

**PERHAM CITY COUNCIL
REGULAR MEETING MINUTES
May 14, 2012**

The regular meeting of the Perham City Council was called to order by Mayor Meehl at 5:15 pm in the Council Chambers of the City Administration Building at 125 Second Avenue NE, Perham, Minnesota, all members of the Council having been duly notified of the meeting and the business to be transacted. All Council Members were present.

Staff present: City Manager Klemm, Public Works Director Meece, Finance Officer Stokke, EDA Director Johnson, Fire Chief Schmidt, Police Chief Hoaby and Administrative Assistant Nundahl.

Others present: City Engineer Berube, Building Official Neisen, City Attorney Happel

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Meehl requested all in attendance to rise for the Pledge of Allegiance.

CITIZENS CONCERNS

Mayor Meehl requested those present to rise if they wanted to address the Council.

MAY IS MINNESOTA MUSEUM MONTH

Mayor Meehl recognized representatives from area museums who were on-hand to discuss the importance of museums to our community. Lina Belar introduced the President, Marcia Davis and Vice President Karen Crabtree. Governor Dayton proclaimed the month of May as Museum Month. This will be an annual event and will include all museums including history, veterans and the arts. The State of Minnesota has six hundred plus museums which brings over three hundred million dollars in revenue to the State. The City of Perham is home to two great museums, the History Museum of East Otter Tail County and the ITOW Veterans Museums. The representatives requested Council consider designating May as Minnesota Museum Month.

Mayor Meehl stated the proclamation is on the Consent Agenda and will be approved later in the meeting. Mayor Meehl thanked those who attended the meeting.

Mayor Meehl recognized Brian Walz who lives 404 5th Street NW. Mr. Walz stated they have experienced more and more semi-truck traffic especially since the KLN trailer lot was constructed adjacent to their home. Walz questioned how the trailer lot was established in a residential zone and questioned if the City has a noise ordinance. Walz also stated that the noise level is so loud that the house shakes and things fall off the wall.

City Manager Klemm stated that the City owns this property and in turn, Tuffy's has had a lease for this property for several years. Arvig also leases a portion of that property for their tower. The City allowed the trailer lot because it was grandfathered in. Mr. Walz stated he is not opposed to the lot, but would hope that the situation can be improved, maybe with some sort of screening and possible signage detailing the truck route. Discussion ensued. It was noted that this item would be discussed at the next Public Works and Safety Meeting.

APPROVAL OF AGENDA

Mayor Meehl stated Council Members and Staff may add items to the Agenda which requires Council action. Mayor Meehl stated Fire Chief Schmidt requested Council consider authorizing the purchase of the 800 MHz Radio System.

On a motion by Council Member Lehmkuhl, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved the agenda with the addition of the above noted item.

CONSENT AGENDA

Mayor Meehl stated all items listed with an asterisk (*) will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event, the item will be removed from the general order of business and considered separately in its normal sequence on the agenda.

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council approved the Consent Agenda as presented.

***APPROVAL OF MINUTES**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council approved the minutes of the Regular Meeting of the Council held on April 9th, minutes of the Special Council Meeting held on April 18th, and Board of Review Minutes on May 2nd, 2012.

APPROVAL FOR PAYMENT OF CITY CLAIMS

Finance Officer Stokke requested the Council consider two additional claims; JK Sports for \$2,000 and MPCA in the amount of \$2,480. Stokke also stated US Energy in the amount of \$375,360.34 needed to be pre-paid.

On a motion by Council Member Johnson, seconded by Council Member Lehmkuhl and carried without a dissenting vote, the Council approved payment of City Claims in the amount of \$1,611,313.57 for the month of April 2012.

2012 TOURISM BUDGET

Mayor Meehl stated Council may wish to approve the 2012 Budget as provided by the Tourism Board. Council Member Johnson stated this budget is based on the previous years' revenue so they will be authorized to spend \$30,000 out of the actual budget of \$48,500. Following the second quarter, they will determine if revenue is on track prior to being able to spend the balance

of \$18,500. Discussion ensued.

