

CITY OF BERTHA
REGULAR MEETING OF THE CITY OF BERTHA
HELD AT THE BERTHA COMMUNITY CENTER
MONDAY, JUNE 10, 2013

Members Present: Mayor Klebs, Council members Zimmerman, Liemandt, Olson & Valley
Staff Present: Clerk Umland, Public Works Templin & Police Berndt
Guest Present: Pete Wallner, Carolyn Bisel, Doug Kapphahn, Ben Harnack, Mary Larson, Marv Stokes, Joeb Oyster, Gerald Berndt, Donna Klebs and Tammie Stevens

Declaring a quorum Mayor Klebs called the meeting to order at 7:02 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.

Motion by Councilmember Zimmerman to **Amend** the Consent Agenda by removing Item D “Resolution 2013-17,” and approved the agenda as amended. Seconded by Councilmember Valley, All Ayes, motion carried.

- A. Approved the May 13, 2013 Regular Council Members and May 30, 2013 Special Council Minutes.
- B. Reviewed bank correspondence – Investments & Bank Statement
- C. Approving a Zoning Permit 2013-02 to Rick & Sara Harig for two new decks
- D. Resolution 2013-17 was removed from the agenda with no action taken and will be presented at the July meeting.
- E. Approval 2013-18 certifying 2012 population and household estimate which is important in that they are both components in the LGA formula and will impact our future receipt of funding for federal and state programs.
- F. Approved the application from Schuller Funeral Service for reimbursement of \$4.00 per running foot for replacement of Blvd. sidewalk. Once final inspection is approved by Public Works a check will be issued.
- G. St. Joseph’s Application for Exempt Permit for Lawful Gambling, August 11, 2013, to conduct bingo and hold a raffle at St. Joseph’s Catholic Church.
- H. Approved Temp. On-Sale Liquor License to the Bertha Relief Assoc. to sell beer during Bear Country Days weekend, July 13, 2013, at the designated area as submitted on the state application form. A copy of liquor liability insurance for the licensed period will be attached to the license.

4. Bills Payable

Motion by Council Member Valley, second by Council Member Zimmerman to approve May Disbursements and Authorized Issuance accordance with list provided. Carried. Member Liemandt abstained due to conflict of interest.

5. Public Comment

Pete Wallner expressed concerns on the quality work performed by the different construction companies that did work on our Bertha Authority Improvement project.

6. Consider Business Items

A. Joeb Oyster, Moore Engineering Inc., presented the council with the next pay request.

Approval of Pay Request #17 includes the following payments:

Partial Payment #8 in the amount of \$1,070.70 to Eagle Construction, Inc., for labor and materials was approved due to change order #4.

Partial Payment #8 in the amount of \$114,847.29 to Blombeck Construction, Inc., for labor and materials was approved.

Partial Payment #10 in the amount of \$186,315.84 to Wagner Construction, Inc., for labor and materials was approved.

Partial Payment #11 in the amount of \$46,497.52 to Moore Engineering, Inc., for engineering and basic services was approved.

Partial Payment #10 in the amount of \$3,589.25 to Braun Intertec, for soil observations and testing was approved.

Change Order # 4 increased \$1,127.05 to the contract with Eagle Construction, Inc., for a 16" X 4" well seal.

Change Order #2 increased \$2,014.95 to the contract with Blombeck Construction, Inc., for coating the flow splitter with a coal tar epoxy & two locations at the pond they needed to use larger posts in order to span the swale.

Council Member Valley moved and Member Olson seconded the motion to approve the above partial payment requests and change orders contingent upon USDA signing, with all members present in favor.

B. D-509 Detachment Petition

Mayor Klebs informed the council that the first public hearing is set for June 17, 2013 at the Bertha City Clerk's Office and have available a speaker phone ready when Judge O'Malley calls.

C. Public Nuisance Update

220 Main St. West – The property could be sold because the property has a clean title. Mr. Klebs is still working with the adjacent property owner that is interested in purchasing the parcel but is held up because she is worried if the soil is contaminated and the cost to clean it up. The council was hoping that the awning would be repaired by Bear Country Days.

