

**CITY OF BERTHA  
REGULAR MEETING OF THE CITY OF BERTHA  
HELD AT THE BERTHA COMMUNITY CENTER  
MONDAY, MAY 12, 2014**

**Members Present:** Councilmembers Zimmerman, Hammond, Hoemberg, Olson and Mayor Klebs.

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

**Guest Present:** Trinity Gruenberg, Pete Wallner, Marv Stokes, Randy Chock, Russ Vandenneuvel, Gary Kleen, Joeb Oyster, Angie Mousseau, Gerald Berndt and Brian Ilgen.

**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, Hammond seconded, to approve the Consent Agenda as presented which included the following items; with all members present voting in favor.**

- A. Approval of April 14, 2014, Regular Council Minutes and the April 11, 2014 Board of Review Minutes.
- B. Approval of April Disbursements and Authorized Issuance in accordance with list provided.
- C. Reviewed bank correspondence – Investments & Bank Statement
- D. Zoning Permit 2004-01 – Second Chance Boutique- Hallway between his two building
- E. Resolution 2014-06 authorizing the City of Bertha to enter into a Source Water Protection Plan Implementation Grant agreement with the Mn Department of Health for \$3,000.00 to be used for public education and enforcement of the City of Bertha Wellhead Protection Plan.
- F. Resolution 2014-07 adjusting Ambulance Account Receivable by \$1,096.00 since collection efforts have been exhausted and there is no need to keep it on the books at this time per request of Working 4 Professionals.
- G. Approved Issuance of a LG220 Lawful Gambling Exempt Permits, by the State Gambling Control Board, to Father Peter VanderWeyst, for use on June 8, 2014 (anniversary celebration) for a raffle and on August 11, 2014 (fall festival) for bingo and raffle, at the St. Joseph Catholic Church and waives the 30-day waiting period, and authorize and direct the city clerk to complete and sign the application on behalf of the City of Bertha.

**4. Public Comment**

**Gerald Berndt** informed the council he is interested installing a fence around his property and inquired what requirements he had to meet. He stated the abutting property owner would share the fence on the east property line. The new city code will require residents to get a permit for new fences that are installed. The new code will address some areas regulating the use of fences, the current standards are minimal and with the application permit it will address several issues including materials used, height and placement. Council member Zimmerman stated that the fence won't eliminate your unsightly yard which is in violation of our nuisance code which he recently received a notice for.

**Brian Ilgen** inquired about acquiring a hobby kennel license. He is interested in starting a business of breeding dogs and selling puppies. He was advised we are currently working on revising the city code which will not permit hobby kennels within the city limits except for foster care. Mayor Klebs informed him to stop at the clerk's office to get a copy of the current ordinance for kennel licensing.

**Angie Mousseau**, representing the Post Prom committee, questioned the council about the shed along side of the Lion's Building that is used for storage of post prom items. There was some discussion about who owned and would upkeep it. The council was unanimously in favor of turning the shed over to the school to be used for storage and under one condition it would be removed from the current location.

## **5. Consider Business Items**

**A. City entrance sign** – The council reviewed the information on lettering from different companies. Clerk Umland recommended going with the quote from Signs & Designs from Wadena. They estimated the cost to be \$285.00 which includes the lettering be bolted on a 1 inch aluminum tubing. The two one inch aluminum mounting pieces are included in the price. The tubing would then be attached to the rock at 4 different locations. The council decided before the next meeting we should have the rock brought to town and placed at the location. Then we can test the hardness of the stone for inserting screws to hold the letter tubing on it.

**B. Bertha Authority Project** - Reviewed the letter that was sent on April 15<sup>th</sup> to Wagner Construction denying their request to reduce the liquidated damage amount by 50%.

### **Approval of Pay Request #25:**

**Motion by Hoernberg, seconded by Zimmerman approving Payment #1 in the amount of \$7,700.00 to Doug's Excavating, Inc. to demo the concrete tank was approved contingent of USDA signing.**

The council questioned Joeb, from Moore Engineering, about the problems they are encountering at the wastewater ponds. They reviewed the letter that was sent to Hugh Veit concerning the added expense and what he is proposing to do to solve the problem. Mr. Veit responded by stating in a letter that everything is working as designed. The issue they are working on to solve is how the pump is drawing water from the pond. The council request that the suction hose that was supplied with the project be reduced to a smaller size (possibly 8 inch) for safety reasons. Mr. Oyster will contact the company to see what could be done and inform MN Pollution Control on any changes that are made and get there okay.

