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August 8, 2022

Regular meeting of the City Council of the City of Two Harbors, Minnesota, held on Monday, August 8, 2022, at 6:00 p.m.

The meeting was called to order by President Redden.

Members present, Councilors: Woodruff, Glaser, Passe, Erickson, Redden. 5.

Members absent, Councilors: Rennwald, Swanson. 2.

Others present: Finance Director, Pietila
City Clerk, Nordean
City Attorney, Costley.

Clerk Nordean requested the addition of New Business No. 8. A resolution authorizing The Other Place Bar to sell liquor at on-sale on City property, pending approval of Lake County for the sale of liquor on their property in the area of the 500 block between South Avenue and the alley between South and First Avenues on August 20, 2022, for the Shenandoah Concert, providing they provide adequate evidence of insurance and comply with City and State rules and regulations regarding the sale of liquor.

Motion by Glaser and Erickson approving the agenda with the changes recommended by the City Clerk. Carried.

Appearances:

Paul Iversen, 809 Third avenue, was present and requested information requesting the cost for attorney services from Attorney Nauen. Finance Director Pietila reported that invoices from Lockridge Grindal Nauen P. LLP totaled \$35,773.15.

Toni Wangen, 1627 Seventh Avenue, was present and addressed the Council regarding the importance of voting in primary, special and general elections.

At 6:09 PM, Mayor Swanson arrived at the meeting.

Personnel Committee:

Vice President Glaser reported that at their recent meeting, the Personnel Committee recommended authorizing the posting of certain Public Works Department positions.

Public Affairs Committee:

Vice President Glaser reported that at their recent meeting, the Public Affairs Committee reviewed code language regarding city committees and commissions and made recommendations for amendments pertaining to the appointment of members to boards, commissions and committees; Planning Commission membership and residency requirements; and HRA membership and residency requirements in addition, they discussed and recommended proposed guidelines for public comment and rules of civility for public comment at Council meetings. There was also discussion regarding future fireworks displays and the need for an alternate location if the fireworks are to happen during Heritage Days.

Planning Commission:

Council Vice President Glaser reported that the Planning Commission, at their meeting of August 2, discussed the use of twenty-five-foot lots; they met City Building Official, Jim Rich, who will be working more closely with the commission for the time being, and discussed Chapter 11 regarding B-2 Zoning Districts.

Utilities Committee:

Council Vice President Glaser reported that the Utilities Committee discussed utility matters associated with the 2023-2024 Street Improvement Project and the potential affects of adding two additional blocks to the project as well as the water leak on First Avenue which was recently repaired which had been leaking approximately 150,000 gallons per day.

Motion by Woodruff and Glaser that the following consent agenda items:

1. Approving minutes from the July 25, 2022 Regular City Council meeting.
2. **RESOLUTION NO. 8-202-22 ALLOWING CLAIMS AGAINST THE CITY OF TWO HARBORS, IN THE AMOUNT OF \$2,858,203.74.**
3. Approving payroll for the second half of July, 2022, in the amount of \$253,261.45.
4. **RESOLUTION NO. 8-203-22 AUTHORIZING PAYMENT TO LAKEHEAD CONSTRUCTORS FOR PAY APPLICATION #9 FOR THE WASTEWATER TREATMENT PLANT PROJECT IN THE AMOUNT OF \$1,084,024.47.**
5. **RESOLUTION NO. 8-204-22 AUTHORIZING PAYMENT TO LAKE COUNTY FOR PAY APPLICATION #18 FOR THE 2021 – 2022 STREET IMPROVEMENT PROJECT FOR AN AMOUNT OF \$134,147.59.**
6. **RESOLUTION NO. 8-205-22 ACCEPTING THE PROPOSAL OF AVI SYSTEMS FOR THE PURCHASE OF A CABLECAST VIOSTREAM SERVER FOR PUBLIC ACCESS TELEVISION FOR AN AMOUNT OF \$10,900.**

7. **RESOLUTION NO. 8-206-22 ACCEPTING THE PROPOSAL OF NELSON TECHNOLOGY FOR THE PURCHASE OF AN ODORANT INJECTION PUMP FOR THE CITY'S NATURAL GAS BORDER STATION FOR AN AMOUNT OF \$4,781.**
8. Scheduling a meeting of the City of Two Harbors Canvassing Board for 5 PM on Friday, August 12, 2022.
9. Accepting the recommendation of the Public Affairs Committee to establish dates for the 2024 Camping Season.
10. Approving the request of Jessica Carlson, Moose Lodge Administrator, to be open on the following Sundays in 2022 in accordance with their On-Sale Club License: September 11 and 25; October 9, 16 and 30; November 6, 13 and 20; December 11 and 18; and January 1 of 2023.
11. **RESOLUTION NO. 8-207-22 ACCEPTING THE INTERNAL BID OF DAVID DAHLBERG FOR THE POSITION OF PUBLIC WORKS SPECIALIST III.**
12. Accepting the recommendation of the Personnel Committee to authorize the internal and external posting of bulletins for the positions of Public Works Specialist I, II and III.
13. Authorizing the recommendation of the Personnel Committee to authorize the internal and external posting of bulletins for the position of Assistant Public Works Director.
14. **RESOLUTION NO. 8-208-22 ACCEPTING THE INTERNAL BID OF CHAD SCHULTZ FOR THE POSITION OF LEAD LINEMAN IN THE ELECTRICAL DEPARTMENT.**

