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July 26, 2021

Regular meeting of the City Council of the City of Two Harbors, Minnesota, held on Monday, July 26, 2021, at 6:00 p.m.

The meeting was called to order by Vice President Glaser.

Members present, Councilors: Glaser, Rennwald, Swanson, Passe, Erickson. 5.

Members absent, Councilors: Woodruff, Redden. 2.

Others present: Interim Administrator and Finance Director, Pietila
City Clerk, Nordean
Community Development/Planner, Sterbenz
City Attorney, Johnson

Clerk Nordean proposed the following additions to the agenda: New Business 4: Consider a request by Laura Borud of North Shore Rotary Club to install a Little Free Library at Odegard Park; New Business No. 5. Directing the administrator and attorney to respond to the Ankrums letter dated June 7, 2021 letting them know that the City is no longer pursuing the easement for the Wastewater Treatment Plant fence; and Consent Agenda Item 22. Authorizing the City to hire a municipal advisor to assist in final stages of financing for the Wastewater Treatment Plant for a fee not to exceed \$5,000.

Motion by Erickson and Rennwald approving the agenda with the changes proposed. Carried.

Appearances:

City Attorney, Gunnar Johnson, provided an update of items that they are working on for the City including the LS Dental Building project, the Ankrum matter, several data practices requests, the Cold Weather Rule updates, purchase of property adjacent to the Liquor Store, Zoning matters, bankruptcy matters and the building code update.

Pietila reported that labor negotiations are ongoing and progress is being made, work has begun on the 2022 budget and updates to the CIP are beginning.

Joe Rhein, Bolton & Menk, was present and provided an update on the 2021 2022 Street Improvement Project.

Public Affairs Committee:

Vice President Glaser reported that the Public Affairs Committee reviewed and approved the request of the John Beargrease Marathon to use the ski trail for a 5K race, noting that there are some repairs on the trail which need to be completed prior to the race. The group also discussed the City's communications policy and a proposed public communications policy and reviewed the options soon to be available for messaging on utility bills. In addition, they proposed some topics for future City Scene articles.

Utilities Committee:

Pietila provided a review of the recent Utilities Committee meeting where they denied a request for forgiveness of water utility charges and discussed funding for the Wastewater Treatment Plant.

Public Works Committee:

Councilor Rennwald reported that the Public Works Committee, at their last meeting reviewed a complaint by a property owner in the 2021 Street Improvement Project area, noting that the complaint has been satisfied. The group also discussed repairs to the ski trail, trees by the Edna G. and the work order system.

Motion by Rennwald and Passe that the following consent agenda items:

1. Approving minutes from the July 12, 2021 City Council meeting.
2. **RESOLUTION NO. 7-207-21 ALLOWING CLAIMS AGAINST THE CITY OF TWO HARBORS TO BE PAID ON JULY 27, 2021, IN THE AMOUNT OF \$2,952,818.87.**
3. Approving payroll for the first half of July, 2021, in the amount of \$254,597.33.
4. A communication from Brian Guldan and Joe Rhein, Bolton & Menk presenting donations for the purchase of a batting cage for Odegard Park and sponsorship for the 2021 Heritage Days Street Dance.
5. A Memo from Joe Rhein, Bolton & Menk providing a status update on the 2021 – 2022 Street Improvement Project.
6. Accepting, with regret, a letter from Jennifer Havlick, Public Access Coordinator, announcing her intention to retire effective October 1, 2021, and authorizing a letter of appreciation for her service.
7. **RESOLUTION NO. 7-208-21 AUTHORIZING PAYMENT TO BOLTON & MENK IN THE AMOUNT OF \$44,080.50 FOR PROFESSIONAL SERVICES FOR THE 2021 – 2022 STREET IMPROVEMENT PROJECT.**

