

**CITY OF BERTHA
REGULAR MEETING OF THE CITY OF BERTHA
HELD AT THE BERTHA COMMUNITY CENTER
MONDAY, AUGUST, 13, 2012**

Members Present: Mayor Klebs, Council Members Shamp, Zimmerman, Hoemberg & Valley

Staff Present: Clerk Umland and Public Works Templin

Guests Present: Carolynn Bisel, Pete Wallner, Marv Stokes, Joeb Oyster, Jo and Tom Fern, Mary Liemandt, Elverna Gossell, Sandy Schumann, Joann Collins, Abby & Hailey Nelson, Dylan Thorson, Roger Schahn and Shaun Nelson.

Declaring a quorum present Mayor Klebs called the meeting to order at 7:00 p.m. and the citizens recited the Pledge of Allegiance to the flag.

Review and Adopt the Consent Agenda

Note: The Consent Agenda listed those items of business which are considered to be routine and/or which need no discussion. Consent items are acted upon by one motion. If discussion is desired by council, that item may be moved to an appropriate section of the regular agenda for discussion.

Mayor Klebs asked for approval of the agenda as presented. On motion by Hoemberg, seconded by Council Member Shamp to approve consent agenda which included the following items: With all members present voting in favor, the motion carried.

- A. Approval of July 9, 2012 Regular Council Minutes
- B. Approval of July Disbursements & Claim 12870 and Issuance accordance with list provided.
- C. Reviewed bank correspondence – Investments & Bank Statement
- D. Resolution 2012-29 adjusting Ambulance Account Receivable by \$3,425.50 since collection efforts have been exhausted and there is no need to keep it on the books at this time per request of Working 4 Professionals.
- E. 2013 Initiative Foundation – Kathy Gaalswyk from the Initiative Foundation presented a letter to each council member personally thanking them for their past support and request consideration for an investment of \$350. in 2013. Each Council member received brochures that explained how the foundation can serve local governments and investments made within the county.
- F. Approved Cigarette License 2012-03 for The Corner Market owned by Sandra Schumann
- G. Approval to Thomas Fern for Building Permit 2012-06 to construct an outside stairway on the north side of their residence.
Approval to Honey Rose Hanes for a Moving Permit 2012-07 for an 8X12 Pre Built Shed
- H. Approving Resolution 2012-32 authorizing sponsorship of \$237.00 for the Community Concern for Youth Program.

Public Comment

There was no one under unscheduled business to address the council. Mary Liemandt handed out information on how many hits the website has received. Mayor Klebs thanked the committee for another successful summer festival.

Consider Business Items

- A. Kathy Sletto did not present a monthly report. Clerk Umland was instructed to contact Ms. Sletto to get a progress report for the last two projects. Ms. Sletto proposed an updated program income plan that was suggested by Pat Armon when he audited the Bertha DEED Project. The plan describes in detail how we will handle any repayments that Bertha might get if a participant sells

(or no longer lives in) the home repaired through the program. Motions by Shamp, seconded by Member Valley approving the Bertha-Hewitt Rehabilitation Project plan for use of program/generated income. With all members present in favor.

- B. Joeb Oyster, Moore Engineering, briefed the council on the progress of the Bertha Authority Project and presented the council with the partial payments estimates and change orders for the month.

Approval of Pay Request #5 includes the following payments:

Partial Payment Estimate # 1 in the amount of \$4,421.30 to Eagle Construction, Inc. for bond & insurance was approved.

Partial Payment Estimate #4 in the amount of \$157,059.83 to Wagner Construction, Inc. for labor and materials was approved.

Partial Payment Estimate #3 in the amount of \$302,121.25 to Blombeck Construction, Inc. for labor and materials was approved.

Partial Payment Estimate #5 in the amount of \$71,031.60 to Moore Engineering, Inc. for engineering and basic services was approved.

Partial Payment Estimate #4 in the amount of \$6,499.60 to Braun Interact for soil observation and testing was approved. This invoice will be split with the city share of \$3,608.88 and the Wagner share will be \$2,890.72.

Change Order approval are as follows:

Change Order #2 increased \$766.02 to the contract with Eagle Construction Co., Inc. for a 400 amp current transformer meter which requires a cabinet.

Change Order #4 increased \$64,130.49 to the contract with Wagner Construction, Inc. for work on Cty Rd 23 and 300 ft storm sewer by the residence of Gene Lorenz as proposed on #4 C.O. Narrative.

Change Order #1 increase \$70,150.00 to the contract with Blombeck Construction, Inc. for ditching and drain tile at the pond site.

The Bertha City Council and Todd County Public Works have agreed on a joint agreement to upgrade 9 sidewalk ramps along CSAH 24 so they meet public right-of-way accessibility standards.

Council Member Zimmerman moved and Member Hoemberg seconded the motion to approve the above partial payment requests and change orders contingent upon USDA signing. With all members present in favor.

Mayor Klebs inquired about the curb stops for Pete Wallner's two businesses. Joeb will have Hugh contact him to discuss what the options are and get back to Mr. Wallner. He wants something in writing who would be responsible down the road if a leak occurs.

