

**REGULAR MEETING OF THE PARKERS PRAIRIE CITY COUNCIL**  
**MONDAY, OCTOBER 21, 2019**  
**7:00 PM**

**MEETING MINUTES**

**Council Members in Attendance:** Mayor Kevin Birkholz, Council Members Linda Martinson Bates, Tony Woodworth, Sandy Froemming, and Greg Larson.

**City Staff and other Representatives in Attendance:** Clerk-Treasurer Beth Wussow, Maintenance Supervisor John Potratz, Event Center Manager Brit McCallson, City Engineer Jeremy Anderson, City Attorney Tom Jacobson, Parkers Prairie Independent Editor Jen Marquardt, and St. William's Living Center Representative Mike Libby.

**7:00 pm Pledge of Allegiance and Call to Order.**

**Additions or Corrections to the Meeting Agenda:** *Motion was made by Bates* to approve the meeting agenda as presented. The motion was seconded by Woodworth, and carried unanimously.

**Public Hearing on the Request by St. William's Living Center to Re-zone a portion of Block 4:** *Motion was made by Larson* to recess the regular meeting and to begin the Public Hearing. The motion was seconded by Froemming, and carried unanimously. The Public Hearing began at 7:04. Mayor Birkholz invited any members of the public to speak on the request. Hearing no comments, *motion was made by Larson* to close the Public Hearing and reopen the recessed regular meeting. The motion was seconded by Woodworth, and carried unanimously. The Public Hearing was closed at 7:08 pm.

**Consent Agenda. Items on the Consent Agenda were:**

- Special City Council Meeting Minutes from September 16, 2019
- Regular City Council Meeting Minutes from September 16, 2019
- Contractor's Pay Estimate #5 for 2019 Projects, Payable to Central Specialties
- Resolution #2019-22: Winter Road Maintenance Agreement with Otter Tail County
- Acceptance of Resignation of Deputy Clerk Courtney Smith
- Acknowledgement of Engagement Letter from Abdo, Eick, & Meyers for 2019 Year-End Audit Services
- Approval to Set New Liquor Licensee (Thousand Lakes Brewery) Public Hearing for November 18, 2019 at 7:00pm

*Motion was made by Bates* to accept the meeting agenda as presented. The motion was seconded by Froemming, and carried with unanimous consent.

**City Maintenance Updates:** Potratz reported that he had ordered new tires for the maintenance pick-up. He stated that new tires were also needed on a City snow plow, and would be \$490 apiece installed by Dick's Standard. *Motion was made by Bates* to allow John to purchase four tires at \$490 each. The motion was seconded by Froemming, and carried unanimously. John then requested permission to sell the 1995 Chevy K3500 maintenance pick-up with Boss plow. *Motion was made by Woodworth* to put the plow truck up for bids. The motion was seconded by Larson, and carried unanimously. Council requested to open bids at the November 18<sup>th</sup> regular meeting.

**Natural Gas Conversion of Prairie Event Center and City Hall Generator:** Wussow presented estimates, submitted by Ellingson and All-Seasons Heating & AC, for conversion to natural gas from LP gas. Council opined that, with the currently low rates of LP gas, the City would *not* see enough of a savings to justify the cost of conversion this year. No action was taken on the item, but Council requested to revisit the item in one year.

**Fire Department Updates:** Woodworth reported that a heat shield was purchased for the new fire truck at a cost of \$2,500, and that new turn-out gear had been ordered for the new PPF members.

**Prairie Event Center Updates:** McCallson reported that there had been some challenges to obtaining a license to hold BINGO at the Event Center, but that she hoped to begin the BINGO nights in November. Froemming stated the importance of good communication, and the importance of conducting correspondence via email instead of texting whenever possible.

