

**CLEARWATER CITY COUNCIL MEETING MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**JUNE 12, 2023**

**1. Call to Order and Pledge of Allegiance: 7:00 p.m. at City Hall**

- Mayor Lawrence called the Clearwater City Council to order Monday, June 12, 2023, at 7:00 p.m. in the Council Chambers. The Pledge of Allegiance was recited. Members present were Mayor Lawrence, Council Members Luhmann, Winkelman, Schwinghammer, and Vazquez. Also present were members of the public, staff, and guests.

**2. Approval of Agenda**

- Administrator Smythe requested to add item 7(c) – Trail Repair Quote.
- **MOTION** by Luhmann to approve Agenda with the requested addition, seconded by Vazquez, all voted aye. **MOTION CARRIED.**

**3. Wright County Sheriff's Report**

- Deputy Doiron gave the monthly sheriff's update. Member Winkelman asked if the arrests noted were on warrants. Doiron stated some were on warrants and some were new charges.

**4. Public Forum**

**a. James Theisen – Children's Home Ride Update**

- Mr. Theisen stated he had two reasons for attending the meeting. One is to introduce himself to new City Council Members. He is the owner of Flinstones Bar & Grill and his daughter was recently added as a partner. The second reason is community outreach to keep everyone informed about an upcoming event. There is a bike rally coming through town on June 25, 2023. The rally is intended to raise funds for the Children's Home and other charities. He has a partnership with the Legion Riders and other veterans' groups. He also noted that he had concerns about the planned bridge project and has discussed those with staff. He looks forward to future public meetings on the bridge project.

**b. Melissa Alberico – Fence Concern**

- Ms. Alberico outlined her issue with her fence. She explained that some of her children have disabilities that require her to limit noise and distractions. She would like to replace her existing chain link fence with a privacy fence around the rear of her property. Because her property is on a corner lot, city code limits the options for fencing on the street side of the property. She has spoken to the mayor and staff about how to address this. Staff introduced photos of her property so Members could better understand the concerns. Her options include:
  - Placing the fence on the Pine Street side of the property from the rear corner of the house/garage straight back to the rear lot line. This results in the fence along Pine Street being placed about 10 feet inside of her lot line.
  - Placing the fence in the same location as the existing chain link fence, which is on the lot line on the Pine Street side. This option would require a variance.
  - Having the City Council amend the city code so that a variance would not be needed.She stated that the variance option is not ideal due to the cost. The fencing costs are being covered by Wright County because of her children's disabilities.
- Mayor Lawrence explained that Members generally do not act on items during Public Forum but would consider the matter for later discussion and staff would let her know what is decided.

## 5. Consent Agenda

- a. **Claims/Accounts Payable in the Amount of \$ 199,616.34**
  - b. **Approval of Minutes from 05-08-2023 Regular City Council Meeting**
  - c. **Approval of Minutes from 05-22-2023 Special City Council Meeting**
  - d. **Approval of Minutes from 05-22-2023 Special City Council Workshop Meeting**
  - e. **Res 2023-32 – Approving Temporary Liquor Licenses – Lions Club**
  - f. **Res 2023-33 – Approving Special Event Permit – Rejoice Lutheran Church**
  - g. **Res 2023-34 – Approving Temporary Liquor License – Rejoice Lutheran Church**
  - h. **Res 2023-35 – Approving Temporary Gambling Permit – Rejoice Lutheran Church**
  - i. **Res 2023-36 – Approving Step Increase for Returning Seasonal Worker**
  - j. **Approving Addition of Juneteenth Holiday to Personnel Policy**
- **MOTION** by Winkelman to approve Consent Agenda, seconded by Luhmann, all voted aye. **MOTION CARRIED.**

## 6. Old Business

- a. **Res 2023-16 – Approving Development Agreement for Kwik Trip**
  - **MOTION** by Luhmann to approve Resolution 2023-16, seconded by Schwinghammer, all voted aye. **MOTION CARRIED.**
- b. **Res 2023-37 – Appointing Member to Fire Relief Association Board of Trustees**
  - Member Schwinghammer offered to fill this role.
  - **MOTION** by Lawrence to approve Resolution 2023-37 appointing Schwinghammer to the Fire Relief Board of Trustees, seconded by Winkelman, all voted aye. **MOTION CARRIED.**
- c. **Approving Job Description for Assistant City Administrator**
  - Smythe explained the new job description per the discussion at the special meeting. Members had also asked for Smythe’s job description. Smythe explained that she included her performance review template, as it includes additional duties added since the job description was created in 2019.
  - **MOTION** by Lawrence to approve job description for Assistant City Administrator, seconded by Luhmann, all voted aye. **MOTION CARRIED.**
  - Mayor Lawrence asked if the position would need to be posted. Smythe explained that the City Council has discretion to post positions or fill internally per the Personnel Policy. If posted, then the city must comply with Veterans’ Preference Act.
  - Smythe stated she will include a memo for the next agenda outlining Johnson’s progress in the position and new duties/qualifications since her original hire which makes her eligible for promotion to this position.
- d. **Closed Session – Discuss Property Purchase Offers**
  - The meeting was closed pursuant to Minnesota Statutes Section 13D.05 subd. 3(c) to develop offers to purchase three properties 1) Maple Street (Houle property), 2) Elm Street (Paumen property), and 3) residential vacant lot on Lauren Court. The meeting was closed at 7:22 p.m.
  - Public meeting was re-opened at 8:06 p.m. Staff were authorized to negotiate offers to purchase the property on Maple Street and Elm Street. Members declined to make an offer on the Lauren Court property.

