

**City of Bertha
Todd County, Minnesota
Regular Council Meeting
Held at the Bertha Community Center
Monday, June 12, 2017**

Members Present: Mayor Zimmerman, Members Nelson, Bowman and Hoemberg

Member Absent: Member Olson

Staff Present: Clerk Umland, Public Works Templin and Police Berndt

Guest Present: Trinity Gruenberg, Russ Vandenneuvel, Joann Collins, Pete Wallner, Amy Botzet, Mark Fay, Ken Ashbaugh, Gerald Berndt, Roger Schahn, Brenda Roberts, Birch Pettow, Deb Current and Zach Johnson.

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 Comments: An opportunity for members of the public to address the City Council on items not on the current agenda. Items requiring Council action may be deferred to staff or committee for research and future agenda, if appropriated.

Mark Fay, Traditions Bar & Grill, asked about Sunday Off Sale Intoxicating Liquor License. **A motion by Bowman, seconded by Member Hoemberg allowing Traditions Bar & Grill sales of off-sale intoxicating liquor on Sundays between the hours of 11 a.m. and 6 p.m. as of July 1, 2017. Carried.**

Joann Collins – 409 2nd Ave NW- showed her displeasure with the council about having Mr. Berndt hand deliver her notice for a nuisance yard. She felt that other residence should have also received letters. She has contacted a senator and her attorney because she feels that she is being harassed and threatened by the city.

Mr. Berndt informed the council on a call he received from Tina Cronk concerning the nuisance letter she received. She indicated they will install a privacy fence to solve the problem. She wanted the mayor to call her after the meeting.

4. Communications Reports

A. Enterprise Reports – May reports were reviewed.

B. Fire/Ambulance Reports- Pete Wallner addressed the Council. Mr. Wallner suggested that sidewalk between Diamond Tool and the bus company be marked for no parking. When responding to a call it is hard for the trucks to maneuver out of the fire hall without backing up. **Motion** by Member Bowman, seconded by Member Nelson to approve adding Ed Hershberger new volunteer firefighter to the Bertha Fire Department roster effective June 5th. Zach Johnson passed out correspondence from FEMA to help assist organizations financial and management capabilities, organizational systems, and internal control to administer any federal funds that the city receives. Zach requested that we prepare a manual with the information, documentation, and policies and procedures from our city in a binder so it will all be in one place.

Ambulance Department – After an EMT run, Brenda Roberts and Russ Vandenneuvel gave a demonstration on the Lucas 3 Chest Compression System. The Lucas 3 has been helping emergency personnel teams deliver high quality help. The Lucas 3 chest compression system has improved features to facilitate maintenance and handling and allows for new insights through easy wireless access to device data. Lucas 3 is a safe and efficient tool that standardizes chest compressions in accordance with

the latest scientific guidelines. It provides the same quality for all patients and over time, independent of transport conditions, rescuer fatigue or variability in the experience level of the caregiver. By doing this, it frees up the volunteers to focus on other life-saving tasks. The power packs are easily switched when needed. The system easily conforms to the different size of the victim. This equipment was part of a grant.

C. Law Enforcement – Mr. Berndt presented the council with his May activity report. The monthly report showed the following violations for Bertha: 45-citizen calls, 5-citations, 4-warnings, 1-accident, 4-public assist, 1-assisted other agencies and 1-unlock. He informed the council the internal box was replaced in his laptop. At the current time, he is unable to retrieve his picture on nuisance properties. He delivered the notices to most of the violators with the rest being sent by mail.

D. Public Works Report – Mr. Templin supplied the council with his May report. The monthly report included: completed the spring pond discharge of 14.6 million gallons, park repairs along with the purchase on a different lawn mower. He inquired about a new weed trimmer and different tires for the Kubota lawnmower. The council reviewed and discussed a quote which included three different models of Stihl weed trimmers. Moved by Member Hoemberg, seconded by Member Bowman to purchase from Fortwengler Electric a new Stihl trimmer model FS90R for \$329.95. Carried. For warranty purpose, they must use Ultra Oil in the trimmer and will purchase a six pack. Motion by Member Nelson, seconded by Member Hoemberg to have 2 new rear tires installed on the Kubota. Carried. The council gave approval to have public works do improvements at the RV Park Bathrooms. Amy Botzet questioned a neighbor putting a sandbox next to the alley. This problem is in the process of being taken care of.

E. Clerk Overview – Information only

5. Consider Business Items

A. Hope Addition One – A public hearing has been set for July 10, 2017 at the next regular council meeting for establishing a TIF District. City Council must adopt a resolution approving the establishment of TIF District No. 1-1 and the adoption of tax increment financing plan. Jason Murray has provided copies of the TIF Plan to the county, school and city. The buyer of Lot 4 & 5 has put down their earnest money of \$501.00. Hometown Title is presently working on the closing paperwork and hope to have it done by the next meeting. Birch Pettow informed the council that he knows someone who is interested in purchasing a lot. Since, the lots are for sale for only \$1.00 now everybody wants one.