Be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Communications:

1. A memorandum from Joe Rhein and Brian Guldan, Bolton & Menk, providing engineering project updates.
2. A memorandum from Joe Rhein, Bolton & Menk, providing a status update on the 2021 – 2022 Street Improvement Project.
3. A memorandum from Jennifer Selchow, Bolton & Menk, providing an update on the Wastewater Treatment Plant Project.
4. A letter from Theresa Sunde, Mediacom, providing information on the implementation of programming changes and rate adjustments.

Unfinished Business:

Motion by Erickson and Glaser declaring second reading of An Ordinance Prohibiting the Sale, Manufacture, Growth or Distribution of Cannabis and Tetrahydrocannabinol (THC) for One Year. Motion carried by the following vote: Yeas: Woodruff, Glaser, Passe, Erickson, Redden.
5. Nays: Swanson. 1.

New Business:

Motion by Erickson and Passe that **RESOLUTION NO. 8-209-22 AUTHORIZING PAYMENT TO BOLTON & MENK IN THE AMOUNT OF \$4,486 FOR PROFESSIONAL SERVICES FOR THE ODEGARD TRAIL PROJECT** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Woodruff and Glaser that **RESOLUTION NO. 8-210-22 AUTHORIZING PAYMENT TO BOLTON & MENK IN THE AMOUNT OF \$25,732.50 FOR PROFESSIONAL SERVICES FOR THE 2023 – 2024 STREET & ALLEY IMPROVEMENT PROJECT** be adopted as read. Carried by a unanimous vote of all members present on roll call.

Motion by Glaser and Woodruff that **RESOLUTION NO. 8-211-22 AUTHORIZING PAYMENT TO BOLTON & MENK IN THE AMOUNT OF \$13,832.50 FOR PROFESSIONAL SERVICES FOR THE 2021 & 2022 STREET & ALLEY IMPROVEMENT PROJECT** be adopted as read.

Motion by Erickson and Glaser accepting the recommendation of the Public Affairs Committee declaring first reading of an ordinance amending the City Code, Sec. 2.40. Boards, Commissions and Committees be adopted as read. Carried by the following vote: Yeas: Woodruff, Glaser, Swanson, Erickson, Redden. 5. Nays: Passe. 1.

Motion by Glaser and Erickson Accepting the recommendation of the Public Affairs Committee declaring first reading of an ordinance amending the City Code, Sec. 2.46. Planning Commission. Carried by the following vote: Yeas: Woodruff, Glaser, Erickson, Redden. 4. Abstain: Passe, Swanson. 2.

Motion by Erickson and Glaser Accepting the recommendation of the Public Affairs Committee, declaring first reading of an ordinance amending the City Code, Sec. 2.51. Two Harbors Housing and Redevelopment Authority. Carried by the following vote: Yeas: Woodruff, Glaser, Passe, Erickson, Redden. 5. Abstain: Swanson. 1.

Motion by Woodruff and Glaser that **RESOLUTION NO. 8-212-22 ACCEPTING THE RECOMMENDATION OF THE PUBLIC AFFAIRS COMMITTEE ADOPTING TWO HARBORS CITY COUNCIL MEETING PUBLIC COMMENT GUIDELINES AND RULES OF CIVILITY FOR PUBLIC COMMENT** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Woodruff and Passe that **RESOLUTION NO. 8-213-22 AUTHORIZING THE OTHER PLACE BAR TO SELL LIQUOR AT ON-SALE ON CITY PROPERTY, PENDING APPROVAL OF LAKE COUNTY FOR THE SALE OF LIQUOR ON THEIR PROPERTY IN THE AREA OF THE 500 BLOCK BETWEEN SOUTH AVENUE AND THE ALLEY BETWEEN SOUTH AND FIRST AVENUES ON AUGUST 20, 2022, FOR THE SHENANDOAH CONCERT, PROVIDING THEY PROVIDE ADEQUATE EVIDENCE OF INSURANCE AND COMPLY WITH CITY AND STATE RULES AND**

REGULATIONS REGARDING THE SALE OF LIQUOR be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Councilor Passe expressed appreciation to everyone who pitched in on the Festival of Sails event including the DNR, Public Safety, Public Works, volunteers, businesses, Lake County. He expressed his belief that it's the little things that made a difference.

Councilor Erickson expressed thanks to those mentioned by Passe and added those medical workers from St. Luke's and Lakeview Clinic and Hospital for working extended hours to make sure that they were prepared for the event.

Motion by Erickson and Passe that the meeting adjourn. Carried.

Ben Redden, President, City Council

Patricia D. Nordean, City Clerk