MAPLE LAKE CITY COUNCIL
July 18, 2023 Minutes

CALL TO ORDER
The meeting was called to order at 6:00 p.m. by Mayor Lynn Kissock.

PLEDGE OF ALLEGIANCE

ROLL CALL
Council Members Present: John Haack, Wayne Paumen, and Lynn Kissock. Members present virtually: Scott Chantland (location Hampton Inn, 1502 N Baldwin Ave, Marion, Indiana 46952 in the business office) and Lori Hausken (Location Andersons South Shore Resort, 1696 Whipholt Beach Rd NW, Walker, MN 56484 in The Lodge building in the library booth.
Absent: none
Others Present: Allison and Nathaniel Martin, Angela Berthiaume, Liquor Store Manager; Wright Co Deputy Bauman, Renee Eckerly, City Administrator; Chuck Boser, City Engineer, Stantec; Al Hudek, Public Works Director/Airport Manager, Sam Ketchum, City Attorney, Kennedy-Graven, and Jamison Quast, Cable Commission.

OPEN FORUM – no one present

AGENDA APPROVAL
Haack distributed his commentary from the Messenger on June 21, 2023.

A motion was made by Haack to add his commentary from the Messenger on June 21, 2023 to the Council agenda under New Business for discussion. Motion failed for lack of a second. Item was not added.

A motion was m/s/p, Paumen/Kissock to approve the agenda as presented. Roll call vote: Scott Chantland Yes, John Haack No, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. The vote was 4 in favor and 1 opposed (Haack).

CONSENT AGENDA

a. Approval Minutes – City Council June 6, 2023.
b. Approval of disbursement list from 06/01/2023 – 06/30/2023 (emailed) and check register from 06/01/2023 to 06/30/2023 in the amount of $477,651.37.
c. Engineer's Report
d. Approve Contractor's (LaTour Construction) Request for Payment #1 in the amount of $194,195.61 for 2023 Street Project
e. Approval of Maple Lake Fire Relief Association – 2022 Schedule 22 (no additional contribution required)
f. Approve Resolution 2023-27 Accepting Donation from the Maple Lake Lions $19,000 for beach and parks
g. Approve Resolution 2023-28 Accepting Donation from Ramsey Lake Property Owners $3,000 for Makers & Growers event.
h. Approve Gambling license for Knights of Columbus Council #3613 at 200 W Division St on August 19, 2023.
i. Approve Gambling license for Heart of the Lakes Ducks Unlimited Chapter 286 at 66 Maple Ave on September 19, 2023

j. Approve 1-day Temporary On-Sale Liquor/Beer License for the Dangerous Man Brewing Company LLC for August 18, 2023, at 210 Division St W (city vacant lot) including Indemnification Agreement.
k. Approve 2 day Temporary On-Sale Liquor/Beer License for St. Timothy's Church/School for September 23-24, 2023, at 215 Division St E.
l. Approve the appointment of Jay Shields, 517 Division St E to the Park Board. (only application received)
m. Approve Airport Hangar Lease – C1 with James Aarestad
n. Approve Airport Hangar Lease – E1, E2-E5 with James Aarestad

Note: internet connect was dropped for a couple of minutes around 6:10 p.m.

A motion was m/s/p, Paumen/Chantland to approve the consent agenda. Roll call vote: Scott Chantland Yes, John Haack Yes, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. All present voted in favor.

Wright County Sherriff's Department

a. June Monthly Reports

Deputy Bauman was present to review the June report and answer questions.

Department Reports

a. **Liquor Store Report**

Berthiaume, Liquor Store Manager, reported the June Sales were up 2.43%, year to date and up 1.96% for the month plus the store is up 238 customers for June. The next Wine club will be on August 23, 2023 at 7:00 p.m. at the Maple Lake American Legion. The Liquor store will be holding the annual Fire Department fundraising event August 1, 2023 – September 11, 2023. During this time, customers can make monetary donations. The Liquor store will be holding a silent auction August 23, 2023 - September 10, 2023.

