

**CITY OF BERTHA
TODD COUNTY, MINNESOTA
REGULAR MEETING OF CITY OF BERTHA
HELD AT THE BERTHA COMMUNITY CENTER
MONDAY, MAY 9, 2016**

Members Present: Zimmerman, Olson, Hoemberg & Nelson
Member Absent: Bowman
Staff Present: Clerk Umland, Police Berndt & Public Works Templin
Guest Present: Pete Wallner, Randy Chock & Trinity Gruenberg.

Declaring a quorum, Mayor Zimmerman called the meeting to order at 6:30 p.m. and the citizens recited the Pledge of Allegiance.

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 maybe deferred to staff or committees for research and future agenda, if appropriated.

Randy Chock is contemplating turning the empty parcel adjacent to County Rd 23 into a mud bog and hold races. He stated that he was the legal owner and has all the paperwork that states that. He informed the council since it is zoned industrial, he is allowed to hold mud races and noise factor would not be able to be regulated. Council requested some information on public safety and parking. Chuck stated that he would have to dig a trench four to five feet deep to contain the vehicles. The races would be held on Saturdays and between the hours of 10:00 a.m. and 5:00 p.m. He stated that he has discussed this with DNR and they have no control over private property. Mr. Chock stated he wouldn't schedule any races until another month. The primary concerns the council had was the noise factor and liability. Mr. Chock stated that all participants would have to sign a waiver form prior to racing. Mr. Chock will give a copy of the waiver form to the office to put in the next council packet.

4. Communications Reports

A. Enterprise Reports – April reports were reviewed.

B. Fire/Ambulance Reports- No was present on behalf of the Bertha Ambulance Department. Mr. Wallner informed the council that the siren is not operable because of a blown fuse. New fuses have been purchased and will be installed. He touched briefly on Bertha Days. The estimates to repair Fire Truck #153 were submitted to the insurance adjuster that day. The old Lexington fire truck was sold for \$900.00 at a recent auction.

C. Law Enforcement- Mr. Berndt presented his April activity report. The monthly report showed the following violations for Bertha: 16-citizen calls, 4-citations, 4-warnings, 9-public assist, 2-investigations, 2- assist other agencies and 2-unlocks.

D. Public Works Report – Mr. Templin supplied the council with his April activity report. Some highlights for the month were estimates for street improvements, finished discharging 8.6 million gallons from the pond and started the grass mowing season. He spoke recently with DNR about the property around the ponds that is not being used and was suggested looking into a program to plant native grasses. When inspecting the area, they encountered an infestation of insects. The DNR suggested installing martin, duck or bat houses near the ponds to reduce the bug population. It was mentioned that maybe some organization would be interested in doing a project to construct houses.

North Star Lumber – surface material for playground- Clerk Umland received a quote for \$16.00 per yard for wood fiber and hauling cost is \$4.00 a loaded mile. **Motion by Hoemberg, seconded by member Olson approving spending \$1,100.00 to add wood fiber under the playground equipment to meet OSHA requirement. Carried.** Prior to installing new wood fiber, the maintenance department will spray the area to control weed from coming up.

All Things Asphalt – Crack filling

The council reviewed a quote from ATA to clean and seal cracks to keep moisture out and prolong the life of the city streets. Some of the cracks must be redone from last year which is under warranty work. The quote consist of the alleyways and new street that weren't done last year. All cracks that are between ¼ -1 ½ inch wide are eligible. **Motion** by Hoemberg, seconded by Member Nelson approving ATA quote for \$750.00 for crack filling some new streets and alleyways. Carried

Linescape Parking Lot Striping –restripe crosswalks

Reviewed the quote from Lee Truax which included: 1,687 feet new layout & striping, 5-handicaps, 4-No Parking, restripe crosswalks for a total cost of \$1,227.00. This was tabled until the next meeting and will check with Sentence- to- Serve about doing the work.

Motion by Hoemberg, seconded by Nelson approving Mr. Templin to spend up to \$250.00 to purchase some new trees for the park south of the Lion's Building. Carried. Prior to purchasing the trees, he must have the approval from the park committee.

E. Clerk Overview – reviewed

5. Consider Business Items

A. Nuisance Property - The council reviewed the copy of the Notice setting this matter for hearing on May 25, 2016. The motion hearing has been set for 9:00 a.m. in Courtroom 1 at the Todd County District Court in Long Prairie. Mr. Bobby Berndt informed the council that Gerald is looking at taking a loan out to finish cleaning his property up. He was informed to contact the city attorney about any questions he might have.

