stade – Moved by Mayor Patch and seconded Councilor Kolb to accept Councilor Stade's resignation due to relocating out of the City of Blackduck. Discussion by Councilor Stade stated he enjoys being part of the City Council and thanks the City for giving him the opportunity to serve. Hearing no further discussion Mayor Patch called for a vote on the motion. Motion carried unanimously.

## **COMMUNITY EVENTS/GOOD THINGS HAPPENING –**

- a. Blackduck Development Corporation Meeting – June 14<sup>th</sup>, 2017
- b. Blackduck Planning Commission Meeting – June 21<sup>st</sup>, 2017
- c. Blackduck Chamber Meeting – June 21<sup>st</sup>, 2017 @ Restaurant 71

**OTHER NEW BUSINESS** – No new business.

**ADJOURN** – Moved by Councilor Stade and seconded by Mayor Patch to adjourn the meeting at 6:40pm. Motion carried unanimously.

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Christina Regas, City Administrator

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Rudy Patch, Mayor