

CITY OF BERTHA
REGULAR MEETING OF CITY OF BERTHA
HELD AT THE BERTHA COMMUNITY CENTER
MONDAY, DECEMBER 8, 2014

Present: Mayor Klebs, Members Zimmerman, Wanner and Olson
Absent: Member Hoemberg
Staff: Clerk Umland, Police Berndt, Public Works Templin
Guest: Trinity Gruenberg, Ken Nelson, Pete Wallner, Marv Stokes

Declaring a quorum, Mayor Klebs called the meeting to order at 6:32 p.m. and the citizens recited the Pledge of Allegiance.

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.

Mayor Klebs asked if there were any additions, corrections or deletions to be made to the Consent Agenda. **Zimmerman moved, Wanner seconded, to approve the Consent Agenda as presented which included the following items; with all members present voting in favor.**

- A.** Approval of November 10, 2014 regular Council Minutes and November 7th Economic Development Minutes.
- B.** Approval of November disbursements and Authorized Issuance in accordance with list provided including all electronic payments.
- C.** Reviewed bank correspondence – Investments & Bank Statement
- D.** Applications for License to Sell Tobacco Products at Retail- Renewals without violations- were hereby approved and the City Clerk is authorized to issue the 2015 annual renewal license to:
 - a.** Seven Oaks Express – License 2015-02
 - b.** The Corner Market – License 2015-01
- E.** Approved the 2015 Ambulance Service Contracts to the area townships/cities that the ambulance serves for a total of \$7,054.00
- F.** Adopt Resolution 2014-25 to certify delinquent ambulance bills for inclusion to the tax roll and directed the city clerk to remove the accounts from active receivable of the City, said accounts being detailed in the official files of the City. The City Clerk has determined that certain ambulance billing accounts, shown on Resolution 2014-25 and totaling \$1,975.20 are uncollectible.
- G.** Approved Amendment #1 to continue the legal service agreement with Peters & Churchwell. Effective January 1, 2015, the new hourly municipal rate will be increased to \$115.00 per hour.
- H.** Approval of audit engagement letter with Mayer, Porter & Nelson, LTD for 2014 audit. Authorize the clerk to sign the audit proposal for the audit of City records with a fee not to exceed \$9,500.00.

- I. A copy of the Pay Equity Compliance Report for 2015 was presented for council approval. This report is required by the Minnesota Department of Employee Relations. The City is compelled to go through this process every three years. A preliminary report was reviewed by the state and was in compliance using the alternative analysis test since we have fewer than three male classes. Authorized the clerk and mayor to sign the 2015 Pay Equity Report on behalf of the city prior to submitting it to the state.

5. Public Comment

Mayor Klebs inquired what has been done about a digital recorder that was discussed at the October 13th meeting. Clerk Umland suggested that the new council should make a decision if they want the future meetings taped. Mr. Berndt had negative comments about having meetings taped. He suggested it opens up more liability issues. The consensus was that the present council really doesn't want the meeting taped. No one in attendance to address the council.

6. Consider Business Items

A. Bertha Authority Project – Mayor Klebs informed the council that a letter was sent to Moore Engineering about the drainage issue created by water run-off at the intersection of 1st St. NW/1st Ave NW. Moore Engineering has not replied back with a plan for solving the problem in writing. The letter stated that the city wanted a reply by December 31st to avoid turning the matter over to our City Attorney Churchwell. Motion by Zimmerman, seconded by Member Wanner instructing Clerk Umland if no reply is received by the first business day of the new year to have the city attorney submit a letter to Moore Engineering with his letterhead. Mayor Klebs reviewed the correspondence from USDA stating the funds due to Moore Engineering is technically not retainage, but “post construction services” which includes various services that are provided after substantial completion. RD Grant amount that is still available is \$59,884.39 with final payments to Moore Engineering, pond discharge revisions plus clarifier pump yet to be taken off.

B. Approving the Final Budget & Levy

Member Zimmerman introduced the following resolution and moved for its adoption:

Resolution 2014-13
Certifying the 2015 Final Budget and Adopting Final 2014 Tax Levy
For Taxes Collectible in 2015

BE IT RESOLVED, by the City Council of the City of Bertha, County of Todd, Minnesota that the following sum of money is levied for the current year, collectible in 2015, upon the taxable property in the City of Bertha, for the following purpose:

General Levy	\$70,000.00
Fire	\$ 8,750.00
Ambulance	\$ 1,000.00
Street Improvement	<u>\$15,000.00</u>
Total	\$94,750.00

The final budget for the City of Bertha for 2015 was approved with the expenditures to different funds allocated in the following ways;

General	\$264,000.00
Fire	\$ 44,320.00
Revolving	\$ 100.00
Water	\$123,430.00
Sewer	\$123,430.00
Ambulance	<u>\$127,440.00</u>
Total	\$682,720.00

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the auditor of Todd County, Minnesota.

