

**CITY OF BERTHA
REGULAR MEETING OF THE CITY OF BERTHA
HELD AT THE BERTHA COMMUNITY CENTER
MONDAY, JUNE 11, 2012**

Members Present: Mayor Klebs, Council Members Shamp, Zimmerman, Hoemberg & Valley
Staff Present: Clerk Umland, Police Berndt & Public Works Templin
Guest Present: Doug Kapphahn, Joann Collins, Abby Nelson, Pete Wallner, Paul & Cody Olson, Marv Stokes, Bob Larson, Mary Liemandt, Clark Field, Roger Bryniarski, Job Oyster, Lois Greenwaldt, John Sarago and Shaun Nelson.

Pledge of Allegiance was recited.

Call Meeting to Order

The meeting of the City of Bertha was called to order by Mayor Klebs at 7:00 p.m.

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.

Council Member Zimmerman moved, Council Member Valley seconded, to approve the consent agenda, which included the following items. With all other members present voting in favor, the motion carried.

- A.** Approval of May 14, 2012 Regular Council Minutes
- B.** Approval of May Disbursements & Issuance accordance with list provided.
- C.** Reviewed bank correspondence – Investments & Bank Statement
- D.** Approval of Building Permit 2012-04 to Gareld Christenson for a 8X10 PVC Storage Shed
- E.** Approval to adopt Resolution 2012-25 declaring the cost of delinquent utility billing by the City of Bertha to assessment roll. Parcel 29-0016800 for \$174.54 for Joann Arend.
- F.** Approval 2012-26 certifying 2011 population and household estimate which is important in that they are both components elements in the LGA formula and will impact our future receipt of funding for federal and state grant funds.
- G.** Resolution 2012-27 adjusting Ambulance Account Receivable by \$933.00 since collection efforts have been exhausted (bankruptcy) and there is no need to keep it on the books at this time per request of Working 4 Professionals.
- H.** Approved the request by the Bertha Lions Club to conduct Excluded Bingo at the Bertha Community Center on Friday, July 13, 2012.

4. Public Comment

Bob Larson explained that he will be holding beergo on Sunday, July 15, 2012 at the Marbles Bar & Grill during the Bertha Firemen tractor pull. Proceeds will go towards the Bertha Food Shelf. He inquired about getting a temporary on-sale intoxicating liquor license. Clerk Umland contacted the Mn Dept of Safety about the legality of issuing the Marbles Bar & Grill an on-sale license. The Department of Safety responded by stating that temporary licenses are only for nonprofit organizations. Voter approval is required, however, before the city can issue Sunday's licenses to businesses.

Roger Bryniarski, present owner of the old Sunopta building, and Clark Field explained the plans for the current building. Their vision is to remodel and start a drying operation to make a by-product for pet food. Mr. Bryniarski is trying to purchase the equipment back. Mr. Field has some equipment since he lost his old business in a tornado. They discussed the pros and cons to the operation of the business

which are as follows: pros were it would employ from 6-30 people and help the economy in Bertha; the cons were the possible noise and some odor. Mr. Bryniarski informed the council an environmental study was done when he purchased the property and was given a clean bill of health.

John Sarago, Todd County Sheriff Dept., informed the council on the 4 different campaigns the Department of Safety is targeting. He has written a grant and has included the Eagle Bend Police Department as one of the partners. If the department is granted the award money the city will only have to pass a resolution.

5. Consider Business Items

A. The council reviewed the Bertha-Hewitt Rehabilitation Project report submitted Kathy Sletto for the cities of Bertha and Hewitt. Bertha has 15 construction jobs that have been completed, 2 construction jobs that have been awarded and are in progress, 7 applicants have been found to be over-income, ineligible, or have withdrawn and 9 households are on the waiting list. Once the 2 construction jobs are completed the city will be able to close out the grant.

B. Joe Oyster, Moore Engineering, presented one change order and the partial payment estimates for the Bertha Authority Improvement Project.

Consider Approval – Change Order No. 3 from Wagner Construction to revise two CL pipes from 24 inches to 18 inches. One 18 inch and one 24 inch apron will be constructed with the addition of a headwall and grate. The revision will allow for a smoother transition from abutting residential properties to ditch bottom. Change Order #3 will be a cost increase to the city in the amount of \$509.10 taken from the contingency fund.

Approval of Pay Request #3 for the following payments:

Partial Payment Estimate #1 in the amount of \$481,927.81 to Blombeck Construction, Inc. for labor and materials was approved.

