

**CITY OF BERTHA
REGULAR MEETING OF CITY OF BERTHA
HELD AT THE BERTHA COMMUNITY CENTER
MONDAY, FEBRUARY 9, 2015**

Members Present: Zimmerman, Olson, Hoemberg, Nelson & Bowman
Staff Present: Umland, Berndt & Templin
Guest Present:Carolynn Bisel, Randy Chock, Pete Wallner, Marv Stokes, Dean Klebs, Chad Kilbury & Jeff Kuhn.

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

Chad Kilbury confronted the council about the complaint about the trash in his yard. Police Berndt said he received the complaint prior to the meeting. Mr. Kilbury got up and left the meeting and said let's play fair and treat everybody the same way.

Dean Klebs inquired about Bertha Enterprises property being devaluated and why the city wasn't notified. Clerk Umland will call the County Assessor and get answers for the March meeting.

4. Communications Reports

A. Reviewed the enterprise reports – no questions

B. Fire/Ambulance Reports

The council reviewed area ambulance service fee schedule that was submitted by Mr. Kleen.

Mr. Wallner informed the council that the rescue van is still in the shop. Fire siren is still not working so will check with the county. A **motion** by Olson to approve Scott Powers and Brent Fellman as new members of the Bertha Fire Department. **Seconded** by Member Bowman. Carried.

Mr. Wallner inquired about the Bertha Emergency Management Plan.

C. Law Enforcement – Mr. Berndt presented the council with his January monthly activity report. The monthly report showed violations for Bertha as follows: 1-minor accident, 9-citizen calls, 6-citations, 6-warnings, 2-public assists, 6-assist other agencies and 1-vehicle unlock. He gave an update on the DARE program and donations that he received to help defray some of the cost. Mr. Berndt questioned the council about the situation on resident garbage and how he should deal with it. He felt it was a public nuisance. He asked the citizen to tarp the trailer or put it in the shed. As of last night, no action was taken by the property owner. Mr. Berndt is not satisfied with the services that the county attorney provides. The council discuss about getting out of the contract with the county. Mr. Berndt will get a proposal from Brown & Krueger Law Office for the next meeting.

D. Public Works Report- Council reviewed the January Public Works Reports monthly maintenance activity report. Motion by Hoemberg, seconded by Member Nelson to approve up to \$250.00 to purchase a new battery charger for the shop. Carried. Other items for discussion are as follows:

- Purchasing 2 loads of crushed rock for the sewer plant yard
- Outside lights for the community center on the north end
- Sidewalks – lengthy discussion
- Burning of Ditch 15 – okay by Mr. Wallner
- Raising the impound fee
- STS crew – reviewed summer projects for 2015

A letter will be sent to the owner of the vehicle that is at the impound lot. The owner must pay \$500.00 plus the towing charge if he wants the vehicle back. The letter will be sent by certified mail if he does not respond we will dispose of the vehicle. The city is also looking at getting disposing of a 4-wheeler by sending a letter from the city attorney. Mr. Templin recommended changing the maximum amount for storage of a vehicle that is impounded. Currently, the charge is \$10.00 per day not to exceed \$500.00 plus the owner is responsible for towing charges. **MOTION** by Bowman, seconded by Member Nelson setting impound fee at \$10.00 per day not to exceed \$2,000.00 (200 days). Carried. The owner of an impounded vehicle shall have a right to reclaim such vehicle from the City lot, upon payment of all towing and storage charges resulting from taking the vehicle into custody.

Clerk Umland will inquire about rebates from Minnesota Power & Light on LED bulbs prior to purchasing new bulbs for outside the Community Center at the north end.

It was suggested that when you have the STS crew do work within the city that a small donation be given to help finance their services. Motion by Hoemberg, seconded by Member Olson approving sending the Todd County STS a donation of \$400.00 for services performed during 2014. Carried.

Mr. Templin explained the quote from MVI Irrigation was incorrect and was for someone else. He will have more prices for piping for the sewer pond for the March meeting.

The council then addressed the issue on maintenance on sidewalks in the city. The council had a lengthy discussion on how far the city should get involved and how far to carry the issue. The council confronted Jeff from WSN with his opinion. He suggested getting the community involved and he stated every city takes a different approach on the maintenance of sidewalks. The council asked Clerk Umland to check with area cities and see how they handle sidewalk maintenance and bring back to March meeting.

E. Clerk's Report – see overview of February agenda informed the council that she set up FirstNet a safety program by getting credits for webinars. This will eventually eliminate the cost for MacNeil Environment safety program except the drug testing. The LMCIT & NJPA will reimburse the city for the cost of the program.

