



CITY COUNCIL MEETING AGENDA

6:00 p.m.

February 22nd, 2022

POSTPONED TO February 28th, 2022 Due to WEATHER

Frazee Fire Hall

ZOOM Information:

<https://us02web.zoom.us/j/81836501302?pwd=WnpaU2VMYzBGb0xoMTVmdzZPUkpQQT09>

Meeting ID: 818 3650 1302

Passcode: 209461

City of Frazee Council Meeting

1. Call the Meeting to Order - Roll Call – 6:03
 - a. Council Members:
 - i. Mike Sharp
 - ii. Mark Flemmer
 - iii. Mark Kemper
 - iv. Ken Miosek
 - v. Nicole Strand – Online
 - b. Staff:
 - i. Jordin Roberts
 - ii. Jolene Tappe
 - iii. Nancy Kiehl
 - iv. Tyler Triglaff
 - v. Nate Matejka
 - vi. Kris Carlson
 - vii. Tom Winters
 - c. Guests:
 - i. Denise Anderson
 - ii. Susan and James Jaroszewski
2. Pledge of Allegiance
3. Open Forum
 - a. Jaroszewski Damage
 - i. They reported sewer backup damage that occurred in September and October 2021. Damaging sheetrock, carpet, cabinets. The city sewer line was blocked

approximately 140 feet. Their line is unique in that it empties into the manhole. The homeowners did not have sewer insurance, and the cities insurance company (the League of MN Cities) found the city not liable as there was no evidence of negligence on the cities end. The line had been jetted in July 2020 and the League requires jetting every 3-4 years. Jaroszewski's requested a second opinion of the ruling, which Roberts took to Rita at UCB Insurance. The League came back with the same ruling as before.

- ii. Jaroszewski's reported having \$9,500 in damage, and a lot of the work they performed themselves.
- iii. Winters stated that from a legal standpoint the job of the city is to do regular check-ups, so he sees why the League came to the conclusion they did with there being no negligence. Legally the city is not obligated to reimburse at all.
- iv. The city has been checking, flushing, and jetting that line every year, and it is set to be replaced in Summer 2022 with the HWY 87 project. This is due to its age and useful life expectancy.
- v. Flemmer stated there are a couple courses of action. Because from a legal side the city is not required to pay, the Jaroszewski's can then take the city to court for damages. Or on a moral grounds, the city has been aware of the issue and the city can make it right morally and help with the expense. He questioned if the city will then be liable for anyone else in town who's sewer backs up. Winters stated this is a unique situation and he does not feel a precedent will be set.
- vi. Kemper suggested covering half of the expense.
- vii. Miosek proposed \$7,500.
- viii. Flemmer made a motion to reimburse \$7,500, of expenses for sewer damage repairs. Winters recommended waiver of future claims, he will draft a document, second by Kemper. **All in favor, motion carried.**
- ix. Jaroszewski's expressed their thanks for any assistance the city is willing to give.
- x. Sharp mentioned getting the word out to homeowners that the city is not always liable, and it might be prudent for the city to communicate this with homeowners. Roberts stated she will post a notice on the monthly water bill newsletter.

4. Consent Agenda

- a. Meeting Minutes 1-12-22
- b. Public Hearing Minutes 1-12-22
- c. Special Meeting Minutes 2-9-22
- d. Approval of Claims
- e. Review of City Cash Accounts
- f. Smokey Hills Gambling Permit
- g. Motion by Sharp to approve the consent agenda, second by Kemper. **All in favor, motion carried.**

5. Staff Reports

- a. Jolene Tappe – Event Center
 - i. Jolene reported a quiet January and February.
 - ii. She had question for Tom, there is a business who owns an apple orchard and are looking for a 1 day kitchen to use to make apple products. They have their

- proper licensing in order, they just need a kitchen. Tom does not see an issue with renting the kitchen as we do for other events. This will be charged at the regular rate for the kitchen rental as is specified in the fee schedule.
- iii. The sportsman's club is doing their raffle drawing coming up.
 - iv. There will be a bean bag tournament in March, Fireman's auction in April, school related things in May with prom and graduations,
 - v. Trap team had annual fundraiser and there was good turnout for the event.
- b. Liquor Store
 - i. Numbers are in the council packet.
 - c. Tyler Trieglaff – Police Department
 - i. The police got their new computers in after being on backorder and they are working well.
 - ii. January had 78 calls with 12 traffic.
 - iii. There was a burglary last week.
 - iv. Tyler was not involved with the trail derailment in February, Ryan and Scott have been doing some overtime security, this can be billed to BNSF and the county, they are keeping track of their hours.
 - d. Tyler Trieglaff – Rescue Squad
 - i. January saw 27 calls, 14 in town.
 - e. Nate Matejka – Fire Department
 - i. January had 5 calls, 1 false alarm , 2 vehicle rollovers, house fire, and mutual aid apartment fire in DL.
 - ii. Courtney was sworn in on Wednesday the 9th as a new firefighter, one more fireman has left the department
 - iii. Busy getting ready for spring auction on April 23rd in the event center. Happy to take donations.
 - iv. Would like consent from council to look at selling trucks E2, Grey utility truck, jaws truck (equipment would be divvied between existing trucks), and grass truck.
 - 1. Would like to sell and get 2 new trucks to combine some of the old ones. Downsizing to be more efficient and save room.
 - 2. Wants to go through the motions to begin looking at selling some of the vehicles and look at getting rid of equipment laying around the hall.
 - v. Miosek stated there is no problem with them consolidating and downsizing. Kemper was in agreement.
 - f. Larry Stephenson – Public Works
 - i. Stephenson is at training in St. Cloud, left a report with Roberts
 - ii. 4,575,000 gallons of water pumped through the water treatment plant in January. Waste Water Treatment plant pumped 2,600,000.
 - iii. Precipitation was 0.31 inches.
 - iv. Sharp wasn't sure if this was a city issue but the turkey sign by All-in-All is in disrepair. This is a city sign. Discussion was had regarding fixing the sign, its age, and removal. It was decided that Public Works should take down the remaining panels and Flemmer will reach out to Amber who has a large TikTok following as @midwesternmom as she has expressed interest in taking that sign over as a project.
 - g. Motion to approve staff reports by Strand, second by Kemper. All in favor, motion carried.

