CITY OF BERTHA

TODD COUNTY, MINNESOTA

REGULAR MEETING OF THE CITY OF BERTHA

HELD AT THE BERTHA COMMUNITY CENTER

TUESDAY, NOVEMBER 13, 2018

**Present:** Mayor K. Nelson, Members Olson, Bowman, D. Nelson and Captain

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

***Guests:*** Marlo Benning, Pete Wallner, Mark Fay, Marv Stokes and Russ Vandenheuvel

***Declaring a quorum, Mayor K. Nelson called the meeting to order at 6:00 p.m. and the citizens recited the Pledge of Allegiance.***

***Public Information Announcements- Abstract of votes cast for the 2018 General Election in the City of Bertha.***

Mayor K Nelson presented the prepared Abstract of Votes Cast in the City of Berthas’ General Election held on November 6, 2018. He also presented the official tabulator results for the Council’s review and inspection. Clerk Umland noted that due to the absentee votes now being taken care of at the County level through an Absentee Ballot Board, the County has prepared an abstract of the votes that includes the votes cast at the polling place as well as those done via an absentee ballot.

***Motion:*** Moved by Captain and seconded by Member D. Nelson to approve Resolution 2018-40 certifying that there are no discrepancies in the Abstract for Votes Cast and direct the findings to be filed with the Auditor in the County of Todd. Motion carried unanimously.

The official Abstract for Votes Cast in the City of Bertha was signed by the Council for filing at Todd County. For Office of Mayor – No filings of candidate – Ken Nelson won with 21 write-in votes

Special Election – two year term – Leona Bowman

Council – 4 year term – Debra K. Nelson and Gene Captain

Issuance of Certificate of Election to newly elected members of the council was issued upon receiving a signed copy of the Campaign Financial Report Certification Filing. This report indicates that the candidate did not receive contributions or made disbursements exceeding $750 in the calendar year.

***3. Unscheduled Public Appearances:***

Mark Fay, owner of Traditions Bar & Grill, questioned the council about reducing the liquor license fee since he does so much for the city. It stated that it has been a bad year for liquor establishments in the area. Fay said that depending on the amount, it will help him make the decision on whether or not to stay open or close come January 1st. If he would close it, he said he plans to keep it and not let it go back to the previous owners. He alluded to the fact that he is exploring other options at this point. Fay asked for all he’s done for the Bertha community to be recognized.

***4. Communications Reports***

***A. Enterprise Reports – October reports – review only***

***B. Fire/Ambulance Reports –***Russ informed the council on the upcoming refresher training for possibly 10 volunteers. It will be held at the Bertha Community Center on January 19 & 20th.

Chief Wallner informed the council on the maintenance that will be done on the grass rig. They are in the process of installing a different motor and transmission for $3,500.00. The department is still having issue with the rescue rig and will continue to look for a replacement.

***C. Law Enforcement –*** Mr. Berndt presented the council with his October activity report. The monthly report showed the following violations for Bertha: 17-citizen calls, 3-citations, 4-public assists, 3-assist other agencies, 1-alarm and 2 vehicle unlocks. The council reviewed the 2019 police department budget provided by the City of Eagle Bend. The City of Bertha cost for 2019 will $62,188.00 and will pay City of Eagle Bend $15,547.50 per quarter.

**D. Public Works Report –** Mr. Templin supplied the council with his October Maintenance Report for the council to review and give comments. Mr. Templin questioned the council about an alley in the city that the sod should be removed and install ground cement on the base. The cost to do the project is estimated at approximate $4,000.00. No decision was made and will be tabled until he brings some hard numbers back . Mr. Wallner quizzed the council about snow removal and suggested that the city crew should work together. Member D. Nelson suggested that snow removal crew should get an earlier start before the traffic starts. There was concern again about cars being left on the streets and not being moved for snow removal. It was suggested that they should receive one warning and the next time be ticketed. The council requested that a letter be sent out informing the resident that they could have their vehicle towed, if not moved. A draft letter will be put together and be approved by the mayor and police. A brief discussion on if we should allow semi-truck to use the electrical hook-up for a fee. The consensus of the council was not to allow truck owners to use electrical outlets. The council felt it was too hard to monitor the truckers that were honest.

