

REGULAR CITY COUNCIL MEETING ~ DECEMBER 18, 2017

1. **CALL TO ORDER**

The regular City Council meeting of the City of Little Falls was called to order by Council President Hanfler on Monday, December 18, 2017, at 7:33 p.m. Councilmembers Hircock, Gosiak, Liljegren, Knafla, Hanson, Council President Hanfler, and Mayor Zylka were present. Councilmember Lundberg was absent. It was determined there was a quorum.

2. **APPROVAL OF AGENDA**

Council President Hanfler amended the agenda by adding items 9.q., 9.r. and 9.s. Motion was made by Councilmember Hircock, seconded by Councilmember Liljegren to approve the agenda of December 18, 2017, as amended. Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

3. **APPROVAL OF MINUTES**

Motion was made by Councilmember Knafla, seconded by Councilmember Hanson to approve the City Council minutes of the special meeting of December 4, 2017; and the regular meeting of December 4, 2017, as presented. Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

4. **APPROVAL OF BILLS**

Motion was made by Mayor Zylka, seconded by Councilmember Gosiak to approve the bills totaling \$138,932.83 for check numbers 97649 through 97730. Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

5. **AWARDS, DONATIONS, PRESENTATIONS, AND PROCLAMATIONS**

a. **Presentation**

1. **Retirement, Brian Anderson, Volunteer Firefighter** – Mayor Zylka presented Brian Anderson with a Certificate of Appreciation for his many years of service as a Volunteer Firefighter.

6. **CONSENT AGENDA**

Motion was made by Councilmember Gosiak, seconded by Councilmember Knafla to take the following action on Consent Agenda items a. through h.:

- a. Received and placed on file the Airport Commission minutes of October and November 2017; and
- b. Received and placed on file the Animal Control report for November 2017; and
- c. Received and placed on file the Heritage Preservation Commission minutes for December 2017; and
- d. Received and placed on file the Housing and Redevelopment Authority minutes of November 2017; and
- e. Received and placed on file the Public Works report for November 2017; and
- f. Affirmed the rescheduled regular City Council meetings in 2018 due to legal holidays; and
- g. Received and placed on file the Wastewater Treatment Facility report for November 2017; and
- h. Received and placed on file the Water Treatment Facility report for November 2017.

Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

7. **PUBLIC HEARINGS AND LETTINGS**

8. **OLD BUSINESS**

a. **Ordinance No. 4, Seventh Series, Amend City Code Chapter 7, Streets and Sidewalks Regulations; and Chapter 11, Land Use Regulations, Zoning** [Introduced 12/04/17] – Councilmember Hircock moved for the adoption of Ordinance No. 4, Seventh Series, an Ordinance Amending City Code Chapter 7, entitled “Streets and Sidewalks” and City Code Chapter 11, entitled “Land Use Regulations, Zoning”, by amending the Sections Relating to Small Wireless Facilities. Councilmember Hanson seconded the motion for adoption. On a roll call vote; Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: Lundberg [absent]. Council President Hanfler then declared said Ordinance No. 4 to have received the majority vote of the City Council and the same to have been duly passed approved and adopted.

b. **Ordinance No. 4A, Seventh Series, Summary Publication of Ordinance No. 4, Seventh Series** – Councilmember Hanson moved for the adoption of Ordinance No. 4A, Seventh Series, an Ordinance Authorizing the Summary Publication of Ordinance No. 4, Seventh Series, Relating to Small Wireless Facilities. Councilmember Knafla seconded by the motion for adoption. On a roll call vote; Ayes: Gosiak, Zylka, Hanfler, Liljegren, Knafla, Hanson, and Hircock. Nays: Lundberg [absent]. Council President Hanfler then declared said Ordinance No. 4A to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

c. **Signage Request, Zion Lutheran Church** – Motion was made by Councilmember Liljegren, seconded by Councilmember Hircock to accept the recommendation of the Public Works Director and authorized the relocation of two handicapped parking stalls from Fifth Street Northeast to Third Avenue Northeast adjacent to Zion Lutheran Church. Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

