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July 25, 2022

Regular meeting of the City Council of the City of Two Harbors, Minnesota, held on Monday, July 25, 2022, at 6:00 p.m.

The meeting was called to order by President Redden.

Members present, Councilors: Woodruff, Glaser, Rennwald, Passe, Erickson, Redden. 6.

Members absent: Mayor Swanson. 1.

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

Clerk Nordean requested the following changes to the agenda: Add to consent agenda #1, approval of minutes from the June 20, 2022 Special City Council meeting; add consent agenda #15, Accepting the proposal of Ulland Brothers to provide bituminous patching services for an amount of \$14,317; add New Business #7 A resolution authorizing the purchaser and delivery of Golf Course Maintenance Equipment from MTI for an amount of \$139,721.33 and tabling consent agenda #5 declaring second reading of an ordinance prohibiting the establishing of new uses or the expansion of existing uses related to cannabis and nonintoxicating cannabinoids (cbd) and Tetrahydrocannabinol (THC) sales, testing, manufacturing or distribution of a period of up to one year.

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

Appearances:

Drew Christensen, 313 South Avenue, was present and addressed the Council regarding the proposed ordinance. He urged the Council to consider not including CBD in the proposed moratorium due to its wide use for relief of pain and anxiety and depression.

Judy Olson, 836 Seventh Avenue, was present and addressed the Council expressing appreciation the citizens who were paying attention and came together and stood up, along with the press to research the City Charter and identify corruption personified by our mayor. She encouraged the Council pay attention and not wait until a train wreck.

Tom Koehler, 814 Fifth Avenue, was present and addressed the Council expressing his opinion that since the Council unanimously asked Mayor Swanson to step down from office and he is facing recall, the Council's next step should be to remove him from every committee and commission that he has appointed himself to. He expressed his belief that he is not serving the community. He asked the Council to consider amending the Charter to reflect that no one person has a lock on getting people appointed to commissions and committees.

HRA:

Council Vice President, Glaser, reported that the HRA Executive Director is moving forward with the Request for Qualifications for the proposed senior housing development project.

Public Works Committee:

Councilor Woodruff reported that at their meeting held on July 14, the Public Works Committee met with Tara Solem of Lake County Soil & Water and Jason DiPiazza of the Lake County Highway Department to discuss potential options and funding sources for improvements to the Skunk Creek area in conjunction with the 2023 – 2024 Street Improvement Project, including the potential for hydrodynamic separators which would assist in reducing the presence of e-coli at Burlington Bay. The committee also discussed the CSAH 26 improvement project which will include ADA compliant curb improvements to trail entrances. They also talked about the 2023 – 2024 Street improvement project and sidewalks.

Edna G. Commission:

Councilor Woodruff reviewed the committee's recent meeting where Paul Lamare was present and provided the first half of the plan for the Edna G. He reported that the second half of the report will be presented at their next meeting. Woodruff expressed appreciation to Friends of the Edna G. for their work with the tug.

Utilities Committee:

Vice President Glaser reported on the June 20th meeting of the Utilities Committee where they discussed the recent discovery of a water leak which was losing an estimated 80,000 gallons per day. They received an update on the Significant Industrial User Agreement with Castle Danger Brewing and discussed a proposed grant application for modernization and safety projects associated with natural gas distribution systems.

Trees & Trails Commission:

Councilor Passe reported on the July 21 meeting of the Trees & Trails Commission where they discussed the proposed tunnels under Highway 61 and the request to locate the snowmobile/atv crossing on the west end of the City and the pedestrian crossing at the east end. They also discussed a list of trees to be taken out with the 2023 – 2024 Street Improvement Project, and the extension of grant funding to accommodate the Odegard Trail Project construction delay associated with the County's delay of the Eighth Street Project.

