CITY OF BERTHA

TODD COUNTY, MINNESOTA

REGULAR MEETING OF THE CITY OF BERTHA

HELD AT THE BERTHA COMMUNITY CENTER

MONDAY, JUNE 11, 2018

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

***Absent***: Member Olson

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

***Guest:*** Marv Stokes, Pete Wallner, Brenda Roberts, Karen Winkler, Birch Pettow, Aaron & Amy Botzet, Mark Fay, Trinity Gruenberg and Russ Vandenheuvel.

***Declaring a quorum, Mayor K. Nelson 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 appropriate.

 Mark Fay, owner of Traditions Bar & Grill, asked for permission to block the street in front of his business again. He stressed the importance of having the city sweep the street to remove all the cigarette buds and garbage that accumulate at night during the dances. Mr. Templin felt that was his responsibility. There was a brief discussion that the street sweeper does not do a good job picking up the straws and buds. Mayor K. Nelson suggested volunteering in helping with the removal of the garbage.

 Amy Botzet, head of the parade, stated the route and time would be the same as last year.

***4. Communication Reports***

 ***A. Enterprise Reports –*** May reports-for review only

 ***B. Fire/ Ambulance Reports –*** Mr. Wallner mentioned that the motor on the grass rig is in the process of being replaced.

 Ambulance – Mr. Vandenheuvel gave the quarterly statistic report (March-May) for the ambulance department. They had 46 calls for the quarter. They will sell raffle tickets for a 1944 B John Deer tractor with the drawing held on September 29th. The ambulance crew will host a pancake feed on July 15th with proceeds going for training and clothing. The American Legion will sponsor the events and donate the proceeds back to the department.

 ***C. Law Enforcement –*** Mr. Berndt presented the council with his May activity report. The monthly report showed the following violations for Bertha: 1-accident, 4-citations, 3-warnings, 3-public assist, 1-vehicle unlock, 1-investigation, and 18 citizen calls. He informed the council that the city wide inspection was done and 38 residences were out of compliance. He delivered most of them and the rest were mailed out. It was suggested that a copy of the public nuisance should be included with the checklist. Russ Vandenhuevel suggested having an outsider do the inspection. Mr. Berndt felt it would be too costly to do that. The council discussed different ways of doing city wide inspections. It was suggested to notify the residence in spring to prepare them in advance prior to the annual inspection. The council wants to inform the residents prior to having an inspection done. Mayor K. Nelson checked into getting a dumpster for the residents to use. Some inquired about different lawns in the city being mowed.

 ***D. Public Works Report-*** Mr. Templin supplied the council with his May Maintenance Report to review and give comments. The completion of the spring discharge at the ponds is done. The council commented on the new guard rails that were installed in back of the Community Center. Mr. Templin was questioned about why it took so long to install the wood fiber at the playground. They were concern about the mold that could be created when left in a pile. The alarm system at the pond system was a permanent fix.

 ***E. Clerk Review – review only***

***5. Consider Business Items***

 ***A. Nuisance Property –*** After the May meeting, the city was notified that an asbestos inspection needed to be done. Advanced Fire Training & Asbetos Inspection (Gary Anderson owner) was hired to take samples and send them to a qualified lab with a cost of $385.00. The test findings indicated that the slate siding contained chrysolite and needed to be specially remove prior to demolition. Two companies that do asbestos removal were notified. Biennial’s Abatement Service s, LLC provided a proposal and contract for transite siding removal for $4,300.00. The price includes disposal, air sampling, labor and materials. All the work would be performed in accordance with OSHA, State and Federal regulations. The city is expected to get another proposal tomorrow and will see if the quote is lower. A motion was made by D. Nelson seconded by Captain to remove asbestos siding from a hazardous house located at 205 1st Street NW prior to demolition of a hazardous house not to exceed $4,300.00. Carried. If the second estimate is lower than $4,300.00, Clerk Umland was instructed to contract with that company. Mr. Wallner was also interested in talking with them to see if they would be interested in removing the siding from one of his buildings.

