

Committee of the Whole
July 31, 2024

The Fergus Falls City Council held a Committee of the Whole meeting on Wednesday July 31, 2024, at 7:00 am in the City Council Chambers. Mayor Schierer called the meeting to order, and the following council members were in attendance: Job, Kvamme, Rufer, Kremeier, Rachels, Hicks and Fish.

Legislative Update

Joel Carlson spoke to the council about the 20 years of partnership between himself and the city as the city's lobbyist. He reviewed the city's successful 2024 legislative request for the Lake Alice grit chambers and gave insight into what the 2025 legislation session may bring including potential changes to the membership of the house, budget and LGA funding.

Donation to Police Department K9

A motion and second were made by Hicks and Fish to recommend the council accept a \$7,500 donation from the American Kennel Club for the purchase and training of a new K9 for the Fergus Falls Police Department and the motion carried.

Cannabis Registration Ordinance

Chief Bergren reviewed an ordinance the city has modeled after state and county guidance regarding the registration of cannabis licensing. He noted instances where the city's ordinance would differ from the model ordinance language including the city would not allow public consumption of the products; hours of operation would be 9 am-9 pm; and allowing businesses that receive a on sale liquor license from the city to sell low potency hemp derived beverages, but not edibles. Bergren suggested the council develop an application for the registration process that would address site and security plans, odor control, and the management of the waste and encouraged the development of a policy the council would use in the selection process if more than number of businesses allowed want to sell cannabis products. Hicks asked for clerical amendments changing references to shall or shall not to can and cannot in the renewal process and suggested requiring businesses to supply a disposal plan and they be responsible for that cost. Bergren said the state has rules in place for disposal such as expired products must be in secure containers and suggested the city work with Otter Tail County on the processing of waste products. Kremeier asked if the buffer zones would be from building to building or property line to property line and Bergren suggested using the property lines as that would be consistent with state statute for controlled substances. A motion and second were made by Rachels and Job to recommend the council to hold a first reading of Ordinance 59, Eighth Series, Cannabis Registration on August 5 and the motion carried.

Council Vacancy and Council Appointments

Due to the ward three vacancy, there is also a vacancy on the Port Authority, and it was suggested Al Kremeier be appointed to fill the position. There is also a vacancy for a city appointment on the West Central Initiative Economic Development District and Scott Rachels has indicated willingness to fill that spot. A motion and second were made by Hicks and Fish to recommend the council appoint Al Kremeier to the Port Authority and to appoint Scott Rachels to the WCI EDD Board. Andrew Bremseth spoke about the council vacancy and previous council discussion that the person elected to the open seat could be seated after the election has been canvassed and the campaign finance reports have been completed and filed to fill in the unexpired term by council resolution. That candidate

would also take the oath of office for the next four years on January 6, 2025. A motion and second were made by Hicks and Rachels to recommend the council appoint the candidate receiving the most votes at the November 5 election in Ward Three at the November 18 council meeting to fill the rest of the unexpired term and the motion carried. Kvamme did not feel the council should delay filling the empty seat and asked the City Attorney to provide a legal interpretation of the process of the appointment. Kremeier felt the person seated should be elected by the people of the ward and it was confirmed it is the intent to fill the seat with the candidate elected by voters in the General Election.

Website Proposal

The city receives 78,000 website visitors annually and has been using Granicus since 2020. The city has been dissatisfied with the site's functionality and customer service and the website committee has looked at other options, interviewed three companies and is recommended moving to Munibit. The new company would not charge separate fees to build and host the site or create the design and the proposed price falls within the 2025 website budget. Munibit has confirmed the new Civics Systems platform will be compatible with the website. Rufer agreed the website is an important part of the city's interaction with the public and needs an update. A motion and second were made by Rufer and Hicks to recommend the council to authorize staff to enter into an agreement with Munibit as the city's website provider and the motion carried.

Sculpture Walk

The Public Arts Commission (PAC) would like to create a sculpture walk featuring six outdoor art pieces and they asked the city to be the fiscal host for the project. The commission would oversee the project, seek grants and funding and there would be no additional financial request from the city. PAC Chair Kim Embretson explained the project details noting the sculptures would be loaned by artists for one year of time. Artists would receive a stipend and the art could be purchased. He has reached out to many of the downtown business owners who support the project and would appreciate the additional foot traffic along Lincoln Avenue and the project's potential to be an economic driver. The PAC would seek a grant and donation in the amount of \$65,100 to fund the project for the first three years. A motion and second were made by Fish and Kvamme to recommend the council act as the fiscal host for the sculpture walk and the motion carried.

Fergus Falls Community Arts Exchange

A motion and second were made by Hicks and Rachels to recommend the council provide a letter of commitment to support Springboard for the Arts new Artists-in-Residency program, the Falls Community Arts Exchange and the motion carried.

City Project 5961, Junius Avenue Reconstruction Project

Plans and specifications for City Project 5961, the Junius Avenue reconstruction project are complete, and the estimated project cost is \$1,325,000. The project would be funded by a combination of PIR 429 bonds, MSAS funds and enterprise funds. A final assessment hearing would be held prior to awarding the construction services contract. A motion and second were made by Fish and Kvamme to recommend the council accept project plans and specifications and authorize the advertising of bids for CP 5961 and the motion carried.

PI 9346, Airport Taxi Lane Relocation Project

PI 9346 is the airport taxi lane relocation project completed in 2020. During the project they uncovered unsuitable soil was removed and the additional work added to the project cost. Both the

State of Minnesota and the FAA agreed to the change and additional cost. The initial project cost was \$575,362,30 and the revised cost is \$630,118.78. The city is responsible for 5% of the cost, which equates to an additional \$2,738.69 which will be paid from the Airport 456 Fund. A motion and second were made by Kvamme and Rachels to recommend the council accept the state and federal grant amendment #1 to MnDOT Agreement No. 1035254 and the motion carried.

PI 5373, Shoreview Drive Street Improvement

The plans and specifications for PI 5373, the Shoreview Drive street improvement project have been completed and the estimated project cost is \$290,000. The project would be funded by PIR Fund bonds and special assessments. A final assessment hearing would be held prior to awarding the bid. A motion and second were made by Fish and Job to recommend the council accept the project plans and specifications and authorize the advertising of bids for PI 5373 and the motion carried.

Other Business

Job voted against a housing tax rebate earlier this year and would like to reconsider her vote on Monday night by adding this item back onto the agenda.

The meeting adjourned at 8:13 am

Lynne Olson