

Committee of the Whole
October 27, 2021

The Fergus Falls City Council met as a Committee of the Whole on October 27, 2021 at 7:00 am in the City Council Chambers. Mayor Schierer called the meeting to order and the following council members were in attendance: Hicks, Fish, Hagberg, Kvamme, Rufer, Thompson, Arneson, and Gustafson.

Boards and Commissions

Klara Beck reported staff have been making updates to the City Code pertaining to boards and commissions and she asked for the council's guidance on the functions and operations of these volunteer boards. The council was in consensus to allow the boards to define their mission and they agreed the requirement to provide an annual update to the council should remain in code language. Staff will continue working on the updates and will bring a recommendation back to the council.

Aquatics Center Proposal

The council directed staff to review and update the construction and operational costs for the proposed aquatics center. The last estimates were from 2017 and a thorough review of the amenities and long term operational costs is needed. The City Engineer engaged the services of a consulting team consisting of members from Bolton & Menk, 292 Design Group, Ballard*King& Associates and Reengineered, Inc. Bolton & Menk will coordinate the efforts and provide civil analysis. 292 Design Group will review the feasibility report and provide concept and site planning. Ballard*King will review the 2017 feasibility report business plan and prepare the operations analysis. Reengineered, Inc. will review the 2017 feasibility report and provide spatial analysis for the indoor pool and recommendations. The professional services proposal is \$10,300 and the work would be funded by future project allocations and the local option sales tax if approved by the local voters in the 2022 General Election. A second task would be completed for the Fergus Falls School District to consider if the district decides to evaluate an adjoining indoor facility in conjunction with the city's project. A motion and second were made by Fish and Thompson to recommend the council initiate PI 9504, the aquatic facility improvement project and accept the professional services proposal (Task 1) in the amount of \$10,300 and the motion carried.

Budget Adjustments

The following budget adjustments were proposed:

- Increase the Other State Grants and Aids revenue budget and the Fire Department training budget for \$3,045 due to additional training reimbursements from the State of Minnesota.
- Reallocate \$3,939 from General Government Buildings to the Fire Department for the replacement of the HVAC roof-top unit over the meeting room.
- Increase the Police Forfeiture revenue and expenditure budgets for the receipt of 2021 forfeitures in the amount of \$7,200.75.
- Increase the Public Library revenue and expenditure budgets for donations received in the amount of \$5,747.
- Increase the General Fund federal revenue and the Street Maintenance bituminous overlay expenditures for the receipt of Federal funds from the Coronavirus Response and Relief Supplemental Appropriations Act in the amount of \$36,378.

- Within the 2021 adopted budget, the city planned for a loss of \$791,939 in Local Government Aid and compensated for the loss with additional transfers from the Liquor Store (\$200,000) and use of fund balance (\$300,000). The city is not losing LGA and therefore can increase the LGA budget to the state certified levels and decrease the transfers in and use of fund balance budgets.

A motion and second were made by Rufer and Hicks to recommend the council approve the proposed 2021 budget adjustments and the motion carried.

Ordinance 15, Eighth Series

City Planner Karin Flow provided an overview of the changes that were incorporated in Ordinance 15 by recommendation of the Planning Commission. Much of the zoning code language was adopted in 1965 and City Code Chapter 154.037, B-2 Service Business District was amended to add and delete permitted uses in this zone to be more applicable for today's world.

The Zoning Department receives many calls about fences and sheds and the neighborhood disputes that arise from the construction of these structures. The proposed changes to City Code Chapter 154.086, Yard Regulations would provide more parameters and guidance. The proposed amendments would allow a fence in a residential zone up to 6 feet tall. It would prohibit boundary line fences and would require all fences have a setback of at least two feet from any lot line. Fences abutting an alleyway must be a minimum of five feet from the lot line. Fence materials must be constructed in a professional manner with standard fencing materials. Chain link fences are not considered decorative fences and those already in place would be grandfathered in. Fences in the front yard must be decorative and a maximum of 50% opacity. A fence in a residential yard abutting a business or industrial zone can be up to 8 feet in height in the side or rear yard. Fences in business and industrial zones cannot exceed 10 feet. There is an exception for fence heights on corner lots for site lines.

Many of the city's variances stem from accessory buildings and the proposed changes City Code Section 154.091 addresses these buildings. Currently, detached accessory buildings such as garages or sheds can only be placed in the rear 1/3 of a yard. The amended code language would allow these detached structures to be placed in the side and rear yards. The maximum size of the detached accessory structures cannot be greater than 5,000 square feet in an R-A zone and no greater than 10% of the total lot size in all other residential districts. The façade must have matching or better materials of the primary structure. No accessory building or structure can be constructed on a lot prior to the time of the principal building construction unless permitted at the same time. Homes along a shoreline would be permitted to add a detached structure in the front yard if the structure setbacks were met. Detached accessory buildings must have a side or rear lot line setback of not less than five feet in R-A and R-1 zones and three feet in R-2, R-3 and R-4 districts. Accessory buildings, unless attached and made a part of the primary structure must not be closer than five feet to the main building. They cannot exceed nineteen feet in height or the height of the primary structure.

Council members discussed fences and the provision of requiring a two feet setback from lot lines. Comments were made about the gap between the fences, their upkeep, neighbor disputes, difficulties in building a fence in narrow lots and how the boundary lines would be maintained. Laurel Kilde from the Planning Commission explained their group's discussion for the proposed language and said there would likely be an amicable response to changing the language to fences being placed on boundary lines. A motion and second were made by Kvamme and Thompson to remove the language requiring a two foot setback from any lot line and the motion carried. Kvamme asked if the language

in Section 6 (5)(a) should read maximum rather than 50% minimum opacity. It was clarified that was a clerical error that will be fixed. Staff will make the proposed changes and provide an updated version of the ordinance at the next council meeting for their consideration. The ordinance did receive a first reading at the October 18 council meeting.

Other Business

Fish spoke about the upcoming Lakes Country Service Cooperative annual meeting and the recent change in healthcare insurance to Medica and the projected savings. Kvamme requested staff bring back an update on credit card fees and the remaining state bond funds allocated to the RTC at the next committee meeting.

The meeting adjourned at 7:42 am

Lynne Olson