## 7. New Business

- a. **Authorizing Fee Waivers - Special Event Permit – Heritage Festival**
  - Smythe explained that the Heritage Festival has requested a waiver of their fees for the special event permit and pavilion rental. There was a discussion of the costs. Special event permit is \$25 and the Lions pavilion rental is \$79.25 plus deposit.

- **MOTION** by Lawrence to waive the special event permit fee and the pavilion rental fee, but payment of deposit still required, seconded by Vazquez, all voted aye. **MOTION CARRIED.**

**b. Discuss Cannabis Ordinance**

- Members discussed the memos from the city attorney and the recommendation to consider an interim ordinance with a temporary moratorium.
- **MOTION** by Lawrence to bring back a draft ordinance to the July meeting, seconded by Luhmann, all voted aye. **MOTION CARRIED.**

**c. Trail Repair Quote**

- Smythe explained the trail repair quote obtained by TO Plastics to repair a low section of the trail near their driveway which is breaking up. The contractor agreed to a lower price because it's the same contractor that is repaving the Lions Park parking lot. TO Plastics has offered to cover half of the costs. The quote is for \$14,500 to add a drain line/culvert, elevate, and repair the damaged section of trail.
- Members asked if a second quote was needed. Smythe explained that it would be nice to have but is not required. There wasn't time to get a second quote, as the work will likely be done later this week.
- Members asked if TO Plastics caused the damage. Smythe explained that much of the damage is caused by pooling water, as this section of the trail is very low. However, traffic driving over this section likely caused additional damage. This is one reason that TO Plastics has offered to share the costs.
- **MOTION** to approve by Schwinghammer, seconded by Winkelman. Voting aye – Schwinghammer, Winkelman, Luhmann. Voting nay – Lawrence, Vazquez. **MOTION CARRIED 3-2.**

**d. Discuss Fence from Public Forum**

- Members discussed the fencing request that was raised at the Public Forum. Members considered the impact for other properties of an ordinance amendment and the difficulty making language changes that would not create issues in other areas. After discussion, Members' consensus was that a variance application was the appropriate option for this particular property and situation.

**8. Committee Reports**

**a. Mayor and Council**

- Mayor updates:
  - WCMA quarterly meeting is June 21 at Nordic BrewPub in Monticello. Mayor Lawrence asked Members if anyone would like to attend, to please contact her.
  - The first Music in the Park is at El Dorado Park on June 15.
  - Heritage Festival is holding a planning meeting tomorrow.
  - Lawrence asked if Members would like to be in the Heritage Festival parade. She noted that the city obtained vehicle magnets for this purpose last year, but the parade was cancelled. Members expressed interest. Staff will check on a city vehicle for use in the parade and register the City Council. Members will bring their own candy to throw.

**b. Boards**

- Sewer Authority – Meets June 15, 2023 at 5:30 p.m. at Clearwater City Hall.
- Fire Relief Association – The next Board meeting has been moved to June 26, 2023 at 7:00 p.m. so not to conflict with the Juneteenth holiday.
- Planning Commission – The next meeting is June 27, 2023 at 7:00 p.m.
- EDA – The EDA discussed signage updates at their last meeting. The next meeting is scheduled for June 20, 2023 at 8:00 a.m.
- Park Commission – Discussed the following:

- Windscreen – Member Vazquez outlined the request from the Clearwater River Cats to place wind screening on the fencing at the Sportsman’s Park ballfield, similar to the sponsorship signs. Members did not have any objections. Luhmann questioned if the signs would have holes allowing air flow like the others. The team indicated to staff that they would.
- Shed – Vazquez noted the discussion about use of the city’s shed and concerns raised by Public Works staff. Johnson explained that she had spoken to the team and was told they are fundraising to build their own facility. It was estimated that it may be a couple of years before they have sufficient funds. Members noted security concerns about unknown people having access to the wellhouse and the city’s lack of storage.
  - After discussion, Members directed staff to: 1) itemize what items are being stored outside by the city, if any, and 2) provide details on what is stored in the new, larger shed at Sportsman’s Park.
  - Members directed the team to: 1) provide a plan and timeline for the July Council meeting on what they intend to build and when it will be completed, and 2) make interim plans to remove equipment from the city shed no later than 30 days following the July Council meeting.
- Vets Park – Smythe provided a budget update of the project. Member Schindele gave the status of remaining items. We are on track to meet the June 30 deadline.
- Splash Pad – Smythe provided an overview of options from one vendor and will pursue additional vendors/options.
- Dog Park – Members considered fencing quotes, discussed the need for a dog park, and requested that staff conduct a Facebook survey to test residents’ desire for a dog park.

**c. Staff**

- Smythe explained that the Clear Lake Board Chair invited two City Council members to come to a meeting July 20 to provide an overview of the city’s reasons behind the request to consider an orderly annexation agreement. Members agreed and will determine who will attend at the next meeting.
- Smythe and Johnson provided updates on efforts to fill open staff positions.
  - All public works seasonal positions have been filled.
  - Interviews are underway for the full-time public works position.
  - The new Accounting Clerk, Maci Hill, has started and her training is going smoothly.
  - Staff are reconsidering options for the Community Development position, as there were only two applicants, and one has withdrawn. The EDA plans to bring on a consultant in the short-term to assist with projects.
- Member Luhmann asked about weeds at Veterans Park. Smythe stated these will be addressed.

**9. Other Business**

**a. Next Regular Meeting – July 10, 2023 at 7:00 p.m.**

- Next meeting date was confirmed.


**10. Adjournment**

- **MOTION** to adjourn by Luhmann, seconded by Vazquez, all voted aye. **MOTION CARRIED.**
- Meeting adjourned at 9:14 p.m.

ATTEST

  
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 Annita M. Smythe, City Administrator

APPROVED

  
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 Andrea Lawrence Wheeler, Mayor