

**PERHAM CITY COUNCIL  
REGULAR MEETING MINUTES  
April 10, 2017**

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. Council Members present were Meehl, Johnson, Lehmkuhl and Spencer.

Staff present: City Manager Smith, Police Chief Hoaby, Finance Officer Stokke, EDA Director Johnson, Public Works Director Meece and Administrative Assistant Hoeft.

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

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

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

**COUNCIL VACANCY**

Mayor Meehl stated that as a result of the death of Council Member Harriet Mattfeld, Council may wish to declare a vacancy and begin the process of appointing a new Council Member. The Council was given sample application packets containing general information along with the application. Applications will be accepted until the May 8 Council meeting, and depending on the number of applicants, Council can decide to appoint someone that night, schedule a Special Meeting prior to Committee of the Whole on May 31<sup>st</sup>, or wait until the June Council meeting to appoint someone.

On a motion by Council Member Johnson, seconded by Council Member Spencer and carried without a dissenting vote, the Council approved Resolution No. 2017-10 entitled "A Resolution Declaring A Vacancy" in order to move forward with the process to appoint a new Council Member.

**CITIZENS CONCERNS**

Mayor Meehl stated Council will recognize citizens who may have items for the Council. No one addressed the Council.

**SCHOENEBERGER FUNERAL HOME UPDATE/PROPOSAL**

Mayor Meehl stated Steve Sheets with Schoeneberger Funeral Home would like to give an update on the Funeral Home building project as well as propose moving the 9/11 Memorial bench from the current Schoeneberger Funeral Home site to the Veteran's Memorial at the Perham Village Cemetery. Steve Sheets updated the Council on the status of the new Schoeneberger Funeral Home building stating that brick work as well as interior work is being completed. They are optimistic that construction will be completed by the May 31<sup>st</sup> deadline when St. Henry's will be taking over ownership of the current Funeral Home site. An open house is planned for the beginning of June

where a ribbon cutting ceremony will take place. City Council members along with the public will be invited to attend. Sheets also noted that Schoeneberger Funeral Home would like to donate the 9/11 Memorial Bench located at the current Funeral Home site to the City of Perham. St. Henry's plans to use the current bench location as a playground. The bench would be moved at the expense of the Funeral Home to the Veteran's Memorial at the Perham Village Cemetery sometime in early May. Public Works Director Meece had no issues with the bench being moved to the cemetery.

On a motion by Council Member Lehmkuhl, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved Resolution No. 2017-14 entitled "Resolution In The Matter Of Accepting A Donation Of A 9/11 Memorial Bench From Schoeneberger Funeral Home, Perham, MN."

#### **APPROVAL OF AGENDA**

Mayor Meehl stated Council Members and Staff may add items to the Agenda which requires Council action.

On a motion by Council Member Spencer, seconded by Council Member Lehmkuhl and carried without a dissenting vote, the Council approved the agenda as presented.

#### **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. Council Member Lehmkuhl requested consent item #11-F Impound Lot Fence, be removed from the consent agenda for further clarification.

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

#### **\*APPROVAL OF MINUTES**

Council approved the minutes of the Regular Meeting of the Council held on March 13, 2017.

#### **APPROVAL FOR PAYMENT OF CITY CLAIMS**

Council may wish to approve payment of Prepaid and Unpaid City Claims. Finance Officer Stokke requested Council consider the following additional claims: Andy Pettow Construction in the amount of \$12,312.00; Hammers Construction in the amount of \$5,940.00; Hanson's in the amount of \$19,934.30; Hilltop Lumber in the amount of \$9,297.23; Cindee Lundin in the amount of \$4,050.00; Mark's Electric in the amount of \$19,350.00; Nova Fire Protection, Inc. in the amount of \$2,250.00; Red River Glazing Inc. in the amount of \$6,729.30; RW Stucco in the amount of \$8,994.60; Tichy Stone & Brick, Inc. in the amount of \$907.20; U.S. Energy in the amount of

\$497,386.69; and Winkels Carpet in the amount of \$37,283.71 bringing the total Unpaid Claims to \$963,200.61.

On a motion by Council Member Lehmkuhl, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved payment of Prepaid and Unpaid Claims in the amount of \$1,516,751.62 for the month of March.

**\*SOLID WASTE COLLECTION/TRANSPORTATION LICENSE**

Council approved the renewal of the Solid Waste Collection and Transportation Licenses for Waste Management of North Dakota and Steve's Sanitation of Perham subject to receipt of applicable fees and required information by the City Office.

**\*HACA TEMPORARY ON-SALE LIQUOR LICENSES**

Council approved the temporary on-sale liquor licenses applications received from the History, Arts & Cultural Association for events to be held June 3, 2017, July 13, 2017, July 22, 2017 and August 19-20, 2017.