9. **NEW BUSINESS**

a. **Interview Committee Recommendation, Matt Streit, Assistant Wastewater Superintendent** – Motion was made by Councilmember Hanson, seconded by Mayor Zylka to accept the recommendation of the Interview Committee and appointed Matt Streit Assistant Wastewater Superintendent effective January 1, 2018, at the wage established in the Labor Agreement of the American Federation of State, County and Municipal Employees. Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

b. **Memorandums of Agreements, Unions, Health Insurance** – Motion was made by Councilmember Gosiak, seconded by Councilmember Knafla to approve Memorandums of Agreements with the American Federation of State, County and Municipal Employees; International Union of Operating Engineers, Local 49; Law Enforcement Labor Services; and Minnesota Association of Professional Employees, regarding Health Insurance, effective January 1, 2018. Ayes: Hircock, Gosiak, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Abstention: Zylka. Motion carried.

c. **Planning Commission Recommendations**

1. **Variiances, Aaron and Becky Olson** – Motion was made by Councilmember Hanson, seconded by Mayor Zylka to accept the recommendation of the Planning Commission and approved a variance requested by Aaron and Becky Olson, 601 Southeast Second Street, to construct an addition to the north and south sides of their existing dwelling with an 11 foot front property line setback and a 17 foot rear property setback and a 4 foot side yard setback lot line; with no conditions and based on the findings of fact as listed in the December 13, 2017, Planning Commission report as submitted by Zoning Administrator Ben Oleson. Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

Motion was then made by Councilmember Hircock, seconded by Councilmember Liljegren to accept the recommendation of the Planning Commission and approved the after-the-fact variance as requested by Aaron and Becky Olson, 601 Southeast Second Street, to allow for a 6 foot tall fence within approximately 6 feet of intersecting street right-of-way lines, with no conditions and based on the findings of fact as listed in the December 13, 2017, Planning Commission report as submitted by Zoning Administrator Ben Oleson. Council President Hanfler requested a roll call vote; Ayes: Hircock, Zylka, Liljegren and Knafla. Nays: Gosiak, Hanfler and Hanson. Motion carried.

2. **Ordinance No. 5, Seventh Series, Amend City Code Chapters 7 and 11** – Motion was made by Councilmember Gosiak to accept the recommendation of the Planning Commission, and introduced Ordinance No. 5, Seventh Series, an Ordinance Amending City Code Chapter 5, entitled “Streets and Sidewalks”, and Chapter 11, “Land Use Regulations, Zoning”, by addressing errors or conflicting language indicated during codification review and to replace existing regulations regarding development and land use within floodplain areas with updated language consistent with state law.

3. **Ordinance No. 5A, Seventh Series, Summary Publication of Ordinance No. 5, Seventh Series** – Councilmember Hanson introduced Ordinance No. 5A, Seventh Series, an Ordinance Authorizing the Summary Publication of Ordinance No. 5, Seventh Series, to Reflect the Updates to Minnesota Statutes 237 Regarding “Small Wireless Facilities” and correct missing language and amend City Code, Chapter 11, adding requirements for condition use permits, establishing rules, regulations, penalties and processes for conditional uses and variances.

d. **Resolution 2017-77, Establish 2018 Fee Schedule** – Councilmember Hircock introduced and moved for the adoption of Resolution 2017-77, a Resolution Establishing the Fee Schedule for 2018. Councilmember Hanson seconded the motion for adoption. On a roll call vote;