Partial Payment Estimate #2 in the amount of \$319,048.83 to Wagner Construction, Inc. for labor and material was approved.

Partial Payment Estimate #1 in the amount of \$28,500.00 to Maguire Iron, Inc. for work completed on the elevated water storage tank was approved.

Partial Payment Estimate #3 in the amount of \$5,000.00 to Thurlow Planning Office for administrative services dated May 31, 2012 to be submitted to Small Cities Development Program.

Partial Payment Estimate #2 in the amount of \$2,107.00 to Braun Intertec for soil observation and testing was approved.

Partial Payment Estimate #3 in the amount of \$58,628.68 to Moore Engineering, Inc. for engineering services and basic services was approved.

Council Member Zimmerman moved and Member Hoemberg seconded the motion to approve Change Order #3 and Pay Request #3 contingent upon USDA signing. Carried.

Mayor Klebs informed Mr. Oyster there are some residents interested in new curbing which they will contact the contractor and will make payment to.

C. Mayor Klebs informed the council that the proposed quit claim paperwork was signed and notarized on June 11 and returned to the city attorney for serving the documents, arranging for publication, and filing the Notice of Lis Pendens. Once the documents have been served and published, the city has to wait 30 days before the attorney can submit a proposed final order to the Court.

6. Communications Reports

A. Reviewed the enterprise reports

B. **Fire/Ambulance Report** – Fire Chief Wallner explained the need to replace the present fire hall garage doors to prevent accidents. At the present time, the width of the doors is 10 feet and the new doors will be at least a foot and half wider with more R value. The center pillar will be a foot wide steel beam for support. Motion by Zimmerman, seconded by Member Valley allowing the Fire Department to replace the two garage doors at an approximate cost of \$7,500. Carried.

Temporary 3.2 Malt Liquor License – Bertha Fire Department Relief Association

The Relief Association inquired about getting a Temporary on Sale 3.2 Malt Liquor License to be used in conjunction with the annual Summer Festival on July 14-15, 2012.

It was moved by Hoemberg, seconded by Shamp, to approve a Temporary on Sale 3.2 Malt Liquor License to Bertha Firemen Relief Association for the annual Summer Festival on July 14-15, 2012; the motion carried 5-0.

Chief Wallner informed the council that they received their grant money from DNR and purchased clothing, hose and nozzles. Council Member Hoemberg informed the council that some of the crew has been trained for using the new automatic CPR board and waiting for the rest of the crew to be trained so the department can be certified.

C. **Law Enforcement** - Chief Berndt presented the police activity report for the month of May as follows: 1-accident, 35-citizen calls, 9-citations, 18-warnings, 1-arrest, 14-public assists, 4-investigations, and 7-assist other agencies, 1-medical and 6-school events. There was a lengthy discussion about if it was feasible to bring the City of Hewitt into the police service agreement that we presently share with the City of Eagle Bend. The majority of the council felt that the current law enforcement was going good and hated to jeopardize it. Police Berndt questioned what the council wanted him to do with residents having more than two dogs.

D. **Public Works Report** – the council reviewed the May report submitted by Mr. Templin. He inquired about starting an impound lot at the city shop. Motion by Council Member Hoemberg, seconded by Member Shamp allowing the owner or lienholder the right to reclaim the vehicle from the city impound after making payment of all towing and storage charges resulting from impounding the vehicle into custody at a fee of \$5.00 per day for storage not to exceed \$500.00 which would include the towing charge before the vehicle would be released to the owner. The council reviewed the time cards of the public works employees. It was decided that with the construction project the extra hours are needed. Motion by Council Member Hoemberg, seconded by Valley to allow Mr. Templin to accumulate unlimited comp hours during the project and would monitor the monthly comp hours at each monthly meeting. Clerk Umland will do a report for the meeting informing the council on extra hours. Carried. They instructed Shaun Nelson not to work over 39 hours per week.

E. **Clerk's Report** – Reviewed the monthly report and she informed the council that Mitchell Ganske has installed her new computer and is still working out the bugs. Ms. Umland informed the council that a new version of UBPro was installed. The new utility software has the capability of doing credit card payments, save time and money by e-mailing bills and notices, accessible anywhere via a secure internet connection and be able to work with the public works computer. Clerk Umland inquired about ordering the equipment that was awarded by the Safety Hazard Abatement Grant which she has 90 days to comply with.

There was no further business to come before the City Council. Council Member Hoemberg moved, Member Zimmerman seconded the motion to adjourn. With all members in favor the motion was carried. The meeting adjourned at 9:40 p.m.