B. Street Improvements – The council reviewed quotes for street improvements on 2nd St. SE. from Central Ave to 3rd Ave SE. Motion by Nelson, seconded by Member Hoemberg to accept the quote from Ideal Construction LLC for \$25,960.00 to improve 2nd St. SE. along with some minor improvements on the south side of the street by the baseball field with the total cost of the project not to exceed \$30,000.00. Carried. The street project will include 1.5 inch overlay on 2nd St. SE which will include raising low area to get proper drainage, milling edges, tack, and leveling bad spots in the streets with fines. The council has postponed all improvements at the intersection of 1st Street NE/2nd Ave NE by the two housing units until summer of 2017 which will includes installation of a new catch basin.

C. 2 A.M. Closing Permit

The council discussed the information from the state that there is no such thing as a temporary 2 a.m. permit. They only issue full year permits. Clerk Umland stated at this point there are only three options available:

- a. Deny the 2 a.m. closing permit
- b. Approve by resolution 2 a.m. closing permit for Friday & Saturday
- c. Amend Ordinance to allow Monday –Saturday 2 a.m. closing

Clerk Umland will contact Mark Fay and inform him about the information received from the state. It was suggested just to amend the city code to include holidays along with Friday & Saturday nights. Clerk Umland will check this out with the City Attorney Churchwell.

6. Review and Adopt the Consent Agenda

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 the Consent Agenda. Zimmerman noted that Building Permit 2016-06 (Item L) & Building Permit 2016-07 (Item M) be added.

A motion was made by Nelson and seconded by Olson to approve the agenda with the noted additions to the consent agenda. All voted in favor to accept the revised agenda. Motion carried.

- A. Approved of the April 11, 2016 Regular Council Minutes and the April 20, 2016 Board of Review Minutes
- B. Approval of April Disbursements & Authorize Issuance in accordance with the list provided including all electronic payments – plus a claim to reimburse Pete Wallner for \$81.40 (fuses)
- C. Review bank correspondence –Bank Investment Statement
- D. Approving Resolution 2016-12 accepting a donation for \$50.00 from Randy Frederickson designated to purchase equipment.
- E. Approved an internet processing professional service agreement with Hamer Enterprises to provide EZ-Netpay for collections of utility payments and authorizes the clerk and mayor to sign on behalf of the city. This system allows the city to accept credit/debit card payments. There is a fee to the user and not the city. The fee is \$3.00 per hundred.
- F. Approving Resolution 2016-11A – authorizing to enter into an agreement with Expert T Billing - Resolution 2016-11 was approved authorizing to enter into an agreement with Ambulance Claims Processing at the April 11th meeting. The city had to find a new billing company after we received notice from the Ambulance Claims Processing that they decided not to do that service any longer. She suggested contacting Expert T Billing to do our processing. The company charges a flat fee of \$27.00 per transport with no minimum runs per month with no set up fee. Umland stated that she received a cancellation notice from Working 4 Professionals stating that as of June 30, 2016, they will no longer be doing ambulance billing services.
- G. Approved Building Permit 2016-03-Kevin Barnes, 203 2nd Ave SE, 10X14 deck. Approved by Mr. Templin & Mayor Zimmerman prior to the meeting so they could start construction that week-end prior to the meeting.
- H. Approve Building Permit 2016-04-Shaun Nelson, 210 3rd Ave NE, 18X21 deck

- I.** Bertha Fire Relief Association 2015 Financial & Investment Report (FIRE-15) & authorize signatures on the report for the state. The Bertha's Firefighters' Relief Association is the administer of a single-employer defined benefit pension plan available to firefighters, which operate under the provisions of Mn State Statute. It is governed by a board elected by members of the association. Benefits are payable in a lump sum based on years of service, with the current benefit level of \$1,100.00 per year of service.
- J.** Approve Building Permit 2016-05 – Jeff Gades, 204 1st Ave SE, 8X14 deck
- K.** Approve Issuance of a LG220 Lawful Gambling Exempt Permit, by the State Gambling Control Board, to St. Joseph Catholic Church, for use on August 14, 2016, for a raffle, at 201 Cherry Street 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.
- L.** Approve Building Permit 2016-06 – Cindy Goepferd, 205 2nd Ave SE, 10X18 Deck
- M.** Approve Building Permit 2016-07 – Ed Moore, 408 2nd Ave NW, 10X18.6 Deck

7. Committee Reports

None

8. Meeting/Conference/Correspondence

- A.** Tax Forfeit Land Sales – for review only
- B.** Scan city records – don't feel the need
- C.** Work Comp on going claim – review only
- D.** House burn at 109 4th Street NW – no information from the property owner
- E.** Broadband – information to review only
- F.** Transportation Update – review only
- G.** Minnesota DEED Meeting in Fergus Falls – Clerk Umland & Mayor Zimmerman are planning on attending.

9. Adjournment

There was no further business to come before the City Council, Member Nelson moved; Member Olson seconded the motion to adjourn. With all members in favor motion was carried. The meeting adjourned at 8:00 p.m.