Ayes: Hanfler, Liljegren, Knafla, Hanson, Hircock, Gosiak, and Zylka. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-77 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

e. **Resolution 2017-78, Establish Water, Wastewater, Garbage, Recycling and Stormwater Rates** – Councilmember Hanson introduced and moved for the adoption of Resolution 2017-78, a Resolution Establishing Water, Wastewater, Stormwater, Garbage and Recycling Fees [Option A] for 2018. Mayor Zylka seconded the motion for adoption. On a roll call vote; Ayes: Liljegren, Knafla, Hanson, Zylka, and Hanfler. Nays: Hircock, Gosiak and Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-78 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

f. **Resolution 2017-79, Accept Feasibility Report and Call for Public Hearing, Fifth Street Northwest** – Councilmember Gosiak introduced and moved for the adoption of Resolution 2017-79, a Resolution Accepting the Feasibility Report and Calling for a Public Hearing on the Proposed Surface and/or Utility Improvements on Fifth Street Northwest between Third and Fourth Avenues Northwest on Tuesday, January 16, 2018, at 7:30 p.m. in the Council Chambers. Mayor Zylka seconded the motion for adoption. On a roll call vote; Ayes: Knafla, Hanson, Hircock, Gosiak, Zylka, Hanfler, and Liljegren. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-79 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

g. **Resolution 2017-80, Accept Feasibility Report and Call for Public Hearing, Fifth Street Northwest** – Councilmember Hircock introduced and moved for the adoption of Resolution 2017-80, a Resolution Accepting the Feasibility Report and Calling for a Public Hearing on the Proposed Surface and/or Utility Improvements on Fifth Street Northwest between Fourth and Fifth Avenues Northwest on Tuesday, January 16, 2018, at 7:30 p.m. in the Council Chambers. Councilmember Liljegren seconded the motion for adoption. On a roll call vote; Ayes: Hanson, Hircock, Gosiak, Zylka, Hanfler, Liljegren, and Knafla. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-80 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

h. **Resolution 2017-81, Accept Feasibility Report and Call for Public Hearing, Eighth Street Southeast** – Mayor Zylka introduced and moved for the adoption of Resolution 2017-81, a Resolution Accepting the Feasibility Report and Calling for a Public Hearing on the Proposed Surface and/or Utility Improvements on Eighth Street Southeast between Trunk Highway 27 and Fifth Avenue Southeast on Tuesday, January 16, 2018, at 7:30 p.m. in the Council Chambers. Councilmember Hircock seconded the motion for adoption. On a roll call vote; Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-81 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

i. **Resolution 2017-82, Accept Feasibility Report and Call for Public Hearing, Edgewood Road** – Councilmember Gosiak introduced and moved for the adoption of Resolution 2017-82, a Resolution Accepting the Feasibility Report and Calling for a Public Hearing on the Proposed Surface and/or Utility Improvements on Edgewood Road between Riverwood and a point approximately 1,000 feet easterly of Riverwood on Tuesday, January 16, 2018, at 7:30 p.m. in the Council Chambers. Councilmember Hanson seconded the motion for adoption. On a roll call vote; Ayes: Gosiak, Zylka, Hanfler, Liljegren, Knafla, Hanson, and Hircock. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-82 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

j. **Resolution 2017-83, Accept Feasibility Report and Call for Public Hearing, Front Street** – Councilmember Liljegren introduced and moved for the adoption of Resolution 2017-83, a Resolution Accepting the Feasibility Report and Calling for a Public Hearing on the Proposed Surface and/or Utility Improvements on Front Street between Trunk Highway 27 and Wood Street; and on Wood Street between First Avenue South and a point approximately 200 feet northerly of First Avenue South, on Tuesday, January 16, 2018, at 7:30 p.m. in the Council Chambers. Councilmember Knafla seconded the motion for adoption. On a roll call vote; Ayes: Zylka, Hanfler, Liljegren, Knafla, Hanson, Hircock, and Gosiak. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-83 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

k. **Resolution 2017-84, Appoint Commissioner of Transportation Agent, Federal Aid Participation, Little Falls/Morrison County Airport** – Councilmember Knafla introduced and moved for the adoption of Resolution 2017-84, a Resolution Appointing and Designating the Commissioner of the Minnesota Department of Transportation as Agent for the City of Little Falls/Morrison County Airport. Councilmember Hircock seconded the motion for

adoption. On a roll call for vote; Ayes: Hanfler, Liljegren, Knafla, Hanson, Hircock, Gosiak, and Zylka. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-84 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

