

Approved
08/27/24



MEETING MINUTES
CITY COUNCIL
July 23, 2024

Present: Acting Mayor Dresel, Council Member Battles, Rivers and Meyers

Absent: Mayor Gustafson

Staff: City Administrator Pechman, Attorney Doran, Associate Planner Nelson, City Engineer Stanley, Parks Superintendent Zacho

Public Attendance: Leilani Freeman, Steve Koepers, Grant Prentice

REGULAR MEETING-CALL TO ORDER 6:30

Acting Mayor Dresel called the meeting to order at 6:30 p.m.

1a. "Pledge of Allegiance"

The Pledge of Allegiance was recited.

Action

1b. Roll Call

All members present.

Action

AGENDA

Acting Mayor Dresel asked if there were any additions to the agenda.

Council Member Rivers made the motion to approve the agenda, Council Member Meyer seconded, all in favor, all ayes, motion carried.

CONSENT AGENDA

3a. Minutes of June 25, 2024

Action

3b. Payment of Bills/Finance Information

Action

3c. Committee Reports

Discussion

Council Member Rivers made the motion to approve the consent agenda, Council Member Meyer seconded, all in favor, all ayes, motion carried.

Administrator Pechman stated District 3 will be having Marlys Dunne will be having a tour of the area and looking at the city's needs; probably August 5.

PUBLIC COMMENT/AGENDA PLACEMENT

Acting Mayor Dresel asked if anyone had any comments or concerns on anything which was not on the agenda.

PETITIONS, REQUESTS, COMMUNICATION

5a. K & G Prentice

Grant Prentice thanked the council for discussing the matter about the city parks I know I have stirred the hornets' nest a lot. Mr. Prentice presented a timeline of events to what has happened. He had not seen any bid requests for the mowing of the city parks. Mr. Prentice stated he has been watching Oehme for years and wondered when the opportunity would arise for someone else to take over the mowing of the city parks. Mr. Prentice stated Justin of Paradise, who he considers as a friend stated they have a no compete agreement. Mr. Prentice called Justin and asked why he was cutting the parks and was told Oehme had retired. Justin at Paradise and I, I would consider us friends we have a no compete agreement. Mr. Prentice asked Justin if the city was taking bids and was told it was signed over to Paradise. I told Justin other company's should be able to bid on it. Justin chewed me out. I called Park Superintendent Zacho she did not return my call. Mr. Prentice stated he stopped by city hall and talked to Doris, and she said she had the right to transfer the contract. The reason being Paradise came from the recommendation of the previous company. Mr. Prentice feels this is not fair. The next week he followed Paradise around and took over 35 pictures of them cutting up garbage. Some of the pictures were pretty disgusting and he cannot imagine if a 5-year-old picks up something like that. There are 2 things that are most important in lawn care those are turf and trash. This should have been dealt with promptly. On a contract like this Paradise should have hit the ground running. These are our parks, our city and there should not have been any garbage left in the parks for a company his size. Nick Olson of Mow and Snow and himself went through and did a time study on the parks. Mr. Prentice said he came up with 14 hours, Nick came up with 17 which puts the price between 85 and 100 per hour; so Oehme's price was right on the money for lawn care in this area. Mr. Prentice said he had several people give him Oehme's phone number. He had called his house explained who I was and got hung up on. I then called Oehme on his cell phone, had a short conversation and asked if they could talk the next day. The next morning, he received a text from him saying he did not want to be involved. On July 9, Paradise pulled up at Dahl Park at 7:15. I was sitting outside drinking my coffee and the mower started at 7:30 am. I felt it was retaliation from Justin. I contacted the Police and they came to talk to him. I spoke to Justin when was leaving about a customer and then Justin told him someone called the police. Mr. Prentice stated he drove away laughing. Mr. Prentice stated he is a citizen at this point, and he is very disappointed. Mr. Prentice stated he had spoken to John and the contract is over 100,000; John disagreed. Justin is over booked and can't handle more work. If I would have got these parks, they would be the best looking in the state. This needs to get done sooner. Both himself and Nick feel the contract needs to be bid by local small businesses. They figure the four-year contract is \$187,000 that is figuring 30 weeks of mowing plus the area on Highway 8 approximately 10 times per season. He is asking the council to review this and let others submit bid. I believe Justin has failed because of the garbage. I don't want to wait until November. This needs to get done sooner. Mr. Prentice said people do not want to be involved under impression contract is signed over, my money to. I can't wait to show what real lawn service is; I want my shot.

Acting Mayor Dresel stated the way it works, Oehme had recommended Paradise with time crunch in the middle of the season. The plan is to keep going and work through the process. Ms. Zacho will work on those issues to make sure they are addressed.

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Mr. Prentice stated my concern is with the up coming election year it will roll through and be forgotten. I need things defined, so I can show what I can do.

City Attorney Doran stated on the agenda a new company budget under \$34,000 for work and around \$25,000 remaining. Council had decided to finish the year out. \$25,000 budgeted and had 3 options; 1) open market, is the legal to do, 2) quotes do not need to be done; acceptance of 2 quotes is acceptable 3) council can put anything out to bid and council can use any one of the options based on dollar amounts.