6. New Business

- a. David Drown Agreement
 - i. Motion by Kemper to engage the agreement with David Drown, second by Strand. **All in favor, motion carried.**
- b. Ulteig Resolution East Main
 - i. Resolution No. 0222-22A
 1. Motion by Sharp, second by Strand. **All in Favor, motion carried.**
- c. Ottetail Power Franchise Agreement
 - i. Winters reviewed the document, it is pretty standard. He recommends keeping the Franchise fee % the same as previous agreement
 - ii. Motion by Sharp, second by Kemper. **All in favor, motion carried.**

Strand lost internet signal and logged off the meeting.

7. Old Business

- a. Wannigan Park
 - i. Denise Anderson presented to council asking them to vote in favor of the cooperative services and management contract.
 - ii. Flemmer mentioned a question he heard regarding what happens if the FCDC disbands. The property will be deeded over to the city, but the FCDC will handle the management of the park. If the FCDC disbands they would have to fundraise to pay the money back. The liability falls solely on the 501c3. The reason it is put in the cities name is it will make it easier for the FCDC to obtain grants.
 - iii. Winters mentioned this is very similar to what Detroit Lakes did Detroit Mountain.
 - iv. The FCDC will have a host couple in the park during the year, and that will assist with the supervision of the park. The city police will help deter horseplay just by driving through. There are city services that will need to be utilized.
 - v. Flemmer applauds the FCDC for all the great work they have done.
 - vi. Motion to approve the cooperative management and program services contract by Sharp, second by Flemmer. **All in favor, motion carried.**

8. Council Member Reports

- a. EDA
 - i. Downtown updates, the Certificate of Occupancy has been issued.
 - ii. Sanders property was purchased, with contingency. post office holdup is in limbo. OT Easement agreement for underground cable.
 - iii. Town lake beach was updated.
 - iv. Finished a business brochure and are currently working on getting it ordered. There will also be a business spotlight of the week, we are waiting for responses to come in. This will help promote the businesses in town.
 - v. Wannigan park was discussed.
 - vi. County park update, the county is going to maintain the property behind red willow, but they are discussing with MMCDC for development.
 - vii. Set some 2022 EDA Goals.
- b. Public Safety

- i. Met and discussed Wannigan.
 - c. Planning and Zoning
 - i. Met and discussed Wannigan.
 - d. Personnel and Finance
 - i. Personnel met to discuss.
 - e. Parks and Trails
 - i. Eagle Lake representative attended, conversation showed interest for the direction of residents purchasing the property. The individual would like the group to have first rights for the lake access committee to purchase the property to keep the access open. Currently waiting on the appraisal. The League stated we do not have to go with a high bid, we can deal with the association exclusively for the good of the project and the public.
 - ii. Town Lake Beach is being looked into by Roberts for having to do a phase II archeological Study. She has been in contact with the DNR, archeologists, Widseth and SHPO. The recommendation coming from the state archeologist to do the study makes it unlikely that SHPO will state we don't have to do a study. The appeal process is lengthy and the result may be we have to do the study anyway. More research is going to be done. Revitalizing town lake beach was a big point in the comprehensive plan. Roberts is going to look for a second estimate from an archeologist in Moorhead.
 - f. Frazee – Vergas School District
 - i. Trieglaff mentioned the land parcels have been looked into and are close to being in order. Roberts met Karger and discussed this. RL Frazee Park is owned by the school, there are a couple of areas that need to be cleaned up such as North River Drive.
 - g. LARL
 - i. LARL has updated hours, Andrea is going to update this on our website.
 - h. Motion by Kemper to approve council reports, second by Flemmer. **All in favor, motion carried.**

9. Miosek stated that next council meeting we will have to have a public meeting regarding the VFW liquor license and legal issues. Details are not open to the public right now due to legal issues with the State. Tom will draft a letter to the VFW. The public hearing will be held prior to the council meeting.

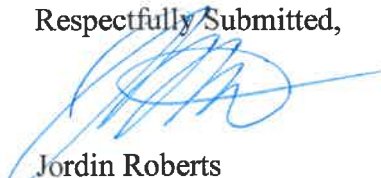
10. Administrator Report

- a. January was a difficult month with a lot of state and federal reporting to finish up, but it is starting to calm down.

11. Adjournment

- a. Motion by Kemper, second by Sharp. **All in favor, Adjournment 7:17 PM.**

Respectfully Submitted,



Jordin Roberts
City Administrator