l. **Resolution 2017-85, Decertify Tax Increment Financing District 1-23, Highland Court Townhomes** – Councilmember Gosiak introduced and moved for the adoption of Resolution 2017-85, a Resolution Approving the Decertification of Tax Increment Financing District 1-23, Central Minnesota Housing Partnership Project [Highland Court Townhomes]. Councilmember Hanson seconded the motion for adoption. On a roll call vote; Ayes: Liljegren, Knafla, Hanson, Hircock, Gosiak, Zylka, and Hanfler. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-85 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

m. **Resolution 2017-86, Internal Loan Funding, ABS** – Councilmember Hircock introduced and moved for the adoption of Resolution 2017-86, a Resolution Approving the Terms of an Internal Loan in Connection with Tax Increment Financing District 1-40, [ABS Supply]. Mayor Zylka seconded the motion for adoption. On a roll call vote; Ayes: Knafla, Hanson, Hircock, Gosiak, Zylka, Hanfler, and Liljegren. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-86 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

n. **Resolution 2017-87, Internal Loan Funding, DJ Products** – Councilmember Hanson introduced and moved for the adoption of Resolution 2017-87, a Resolution Approving the Terms of an Internal Loan in Connection with Tax Increment Financing District 1-39, [DJ Products]. Councilmember Liljegren seconded the motion for adoption. On a roll call vote; Ayes: Hanson, Hircock, Gosiak, Zylka, Hanfler, Liljegren, and Knafla. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-87 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

o. **Resolution 2017-88, Reestablish Polling Places** – Mayor Zylka introduced and moved for the adoption of Resolution 2017-88, a Resolution Reestablishing the Polling Places for 2018 Elections and thereafter until changed. Councilmember Knafla seconded the motion for adoption. On a roll call vote; Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: Lundberg [absent]. Council President Hanfler then declared said Resolution 2017-88 to have received the majority vote of the City Council and the same to have been duly passed, approved and adopted.

p. **Resignation of Jason Spillum, Cable TV Review Board** – Motion was made by Mayor Zylka, seconded by Councilmember Hanson to accept the resignation of Jason [Jay] Spillum from the Cable TV Review Board effective immediately, thanked him for his many years of service on the Board, and further instructed Mayor Zylka to find a replacement to fill the unexpired term of January 31, 2019, on the Board. Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

q. **Support of Otter Exhibit, Pine Grove Zoo** – Motion was made by Councilmember Gosiak, seconded by Councilmember Hircock to support the Friends of Pine Grove Zoo in the efforts to construct an otter exhibit, provided the otters are not purchased/obtained if captured in wild, at Pine Grove Zoo and per the Management Agreement with the Friends of Pine Grove Zoo, the City will provide a capital improvement commitment to them for up to \$109,000 for the purchase of the glass for said exhibit. Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

r. **Intern, Wastewater Treatment Facility** – Motion was made by Councilmember Hanson, seconded by Councilmember Hircock to authorize an internship as requested by Steve Hartzell at \$12.00 per hour, with National Joint Power Alliance reimbursing the wages, at the Wastewater Treatment facility for up to 16 weeks. Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

s. **Trunk Highway 27 Memorial Bridge Modeling, Short Elliot Hendrickson** - Motion was made by Mayor Zylka, seconded by Councilmember Liljegren to approve a Supplemental Letter Agreement with Short Elliot Hendrickson Inc., prepare a 3D computer model and animation/video tour of the proposed Trunk Highway 27 Memorial Bridge Grade Separation Project, at a cost not to exceed \$5,000, to be charged to the Project. Ayes: Hircock, Gosiak, Zylka, Hanfler, Liljegren, Knafla, and Hanson. Nays: none. Motion carried.

10. CITY COUNCIL REPORTS ON CITY AUTHORITIES, BOARDS, COMMITTEES, AND COMMISSIONS

11. **ANNOUNCEMENTS**

Mayor Zylka reviewed correspondence from the Coalition of Greater Minnesota Cities regarding funding from the Minnesota Department of Transportation.

12. **ADJOURNMENT**

Council President Hanfler adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Wendy J. Zylka