***E. Clerk Report- for their information***

***5. Consider Business Items***

***A.*** Pond Easement Road - A brief discussion on the letter received from Mr. Steve Greenwaldt about installing a fence. The council felt that cattle guards would not be the answer. Attorney Kruger advises that the city should go ahead next spring and install a fence. Mr. Templin will work on getting a quote for the next meeting. The council was in favor of installing a three strand electric fence. Over the past few years, he has increased the number of livestock that is in the pasture and road is eroding more each year. The council felt he should pay for his share under the fence law. They discussed the Minnesota fence law that requires neighboring owners or occupants of “improved and used” land to contribute in equal shares to the cost of building and maintaining the fence between their lands if either owner wants to fence the land. Motion by Member Bowman, seconded by Olson approved to proceed moving forward installing a fence on the pond easement road next spring with the neighboring owner responsible for his share. Carried. If the neighboring owner neglects to pay his share then it will be turned over to the city attorney. Mr. Wallner will have a quote available for the next meeting.

***B. 2018 Final Tax Levy & 2019 Budget Adoption – Member D. Nelson introduced the following resolution and moved for its adoption:***

***Resolution 2018-27***

***Certifying the 2019 Final Budget & 2018 Final Tax Levy for Taxes***

***Collectible in 2019***

***BE IT FURTHER RESOLVED,*** that the proposed levy for the City of Bertha for 2018 and for collection in 2019 is as follows;

General $ 79,500.00

Fire $ 9,350.00

Ambulance $ 1,050.00

Street Improvements $ 40,000.00

***Total $129,900.00***

The final budget for the City of Bertha 2019 was approved with the expenditures to different funds allocated in the following ways;

General $317,500.00

Fire $ 50,400.00

Revolving $ 100.00

Water $152,000.00

Sewer $151,300.00

Ambulance $124,500.00

***Total $795,800.00***

The City Clerk is hereby instructed to transmit a certified copy of this resolution to the auditor of Todd County, Minnesota. Member Bowman seconded the foregoing motion and passed unanimously.

***C. Bertha Manhole Rehabilitation-*** Mr. Templin briefly went over the two proposals to repair manhole linings on Main Street. The council suggested getting a quote for replacing the manholes instead. He will contact the company that replaced the manholes for the city this summer and present it at the December meeting.

***D. 2019 Cigarette & Liquor License- No action taken***

Mark Fay, owner of Traditions Bar & Grill, requested that the fee be reduced because his establishment the business is slow. Member Nelson felt we shouldn’t compare what we charge business for fees because this is our town and we should support our businesses to keep them going. The fee of $1,000.00 was set last year.

***6. Consider Consent Agenda***

***Note: The Consent Agenda list 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 K. Nelson asked if there were any additions, corrections, or deletions to be made to the Consent Agenda. Motion by D. Nelson, seconded by Member Captain to approve the Consent Agenda as presented, with all members present voting in favor. The following agenda items include the following:

1. Approval of the October 8, 2018 Regular Council Minutes
2. Approval of October Disbursements & Authorize Issuance in accordance with the list provided including all electronic payments
3. Review Bank Correspondence – Bank Statement & Investment Report
4. Consider Resolution 2018-36 –***A Resolution establishing its 2019 Polling Place*** at the Bertha Community Center – this item is due to change in the state election law that was passed by the State Legislation. It is necessary that the city selects a polling place and forwards that information to the county auditor before December 31st every year for the following election.
5. Approved the 2019 Ambulance Service Agreement with the area townships/cities that they serve for a total of $ 6,996.00.
6. Todd County All Hazard Mitigation Plan Adoption – This plan has been developed by Todd County , with input from area emergency management officials, to mitigate natural and manmade disasters before they occur. The City of Bertha, in order to apply for and receive pre and post disaster assistance from FEMA, must adopt the Todd County Multi-Jurisdictional All Hazards Mitigation Plan. Resolution 2018-37 entitled “Todd County All-Hazard Mitigation Plan” was introduced and approved. A copy of the signed resolution of adoption must be sent to the county . A CD with the copy of the plan is on file at the City Clerk’s Office.
7. Approve Resolution 2018-41 LMC Liability Coverage Waiver Form- The City of Bertha Does Not Waive the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.

***7. Committee Report***

***A.*** Personnel Committee – will meet prior to next meeting to present a recommendation for the city employee’s salaries for 2019.

***8. Correspondence/Meeting/Conference***

***A.*** Hilltop Regional Kitchen - has been delayed until the council finds out from the county if their donation was for the area township residents.

**B.** A copy of the 2019 fee schedule and designation was given to the council for review and suggested changes – tabled until upcoming meeting.

**9. Adjournment**

There was no further business to come before the City Council. Member D. Nelson moved; Member Bowman seconded the motion to adjourn. With all members in favor, motion was carried. The meeting adjourned at 7:30 p.m.