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

1. Approving minutes from the June 20, Special and the June 27 and July 11, 2022 Regular City Council meetings.
2. **RESOLUTION NO. 7-187-22 ALLOWING CLAIMS AGAINST THE CITY OF TWO HARBORS TO BE PAID ON JULY 26, 2022, IN THE AMOUNT OF \$3,132,821.67.**
3. Approving payroll for the first half of July, 2022, in the amount of \$285,836.81.
4. **RESOLUTION NO. 7-188-22 CERTIFYING ASSESSMENTS FOR CERTAIN UNPAID UTILITY CHARGES TO THE LAKE COUNTY AUDITOR.**
5. Tabling the second reading of an ordinance prohibiting the establishing of new uses or the expansion of existing uses related to cannabis and nonintoxicating cannabinoids (cbd) and Tetrahydrocannabinol (THC) sales, testing, manufacturing or distribution of a period of up to one year.
6. **RESOLUTION NO. 7-189-22 AUTHORIZING PAYMENT TO LAKE COUNTY IN THE AMOUNT OF \$149,095.39 FOR THE 2021 – 2022 STREET IMPROVEMENT PROJECT THROUGH JULY 13, 2022.**
7. Approving the request of Brendan Johnston, Bethlehem Lutheran Church, for a special event permit to close the alley between Fourth and Fifth Avenues between Sixth Street and the edge of the church parking lot and use additional Road Closed signs for the north entrances to their parking lot from August 3 through 7, 2022.
8. Designating certain golf course items as discarded equipment and authorizing their disposal as appropriate.
9. Approving the request of the Water and Wastewater Treatment Plant Superintendent to attend the National Rural Water Association Water Pro Conference in Maryland.
10. Approving the request of the Library Director to allow Emily Savageau to attend the Arrowhead Library System Meeting in Mountain Iron.
11. **RESOLUTION NO. 7-190-22 AUTHORIZING THE LIBRARY DIRECTOR TO MAKE APPLICATION FOR A MINI GRANT FROM LAKE COUNTY PUBLIC HEALTH TO IMPROVE WORKSITE WELLNESS BY UPDATING PHYSICAL WORKSPACE FOR LIBRARY EMPLOYEES.**
12. Authorizing the internal posting of a bulletin for the position of Lead Lineman in the Electrical Department.
13. **RESOLUTION NO. 7-191-22 APPOINTING ELECTION JUDGES FOR THE 2022 PRIMARY/SPECIAL AND GENERAL ELECTIONS.**
14. **RESOLUTION NO. 7-192-22 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER A LICENSE AGREEMENT BETWEEN THE CITY AND WHITE PINE MARKET FOR USE OF CERTAIN CITY PROPERTY FOR THE SALE OF FOOD DURING THE FESTIVAL OF SAILS.**

15. **RESOLUTION NO. 7-193-22 ACCEPTING THE PROPOSAL OF ULLAND BROTHERS TO PROVIDE BITUMINOUS PATCHING SERVICES FOR AN AMOUNT OF \$14,317.**

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

Communications:

1. A memorandum from Joe Rhein, Bolton & Menk providing a status update on the 2021 – 2022 Street Improvement Project.
2. A memorandum from Barbie Tanaka, 608 12th Avenue, requesting permission to conduct a prayer time at the campground each weekend in August and September, depending on weather.

Unfinished Business:

Motion by Woodruff and Passe that **RESOLUTION NO. 7-194-22 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER A LICENSE AGREEMENT BETWEEN THE U.S. ARMY CORPS OF ENGINEERS, THE CITY OF TWO HARBORS AND DRAW EVENTS, LLC FOR THE FESTIVAL OF SAIL** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Erickson and Passe that **RESOLUTION NO. 7-195-22 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER THE EVENT AND LICENSE AGREEMENT BETWEEN THE CITY OF TWO HARBORS AND DRAW EVENTS, LLC WITH OPTION 2, PROVIDING AUTHORIZATION FOR SALE AND CONSUMPTION OF ALCOHOL ON CITY PROPERTY WITH THE APPROPRIATE PERMITS AND/OR LICENSES** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

New Business:

Motion by Rennwald and Passe that **RESOLUTION NO. 7-196-22 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER A PURCHASE AGREEMENT BETWEEN THE CITY AND GNT, LLC, FOR THE PROPOSED LIQUOR STORE PROJECT AND AUTHORIZING THE CITY ATTORNEY TO DRAFT A RECIPROCAL EASEMENT AGREEMENT FOR THE PARCEL** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Erickson and Woodruff authorizing the publication of a request for proposals for architectural services for a new liquor store. Carried.

Motion by Erickson and Woodruff that **RESOLUTION NO. 7-197-22 AUTHORIZING PAYMENT TO BOLTON & MENK IN THE AMOUNT OF \$27,512 FOR ENGINEERING SERVICES FROM MAY 14 – JUNE 10, FOR THE WASTEWATER TREATMENT**

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

Motion by Glaser and Woodruff that **RESOLUTION NO. 7-198-22 AUTHORIZING PAYMENT TO BOLTON & MENK IN THE AMOUNT OF \$2,775 FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE SIGNIFICANT USER AGREEMENT FOR CASTLE DANGER BREWING** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Glaser and Erickson that **RESOLUTION NO. 7-199-22 PROVIDING PRELIMINARY APPROVAL FOR THE CITY HRA TO LEVY A PROPERTY TAX TO SUPPORT THEIR ACTIVITIES FOR COLLECTION IN 2023** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Erickson and Passe that **RESOLUTION NO. 7-200-22 AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER A PUBLIC INFORMATION OFFICER SERVICE AGREEMENT BETWEEN THE CITY AND MARASCO ELIASSEN COMMUNICATIONS & PUBLIC RELATIONS MANAGEMENT, LLC FOR THE PERIOD OF JULY 18, THROUGH AUGUST 31, 2022 FOR THE FESTIVAL OF SAIL EVENT** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

Motion by Woodruff and Rennwald that **RESOLUTION NO. 7-201-22 AUTHORIZING THE PURCHASE AND DELIVERY OF GOLF COURSE MAINTENANCE EQUIPMENT FROM MTI FOR AN AMOUNT OF \$139,721.33** be adopted as read. Carried by a unanimous yea vote of all members present on roll call.

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

Ben Redden, President, City Council

Patricia D. Nordean, City Clerk