On a motion by Council Member Johnson, seconded by Council Member Mattfeld and carried without a dissenting vote, the Council approved the 2012 Marketing Budget.

***LADY SLIPPER GARDEN CLUB**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council authorized the use of BN Park on Saturday, June 2 to Lady Slipper Garden Club for a plant sale. The sale will start at 8:00 and will continue until sold out.

***PERHAM TURTLE FEST/ARVIG EVENT**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council authorized the closure of 2nd Avenue SW on Thursday, June 21 for events planned by Arvig in conjunction with Turtle Fest.

***KINSHIP/FUNDRAISING EVENT**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council authorized the use of Paul Miller Park to be used in conjunction with a fundraising event scheduled for July 7th for Kinship.

***TEMPORARY 3.2 LIQUOR LICENSE**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council approved a 3.2 Liquor License for Perham Lions for Turtle Fest events scheduled for June 22 and 23, contingent upon all fees and legal requirements being met as required by the City.

***PROCLAMATION/MAY IS MUSEUM MONTH**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council authorized the Mayor to sign a Proclamation declaring May as Minnesota Museum Month.

***ACCEPTANCE OF PERHAM LAKESIDE GOLF CLUB INCOME STATEMENT**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council accepted PLGC's Income Statement for March 2012.

***ACCEPTANCE OF PERHAM AREA COMMUNITY CENTER'S FINANCIAL REPORTS**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council accepted PACC's Financial Reports for March 2012.

***ACCEPTANCE OF THE CITY'S FINANCIAL REPORTS**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council accepted the following reports for April, 2012: Cash Balance and Investment Summary, Budget Summary – Revenue and Expense, Enterprise Financials and Utility Aging Report.

AMENDING ZONING ORDINANCE

Mayor Meehl stated Council may wish to consider amending the zoning ordinance requiring building permits for the construction/installation of fences. Council Member Lehmkuhl stated the City has had a couple of property owners constructing fences that are not in compliance with the current building code. The Planning Commission is recommending Council consider amending the ordinance to read that the installation of fences will need a building permit. At this time, there will be no charge for the permit, but property owners will be told what they can and cannot do prior to installing the fencing. Discussion ensued.

On a motion by Council Member Lehmkuhl, seconded by Council Member Mattfeld and carried without a dissenting vote, the Council approved Ordinance NO. 336 entitled "An Ordinance Amending Ordinance 286 Regulating Land Use (Zoning)".

***ACCEPTANCE OF THE BUILDING PERMIT REPORT**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council accepted the Building Permit Report for April 2012.

CITY ENGINEER MONTHLY UPDATE

Mayor Meehl requested the City Engineer to give an update on various projects.

Third Street Northwest and Lake Avenue

City Engineer Berube stated the Correction and Completion List was sent to the Contractor on April 20th. The Contractor has indicated that they will be starting the work in late May or early June and will return when the paving contractor is here. The project must be completed by June 30th.

Fifth Avenue Southeast

City Engineer Berube stated turf along Fifth Avenue has been laid and will need to be verified prior to the closeout of the project. A Correction and Completion List was sent to the Contractor on April 20th and he is working with the paving contractor to determine the schedule. The project must be completed by June 30th. Council Member Lehmkuhl questioned what the condition of the grass in the Fairgrounds noting he has heard some complaints. Council Member Spencer stated up until this week, the weather was not warm enough for the seed to grow. This past week, temperatures have risen and the grass is taking hold. City Engineer Berube confirmed this and stated he will stay on top of this matter.

LIQUOR ORDINANCE

Mayor Meehl stated Council may wish to consider approving an ordinance regarding the sale of alcohol. City Manager Klemm stated in 2007, the City adopted the League of Minnesota's sample liquor ordinance and when this was codified, some of the old ordinances were not deleted causing some confusion. The proposed ordinance contains the procedures the City currently follows, and specifically states all other liquor ordinances are repealed. Discussion ensued.