Berthiaume, Liquor Store Manager, reported on THC Drinks, Gummies and other cannabis products. She reported the lower the THC level drinks seem to sell the better. The drinks are selling a lot better than the gummies right now. The Liquor tax will go up an additional 10% that the software computer tech will take care of. The Liquor store needs to be registered with the MN Department of Health by October 2023. This is not currently available, but should be ready August 1, 2023. The cannabis product will be cash only. No checks or credit cards to keep the processing simple. The store will have signage explaining that all cannabis products are cash only and that everyone purchasing cannabis products must have their drivers' license or ID checked. There are no exceptions per MN State Statute. There will be compliance checks that everyone is being carded.

b. **Public Works Director/Airport Manager Report**

Hudek, Public Works Director/Airport Manager, reported the status on installation of the new Kamstrup water meters is 41 remaining plus the trailer park. The department cleaned the retention ponds and storm sewer culverts. They have fixed the culvert on 4th Street and some curb stops throughout the city. They have been doing maintenance on the tree line by the windsock at the Airport. The trees downtown on Birch Avenue that were rubbing buildings have been trimmed. MNDOT was at the Airport with a drone doing tree inspection and he should receive a report from them in the next 30 days. Hudek reported that the water pressure at the parks is at a low rate incase it gets left on. There will not be a second sink replaced at Community Park since there does not seem to be a need for it. The water fountain at Community Park will be replace and is on order. Hudek requested at a future meeting for Council to discuss the possibility of removing the trees downtown due to the damage that is happening to the sidewalks.

The Council thanked the Public Works Department for their help with the Makers & Growers festival.

The Council thanked the ladies from the City of Dassel and City of Spring Lake Park for their help with getting the bank reconciliations caught up.

c. **Administrative Report.**

Eckerly, City Administrator, reported that she distributed her report on paper. She reviewed the meetings she has attended and some of the tasks. She pointed out that the Admin Office is getting calls regarding how much property owners assessments are on the Mill & Overlay project. People think the amounts have already been assessed. The assessments won't be turned into Wright County until November 2023 and won't show until May 2024 on the property tax statements. She reviewed the 2022 audit status as of July 18, 2023. Shannon DesMarias, Accounting Clerk, has to finish one entry which is with a payroll vendor and then she can close December 2022. DesMarias is scheduled on Thursday to complete this entry. Eckerly has January and February 2023 bank reconciliations prepped and is ready to close them as soon as December 2022 is closed. The audit checklist has the following items open: 1. Trial Balance – Justin McGraw, Conway, Deuth & Schmiesing has access to Castelle Civic and he will print this as soon as I tell him December is finished and Castelle Civic has found the 2022 difference. 2.) Uploading the December 2022 bank statement and reconciliation. This can be done as soon as DesMarias is finished. 3.) List of all outstanding checks and deposits. This can be done as soon as DesMarias is finished. 4.) Capital Assets. This will be done tomorrow and uploaded. Just have to verify that all new equipment has been included. 5.) Accrued Salaries Payable. DesMarias will complete this tomorrow. 6.) The audit detail reports will be run as soon as December is closed. Castelle Civic took a backup of the software July 10, 2023, to work on the balancing discrepancy prior to 2022. The proposal was 16 hours for $2,500.00. After a phone conversation with Justin McGraw on July 6, 2023, Eckerly filed with the State Auditor's office a request for an extension to September 30, 2023. McGraw didn't believe with Maple Lake being a new client that he could complete the audit by the August deadline. If the audit is not filed, by September 1, 2023, then the State Auditor will generate a letter stating that the audit must be filed by September 30, 2023, or the city's Local Government Aid is at risk of being lost. The auditors are scheduling to be at the city hall next Monday, July 24, 2023, at 9:00 a.m.

Eckerly and Ketchum, City Attorney presented a question if the Council would like an ordinance prepared regarding the use of cannabis in public. As of August 1, 2023, the use of adult cannabis can be used in private and public areas. Public areas would be sidewalks, streets, parks and public parking lots. The use of adult cannabis is not covered by the Clean Air act. After a lengthy discussion, the consensus of the Council was yes to prepare the ordinance for the August 1, 2023 Council meeting. Kennedy-Graven law firm is preparing this ordinance for multiple cities. This is different than the Wright County Joint Powers Agreement that was recently received from the Sheriffs' Department that David Anderson, City Attorney is reviewing for multiple cities in Wright County.

Motion to Open Public Hearing regarding an Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Operation of Cannabis Businesses in the City Pursuant to the Authority under MN Statutes, section 342.13 (e).

A motion was m/s/p, Kissock/Paumen to Open the Public Hearing regarding an Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Operation of Cannabis Businesses in the City Pursuant to the Authority under MN Statutes, section 342.13 (e). Roll call vote: Scott Chantland Yes, John Haack Yes, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. All present voted in favor.