**\*ST. HENRY'S TEMPORARY LIQUOR LICENSE**

Council approved the temporary on-sale liquor license application received from St. Henry's Catholic Church for an event to be held August 20, 2017.

**\*ARBOR DAY PROCLAMATION**

Council approved authorizing the Mayor to sign the Arbor Day Proclamation and declare May 6, 2017 as Arbor Day in Perham, Minnesota.

**\*MAY IS MUSEUM MONTH**

Council approved authorizing the Mayor to sign the Museum Month Proclamation to declare the month of May as Museum Month in Perham, Minnesota.

**\*2017 BUDGET/PERHAM LAKESIDE GOLF COURSE**

Council approved the 2017 budget for Perham Lakeside Golf Course.

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

Council accepted the PACC's Financial Reports for February, 2017.

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

Council accepted the following reports for March, 2017; Cash Balance and Investment Summary, Budget Summary – Revenue and Expense, Enterprise Financials and the Utility Aging Report.

## **VARIANCE AND CONDITIONAL USE PERMIT/ALL CREATURES VETERINARY CLINIC**

Mayor Meehl stated Council may wish to consider approving a Variance and Conditional Use Permit request for All Creatures Veterinary Clinic to allow for expansion of pet boarding facilities. The Variance request is to allow for less than the 100 foot buffer that is currently required between commercial zoning districts and residential zoning districts and to encroach five (5) feet into the 20 foot side yard setback. The Conditional Use is to allow for the expansion of the boarding facilities. Council Member Lehmkuhl explained the Planning Commission recommended the approval of the Variance and Conditional Use Permit as there was no one in attendance in opposition to the request. At the request of the neighboring apartment building owners, the Planning Commission added the requirement of an 8' privacy fence to the Conditional Use Permit as well as added insulation and hours for outside time for the dogs. All Creatures Veterinary Clinic owners David and Raeanna Covington were in attendance and owner David Covington expressed concern whether complaints made to the City would revoke their Conditional Use Permit as they will be investing a large amount of money in the building expansion. City Manager Smith explained that once the Conditional Use is approved with the conditions listed, it can't be revoked. Smith also stated that if the City receives continuous complaints, the City will request that additional conditions be met to remedy the complaints, such as additional vegetation to reduce noise levels. Building Official Neisen also stated that for the protection of the Covingtons as well as the City, the conditions of the Conditional Use Permit should be stated in the resolution.

On a motion by Council Member Lehmkuhl, seconded by Council Member Spencer and carried without a dissenting vote to approve Resolution No. 2017-11 entitled "Resolution In The Matter Of Granting A Variance To David & Raeanna Covington DBA All Creatures Veterinary Hospital Perham, Minnesota" to permit expansion of pet boarding which would require encroachment of approximately five (5) feet into the existing 20 foot side yard setback and less than the transitional yard currently required between a commercial zoning district and a residential zoning district.

On a motion by Council Member Lehmkuhl, seconded by Council Member Johnson and carried without a dissenting vote to approve Resolution No. 2017-12 entitled "Resolution In The Matter of Granting A Conditional Use Permit To David & Raeanna Covington DBA All Creatures Veterinary Hospital City Of Perham Minnesota" to allow for expansion of pet boarding services at All Creatures Veterinary Hospital. The following conditions apply: Building Addition will be constructed with foam insulation to dampen sound/noise; Dogs will be outside 7:00 a.m. to 9:00 p.m. only, four (4) at a time, and supervised at all times; An 8' privacy fence will be installed for the outdoor pet area; and excessive noise complaints will require the business owners to install additional noise blocking barriers as requested by the City Manager.

### **\*LIBRARY WINDOWS**

Council accepted a quote for 11 windows at the Library. The low quote was received from Ottertail Glass for \$2,200.00. The other quote was received from Fargo Glass & Paint Co. for \$4,900.00.

### **CITY ENGINEER MONTHLY UPDATE**

Mayor Meehl stated the City Engineer will give an update on various projects.

#### ***Coney Street East***

City Engineer Berube stated a draft correction and completion list was completed last fall for the work that was completed last year. After speaking to the contractor this spring, they have noted a few other items that they will be addressing in the future in regards to turf establishment and other general cleanup. It is anticipated that the project will be closed out in June of this year.

#### ***2015 Improvement Project (3<sup>rd</sup> Ave Southeast)***

City Engineer Berube stated after speaking to the contractor throughout the winter, it appears as though the final correction and completion items will be addressed this spring. There are various manhole covers that need to be adjusted and the contractor spoke to me about completing these in December of last year. When an official schedule is outlined, I will notify City and County staff.

#### ***Third Street Northeast***

City Engineer Berube stated bids were received this morning and will be discussed on the next agenda item.