On a motion by Council Member Lehmkuhl, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved Ordinance No. 337 entitled “ An Ordinance Regulating The Possession, Sale And Consumption Of Intoxicating And 3.2 Percent Malt Liquor Within The City Of Perham, Minnesota”.

DRUG PARAPHERNALIA ORDINANCE

Mayor Meehl stated Council may wish to consider adopting a Drug Paraphernalia Ordinance. City Manager Klemm stated the City of Moorhead led the way for other cities. Their ordinance was challenged in court and was upheld. The proposed ordinance is based off of Moorhead's ordinance.

Police Chief Hoaby stated he reviewed the ordinance which references state statute but is more in-depth. Discussion ensued.

On a motion by Council Member Johnson, seconded by Council Member Spencer and carried without a dissenting vote, the Council approved Ordinance No. 338 entitled “An Ordinance Regulating Drug Paraphernalia, Perham, Minnesota”.

***EMERGENCY OPERATIONS PLAN**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council approved the Search and Rescue Section of the Emergency Operations Plan.

***TRAIL CONNECTIONS PROGRAM**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council accepted a grant from the Trail Connections Grant Program for funding of the Wildflower Trail and the Wellness Trail and approved Resolution No. 2012 - 20 entitled “Resolution In The Matter Of Accepting Grant For DNR Local Trail Connections Program”.

***TREE REMOVAL/TREE PLANTING GRANT**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council accepted a grant from Minnesota Department of Natural Resource for funds to assist with planting trees to replace storm damaged trees and boulevard trees in Clearwater Estates and approved Resolution No. 2012 – 21 entitled “Resolution In The Matter Of Accepting Grant For Tree Removal And Replanting Or Planting For Diversity”.

***2012 SEAL COATING**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council accepted the apparent low bid for the 2012 Seal Coating

Project and approved Resolution No. 2012 – 22 entitled “Resolution In The Matter Of Awarding Contract And Authorizing Improvements For The 2012 Seal Coat Project”.

***MINNESOTA TOWARD ZERO DEATHS PROGRAM**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council accepting a radar system from the Department of Traffic Safety’s Toward Zero Deaths Program to be mounted in the Police Squad Car.

***ACCEPTANCE OF THE MONTHLY POLICE REPORT**

On a motion by Council Member Mattfeld, seconded by Council Member Spencer and carried without a dissenting vote, the Council accepted the Monthly Police Report for April 2012.

PURCHASE OF 800 MHZ RADIO SYSTEM

Mayor Meehl stated Council may wish to authorize the purchase of 800 MHZ Radios for the Perham Fire Department. Fire Chief Schmidt stated staff applied for and received a FEMA Grant which included nine communities in East Otter Tail County. The grant is for \$572,934 and the City is the host. When the radios are received, the other communities will be billed for their share of the costs. The deadline for ordering the radios are June 2nd, after that, we will no longer receive the state discount. Discussion ensued. It was noted, at this time, there is discussion whether the radios are taxable or not.

On a motion by Council Member Lehmkuhl, seconded by Council Member Mattfeld and carried without a dissenting vote, the Council approved the purchase of 800 MHZ Radios in conjunction with the FEMA Grant.

INFORMATION AND ANNOUNCEMENTS

EMS Week is May 20 through May 26

Firemen’s Workshop is scheduled for May 30th at 5 at Mulligans

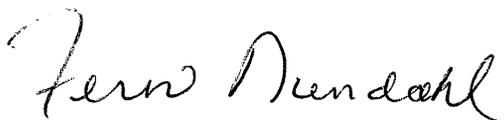
The next Regular Council Meeting is scheduled for June 11 at 5:15 pm

The Household Hazardous Waste is scheduled for Wednesday, July 25 from 10:00 to 2:00.

ADJOURNMENT

On a motion by Council Member Lehmkuhl, seconded by Council Member Johnson and carried without a dissenting vote, the meeting was adjourned at 5:49 p.m.

Respectfully submitted by,



Fern Nundahl

Administrative Assistant