

**CITY OF BERTHA
REGULAR MEETING OF THE CITY OF BERTHA
HELD AT THE BERTHA COMMUNITY CENTER
MONDAY, JULY 14, 2014**

Members Present: Zimmerman, Hoemberg, Olson and Klebs
Member Absent: Hammond
Staff Present: Clerk Umland, Public Works Templin & Police Berndt
Guest Present: Trinity Gruenberg, Pete Wallner, Marv Stokes, Roger Schahn, Russ & Joe Vandenheuvell, Joann Collins, Jeff Collins, Kristine Meech-Hendershot, Randy Chock and Joeb Oyster.

Declaring a quorum, Mayor Klebs called the meeting to order at 7:00 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. **Hoemberg moved, Olson seconded, to approve the Consent Agenda as presented which included the following items: with all members present voting in favor, with Mayor Klebs abstaining due to conflict of interest. Mayor Klebs abstained due to Check #14203 for \$8.08 to Hydraulic Doctor.**

- A. Approval of the June 9, 2014, Regular Council Minutes.
- B. Approval of June Disbursements and Authorized Issuance in accordance with list provided including all electronic payments plus three claims to Shingledecker Concrete & Construction- Checks # 14226-14228.
 - 1- 14X17 6 inch pay loader pad
 2. 5X10 foot sidewalk (tear out & re-pour)
 3. 4X17 foot concrete gutter & 11X24 foot apron (tear out & repair).
- C. Reviewed bank correspondence – Investments & Bank Statement
- D. Approved Issuance of a LG220 Lawful Gambling Exempt Permit, by the State Gambling Control Board, Bertha Hewitt Sport Boosters by Anjanette Mousseau, for use on October 9, 2014, for a raffle, at the Bertha Hewitt School located at 310 Central Ave South and waives the 30-day waiting period, and authorized and direct the city clerk to complete and sign the application on behalf of the City of Bertha.
- E. The Initiative Foundation submitted a packet of information indicating what the foundation's mission is and all the activities they are involved in. Also included were recent grants and scholarships awarded by the Initiative Foundation along with recent business financing investments made by them. They formally asked the Council to support them and their mission to invest in Central Minnesota by making a donation of \$400.00 in 2015. The foundation provides community and economic development through training, grants, and loans. Every donated dollar is matched by The McKnight Foundation, thereby doubling the reach and capacity of committed resources.
- F. Approving Resolution 2014-10 and Amended & Corrected Notice of Completion to the description of the vacating that portion of Second Street NW that was done on May 11, 1998. Since a public hearing was held at that time there was no need to hold another one. It is the responsibility of the city to have these documents recorded.

- G. Approve 2015 Agreement with Todd County for Prosecution Services and the City of Bertha agrees to compensate the County the amount of \$1050 for the year 2015. This amount is based upon the average number of cases prosecuted by the County for the City in two years prior to the current budget year at an estimated rate of \$150 per case.

4. Public Comment

Kristine Meech-Hendershot was present inquiring about city utility services to her property at 119 2nd Ave NW. Her plumber felt that the water service line was capped off when our construction project was done. This concern will be checked out.

Joann Collins questioned the council about what could be done to repair her driveway from being washed out.

5. Consider Business Items

A. 2013 City Audit – Keith Porter auditor, with Mayer, Porter & Nelson, Ltd., presented the council with the 2013 audit. Mr. Porter reviewed various documents within the audit. He reported that one of the issues is the cities lack of employees to separate financial jobs within the city. He stated that the review of bank statements and bills that the council does is very important to maintain financial integrity. Some of the key financial highlights include the following:

At the end of the fiscal year, the City had a \$3,639,000 debt obligation.

Assets of the City exceeded its liabilities at the close of the most recent fiscal year by \$7,630,880. Of this amount \$961,319 (unrestricted net position) may be used to meet the City's ongoing obligations to citizens and creditors.

As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balances of \$280,383 which is a decrease of \$315,871 from the prior year.

At the end of the current year, unassigned fund balance for the general funds was \$79,222, or 34% of budgeted 2013 expenditures. The auditor would like to see it be at least 35%. In a motion by Zimmerman, seconded by Member Hoemberg, accepting 2013 Financial Statements together with Independent Auditor's Report. Carried. A complete copy of the 2013 city audit is available for viewing at the city clerk office.

As a condition of the WIF Grant the city is required to budget for long-term asset replacement reserve in the amount of .50 per 1000 gallons of wastewater treated to maintain the financial integrity of the system operations. Public Works Templin was wondering if the state allows adjustment since the amount of wastewater treated is unusually high with all the rain this summer. Clerk Umland will contact Jeff from USDA and ask him.

Members of the fire department questioned the legality of city funds being used to help defray the cost of our summer festival. Mr. Porter will research this topic and let the council know his findings.

B. City Entrance Sign- Brian Larson, CWL Memories, was on site and engraved the rock with the city name. Next we will be removing the old sign and place the rock on top of a mound of dirt. Once the rock is installed the city will landscape the area with shrubs and other rocks. The engraving fee was \$525 for the rock.