Adopted the 8th day of December, 2014.

Council Member Wanner seconded the foregoing motion and passed unanimously.

C. 2015 Insurance Package

Council Member Wanner introduced Resolution 2014-26 and moved for its adoption;

A RESOLUTION REGARDING WAIVER OF TORT LIABILITY LIMITS FOR LMCIT PROGRAM

The motion for the adoption of the foregoing resolution was duly seconded by Member Zimmerman, and motion passed unanimously. The Bertha City Council hereby approves waiving the monetary limits on tort liability established by MN Statutes 466.04 to the extent of the limits of the liability coverage obtained from the LMCIT which is done on an annual basis. If the city waives the statutory tort limit and does not purchase excess liability coverage, a single claimant could potentially recover up to \$1,500,000 on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$1,500,000.00 regardless of the number of claims.

6. Communications Reports

A. Review the enterprise reports – no questions

B. Fire/Ambulance Report

No report from the ambulance

Bertha Fire Department to seek \$70,300.00 grant for firefighter equipment.

The city will apply for a nearly \$70,300.00 federal grant to provide new equipment for its firefighters, replacing the outdated safety apparatus. Fire Chief Wallner asked the council to approve applying for \$70,300.00 through the Federal Emergency Management Agency's (FEMA) Assistance to Firefighters Grant (AFG) program. WSN will write the grant for the fire department, Wallner said.

This grant would cover the cost of: 12 new sets of turnout gear with air packs for \$31,200.00, air compressor/fill station/cascade station for filling SCBA for \$38,000.00 and grant writer fee of \$1,100.00. Estimated amount of requested grant is \$70,300.00 with the City's share of a minimal 5% match approximately \$3,347.00. The equipment will replace items that

don't meet National Fire Protection Association standards. Wallner said the department current turnout gear are more than 15 years old and are out of date. It was suggested if someone were to get hurt and they're in expired equipment, it's a liability for the city. **Motion** was made by Member Wanner and seconded by Member Zimmerman to approve Resolution 2014-27 authorizing application for a 2015 FEMA Grant as requested and have WSN (grant writer) complete the application and submit it. Carried. A motion was made by Zimmerman and seconded by Wanner to approve adding Zach Johnson to the department roster. Carried.

C. Law Enforcement- Mr. Berndt presented the council with his November activity report. The report showed violations as follows: 13-citizen calls, 4-citations, 3-warnings, 1-assisted other agencies and 1-vehicle unlock. Mr. Berndt was asked to enforce residents not clearing their sidewalks after a snowfall.

D. Public Works Report – Mr. Templin presented his November monthly activity report:

- * Pond discharge
- * Snow removal
- * Conducted interviews for part-time employees
- * Put up Christmas decorations

There was a brief discussion about the monthly electrical bill for the park. At the current time, a camper is currently occupying a lot and using electricity.

E. Clerk's Report – *see overview of December agenda* the council reviewed the newsletter and made suggestions on revisions prior to sending it out with the utility bills this month.

7. Committee Reports

A. Recommendation for Part-time employees to help with snow removal

Mayor Klebs stated the hiring committee has completed the selection process. Two applicants were interviewed. A motion was made by Council Member Wanner and seconded by Member Olson approving the hiring committee recommendation to hire Joshua Shesta and Austin Chock to help with snow removal for this winter. Carried. Both employees will be paid \$10.00 per hour with no benefits.

8. Meeting/Conference/Correspondence

NJPA GIANT training on December 12th at Region 5 in Staples. It was recommended that someone attend.

Councilmember Zimmerman expressed his appreciation to Mayor Klebs for his years of service on the council.

Zimmerman inquired about interviewing possibly three engineering firms to do the street project in Bertha. Clerk Umland will contact WSN, Moore Engineering and SEH to interview prior to the next meeting.

9. Adjournment

There was no further business to come before the City Council, Council member Zimmerman moved, Member Wanner seconded the motion to adjourn. With all members in favor motion was carried. The meeting adjourned at 7:45 p.m.