The regular City Council meeting was recessed.
Public Hearing was open at 7:02 p.m.

Note: internet connect was dropped from 7:02 p.m. to 7:06 p.m. approximately. There was no discussion regarding the Public Hearing until the internet connection was restored.

Ketchum, City Attorney, gave a report regarding the study and moratorium regarding the operation of cannabis businesses. The moratorium is a planning tool which pauses the develop of these business so that the city can study the industry and learn more how they operate and maybe regulated. This moratorium is to January 2025. The city has the option to remove the moratorium earlier if it completes the study prior to that date.

Nathaniel Martin was present to address the Council regarding the moratorium. He asked what the estimated cost is for study to the taxpayers. Ketchum, City Attorney, reported that because of the multiple organizations that the City of Maple Lake is a member of it is receiving free webinars and documentation regarding the subject. The main cost will be attorney fees. Mr. Martin is new to the community and wants it to stay a family-oriented community and expressed that the use of adult cannabis will affect this. He is in favor of the moratorium.

Ketchum, City Attorney, reported what regulations that the State of Minnesota will be issuing. The State of Minnesota is creating a model ordinance to regulate the sale of adult cannabis in cities.

Since no one else was present for the Public Hearing, it was closed at 7:15 p.m.

A motion was m/s/p, Kissock/Haack to Close the Public Hearing regarding an Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Operation of Cannabis Businesses in the City Pursuant to the Authority under MN Statutes, section 342.13 (e). Roll call vote: Scott Chantland Yes, John Haack Yes, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. All present voted in favor.

The regular City Council meeting was re-opened.

New Business

a. **Motion to approve Ordinance 2023-05 an Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Operation of Cannabis Businesses.**

A motion was m/s/p, Haack/Chantland to approve Ordinance 2023-05 an Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Operation of Cannabis Businesses. Roll call vote: Scott Chantland Yes, John Haack Yes, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. All present voted in favor.

b. **Motion to approve Resolution 2023-29 Authorizing Summary Publication of Ordinance 2023-05.**

A motion was m/s/p, Kissock/Paumen to approve Resolution 2023-29 Authorizing Summary Publication of Ordinance 2023-05. Roll call vote: Scott Chantland Yes, John Haack Yes, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. All present voted in favor.

c. **Motion to approve Ordinance 2023-06 Amending Chapter 16 of the Maple Lake City Code Regarding Sump Pump Drainage.**

A motion was m/s/p, Kissock/Paumen to approve Ordinance 2023-06 Amending Chapter 16 of the Maple Lake City Code Regarding Sump Pump Drainage. Roll call vote: Scott Chantland Yes, John Haack Yes, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. All present voted in favor.

d. **Motion to approve Ordinance 2023-07 Amending Chapter 56 of the Maple Lake City Code Related to the Licensing of THC Products Sales.**

A motion was m/s/p, Kissock/Haack to approve Ordinance 2023-07 Amending Chapter 56 of the Maple Lake City Code Related to the Licensing of THC Products Sales. Roll call vote: Scott Chantland Yes, John Haack Yes, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. All present voted in favor.

e. **Motion to purchase Cuddeback Digital Camera System for Community Park and Bolduan Park. Recommendation from Park Board to purchase home unit and 3 cameras for each park for $1,378.50 from Park Capital Improvement fund.**

Hudek, reported that he does not believe there is a need for cameras at the park. There has been no vandalism this year. People have expressed to him that they feel it is an invasion of their privacy. The Council discussed that this is for safety and security at the park.

A motion was m/s/p, Haack/Kissock to approve the purchase of Cuddeback Digital Camera System for Community Park and Bolduan Park from Park Capital Improvement. Roll call vote: Scott Chantland Yes, John Haack Yes, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. All present voted in favor.

Old / Other Business

a. Discuss draft Ordinance Adding Chapter 62 of the Maple Lake City Code Authorizing & Regulating the Conduct of Lawful Gambling.

Ketchum, City Attorney, reported at the current status of the ordinance since May 2023. After a lengthy discussion, the Council agreed to remove section 62.09 the required contribution to the city fund. The Council wanted the Trade Area requirement to be included but could not determine a percentage. The action was tabled to August 1, 2023 so Council could determine a percentage for the Trade Area.