B. Encroachment B-H Transportation – no further action since last month

C. Gambling – Mark Fay will contact the Todd Trail Association since the council would like to meet and discuss them contributing up to 10% of its net profits to the city for lawful purposes.

D. Todd County Development Corporation – A letter was received from Rick Utech asking the City of Bertha to be a partner sponsor of Todd County Development Corporation. There were 5 levels of membership that the city could choose. They rely on funding from Todd County, the North Central SBDC and Partner Sponsors to assist in providing their services. Over the few years, the financial allocation through the county has decreased 5% each year. So they are seeking support from the different communities and economic development services. The request was denied due to a lack of a motion.

E. Council Accepts Resignation and Fills the Vacancy - A letter of resignation from the City Council was received from Council Member Darrell Hoemberg effective July 1, 2017 due to relocation from city limits. Bowman made a motion, seconded by Nelson, and carried unanimously to approve Resolution 2017-16, **A Resolution Accepting the Resignation of Member Hoemberg, Expressing the City's Appreciation for his Service, Declaring a Vacancy and Ordering the Council to Appoint a Qualified Person to Fill the Vacancy.** The council received letters of interest from two residents.

Appointment to fill Council Vacancy-

A notice was posted for the vacancy at the City Clerk's Office for a month, reviewed any interested candidates and, on Monday night, appointed a new council person to serve the remaining term until the next general election. The city received two applications for the position. The first was from Jean Schuster and second from Deb Nelson. Ms. Nelson has previously held position as a township board member and other elected positions. It was moved by Hoemberg, seconded by Nelson to adopt Resolution 2017-21 appointing Deb Nelson to fill the vacant seat for the City of Bertha through December 31, 2018. All voting in favor of the resolution.

6. Consider Consent Agenda – Action Required

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 removed to an appropriate section of the regular agenda for discussion.

Mayor Zimmerman asked if there were any additions, corrections, deletions to be made to Consent Agenda. Under Item D a Building Permit 2017-11 was added for Yvonne Jahraus to the consent agenda. Motion by Hoemberg, seconded by Bowman and passed by unanimous vote to approve the consent agenda as amended, adding Building Permit 2017-11 under Item D. The consent agenda included the following items.

- A. Approval of May 8, 2017 Regular Council Minutes
- B. Approval of May Disbursements & Authorize Issuance in accordance with the list provided including all electronic payments
- C. Review bank correspondence – Bank Statement & Investment Report
- D. Zoning Permits –
 1. Shaun Nelson-2016-04, needed an extension to build the deck
 2. Jennifer Farber – 2017-09- to construct a deck around her swimming pool
2017-08 Fence Permit 2017-08 to install a fence around swimming pool
 3. Steven Greenwaldt – 2017-10- construct a 50X168 hayshed
 4. Yvonne Jahraus – 2017-11 – 16X30 deck
- E. Approval of Minnesota Lawful Gambling LG220 Application for Exempt Permit with No Waiting Period Submitted by St. Joseph Catholic Church for August 13, 2017-Father Crane
The church has requested approval of a gambling license to conduct a raffle on the church grounds located at 201 Cherry Street NW for their annual Church Festival. The clerk was authorized to complete and sign the application of behalf of the City of Bertha.
- F. Council reviewed Resolution 2017-19 2016 population estimate of 477 and household estimate of 200. The estimate will be reported to the State Demographer for purpose of determining state government aid program.
- G. Adopt Resolution 2017-18 – supporting the submittal of a grant application to the MN DNR for Volunteer Fire Assistance Matching Grant Project for purchases of wildland equipment and pagers- and authorize the Fire Chief to execute and authorize the appropriate signature on the paperwork.

7. Committee Report

A. Reviewed information from LMC/ Berkley Risk notifying the city on benefit payment on an existing worker comp claim that begin in 2012. The volunteer was issued a lump-sum payment under the award on stipulation for \$12,000.00.

8. Meeting/Conference/Correspondence

A. **LMC** – Clerk Umland updated the Internal Control Procedures, and put together two new policies for Personal Social Media Use Policy and Social Media and Digital Images Policy. The clerk will present the policies at the July meeting for approval.

B. Mn Pollution Control Agency – City of Bertha was approved for a Mn Pond Permit instead of an Individual Permit which will be a lot cheaper.

C. Focus on New Laws & legislation – for review only

D. Todd County Auditor – information on the upcoming tax-forfeited land sale on the Bertha Enterprise parcels. At this time, the council didn't sound interested in to request it for conveyance for public use. If the city is not interested they must let the county know within 60 days of the date of letter.

9. Adjournment

There was no further business to come before the City Council. Member Bowman moved; Member Hoemberg seconded the motion to adjourn. With all members in favor, motion was carried. The meeting adjourned at 7:39 p.m. Carried.