CITY OF NISSWA
MINUTES – CITY COUNCIL SPECIAL MEETING
WEDNESDAY, JULY 15, 2026 – 10:00 AM
NISSWA CITY HALL

Members present: Jennifer Carnahan, Bruce London, Joe Hall, Mark Froehle, Jesse Zahn
Other Members Present: Tom Pearson, City Attorney
City staff present: Interim City Administrator Maggi Wentler; Public Works Director Tom Blomer

Audience members: 5 members of the public were present

A. Call to Order

Mayor Jennifer Carnahan called the Special City Council Meeting of the City of Nisswa to order on Wednesday, July 15, 2026, at 10:00 AM at Nisswa City Hall.

Mayor Carnahan directed that the record reflect the special meeting was called by Council Member Joe Hall and Council Member Jesse Zahn.

Mayor Carnahan also noted for the record that the City had received an email from resident Roger Landers expressing displeasure with the frequency of special meetings. Mr. Landers noted that from May 2025 to present, the City had held 14 special meetings, inclusive of today's, and that this count included town halls, budget meetings, and truth-in-taxation hearings.

B. Grand View Lodge Approval of Using City Land

Dawn Southworth, Managing Director of Grand View Lodge, addressed the Council to request use of City land on July 16, 2026, from 3:00 PM to 10:30 PM for overflow parking in connection with a concert event. Ms. Southworth explained that Grand View typically coordinates with a local church for parking during events, but the church had a conflicting event. She noted that the concert was a pop-up addition, driven by Grand View's decision to open the event to the broader community, necessitating additional parking capacity. The request stemmed from a prior safety concern—specifically, the "Party at the Pines" event during which vehicles lined Highway 77, creating an unsafe environment for both guests and the community.

Council Member Froehle acknowledged the arrangement as a recurring practice and encouraged Grand View's events staff to communicate with the church and plan ahead to avoid last-minute requests to the Council in the future. Ms. Southworth acknowledged the communication breakdown and agreed to improve advance coordination.

City Administrator Maggi Wentler confirmed that the only requirement for such use is a certificate of insurance, which Ms. Southworth agreed to provide prior to the event.

Council Member Hall raised the question of whether future land-use requests of this nature could be handled administratively by staff—similar to street permits—rather than requiring Council action. He noted that other organizations, such as the Brainerd Jaycees, had used City property in the past and that an over-the-counter approval process might be more efficient. City Administrator Wentler indicated she had no objection to such a delegation, but noted that potential future improvements and possible sale of the land could affect that discussion. City

Attorney Tom Pearson advised against delegating this authority to staff at this time, cautioning that decisions made without Council awareness could attract criticism. He recommended these matters continue to come before the Council for approval. Council Member Hall also clarified that the Brainerd Jaycees' past use had come before the Council as a regular business item, not on the consent agenda.

Motion to approve Grand View Lodge's use of City land on July 16, 2026, from 3:00 PM to 10:30 PM, as presented, was made by Council Member Froehle and seconded by Council Member London. The motion carried unanimously.

C. Data Practices Policy – Charging Fees

City Administrator Wentler presented the item, noting that the City's existing data practices policy already authorizes charging for staff time and copying costs associated with data requests, but that this practice had not been enforced under the prior City administrator. She reported a significant increase in data request volume, with approximately 14 to 16 requests currently open, and cited one recent request that required 38 hours of staff time to fulfill. Given the City's current staffing constraints, Administrator Wentler brought the matter forward to seek Council direction on whether to begin enforcing the policy's cost-recovery provisions, with the goal of shifting the financial burden from taxpayers to individual requesters and potentially encouraging more focused, streamlined requests.

City Attorney Pearson elaborated on the multi-step process involved in responding to data requests: evaluating the request, harvesting information across multiple City departments, accumulating documents, reviewing for necessary redactions, and coordinating with legal counsel. He noted that requests have grown increasingly voluminous and wide-ranging, and that many outstanding requests had deliberately not been responded to pending the Council's direction on this issue. Attorney Pearson framed the core question plainly: does the Council want the City budget to continue absorbing these costs, or does it want staff to comply with the policy as written? He advised that enforcing the policy would likely generate complaints, and that the Council's explicit direction was needed to provide staff with the backing to proceed.

Council Member Hall expressed support for enforcement, noting from his own experience that the requests are extremely time-consuming and that encouraging more targeted requests would benefit all parties. Council Member Zahn asked whether a specific threshold of staff hours would trigger a fee. Administrator Wentler responded that common sense and discretion would guide the determination—simple, quick requests such as emailing a single policy document would not typically result in a charge, while large-scale requests requiring significant hours across multiple departments would. Attorney Pearson acknowledged that a precise numerical threshold was difficult to establish, describing it as a "know it when you see it" standard, while confirming that minor requests had already been handled without charge under this informal approach.

Mayor Carnahan read into the record an email submitted by resident Kent Wilkening, a former Nobles County elected county sheriff of over 20 years. Mr. Wilkening urged the Council to maintain the past practice of not charging for data requests, citing concerns that fees could deter residents of limited means from exercising their rights to public data. He further requested that any change in practice apply only to future requests, not those already submitted under the assumption that no fee would be charged. Council Member Froehle and Council Member Hall responded to Mr. Wilkening's email, noting that Nobles County—where Mr. Wilkening served as

sheriff—does in fact charge for data requests. Council Member Hall additionally noted that the volume of requests experienced by the City of Nisswa already exceeds the 30-per-year high Mr. Wilkening cited from his tenure overseeing an entire county, further underscoring the disproportionate burden on City staff.

Attorney Pearson recommended that any Motion direct staff to comply fully with the data practices policy as written, and that no currently pending requests be grandfathered or exempted from potential fees.

Mayor Carnahan noted for the record that she would have preferred this item to be discussed at a regular Tuesday council meeting when more members of the public could attend and offer comment in person.

Motion to direct the City to comply with the data practices policy with respect to charging fees for data requests, and that no currently pending data requests be grandfathered or otherwise exempt from applicable fees, was made by Council Member Hall and seconded by Council Member London. The motion carried on the following roll call vote: Council Member Froehle – Aye; Council Member London – Aye; Council Member Zahn – Aye; Council Member Hall – Aye.

D. Adjourn

Motion to adjourn was made by Council Member London and seconded by Council Member Hall. The motion carried unanimously. The meeting was adjourned at 10:19 AM.

Respectfully submitted,

Jennifer Carnahan, Mayor

Maggi Wentler, Interim City Administrator