

**CITY OF BERTHA
REGULAR MEETING OF CITY OF BERTHA
HELD AT THE BERTHA COMMUNITY CENTER
MONDAY, DECEMBER 11, 2017**

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

Staff: Clerk Umland, Adam Templin & Bobby Berndt

Guest: Pete Wallner, Marv Stokes, Mark Fay, Amy Botzet, Trinity Gruenberg, Russ Vandenheuvel, Birch Pettow, Zach Johnson, Shaun Nelson and Scott Powers

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

3. Public Comment:

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.

No one present to address the council

4. Communications Reports

A. Reviewed the enterprise reports for November – no questions

B. Fire/Ambulance Reports - Chief Wallner stated the department is in the process of purchasing equipment with funds from grant money. Zach Johnson explained that the Relief Association would like the council to consider an increase to the annual payment amount for firefighter's pension. The Bertha Firefighters' Relief Association is the administrator of single-employer defined benefit plan available to fighters, which operates under the provisions of Minnesota State Statute. It is governed by a Board of Directors and Trustees elected by member of the Association. The majority of the pension funding comes from the State of Minnesota's 2% premium tax. The City receives this and is required to pass it on to the association. Benefits are payable in a lump sum based on years of service. The volunteers don't become eligible for any retirement proceeds until after 10 years of service. Keith Porter has reviewed the actuarial and supports that the department is sound and would be able to cover the increase. This increase will not require a City contribution at this time. The association would like to increase it by \$200.00 to minimize cost and paperwork of increasing it every year. Member Bowman moved, seconded by Member Olson, to adopt Resolution 2017-46, A Resolution Authorizing an Increase in annual Pension Amount from \$1,300.00 per firefighter years of service to \$1,500.00 per year of service effective January 1, 2018. The motion carried without a dissenting vote.

Russ went over a report concerning the 4th quarter statics. He stated they have two more volunteers in the process of being licensed.

C. Law Enforcement- Mr. Berndt provided his November activity report. The monthly report showed the following violations for Bertha: 12-citizen calls, 5-citations, 2-warnings, 1 public assist, 3 assist other agencies, 1 vehicle unlock and 2-accidents. The council did not have any concerns for Mr. Berndt.

D. Public Works Report- Mr. Templin supplied the council with his November report to review and they did not have any comments. He informed the council that the recirculation pump on the water tower had to be replaced.

E. Clerk's Overview – review only

5. Consider Business Items

A. Nuisance Property Update

- 1. 205 1st Street NW**- The City Attorney informed the council once the personal service is completed then he can file it with the court after the time frame given in the Order.
- 2. 206 Main Street East** – the vacant building is in the process of being removed. Once the structure is removed the basement will be filled with clean dirt.
- 3. 119 2nd Ave NW**- a privacy fence has been installed
- 4. 109 4th Street NW** – finalizing the sale and will be removed in spring

B. 2018 Renewal Application and Optional Coverage Renewal Application from LMCIT

The City of Bertha is a member of the LMCIT which offers liability coverage to its members. LMCIT members who obtain liability coverage, which the City of Bertha does, must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. If a member does not waive the statutory tort limits, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants would be able to recover for a single occurrence to which statutory limits apply would be limited to \$1,500,000. If a member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could potentially recover up to \$2 million for a single occurrence. Motion by D. Nelson, seconded by Member Bowman approving Resolution 2017-45 LMC Liability Coverage Waiver Form to **Not Wave** the monetary limits on municipal tort liability. All voted in favor of the motion.

6. Consider Consent Agenda –Action Required

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 Bowman to approve the consent agenda as presented. Carried. The consent agenda included the following items;

- A.** Approval of the November 13, 2017 Regular Council Minutes
- B.** Approval of the November Disbursements & Authorize Issuance in accordance with the list provided including all electronic payments
- C.** Review Bank Correspondence – Bank Statement & Investment Report
- D.** Approve tobacco license renewals for the following establishments, for the period of January 1, 2018-December 31, 2018, pending receipt and acceptance of all application materials, as recommended by the city.
 - Seven Oaks Express – 316 Main Street West – 2018-02
 - Corner Market – 305 Main Street West – 2018-01
- E.** Approve renewal of 2018 Liquor License –Traditions Bar & Grill
Each year, the City Clerk prepares an application packet for the establishment seeking to renew their liquor license. The annual renewal list, which includes certificates of liquor liability, compliance of worker's compensation, copy of restaurant license issued by the state, copy of retailer's buyer's card, proof that all taxes, assessments, or other financial claims of the City are current. The license is contingent upon receiving all the necessary documents.

- F. Approved the 2018 Ambulance Service Agreement with the area townships/cities that they serve for a total of \$ 6,940.00.
- G. Resolution 2018-01 setting the fees and charges for 2018 for various services, licenses and permits were reviewed and approved.
- H. 2017 Audit Agreement with Porter, Mayer & Nelson LTD – no action since we did not receive information prior to the meeting.

7. Committee Report

- A. Reviewed and approved the resolution under the Consent Agenda Item G

8. Correspondence/Meeting/Conference

A. Freshwater Education District – requested a donation since their funding from Reading is Fundamental was cut. They want to raise approximately \$3,000 from local sponsors. Denied the request.

B. Glenn Johnson Memorial Park – a replacement part for the slide was placed on order and the material for the picnic shelter will be place prior to the end of the year.

C. Todd County Solid Waste - questions were answered

D. Rescheduled the November 12, 2018 meeting - The council approved rescheduling of the November 12th meeting due to the observance of Veteran's Day as a Federal Holiday. The meeting in November has been rescheduled to November 13, 2018 to 6:00 p.m.

E. Minnesota LTAP – Mr. Templin was given approval to attend

F. Will gather more information on member of the council wages in the next few months

9. Adjournment

There was no further business to come before the City Council. Member D. Nelson moved; Member Captain seconded the motion to adjourn. With all members in favor, motion was carried. The meeting adjourned at 7:15 p.m. Carried.