

**CITY OF BERTHA
PUBLIC HEARING & REGULAR MEETING OF THE CITY OF BERTHA
HELD AT THE BERTHA COMMUNITY CENTER
MONDAY, AUGUST 11, 2014**

Acting Mayor Zimmerman opened the Public Hearing at 6:30 p.m. A public hearing was held to discuss the full approval and adoption of the updated City of Bertha City Code, Series III. Acting Mayor Zimmerman provided an overview of the proposed ordinances changes. The major concern from the public was under Chapter 10 Animals. The council had mixed feelings on the number of dogs a resident could own, possess or harbor per household. Currently, the draft copy of the new city code states three dogs per dwelling. Chad Kilbury, submitted a kennel permit, he is interested having foster care and would like the code to state up to five dogs per household. A decision would be made as a part of the regular city council meeting on the number of dogs. Acting Mayor Zimmerman closed the Public Hearing at 6:59 p.m.

Acting Mayor Zimmerman called the regular meeting to order at 7:00 p.m. and the citizens recited the Pledge of Allegiance.

Members Present: Zimmerman, Hoemberg and Olson
Members Absent: Mayor Klebs and Hammond
Staff Present: Clerk Umland, Police Berndt & Public Works Templin
Guest Present: Trinity Gruenberg, Pete Wallner, Marv Stokes, Roger Schahn, Joann Collins, Randy Chock, Jeff Collins, Chad Kilbury, Ken Nelson, Joe Russ and Joanne Keas.

3. 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.

Acting Mayor Zimmerman asked if there were any additions, corrections, or deletions to be made to the Consent Agenda. ***Hoemberg moved, Olson seconded, to approve the Consent Agenda as presented which included the following items: with all members present voting in favor, with Zimmerman abstaining due to conflict of interest.***

- A. Approval of the July 14, 2014 Regular Council Minutes.***
- B. Approval of July Disbursements and Authorized Issuance in accordance with list provided including all electronic payments.***
- C. Reviewed bank correspondence – Investments & Bank Statements***
- D. Approved the police service agreement between the cities of Eagle Bend and Bertha. The term of the agreement shall be for two years from the enactment beginning January 1, 2015 with a payment made quarterly for \$13,539.75.***
- E. Approval of advertising in the Independent News Herald for sponsorship and support of the Bertha-Hewitt School Calendar and Photo Page for the school year for a total of \$240.***

4. Public Comment

Mr. Joe Russ was present to discuss the petition from concerned citizens of the 300 block of 1st Street SE urging the city council to act to correct the ineffective drainage issue in their alley. The collection of rain water especially this year has led to increased ground water saturation and possibly an increase in the mosquito population because of the standing water. The poor drainage contributes

to increase flooding of residential basements on this street and possibly others. Acting Mayor Zimmerman informed Mr. Russ the cost share between the city and the residents. Mr. Zimmerman and Public Works Templin will meet with Mr. Russ tomorrow and discuss different options for correcting the problem.

Chad Kilbury was next to be heard about different issues concerning number of dogs. He urged the city council to allow residents to have up to possibly four/ five dogs per household. On July 22, 2014, he applied for a hobby kennel permit to allow him to have up to eight dogs including his own personal pets. The council did not act on his request at this time pending the outcome of the new city code concerning the chapter on animals. The council reminded him that hobby kennel permits only allows residents to do foster care. The City of Bertha has only one licensed hobby kennel in which time she is working with LuvAChin.

Consider Business Items

- A.** Reading: Ordinance No. 1, 3rd Series, Re-Adoption of New City Code & Repeal of Old Ordinance – The council wanted additional time to review the code before officially approving the full ordinance. They were hesitant about Chapter 10.5, Subd.10 which states – For any person to own, possess or harbor more than three dogs and/or two cats per household. They decided to postpone the adoption of the new city code until the September meeting hoping all members will be present to make the decision on the number of dogs
- B. City Entrance Sign- Member** Hoemberg gave a brief update on the progress of the new city entrance landscaping.
- C. Revolving Loan** – is still pending waiting for the proper paperwork and proof of back taxes being paid up with the county before making a decision of funding.

6. Communications Reports:

- A.** Review the enterprise reports
- B. Fire/Ambulance Report** – Mr. Wallner informed the council there is a grant program to attract volunteer firefighter and EMS workers. This is a pilot program where the department would receive a grant that provides a \$500 stipend for three years to help attract and retain the number of volunteers. The fire department will make the decision at the September meeting if it is feasible to move the old Lion's shelter and if the fire department crew wants to respond to ambulance calls. The council reviewed the schedule SC-14 that is annually submitted to the Office of the State Auditor, Pension Division.
- C. Law Enforcement-** Police Berndt presented his July activity report. The report showed violations as follows: 30-citizen calls, 5-citations, 6-warnings, 2-public assists, 3-assisted other agencies. Mr. Berndt informed the council that Roger Schahn has not yet removed the sand pile in the alley abutting his property. The council instructed him that he has 10 calendar days starting August 12th to have it removed before he is issued a citation. The alley must be made available in case of an emergency .
- D. Public Works** – Supervisor Templin presented the July monthly activity report which was a busy month getting ready and cleaning up after the summer festival. STS crew assisted with many small projects in the city. Templin explained I & I, also known as clear water infiltration into the sanitary sewer system. The large amounts that enter into the system increase treatment costs and at its worst could cause sewer backups and discharging sewage into local watersheds. The city will work with Mn Rural Water and smoke test sewer lines to find areas of concern. With the high amount of rain in July which flooded the sewer system it took all four lift pumps just to keep up with the flow that came to the

plant. It leveled off after about 6 days. Mr. Templin is interested in inspecting each home and building to assure compliance. He would like to regulate the use of sump pumps and discharge of storm water, ground water and surface water into the storm sewer system to prevent overloading of the sanitary sewer system. For those not in compliance, he would try to identify how to remedy their situation and work with them to reach compliance within a reasonable time frame.

7. Committee Report – Zimmerman and Klebs met with Eagle Bend on Police Agreement for 2015.

8. Correspondence/Meeting /Conference

A. Office of State Auditor – Correspondence stated before a public entity makes a contribution, it is important for the entity to determine that it has specific authorization to make the donation. The state has revised the statement of position in April 2014 and allows an entity to donate to community celebrations to help provide free musical entertainment.

B. Reviewed the Regional Meeting correspondence - Clerk Umland will attend the October 29th meeting in Vergas. Pre-approved at the annual meeting in January.

C. NJPA - 2nd Annual Region 5 Summit – in Brainerd. They will provide a \$500. purchasing voucher for each full voting member entity that attends the seminar. They will hold workshops, sessions and program overview and offerings.

D. LMC Loss & Control – Still waiting to get hand rail installed

E. Department of Revenue notified the city that it is eligible to receive the December LGA payment early, due to damages caused by the storms and flooding. If we did not make a request the city would receive bi-weekly payments until all requests for an early payment have been made.

9. Adjournment

There was no further business to come before the City Council, Councilmember Hoemberg moved, Member Olson seconded the motion to adjourn. With all members in favor, motion was carried. The meeting adjourned at 9:05 p.m.