5. Consider Business Items

- A. Street Repair** – The City of Bertha has chosen to investigate the feasibility of performing some of the remaining improvements to rehabilitate the remaining existing streets that weren't done during a major improvement project. The study will review city finances, current debt, and current rates. Review existing City utility maps, evaluate utilities and make a recommendation for repair or replacement if needed. Review existing sewer televising, and coordinate with public works to televise the project areas with the push camera. Review project area to determine if borings from the last project can be useful. Evaluate existing street surfaces in project area to identify repair options; including, patching, seal coat, mill and overlay, bituminous reclamation or full reconstruction. Once this is done a report will be done with cost estimates and funding recommendations. At last review project with the City Council to discuss all components of funding, construction, and time frame. Then all the information will be presented at a public hearing or informational meeting. Jeff Kuhn, representing WSN, was in attendance to answer any questions that the council might have. Calling for a feasibility study will outline the costs involved in the street

project, providing information for the Council to decide whether or not to proceed with street improvements. Mr. Kuhn presented the council with an engineering proposal to do a feasibility study for \$2,500.00. Moore Engineering proposed to provide the City of Bertha with a preliminary engineering report for a lump sum fee of \$5,000.00. SHE proposed to provide the city a report for \$10,000. A **motion** was made by Member Nelson and seconded by Member Bowman to approve WSN to do a feasibility study for the street improvement project for the streets that have been identified to the engineering firm. Carried. Mayor Zimmerman was informed by Ehlers & Associates that the city could borrow up to \$350,000.00 to do street improvements.

- B. Bertha Authority Project** – A letter from Moore Engineering was reviewed by the Council. The letter stated that the drainage issue at the intersection of 1st Ave NW & 1st St NW could be corrected by lowering the street grades from the southwest corner to the existing drainage formation to the east, eventually flowing in the swale on the north side of the existing 1st St right-of-way. They estimate that this construction would cost approximately \$3,000.00. Moore Engineering has committed to cover the cost of the correction. The council is requesting that Hugh provide the council with a drawing of the corrections that will be made.
- C. Community Center**- Motion by Member Bowman, seconded by Member Hoemberg to install new handrail on the step on the north end of the center by the ambulance office from Pete’s Lumber with a cost of \$80.00. The handrail will be 1 ¼ inch in diameter. Carried
- D. Lagoon Insurance** – A quote for coverage on the lagoons was received from Peterson Agency. Based on the area of the lagoons, the depth of the lagoons, the rock riprap and PVC Geotextile fabric liner, the appraiser for the LMC has calculated the total replacement cost of the three lagoons to be \$2,476,500.00. The LMC has calculated the insurance premium rate would be \$.052 per hundred for an annual cost of \$1,288.00. No decision was made until further information is available on what is covered under the policy.

6. 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 may be moved to an appropriate section of the regular agenda for discussion.

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

- A. Approval of January 12, 2015 regular Council Minutes
- B. Approval of January disbursements & authorized Issuance in accordance with list provided including all electronic payments.
- C. Reviewed bank correspondence – Investments & Bank Statement
- D. Approved the MN Lawful Gambling LG240B Application to Conduct Excluded Bingo for Bertha Hewitt School Community Education to hold a Bingo event on March 7, 2015 at the Bertha Community Center, 127 2nd Ave NW, Bertha, MN.
- E. Reviewed and approved the updated Emergency Operation Plan & Water Supply Contingency Plan. The emergency plan had to all be retyped this fall because of being lost when the computer went down and now was updated.

7. Committee Report

None to report

8. Meetings/Conferences/Correspondence

A. 2015 Winnipeg to Willmar 500 snowmobile race that was scheduled to stop in Bertha was cancelled due to conditions.

B. Mr. Templin requests his attendance at the University of Minnesota - training at Detroit Lakes on February 10th for Pavement Rehabilitation Class with a fee of \$70.00.

C. 2015 Board of Appeals & Equalization has been scheduled for April 22nd at 10:30 a.m. at the Bertha Community Center. The council needs a quorum which includes three council members and two must be state certified.

D. The city received an acknowledgement of a claim from LMC on a person tripping over an elevation in the sidewalk. Unfortunately, the League was unable to accept responsibility for their injuries or the associated medical cost. After an investigation, they felt the city had no notice or complaints about the height deviation between the two panels where she fell. The city notified the abutting property owner requesting that they take action to correct the problem when weather permits.

E. FEMA has awarded the City of Bertha \$9252.15(FEMA-6,939.11 & State -2,313.04) to reconstruct the road going to the lagoons. Clerk Umland was instructed by Steven Hughes that the project is for permanent work so the time limit is 18 months from the date of the declaration which is July 21, 2014.

F. Reviewed the 2014 Sheriff Incident report that was provided by Todd County.

9. Adjournment

There was no further business to come before the City Council, Council Member Nelson moved. Member Olson seconded the motion to adjourn. With all members in favor motion was carried. The meeting adjourned at 8:25 p.m.