**Planning Commission:** *Motion was made by Woodworth* to recess the regular City Council meeting to open the meeting of the Planning Commission. The motion was seconded by Froemming, and carried unanimously. The planning commission recommendations were following:

- **Request by School District #547 to rezone parcel number 7500099035001 (413 South Douglas Avenue).** *Motion was made by Larson* to recommend to the Council approval of Resolution #2019-21, a Resolution Adopting Findings of Fact and Reasons for Denying Application of Independent School District No.547 to Rezone 413 South Douglas. The motion was seconded by Birkholz, and carried with unanimous consent.
- **Request by St. William's Living Center to re-zone parcel numbers 75000990110000, 75000990112000, and 75000990111000 in Block 4 from R-1 (single family residential) to R-2 (medium density residential).** Jacobson stated that, if Council was inclined to approve the request, the re-zone would need to be treated as a Zoning Ordinance Amendment. *Motion was made by Larson* to recommend that the Council accept the application for the re-zone request from R-1 to R-2, and to have the Ordinance Amendment drafted for Council to consider at the November 18<sup>th</sup> meeting. The motion was seconded by Froemming, and carried unanimously.
- **Conditional Use Permit Request by St. William's Living Center for construction of multi-unit housing.** As the Conditional Use Permit could not be obtained until the completion of the re-zoning process, no action was taken on the C.U.P. request.

*Motion was made by Woodworth* to close the Planning Commission meeting, and resume the recessed regular City Council meeting. The motion was seconded by Froemming, and carried with unanimous consent.

**Council Action on Planning Commission Recommendations:**

- **Request by School District #547 to rezone parcel number 7500099035001 (413 South Douglas Avenue).** *Motion was made by Larson* to accept the Planning Commission's recommendation to accept Resolution #2019-21 as printed (denying the School District's re-zone request). The motion was seconded by Woodworth, and carried with unanimous consent.
- **Request by St. William's Living Center to re-zone parcel numbers 75000990110000, 75000990112000, and 75000990111000 in Block 4 from R-1 (single family residential) to R-2 (medium density residential).** *Motion was made by Larson* to accept the Planning Commission's recommendation to accept the re-zone request from R-1 to R-2, and to direct the City Attorney to draft the Ordinance Amendment to be considered at the November 18<sup>th</sup> Council meeting (considered as a "first reading"). The motion was seconded by Woodworth, and carried unanimously.
- **Conditional Use Permit Request by St. William's Living Center for construction of multi-unit housing in Block 4.** Council directed Wussow to plan the Public Hearing for St. William's Conditional Use Permit request to take place at the November 18<sup>th</sup> Council meeting. If Council chose to do so, it could then approve the C.U.P. request contingent upon the approval of the "second reading" of the Ordinance Amendment at the December 16<sup>th</sup> meeting. No further action was taken on the item.

**City Engineer's Updates:** Jeremy Anderson reported that the **2019 utility and street improvements** were close to completion, with only a few small items to address (signs, mailboxes, etc.). Anderson reminded Council that the Safe Routes to School bid opening would take place on Wednesday, October 23. Anderson planned to make the bid award recommendation at the November 18<sup>th</sup> Council meeting. Council then discussed some **proposed changes to the sidewalk** planned for the east side of McCornell Avenue beginning at County Road 38 (nearest to the Event Center). Council opined that the proposed placement of the sidewalk on that side of the street would create issues with snow removal. Council agreed that steps should be taken to change the plans to eliminate a portion of the sidewalk on the east side.

**Resolution #2019-23: A Resolution Appointing a Representative to the Parkers Prairie Natural Gas Commission.** *Motion was made by Larson* to appoint the Mayor of Parkers Prairie as the representative to the Parkers Prairie Natural Gas Commission (Resolution #2019-23). The motion was seconded by Woodworth, and carried with unanimous consent.

**Annual Membership Contributions.**

- **West Central Initiative:** *Motion was made by Larson* to make a contribution to West Central Initiative in the amount of \$500 for 2019 membership, and \$600 for the 2020 membership. The motion was seconded by Bates, and carried unanimously.
- **Otter Tail Lakes Country Magazine:** *Motion was made by Larson* to accept the "Clam Digger" membership package (for 2020) at \$3,000, with no additional advertising. The motion was seconded by Bates, and carried unanimously. Woodworth suggested asking the Convention & Tourism Bureau to reimburse half of the cost of the membership.