- C. Clerk Umland informed the council that a certified letter was sent to Matt Peterson concerning that he was in violation of his Temporary Building Permit 2011-04. Mr. Peterson has applied for a zoning permit to move in a new shed. Motion by Hoemberg, seconded by Member Valley denying the permit until the present one is removed. Carried. There was some discussion about contacting Mr. Peterson to inspect the shed before it can be installed at his current location.
- D. Mayor Klebs briefed the council on the application for a building permit 2012-05 submitted by Marlowson Event Center/Dollar Store on July 17, 2012 after the construction was completed. He was penalize in 2008 with an administrative fine of \$110.00 for violating the City Code. Motion by Hoemberg, seconded by Member Valley to have the Police Department serve him with a \$510.00 administrative fine for the violations of not applying for a building permit prior to construction. Carried. Building permit 2012-05 was tabled until the fine has been paid and take action at the September meeting. Mr. Templin informed the council he was possibly moving another mobile home into town and installing it on his vacant lot abutting County 24. Mr. Templin will contact Mr. Larson and informed him that his old moving application has expired and needs to apply for a new

application so the council can approve it at the September meeting. A building permit is void after it was granted unless made use of within six months.

Communications Reports

- A.** Reviewed the enterprise report.
- B.** Fire/Ambulance Report – Chief Wallner gave a detailed report on the accident that involved two fire trucks that he was involved with. He has been working with the insurance adjuster on if the vehicles will be totaled or repairable. Truck 152 was towed to Swenson Repairs located in Detroit Lakes to be inspected and see if the frame is repairable. At the present time, Wadena has offered to let us use one of their trucks to help us out until we replace our truck.
- C.** **Law Enforcement** – No monthly report was presented.
- D.** **Public Works Report** – There was a brief discussion about reimbursement of Sandy French hot water heater that burnt out during the construction of the Bertha Authority Project as result of emptying the water tower. The heater was approximately 25 years old and the council felt it had served its useful age. The council reviewed the July maintenance report presented by Mr. Templin. He informed the council that the magnetic locator was not operating properly and would like to purchase a replacement. Motion by Hoemberg, seconded by Member Zimmerman approving Public Works to purchase six new water meters and a new 2000XR magnetic locator with the approximate cost of \$700. All members present in favor. They tabled purchasing no parking snow route signs until further notice. Mr. Templin has been given authorization to advertise the sludge truck. Motion by Hoemberg, seconded by Member Valley to approve the sale of fire hydrants for \$100.00 each on a first come basis. Carried. There was a brief discussion on the old Sunopta Building and what to do with the utility presently of the property. Clerk Umland will contact the company that has been removing the equipment.
- E.** **Clerk's Report** – Clerk Umland asked Mayor Klebs to read the correspondence from Doris Ruley concerning people wanting to sell baked products during the summer festival. The committee must agree to let anybody interested sell, designate an area and must only be during a community event. Clerk Umland inquired about rescheduling the September meeting or changing the time. The council agreed to start the September 10th meeting at 5:30 p.m. due to the clerk going on vacation the next day. A notice will be published in the Independent News stating the change in time.

Committee Report

- A.** Reviewed the Clerk's overview of the August Agenda
- B.** Clerk Umland updated the council with a medical report on the volunteer firefighter that was injured prior to a fire call on January 1, 2012.
- C.** Personnel Committee informed the council that Adam Templin has completed his 12 month probation the 8th of August. The committee was complimentary of Templin's performance and dedication to date, stating that he has been an asset to the City in his accomplishments. **Motion** by Zimmerman, seconded by Member Hoemberg to accept the council personnel committee recommendation to approve the successful completion of the probationary period for Public Works Supervisor Adam Templin; to approve his permanent employee status; and to grant a \$.50 per hour pay increase, changing his current pay of \$14.00 per hour to \$14.50 per hour effective the pay period of August 5-18, 2012. All members present were in favor.
- D.** Joint Police Agreement – Member Hoemberg spoke to the council about the meeting that he attended in Hewitt to see if they had any interest in joining the joint agreement with Eagle Bend and Bertha. They have not heard any reply back from the Hewitt council. Mr. Hoemberg

expressed that Eagle Bend is interested in a three year contract with the City of Bertha. Clerk Umland will contact the Department of Revenue and see if the City of Bertha will receive any police state aid since we have a joint agreement with Eagle Bend or if only Eagle Bend will receive full payment. Hoernberg moved that we table the joint police agreement with Eagle Bend, seconded by Shamp. Carried.

Meeting/Conferences/Correspondence

- A. Reviewed 2012 Worker's Comp Report
- B. Reviewed Unemployment Benefit Paid Summary for Quarter 2, 2012
- C. Reviewed the UCC Amendment Acknowledgement for the Larson's acknowledging that they have paid off their revolving loan.
- D. Reviewed the correspondence from LCMIT from Mike Forys informing the city on the amount that the insurance company will reimburse the city for damage done to the computer system resulting from a power outage. The League has reimbursed the city \$1,318.90 for damages.
- E. LMC Regional Meeting. A motion was made by Member Zimmerman, seconded by Member Valley to authorize City Clerk Umland and anyone interested to attend the LMC Regional Meeting to be held in Perham on September 20. All members present voted in favor and the motion was declared carried.
- F. Reviewed the Liaison Agreement with the Bertha-Hewitt School and the correspondence from Brian Koslofsky informing the council how satisfied they are with Officer Berndt.
- G. Reviewed the correspondence from Peters & Churchwell concerning the status of the liquor store. Mr. Churchwell informed the council the proper paperwork has been filed with the court system. Once the judge has reviewed and signed the Final Order we will receive a certified copy so we can proceed with the sale of the liquor store to the Becker's.
- H. A brief discussion on the upcoming preliminary budget that has to be approved at the September meeting. Mayor Klebs called a work session on August 28th at 7:00 p.m. to work on the 2013 budget and has changed the time of September 10th meeting to begin at 5:30 p.m. Clerk Umland will post both items and placed it in the Independent News Herald

There was no further business to come before the City Council. Council Member Zimmerman moved Member Valley seconded the motion to adjourn. With all members in favor the motion was carried. The meeting was adjourned at 9:15 p.m.