Parks Superintendent Zacho state A-ffordable gave the contract to Paradise.

Acting Mayor Dresel said there was no contract signed over, but they do need to go through this. Mr. Oehme resigned and recommended Paradise to handle it now. It will go through the process at some point.

Mr. Prentice stated when is it going to be complete and would like some guarantee that this will be gone through. With this being an election year, he would like some things really defined and wanted a chance to be able to bid the job. Mr. Prentice stated the garbage is a fail, starting at 7:30 if a fail and laughing at me is just a fail. I am starting to understand. If I had gotten this work, I would have blown you away. It is up to you guys. I need to know relatively soon. I think that I have stirred the wasp nest enough.

Acting Mayor Dresel thanked him and gave the direction to staff.

PUBLIC HEARINGS

None.

NEW BUSINESS

7a. Resolution declaring vacancy

Action

Administrator Pechman stated City Staff, City Council and community have heavy hearts the news of the passing of Mayor Robert Gustafson on June 29, 2024. Bob served 15 ½ years as Mayor of Chisago City, from 1989-1990, and 2011-2024. In between terms Bob serviced as a County Commissioner serving Chisago City and neighboring communities for 18 years. A total of 33 ½ years of service to community.

Acting Mayor Dresel read through Mayor Bob Gustafson’s obituary and stated he was a great guy and will be missed; a mentor to everyone on council.

Council Member Meyer made the motion to approve resolution 24-07-01, Council Member Rivers seconded, all in favor, all ayes, motion carried.

Council Member Meyer made the motion to nominate Jeremy Dresel as Mayor until the election which will fill the remainder of the term with a vacancy to the council member Dresel seat until the election, Council Member Rivers seconded, all in favor, all ayes, motion carried.

Attorney Doran stated that will create a vacancy for a council seat.

Council Member Meyer would like to move Toby Peterfeso to the council vacancy until the end of the election cycle, Council Member Rivers seconded.

Council Member Battles stated she would like it to remain open until the election cycle.

Council Member Meyer stated he was just going off the last election cycle which he had ran for office.

Mayor Dresel stated he does not know Peterfeso and does not know if we have to fill it now.

Attorney Doran stated they do not have to fill it now but can at any time on wait until the election is done.

Administrator Pechman stated the filing has not opened yet and will on July 30 to August 13, 2024.

Mayor Dresel asked for a motion on the vote, Meyer aye, Battles nay, River's nay; motion failed.

7b. Hiring Patrick Bichner Parks II Position

Action

Administrator Pechman stated Patrick Bichner was given a conditional offer of employment. Staff is currently working on completing his background check. A final offer will be made pending the City Council approval and successful completion of the background.

Council Member Meyer made the motion to approve the hiring if background is good, Council Member Battles seconded, all in favor all ayes, motion carried.

7c. Chisago Lakes Apartments - Final Plat

Action

Associate Planner Nelson stated authorized applicant, Chris Rainmann of Kuepers Inc. submitted a final plat application to develop three buildings for an apartment complex called Chisago Lakes Apartments (CLA). The property is currently vacant. The development consists of three parcels with PID #13.00043.01, 13.00043.02 & 13.00043.03. Kuepers Inc. is proposing to create a total of 121 apartment units, garage and surface parking, a dog park, outdoor pool area, play area and a pickle ball court on the property. City Council voted to approve the Chisago Lakes Apartments preliminary plat, planned unit development with variances, 20% discounted water & sewer access charges, design review, right of way vacation of Lakewood Boulevard and rezone to R-3 for this property on 06/25/2024. The Planning Commission held a duly noted public hearing on 07/11/2024, no public comment was received. Discussion focused on the proposed apartment complex's proximity to local conveniences like Brinks Market, local banks, multiple parks with tunnel access under Highway 8 all within a walkable distance. There was also talk about the proposed amenities. Each building will house a library, fitness center, community room and on-site office management. Outside features a dog park, outdoor pool area, play area and a pickle ball court on the property. Commissioners agreed housing is needed and the proposed Chisago Lakes Apartments look nice. The Planning Commission voted to approve the final plat application to develop three buildings for an apartment complex called Chisago Lakes Apartments with city staff recommended conditions.

Council Member Meyer made the motion to approve the final plat, Council Member Battles seconded, all in favor, all ayes, motion carried.

7d. 28845 Park Place - Variance Application – request 120 day continuance

Action

Associate Planner Nelson stated Chris & Sheila Baldwin, owners of 28845 Park Place, PID 13.00394.00, have submitted a variance application for a proposed addition to the primary residence on the property.