**Request to Transfer (gift) Vacation Time to a Full-Time Employee.** At the September meeting, Council had directed Attorney Jacobson to research the feasibility of allowing the transfer of earned vacation hours from one full-time employee to another. Jacobson stated that the IRS has made certain provisions for the donation of Sick Time to another employee, but that there were tax complications when it came to the transfer of vacation hours. In addition, such a practice may promote favoritism and have other negative consequences in the workplace. Council decided against not allowing the practice, therefore no action was taken on the item.

**Consideration of the City Water Service Reconnect Fee:** The City's fee schedule had been amended at the September meeting to allow for a water service reconnect fee of \$50.00. In further discussion, Council questioned whether the \$50.00 covered actual cost to dig down to access the water valve, especially in winter months when the ground is frozen. *Motion was made by Larson* to set the water reconnect fee at \$50.00 plus the actual City staff time will be billed to the home owner. The motion was seconded by Froemming, and carried unanimously.

**Deputy-City Clerk Position Vacancy.** With the resignation of Deputy-City Clerk Courtney Smith, Council considered posting for a replacement. Wussow clarified that the position was part-time, and was rated at a Pay Grade 7. *Motion was made by Larson* to advertise for the Deputy-City Clerk position. The motion was seconded by Woodworth, and carried unanimously.

**City Personnel Policies.** A revised draft of the City Personnel Policies, prepared by Attorney Jacobson, was presented. *Motion was made by Woodworth* to accept the Personnel Policy. The motion was seconded by Larson, and carried with unanimous consent.

**Disbursements.** The following disbursements were presented for Council consideration:

**Payments in September**

- ACH #002632E was skipped (no payment under this #)
- ACH Checks #002633E through #002640E
- Written Checks #34658 through #34713
- Voided Checks #34698, #34702, #34703, #34710 – all due to error in printing

**Payments in October**

- Written Checks #34714 through #34762

*Motion was made by Bates* to approve the disbursements. The motion was seconded by Froemming, and carried unanimously.

**Adjourn.** *Motion was made by Woodworth* to adjourn the meeting. The motion was seconded by Larson, and carried unanimously.

Respectfully Submitted,

Attest:

  
Beth Wussow  
Clerk-Treasurer

  
Kevin Birkholz  
Mayor

**PARKERS PRAIRIE CITY COUNCIL  
MONDAY, OCTOBER 21, 2019  
SPECIAL MEETING 6:00 PM**

**MEETING MINUTES**

**Council Members in Attendance:** Mayor Kevin Birkholz, Council Members Sandy Froemming, Linda Martinson Bates, Greg Larson, and Tony Woodworth.

**Others in Attendance:** Clerk-Treasurer Beth Wussow, City Attorney Tom Jacobson, and Dyan Ebert (Attorney with Quinlivan & Hughes, P.A.)

**6:00 pm Pledge of Allegiance and Call to Order**

**Opening Statement.** Mayor Birkholz read the following statement:

*Minnesota law requires that most meetings of city councils be open to the public. One exception to that rule is that Minnesota Statute 13D.05, Subdivision 3(b) allows city councils to close all or part of a meeting to have discussions that are protected by the attorney-client privilege. Tonight, the Parkers Prairie City Council needs to discuss with its attorneys the litigation strategy to be applied in a lawsuit that has been brought against the City by Lori Peterson. Therefore, if it is the Council's wish to close this part of the meeting for that purpose, I would entertain a motion to that effect.*

**Motion was made by Larson** to close the meeting pursuant to Minnesota Statute 13D.05 Subdivision 3(b). The motion was seconded by Froemming, and carried unanimously.

**Closed Session:** Council discussed with attorney Ebert litigation strategy in the case Peterson vs. the City of Parkers Prairie. Details of this discussion are protected by attorney-client privilege.

**Re-Open Meeting.** At 6:55 pm, **motion was made by Froemming** to re-open the special meeting. The motion was seconded by Bates, and carried unanimously.

**Adjourn.** At 6:56 pm, **motion was made by Woodworth** to adjourn the special meeting. The motion was seconded by Larson, and carried with unanimous consent.

Respectfully Submitted,



Beth Wussow  
Clerk-Treasurer

Attest:



Kevin Birkholz  
Mayor