8. **RESOLUTION NO. 7-209-21 AUTHORIZING PAYMENT TO LAKE COUNTY IN THE AMOUNT OF \$57,553.02 FOR PAY APPLICATION NO. 5 FOR THE 2021 – 2022 STREET IMPROVEMENT PROJECT.**
9. **RESOLUTION NO. 7-210-21 AUTHORIZING PAYMENT TO PRIMETIME CONCRETE, LLC, IN THE AMOUNT OF \$14,875 FOR PAY APPLICATIONS NO. 3 AND 4 FOR THE 2021 SIDEWALK PROJECT.**
10. **RESOLUTION NO. 7-211-21 AUTHORIZING THE PURCHASE OF A NEW SCAN TOOL FOR THE MECHANICS IN THE PUBLIC WORKS DEPARTMENT FOR AN AMOUNT OF \$4,500.**
11. **RESOLUTION NO. 7-212-21 ACCEPTING THE SERVICE QUOTE FROM TITAN MACHINERY FOR REPAIRS TO THE EXCAVATOR FOR AN AMOUNT OF \$11,322.90.**
12. **RESOLUTION NO. 7-213-21 ACCEPTING THE PROPOSAL OF MCCOY IN THE AMOUNT OF \$4,130 PER MONTH FOR RENTAL OF AN EXCAVATOR FOR THE PUBLIC WORKS DEPARTMENT WHILE THEIR EXCAVATOR IS BEING REPAIRED.**
13. **RESOLUTION NO. 7-214-21 ACCEPTING THE MINNESOTA DEPARTMENT OF EDUCATION LIBRARY SERVICES TECHNOLOGY ACT GRANT IN THE AMOUNT OF \$20,000.**
14. **RESOLUTION NO. 7-215-21 CERTIFYING ASSESSMENTS TO THE LAKE COUNTY AUDITOR.**
15. Approving the request of the Water and Wastewater Treatment Plant Superintendent to allow he, Mitch Ekstrom, Curt Cavallin and Clayton Anderson to attend the MRWA Water and Wastewater Technical Conference in St. Cloud.
16. Approving the request of the Fire Chief to allow two firefighters to attend the FDIC Training Conference in Indianapolis.
17. Calling for a special closed meeting at 5 PM, on Monday, August 9, 2021, pursuant to Minnesota Statute Section 13D.05, Subdivision 3(b), per the attorney-client privilege for discussions for discussions with the City Attorney and Monte Mills of the Greene Espel P.L.L.P. law firm.
18. Declaring second reading of an ordinance Amending and Restating Section 4.01, Building Code Adopted, of the Two Harbors Code of Ordinances.
19. **RESOLUTION NO. 7-216-21 APPROVING THE REQUEST OF CASTLE DANGER BREWING FOR A TEMPORARY EXTENSION OF THEIR LIQUOR LICENSE SERVICE AREA TO INCLUDE A PORTION OF 7TH STREET BETWEEN FIRST AND SOUTH AVENUES ON AUGUST 21, 2021, FOR THEIR 10TH ANNIVERSARY CELEBRATION, PENDING THE APPROVAL OF THE CHIEF OF POLICE AND RECEIPT OF APPROPRIATE DOCUMENTATION.**

20. **RESOLUTION NO. 7-217-21 DESIGNATING THE KIDZ BLOCK PARTY AS AN EXEMPT EVENT FOR PURPOSES OF PUBLIC MARKET AND MARKET STAND PERMITTING REQUIREMENTS.**
21. Adopting the City of Two Harbors Special Events Permit Checklist and Application.
22. **RESOLUTION NO. 7-218-21 AUTHORIZING THE CITY TO HIRE A MUNICIPAL ADVISOR TO ASSIST IN FINAL STAGES OF FINANCING FOR THE WASTEWATER TREATMENT PLANT FOR A FEE NOT TO EXCEED \$5,000.**

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

New Business:

Motion by Rennwald and Swanson that **RESOLUTION NO. 7-219-21 APPROVING THE COMMERCIAL REAL ESTATE PURCHASE AGREEMENT BETWEEN JOAN A. BURKE AND THE CITY OF TWO HARBORS** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Rennwald and Swanson that **RESOLUTION NO. 7-220-21 AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER A FOURTH AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH LS DENTAL BUILDING, LLC.** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Passe and Swanson that **RESOLUTION NO. 7-221-21 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER A RECIPROCAL EASEMENT AGREEMENT BETWEEN THE CITY OF TWO HARBORS AND LS DENTAL BUILDING, LLC.** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Rennwald and Passe that **RESOLUTION NO. 7-222-21 APPROVING A REQUEST BY LAURA BORUD OF THE NORTH SHORE ROTARY CLUB TO INSTALL A LITTLE FREE LIBRARY AT ODEGARD PARK** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Erickson and Rennwald directing the Administrator and City Attorney to respond to the Ankrum's letter dated June 7, 2021, letting them know that the City is no longer interested in pursuing the easement for the Wastewater Treatment Plant fence.

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

Robin M. Glaser, City Council Vice President

Patricia D. Nordean, City Clerk