Variances included in the application:

- Encroachment into the side yard setback.
- Expansion of a nonconforming structure in the Shoreland Overlay District. Nonconformity due to existing primary structure not meeting 10' side yard setback on northern property line.
- The Planning Commission held a duly noted public hearing on 07/11/2024. Discussion focused on the proposed addition's proximity to the northern property line. Public comment was received in favor of and against the variance application.
- Dan Charpentier, owner of 28825 Park Place, commented on the layout of the home. He felt moving the addition to the side to meet the side yard setback would cause the floor plan of the home to not be functional. The addition is proposed to be an entry way and bedroom, if it were moved to the south to meet side yard setbacks that would set off the kitchen area rather than the existing entry way creating an impractical layout inside the home.
- Mark Fitzgerald, owner of 28855 Park Place, stated he felt the addition should meet the required side yard setback. He explained he believes the air conditioning unit at 28845 Park Place is encroaching on his property. He would be more comfortable if the air conditioner was moved off his property, the property lines found by a surveyor and the setback be met, if not met then at a minimum increased.
- On 07/09/2024 staff received a voicemail from Ronald Jablonski, owner of 28865 Park Place. He lives two houses down from the applicant and stated he received notice of the variance application and has no problem with it. He is unable to attend the meeting, but he is all for approving the variance.
- On 07/09/2024 staff received a voicemail from Craig and Patty Anderson, owners of 28815 Park Place. Patty stated she and Craig felt the variance should be approved.
- Administrator Pechman and Associate Planner Nelson met with applicant Sheila Baldwin on 07/18/2024 to discuss options regarding the variance application. Sheila submitted a request in writing on 07/18/2024 to extend the timeline for the city to review and approve or deny the variance application by 120 days. She would like the opportunity to explore other options based upon feedback from the Planning Commission and have the application sent back to the Planning Commission.

Council Member Meyer made the motion to approve the extension and send the application back to the Planning Commission, Council Member Rivers seconded, all in favor, all ayes, motion carried.

7e. Disk Golf Kiosk materials donation

Action

Parks Superintendent Zacho stated Parks Commissioner Stackhouse was in contact with the representative of the disc golf course, he wanted to update the commission on the purchase of the main sign. Stackhouse had shown the commission a picture of the signage and the material list. Commissioner Stackhouse made a motion to approve \$1250.00 toward the purchase of materials for the Wildcat Woods Disc Golf Course kiosk/sign with acknowledgement of the Park Commission; Commissioner Mack seconded.

Mayor Dresel stated the EDA Commission as well had approved funds and had told them to also seek supporting funds from the other communities' commissions. Mayor Dresel stated they are pretty far along and are installing baskets now and should be open in August.

Council Member Rivers asked if the road out there was equipped for this type of traffic.

Council Member Rivers made the motion to approve the \$1,250 for the signage, Council Member Battles seconded, all in favor, all ayes, motion carried.

7f. Chuckie Lundquist – Asphalt Quotes Ice Rink/Pickleball

Action

Parks Superintendent Zacho stated after the new installation of the hockey rink, and they would like to have a surface for flooding. They had been approached about using the inside of the hockey rink as a pickleball court. Both herself and Administrator Pechman had visited some of these pickleball courts. Wyoming has done this with their hockey rink, and it is working well. Zacho stated she had received 4 quotes on the asphalt and have come to the conclusion that Interstate company was the best to go with. Zacho had attended the local pickleball organization and they were very in favor of adding this. The group would take care of the netting that would be needed and fully support the having this done. The park board would like to have this done for actually helping with the flooding of the rink but now we can actually use it for pickleball. The monies they are seeking is \$70,000 which will make this a dual use.

Council Member Rivers made the motion to approve the quote for up to \$70,000, Council Member Battles seconded, all in favor, all ayes, motion carried.

7g. Kichisaga Industrial Park – RES-24-07-03

Final Street and Utility Plan Approval and Authorization to Bid

Action

City Engineer Nathan Stanley stated the city has been working on obtaining a grant for extending the cul-de-sac and services in the industrial park. There is currently a quote out for grading and installing the retaining ponds; there is also one for the utilities. The street is approximately 300 feet and installing the sewer and water.

Administrator Pechman stated they are moving forward and would like to have a couple of land sales.

Council Member Meyer made the motion to approve resolution 24-07-03, Council Member Battles seconded, all in favor, all ayes, motion carried.

UNFINISHED BUSINESS

8a. ATV/UTV Ordinance

Discussion

Council Member Meyer stated we had discussed the ordinance and making the area more urban for allowing some riders. Wyoming and Forest Lake have approved some changes so they can allow use. Our city ordinance is limiting business from coming into town. The county roads are the trails of the cities.

Mayor Dresel stated the city of Forest Lake working on an ordinance. Police Chief of Forest Lake said he was against it but was really opposed to it until I looked into it more and more and now not opposed.

Police Chief Schlumbohm stated currently the county does not allow single seat vehicles on the roads and the UTV are not allowed in the ditches; so, there are 2 separate ways these are allowed. Both cities prohibit the class 2 UTV on their city streets. There are now 3 different types of electric bicycles that are not created the same. He is neither for nor against it but make sure you put enough time and study of allowing these types of vehicles on city streets.

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The council's consensus was to have a workshop on this topic and get the information from the other cities on what they are doing.

ADJOURN

Council Member Rivers made the motion to adjourn, Council Member Meyer seconded, all in favor, all ayes, motion carried.

Respectfully Submitted by:
Paula Oehme,
Deputy City Clerk