A motion was m/s/p, Haack/Hausken to table action to August 1, 2023 and exclude section 62.09 and leave section 62.10 blank for percentage to be determined. Roll call vote: Scott Chantland Yes, John Haack Yes, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. All present voted in favor.

b. **Schedule Workshop to review draft Rental Ordinance. August 22, 29 or 30, 2023.**

The Council consensus was to set the Workshop with David Anderson, City Attorney and MNSPECT for August 29, 2023 at 6:00 p.m.

c. **Motion to approve Resolution 2023-26 Awarding Bid 2023 Mill & Overlay Project.**

Boser, City Engineer, reported there were 4 bids received with the low bidder being Duininck Inc. The construction is to start August/September.

A motion was m/s/p, Kissock/Paumen to approve Resolution 2023-26 Awarding Bid for the 2023 Mill & Overlay Project. Roll call vote: Scott Chantland Yes, John Haack Yes, Lori Hausken Yes, Lynn Kissock Yes Wayne Paumen Yes. All present voted in favor.

d. **Discuss next step with the Funding Matrix presented by Heidi Peper, Stantec on June 6, 2023.**

The Council tabled to August 1, 2023.

e. **Tabled June 6, 2023 – Motion to approve the quote from ETS Health in the amount of $2,875.00 to clean, polish and seal the front entrance and restrooms.**

UPDATE: Public Works Department has a chemical that will remove the sticky residue and will clean the tile. No further action is needed.

f. **Committee Reports**

- 06/13/2023 Wright County 2nd Annual EDA Meeting (Kissock, Hausken).

Kissock reported they learned about what Wright County is doing to promote economic development and the opportunities that are available to the cities. It was a very good meeting.

- 06/21/2023 League of MN Cities Annual Conference (Kissock, Haack).

Kissock attended sessions on TIF Districts, Workforce Housing, Childcare as an economic development tool, Fire recruitment and infrastructure workshop. It was a lot of great information.
Haack attended sessions on Tiny housing development, redevelopment of the court house into low-income housing, and the League has a lot of model ordinance that would be helpful to improve the code for Maple Lake. Next year the conference is in Rochester, MN.

- 06/26/2023 Joint Wastewater Meeting (Kissock)

Kissock reported the Board reviewed current flows and the 2022 audit.

- 06/27/2023 Special City Council Meeting (Kissock)

Kissock reported Council discussed the audit and the status of the 2022 audit.

- 07/05/2023 Chamber Meeting (Eckerly, Chantland)

Eckerly reported the meeting was at The V and there were 15 people in attendance. Ross Orson is the new Chamber board member. The Makers & Growers festival is the center fold in the Oak Realty magazine.

Announcements/Dates to Remember

a. CenterPoint Energy, Community Safety $2,500 Grant Award – Fire Department.
b. Letter from MN Department of Health, Final Approval of City of Maple Lake, Part 2 Wellhead Protection Plan.
c. Status 2023 Federal Grant Safe Streets & Roads for All. Plan grant filed July 7, 2023
d. Newsletter #3 – 2023 Street Project
e. Wright Co-2023 Highway Maintenance Overlay Program (County Hwy 7)

August 2022 Dates to Remember

- City Council Meeting, Tuesday, August 1, 2023 at 6:00 p.m.
- Chamber of Commerce meeting, Wednesday, August 2, 2023, at noon, Madigan's
- Special Joint Council & Airport Commission meeting, Thursday, August 3, 2023, at 6:00 p.m. at City Hall.
- Fire Relief Association Meeting, Tuesday, August 8, 2023, at 5:45 p.m.
- Planning Commission Meeting, Tuesday, August 8, 2023, at 6:00 p.m.
- Personnel Committee Meeting, Wednesday, August 9, 2023, at 6:00 p.m.
- Makers & Growers Festival, Sunday, August 13, 2023, from 10:30 a.m. – 3:30 p.m. Downtown
- Park Board Meeting, Monday, August 14, 2023, at 5:00 p.m.
- City Council Meeting, Tuesday, August 15, 2023, at 6:00 p.m.

Also mentioned was the Movie in the Park, Friday, August 18, 2023, at dusk and GearHead Day, Saturday, August 19, 2023 all day Downtown.

Adjournment

A motion was m/s/p, Haack/Ballweber to adjourn at 8:57 p.m. All present voted in favor.

Attest,

Renee Eckerly
City Administrator