**CITY OF BERTHA**

**TODD COUNTY, MINNESOTA**

**REGULAR MEETING OF CITY OF BERTHA**

**HELD AT THE BERTHA COMMUNITY CENTER**

**MONDAY, DECEMBER 14, 2015**

**Members Present:** Zimmerman, Hoemberg, Olson, Bowman & Nelson

**Staff Present:** Clerk Umland, Public Works Templin & Police Bobby Berndt

**Guest Present:** Randy Chock, Joann Collins, Pete Wallner, Marv Stokes, Carolynne Bisel, Steve

Peterson & Roger Schahn.

***Declaring a quorum, Mayor Zimmerman called the meeting to order at 6:30 p.m. and the citizens recited the Pledge of Allegiance.***

***3. Public Comment***

There was no one under unscheduled business to address the Council.

**4. Communications Reports**

**A***.* ***Enterprise Reports*** – Reviewed the reports for November

***B. Fire/Ambulance Reports –*** Mr. Wallner informed the council that the siren is inoperable due to the batteries. New batteries have been ordered and will be installed upon arrival. Mr. Wallner also asked the Council to approve a new member to the fire department. Motion was made by Council Member Hoemberg to approve the addition of Sam Tanner as a volunteer fireman commencing immediately. Motion was seconded by Council Member Bowman. The motion carried without a dissenting vote.

***C. Law Enforcement -*** Mr. Berndt presented his November activity report. The monthly report showed the following violations for Bertha: 1-accident, 13-citizen calls, 2-citations, 2-warnings, 2-public assists, 3-assisted other agencies and 1-vehicle unlock. No bids were received on the ATV. Mr. Berndt will post an ad on Minnbid when he does his squad. Mr. Wallner questioned Mr. Berndt on giving parking warnings on the first snow emergency. One concerned citizen advised the council on the legality of the process when doing a nuisance inspection to avoid a law suit.

***D. Public Works Report -*** council reviewed the November Public Works activity report submitted by Mr. Templin. Some of the highlights on his report included; floor maintenance at the Community Center, snow removal and some tree trimming.

***E. Clerk Overview – reviewed prior to the meeting***

***5. Consider Business Items***

***A. 2016 Insurance Renewal –*** League of Mn Cities Insurance Agent, Steve Peterson, was present and clarified questions on tort liability as part of the renewal package. The Council must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. After review and discussion, Hoemberg motioned to approve Resolution 2015-29 (option 2) stating that the member DOES NOT WAIVE the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04. Nelson seconded, unanimously carried. There was a brief discussion on property in the open and the cost for coverage and to remove the 1974 Ford pumper.

**B. Nuisance Property –** The City Attorney is in the process on taking the next step on the abatement process.

***C. Review Res. 2016-01 & 02 and make any changes so they can be approved at the annual meeting.***  The only discussion was if they should increase the fee for On/Off Sale Intoxicating Liquor License. The consensus of the council was not to increase the fee.

***D. WSN –*** Confirmation of request for engineering services was reviewed by the council.

The request was to provide professional engineering services for preliminary survey for the City’s future street improvements. The preliminary survey would be done at 1st St NE and 2nd St SE. The engineer will begin work promptly upon a signed agreement from the City of Bertha. The cost for both streets would be approximately $6,000. Mr. Templin informed the council that 2nd St SE Street improvements could be done without a survey. Kobliska estimated that repairs could be done for approximately $25,960 which would include a 1½ inch tar with some millings. The intersection by the manor would require a survey be done. Mr. Templin was asked to bring more information back for the January meeting on the cost for street improvements for 1st St NE. A motion was made by Bowman and seconded by Hoemberg to approve the request submitted by WSN in the amount of $3,000 for a preliminary survey at **1st St NE** for future street improvement. Motion carried unanimously.

***6. Review and Adopt the Consent Agenda***

***Note:*** The Consent Agenda listed those items of business which are considered to be routine 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 Zimmerman asked if there were any additions, deletions, corrections to be made to the Consent Agenda. Nelson moved, Hoemberg seconded, to approve the Consent Agenda as presented, with all members voting in favor. The following agenda items include the following:

1. Approval of the November 9, 2015, Work Session & Regular Council Minutes
2. Approval of November Disbursements & Authorize Issuance in accordance with the list provided including all electronic payments along with all the annual payroll checks.
3. Review bank correspondence - Investments & Bank Statement
4. Approved Building Permit 2015-07 submitted by Philip Cronk, 114 4th St. NW. He is planning to construct a 24X32 garage.
5. Approved the following tobacco licenses for 2016: Seven Oaks Express & Corner Market
6. ***Audit Engagement Letter***-Mayor, Porter & Nelson, Ltd. A copy of the Engagement Letter from the City Auditor(s), Mayer, Porter & Nelson, Ltd, was included in the agenda package. The engagement letter outlines the scope of services that are to be provided by the auditors and the requirements that are to be met by the Client, which is the City of Bertha. City Clerk expressed her support for the approval of the engagement letter, which she has signed and asked the City to approve the audit fee in the amount of $9,500.
7. Approved Resolution 2015-30 to formalize the commitment of different fund balances for specified purposes. Council action is required before year end.
8. Approved the 2016 Ambulance Service Agreement Contracts to the area townships/cities that the ambulance serves for a total of $6,968.

**7. Committee Reports**

**A. Revision to the Personnel Policy**

This policy has been reviewed and revised by the city council in the past months. The personnel policy had to be revised because of the new law changes that took effect in 2014.

**Motion** by Hoemberg, seconded by Member Nelson to adopt Resolution 2015-25 **– A Resolution revising the City Personnel Policy carried unanimously.**

**B. 2016 Employee Compensation - the** committee of Zimmerman & Olson will meet prior to the January meeting and bring recommendation to the council.

C. 2016 Tri-County Regional Safety Group – the annual training schedule was provided to the council

***8. Meeting/Conference/Correspondence***

1. ***Federal Communication Commission –*** Information Notice of Section 106 Filing was received informing the council on a tower that will be installed in Bertha Township. Information was turned over to the township where the tower will be constructed.
2. ***Correspondence from Department of Labor & Industry -*** for review only
3. ***Todd County Solid Waste –*** a copy of a “Notice of Public Hearing” was received regards to Todd County’s intention to implement Waste Designation. The public hearing will be held to hear testimony with regard to designation of solid waste generated in the county for delivery to certain facilities for proper recycling, energy recovery and management.
4. ***Proclamation –*** Mayor Zimmerman recited the Proclamation honoring Gary Kleen for his 31 years of outstanding service to the Bertha Ambulance Service. Mayor Zimmerman declared December 31, 2015, “Go the Extra Mile Day” in Bertha with serving doughnuts and coffee at the Community Center from 7:00 a.m. to 9:00 a.m. in his honor.
5. Loss & Control Workshops - will be held in Fergus Falls this spring.
6. Project Revision Courtesy Letter from Verizon was reviewed with the proposed site information.

***9. Adjournment***

There was no further business to come before the City Council, Member Olson moved; Member Bowman seconded the motion to adjourn. With all members in favor motion was carried. The meeting adjourned at 7:32 p.m.