### **THIRD ST NE/SCHEDULE ASSESSMENT HEARING**

Mayor Meehl stated Council may wish to consider scheduling the Assessment Hearing for Monday, May 8, 2017 at 5:15 p.m. for the Third Street NE project. City Engineer Berube explained that seven construction bids were received at 1:00 p.m. today. The final Engineer's Estimate for the construction phase of the project was \$2,686,200. The low bidder is Sellin Brothers, Inc. out of Hawley, Minnesota in the amount of \$1,956,107.46 for the Base Bid without funding components. Sellin's bid for the project with funding components (wage rates, auditing items, American Iron and Steel) was \$2,074,117.27. The range of bidding from the seven bidders was \$1.956 million to \$3.056 million. Based on the bid from Sellin Brothers, the funding components associated with PFA funding added slightly over 6% to the project. One other component on the bid tabulation was the Bongards Forcemain Relocation which was bid as an alternate and whether to proceed or not will be determined by Bongards. Sellin has completed multiple projects in the area throughout the years and is capable of completing the work as specified. The proposed project budget will also include various items that were not bid under this project including the pumps, panel and generator for the lift station at Seventh Avenue. These figures will be purchased separately to allow for the City to utilize the Tax Exemption Provision and will be installed during the construction. These component numbers are being finalized and will be included in the final assessment figures. The preliminary numbers calculated following the bidding illustrate that assessment figures will be lower than the originally estimated assessments. It is recommended that the City Council call for the Assessment Hearing on May 8<sup>th</sup>, utilizing the bid package with PFA

funds as the basis for the assessments, as the Legislature has yet to pass the bonding bill which would include PFA funding and it is highly unlikely to pass in time for assessment notices to be mailed to affected property owners prior to the Assessment Hearing.

On a motion by Council Member Lehmkuhl, seconded by Council Member Johnson and carried without a dissenting vote to approve Resolution No. 2017-13 entitled "Resolution In The Matter Of Calling For A Public Hearing For Proposed Assessments For Improvements On Third Street NE From First Avenue North To Seventh Avenue NE, Second Avenue NE From Second Street NE To Third Street NE, Third Avenue NE From Second Street NE To Third Street NE, Fourth Avenue NE From Second Street NE To Third Street NE, Fifth Avenue NE From Second Street NE To Fourth Street NE, Fourth Street NE From Fifth Avenue NE To Perham Egg, Second Street From Fourth Avenue NE To Fifth Avenue NE, Perham, Minnesota."

**\*TURTLE FEST 2017 SAFETY ZONE REQUEST**

Council approved a request made by the Perham Area Chamber of Commerce on behalf of the Perham Area EMS in conjunction with Otter Tail County Safe Communities Coalition for an event called Safety Zone to be held during Turtle Fest 2017 in the parking lot behind City Hall.

**\*HISTORY MUSEUM WEDDING REQUEST**

Council approved a request approved by the Parks & Recreation Board on March 28, 2017 by Holly Collom and Adam Budke for a wedding on the grounds of the History Museum on June 17, 2017 from 8 a.m. to 10:30 a.m.

**\*GARDEN CLUB USE OF NP PARK REQUEST**

Council approved a request approved by the Parks & Recreation Board on March 28, 2017 by the Garden Club for use of NP Park on June 3, 2017 from 8 a.m. to 12 p.m. for their annual plant sale.

**IMPOUND LOT FENCE**

Mayor Meehl stated Council may wish to accept a materials quote for an 8', 40 x 60 treated privacy fence for the impound lot. Council Member Lehmkuhl requested clarification of the quotes as they were difficult to understand. Public Works Director Meece clarified the quotes stating that the gate price of \$300 was included in the Hilltop Lumber quote, but a gate price of \$367.14 was not included in the Crane Johnson quote. Meece also stated that Quickrete which was included in the Crane Johnson quote will be purchased by the pallet from Mark's Fleet Supply. Overall, Meece explained that the actual quote amounts are Hilltop Lumber, \$6340.36 and Crane Johnson, \$6515.56.

On a motion by Council Member Lehmkuhl, seconded by Council Member Johnson and carried without a dissenting vote to accept the quote of \$6340.36 from Hilltop Lumber for the impound lot fence.

**INFORMATION AND ANNOUNCEMENTS**

The Local Board of Review is scheduled for Wednesday, April 26<sup>th</sup> from 1:00 to 2:00; a Council quorum is required.

Committee of the Whole is scheduled for Wednesday, April 26<sup>th</sup> at 5:15 pm

The next Regular Council Meeting is scheduled for Monday, May 8 at 5:15 pm

The Household Hazardous Waste is scheduled for Wednesday, June 28 from 10:00 to 2:00

**ADJOURNMENT**

Mayor Meehl adjourned the meeting at 5:57 pm.

Respectfully submitted by,



Heather Hoeft  
Administrative Assistant