### **C. Street repairs**

Clerk Umland explained the different financing options available: 1- Todd Haugen from Ehlers & Associates will have more information on financing street improvements for the June meeting which will involve bonds. He is working with Moore Engineering about this topic. 2 – Borrowing from your local bank 3-USDA has a Community Facility Loan program which streets are eligible under with a 4.125% interest for a term up to 20 years. The city would be reimbursed by abutting property owners for 80% under our special assessment policy on an annual basis and the city share would be a special levy during the term of the loan.

### **D. City Code Update**

Mr. Churchwell will supply a draft copy of the new code by the June meeting and possibly be able to hold a public hearing for the changes made at the July meeting. Clerk Umland will contact the county assessor on if zoning district are changed what affect would it have on the property owner taxes.

## **6. Communications Reports**

**A.** Review the enterprise reports

### **B. Fire/Ambulance Report -**

Gary Kleen, co-chief of ambulance, approached the council asking the council permission to allow all eligible volunteer ambulance EMTs receive an individual membership to the Bertha Area Wellness Center paid for by the City of Bertha ambulance fund. He explained the risks that volunteers face and covering topics the need to be fit. The council requested that he put a policy together for the June meeting with the stipulations for free membership (how many times they must utilize the center). The goal for the volunteers is to utilize the fitness center to promote and protect their health and wellness and to prevent work-related injury and illness. He felt this would be an incentive to recruit new volunteers. Back injury alone is the primary reason EMT have to leave the ambulance service. Often volunteers are required to bend, twist, carry or move patients and equipment in tight spaces and be in physical shape. This would be a pilot program before they give the fire department the okay.

There was a suggestion that the fire department could include it in their next budget and then it would be split between the city and township contract money.

Mr. Wallner, Fire Chief, informed the council that a mock OSHA was done the prior week with LMC Loss Control Officer. He stated they are still looking for donations to help pay for the band for Bertha Bear Country Days. The fire department will still sponsor their annual tractor pull. The summer celebration will still be held but with reduced activities. Clerk Umland will contact Arvig Communication and ask if the donation that was received for youth activities could be utilized by the fire department to help with activities.

**C. Law Enforcement** – Police Berndt presented his April activity report. The report showed violations as follows: 9-citizens calls, 6-citations, 5-warnings, 6-public assists, 5-assist other agencies and no unlock vehicles. Mr. Berndt informed that there was two dog bites within the City of Bertha. He briefly addressed what a dog owner is required to do when a dog is classified as dangerous. Mr. Berndt invited the council to DARE graduation on May 19<sup>th</sup>.

**D. Public Works** – Supervisor Templin presented the April monthly activity report:

On-site inspection with MN Pollution Control - lot of work to meet discharge guidelines

Had 2 mock OSHA inspection

Plowed and Sweep Streets

Getting equipment ready for summer

Flush water tower & fire hydrants

**Topic for discussion**

Building Permit for propane gas tanks

Sump Pumps & floor drain - have residents eliminate them going into the sewer system

Heater for sewer plant office – Motion by Hoemberg, seconded by Member Hammond allowing Mr. Templin to spend up to \$750.00 to purchase an electric heater for the office. Carried.

Tires for the city pickup - \$178 each- denied

**E. Clerk's Report** – overview of May agenda

**7. Committee Reports**

None for May 15, 2014

**8. Meeting/Conference/Correspondence**

**A.** Parcel 02-0009700 Clerk Umland sent the original paperwork when annexed to get recorded

**B.** Arvig – reviewed

**C.** J.C. Christenson & Assoc. removing Antone Nicholas, Shaun Olson and Ruth Pope ambulance accounts they returned because all efforts to collect was exhausted.

**D.** MacNeil Environment & LMC Loss & Control – mock OSHA Inspection

**9. Adjournment**

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