C. City Code Update – The mayor called for a public hearing on August 11, 2014 at 6:30 to answer resident's questions about changes to the revised city code. The last public hearing was postponed because the city attorney had a family emergency and was unable to complete the draft copy.

D. Revolving Loan Application – Down Home Repair, Sales & Service – The Revolving Loan Committee did not get back the requested information from Randy Chock. The council felt that the committee should set a meeting date and have Mr. Chock present. Clerk Umland will set up a meeting time so the council can act on the recommendation at the August meeting.

6. Communication Reports

A. Review the enterprise reports

B. Fire/Ambulance Report - Chief Wallner informed the council that Unit #152 had to be towed to Wadena Truck & Trailer to be repaired as a result of water in the fuel they purchased. Once the oil pan was removed, they found number two cylinder was scored bad and liner leaking. All the injectors were replaced instead of taking a chance of scoring another cylinder with a bad injector spray pattern. When they drained some of the fuel out of bottom of fuel tank, they found water in the fuel tank. There was about one pint of water in the fuel. The bill to repair the truck was \$10,595.00 and will be turned over to Seven Oaks Express' insurance company. Mayor Klebs brought up the subject of first responders not getting any reimbursement for going on emergency runs. Member Hoemberg stated it all started when the fire department applied for a FEMA grant to make it look better on the grant. They instructed Chief Wallner to have the fire department decide if they are willing to go with the ambulance to local runs or not. They should report back at the next meeting. Chief Vandenheuvel stated the ambulance department will be out recruiting for more volunteers.

C. Law Enforcement – Police Berndt presented his June activity report. The report showed violations as follows: 6-citations, 1-alarm, and 3-assist other agencies, 5-public assists, 22-citizen calls and 11-warnings. The city received a check from City of Eagle Bend for refund of \$3,296.62, an overpayment as a result of the police service agreement for 2013. Clerk Umland was asked to make arrangements with the City of Eagle Bend to set a date to discuss police service for 2015. Clerk Umland will compose a letter to be sent to a resident requiring him to clean up his nuisance property.

D. Public Works – Supervisor Templin presented the June monthly activity report which was a busy month getting ready for the summer festival.

Topics for Discussion

1. *The old Lion's Picnic Shelter – Motion by Zimmerman, seconded by Member Olson allowing the Bertha Fire Department to move the old Lion's shelter to the tractor pull location. Carried. Mr. Wallner will have the fire department vote to see if they want the shelter.*
2. *Hiring an emergency maintenance worker- Mr. Templin requested that we hire another backup worker in case of emergency for safety reasons. Following discussion, it was moved by Hoemberg and seconded by Olson to approve Mr. Templin recommendation for the hiring of Tim Mcknight as an emergency/casual maintenance worker for his department at the rate of \$10.00 per hour, no benefits, and hours not to exceed 40 hours for both part-time employees in a two week pay period. Carried.*
3. *Mn Rural Water - Motion by Zimmerman, seconded by Member Olson to hire Mn Rural Water to smoke test some and/or up to all man holes to see where our instant water is coming from during rain events with the cost up to \$650 depending on the amount of time/product. Carried.*

*Joeb Oyster, Moore Engineering Inc., presented the council with the next pay request. **Approved Pay Request #26 which includes the following payments;***

Motion by Hoemberg, seconded by member Olson approving – Final Payment #14 plus retainage in the amount of \$214,137.80 to Wagner Construction, Inc., for labor and materials, contingent on USDA signing plus approved certificate of final completion dated 7/14/2014. Carried.

Mayor Klebs voiced his disappointment on problems the city is encountering as the result of the construction project involving the engineer firm. There was a lengthy discussion on drainage in different areas as results from the construction project. Moore Engineering will be working with the city to help try and solve these concerns. Mr. Templin expressed his concerns about problems he is having meeting the maximum pond limit. Mr. Templin had a rough estimate from Korblick Exc. to repair the pond road from the heavy rainfall the past week. Motion by Zimmerman, seconded by member Hoemberg to approve hiring Korblick Excavating to install a new 12 inch culvert, add gravel and touch up misc. wash

out areas and to dig up misc. pipes that went into the old clarifier system this would include labor and material and the amount not to exceed \$2,500.00. Carried.

7. Committee Report – None

8. Correspondence/Meeting/Conference

A. A new railing will be installed on each side of the steps located behind the community center and ambulance building.

B. Motion by Zimmerman, seconded by member Olson approving Clerk Umland attendance at the Region III MCFOA meeting/training on July 24, 2014, at Osakis, Mn with a fee of \$15.00 plus mileage. Carried. Motion by Zimmerman, seconded member Hoemberg approving Mr. Templin to attend a training session put on by Mn Rural Water in August. Carried.

9. Adjournment

There was no further business to come before the City Council, Council member Zimmerman moved, Member Olson seconded the motion to adjourn. With all members in favor, motion was carried. The meeting adjourned at 10:00 p.m.