215 2nd Ave NW – Chief Berndt discussed different items that should be removed from the property. The council then had a lengthy discussion concerning what items should be removed. Mr. Berndt stated that the city attorney will not do anything until the 180 days are up. Mr. Klebs stated that the bus serves as an alternative to affordable storage needs. Mr. Berndt will meet in a couple of weeks with the committee and put together some options. He will also contact the city attorney to get his opinion on granting a variance on this property. It was discussed that hopefully there could be a compromise to save on the cost of legal fees to have this property in compliance with the city code. Mr. Berndt informed the council that Mr. Churchwell quoted him a price of \$1,500.00 to bring our city code up to date.

D. Welcome Sign

Clerk Umland had contacted Joan Wallner to get her opinion what could be done to improve the current sign near Hwy 71. Ms. Wallner did not have time to check this out and hopefully by the July meeting she will be able to report back.

E. Amendment to Chapter 10, Section 10.10, Subd. 2

This amendment would regulate the control of a dog on or off the premise of the owner. The dog would have to be confined to a leash, chain, cable, fence, kennel or other suitable enclosure at all times. The council is trying to address problems concerning protection of public safety and reinforcement of responsible guardianship of dogs with regard to ownership. Dogs that are left to run at large (unleashed) could be a hazard to the community and its citizens with the potential to harm unwary citizens through acts of aggression and threatening behavior. It is up to the council of the community to regulate the latitude given to dogs and their caretakers to roam without proper supervision in private and public areas. They all felt this amendment was too strict to have the dog restrained at all times

while outdoors while on their own property. The council wanted more time to review and think about this amendment and tabled this matter until the July meeting to make the decision.

7. Communication Reports

A. Reviewed the enterprise reports

B. Fire/Ambulance Reports – Chief Wallner informed the council that the department submitted one grant. The department has received one donation for \$400.00 to defray the cost of the band for the summer festival. The only news from the ambulance department is that the current ambulance vehicle motor failed and was replaced by the company.

C. Law Enforcement - Police Chief Berndt presented the May activity report for Bertha which included: 27-citizen calls, 4-citations, 11-warnings, 3-public assists, 2-investigations and 5-assisted other agencies.

D. Public Works Report – the council reviewed the May monthly report. He reported his next projects would be rehab. the sewer plant and painting curbs. Motion by Zimmerman, seconded by Member Liemandt approving purchasing 20 gallons of yellow fast dry high visibility paint and 1 gallon blue standard paint. Carried. The quote for 5 gallons of the high visibility paint was \$172.00. Mr. Templin had a list of items needed to be purchased to remodel the sewer plant. He will bring to the July meeting some quotes to do the sewer plant project. The council feels that a metal roof should be installed since the cost is comparable to shingled roof. Mn Pollution Control has informed the city the approval of the water balance study that was conducted on the new 3 wastewater stabilization ponds in Bertha. At this time, wastewater is allowed to enter the pond system and shall be operated as designed.

E. Clerk's Report – overview of June Agenda

8. Committee Report

A. Clerk Umland gave a brief report on the status of the firefighter that was injured going to a fire on January 1, 2012.

9. Meeting/Conference/Correspondence

Reviewed the correspondence on the estimate payment for LGA in 2014 and discuss the sales tax exemption for cities and counties effective January 1, 2014.

Mayor Klebs informed the council he will be attending the Local Board of Appeal training session on 9/11/2013 in Park Rapids from 9:00 a.m. to noon.

No action taken on the conference on “Promoting Healthy Communities Impact of Prevention in Central Minnesota”, which will be held on June 26th.

The Council asked Clerk Umland to attend the DEED Workshop on Redevelopment Grant Program that will be held in Wadena on June 21, 2013. This workshop will highlight what types of projects are eligible and which will compete well for grant funds. One part of the grant program that will be available in February 2014 is related to projects related to redeveloping blighted property.

Clerk Umland informed the council on the progress of the wellness/fitness center that will be located at the previous Bertha Medical Clinic Building. The first advisory meeting to plan this exciting project will be held on June 19th at the Bertha Community Center. Clerk Umland was asked to represent the city to help in the planning process for her input and feedback.

Ben Harnack had two concerns about the property he recently purchased. The council gave him permission to plant a garden on the east side of the power pole to the fence. Currently, it is a utility easement that is on the edge of his property where he will have his garden.

9. Adjournment

There was no further business to come before the City Council. Councilmember Zimmerman moved, Member Valley second the motion to adjourn. With all members in favor motion was carried. The meeting adjourned at 9:10 p.m.