 **B. Hope Addition One –** Mayor K. Nelson informed the council that Nelson Housing Development Phases II is still interested in building another four-plex. This means that the original TIF Plan for Tax Increment Financing District No. 1-1 from 2017 will not have to be amended.

 Purchase Agreement with Bill & Karla Dukowitz – An addendum to the purchase agreement that was signed by the Dukowitz’s in 2017 was sent to them. An extension was requested by the Dukowitz’s last month. The following terms were added to the original agreement:

1. Buyer shall have until noon on June 11, 2018, to close on said property.
2. The first half of the real estate taxes and special assessments for 2018 must be paid by buyer at closing.
3. Buyer shall be granted a one year extension to have their house completed by June 15, 2019.

The above party did not contact us or follow thru with any of the terms of the addendum. Since the buyer defaults in any of the terms, seller may terminate the agreement and payment/parcels will revert to seller. Clerk Umland will contact the City Attorney to follow thru with the correct paperwork and cancel the agreement. There are two parties interested in purchasing these parcels. Earlier in the meeting, Birch Pettow informed the council that he was still interested.

 ***C. Zoning Permit –*** There was a brief discussion about approving a zoning permit prior to the meeting so construction can be started sooner. Motion by Member D. Nelson, seconded by Member Bowman to have the current code changed to have the mayor, city clerk and public works supervisor sign off if it meets all the setback requirements and does not need a variance or conditional use permit. Carried. The zoning permit would be approved by the full council at the monthly meeting. The city clerk will start the process with the city attorney to amend the current code, if needed.

 ***D. Mn Employment and Economic Development –*** After the May meeting, Clerk Umland submitted the Minnesota Investment Fund State Funded RLF Request for One-Time Exception Form for approval to DEED. On May 16, the city received correspondence from the state concluding that Bertha is eligible for the one-time exception to transfer funds from their revolving loan fund to another account fund. Since the state awarded repayment of funds under Mn Statutes, section 116J.8731, we must transfer 20 percent of the balance of the money to the state general fund before June 30, 2018. Then the city is eligible to use the remaining 80 percent of uncommitted money as a general purpose aid for any lawful purpose. By February 15, 2019, the city must then exercise the option of submitting to the chairs of the legislative committees with jurisdiction over economic development policy and finance an accounting and explanation of the use and distribution of the funds.

*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 Member Bowman to approve the Consent Agenda as presented, with all members voting in favor. The following agenda items include the following:*

1. *Approval of the May 14, 2018 Regular and Special Council Minutes.*
2. *Approval of the May Disbursements & Authorize Issuance in accordance with the list provided including all electronic payments plus the 2nd Quarter Ambulance Payroll.*
3. *Review Bank Correspondence –Bank Statement & Investment Report*
4. *Approve the following zoning permits:*
5. *Zoning Permit 2018-08-Robert Moller – to construct a 28X40 garage*
6. *Zoning Permit 2018-07- Leo Haisman – to install a 8X12 temporary shed – pending set back requirements are met.*
7. Consider Approval of Minnesota Lawful Gambling LG240 Application to Conduct Excluded Bingo for Bertha Area Sportsmen Club to hold a Bingo event on July 13, 2018 at the Bertha Community Center, 127 2nd Ave NW, Bertha, Mn 56473 was presented.
8. The Bertha Firemen’s Relief Association presented the council with a state application for One to Four Day Temporary On-Sale Liquor License. The application indicates that the organization is obtaining insurance through Ebner Insurance Agency. The Relief Association will be selling intoxicating liquor during Bear Country Days (July 13-15) located at the areas designated on the state application form.
9. Council reviewed Resolution 2018-22- 2017 population estimate of 479 and household estimate of 200. The estimate will be reported to the State Demographer for purpose of determining state government aid program.

7. ***Committee Report- None***

***8. Correspondence/Meeting /Conferences***

 ***A.*** Chad Kilbury – will be installing a drive way on the west side of his house.

 B. Meetings/Training – review only

***9. Adjournment***

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