

City of Hewitt  
509 East Third Ave  
Hewitt, Minnesota 56453

City Council Minutes  
Regular Meeting

July 8th, 2014  
City Hall, 7:00 p.m.

---

**CALL TO ORDER** The Hewitt City Council met in regular session. Mayor Juanita Mitchell called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE** The City Council and all present stood for the Pledge of Allegiance to the Flag.

**ROLL CALL**

Council present: Juanita Mitchell, Mayor  
Jim Opelia, Councilmember  
Donald Fitzgerald, Councilmember  
Alice Melzer, Councilmember  
Alex Weego, Councilmember

Staff present: Luke Mitchell, Maintenance  
Michael Dagen, Clerk/Treasurer

Guests: Rose & Dave Templin, Carolynne Bisel,  
Karen Raskie, Trinity Gruenberg, Marcell Arndt, Lori Bates, Erma Greenwaldt,  
Marvin May, Rick Sullivan, Steve Peterson,  
Ginny Bruder, Deanna Gould

**APPROVAL OF MINUTES** Alex Weego asked if the summaries of the closed sessions on the last page of the minutes covered the requirements and clerk Michael Dagen said yes. Alex Weego made a motion **to accept the June 10<sup>th</sup> minutes**, Alice Melzer 2<sup>nd</sup>, all in favor, motion carried.

**FINANCIAL  
REPORTS**

Alex Weego made a motion **to pay checks #13914-13931 & 13935**, Jim Opelia 2<sup>nd</sup>, all in favor, motion carried.

Juanita Mitchell asked if there were any red tags on the water and sewer accounts today. Clerk Michael Dagen shared that account #'s 84, 200, 300 & 1050 were red tagged today. Alex Weego asked about account #23, Michael said that the city received a call from Todd County stating that a payment would be sent on behalf of this account.

**MAINTENANCE  
REPORT**

Maintenance lead Luke Mitchell added to his report that the City of Bertha has requested using Hewitt's bleachers for their tractor pull this weekend. Luke said that Eagle Bend will drop off the Hewitt's bleachers in Bertha. Luke shared that the front tires on the City's John Deere tractor were repaired.

Alex Weego made a motion **to authorize Luke Mitchell and Aaron Fore to attend training in Henning on Aug. 20<sup>th</sup>**, Jim Opelia 2<sup>nd</sup>, all in favor, motion carried.

Karen Raskie asked when her water main shut off would be repaired. Luke stated that there is a concern that the water table is currently too high to repair the main.

Alex Weego asked about the pot holes on 5<sup>th</sup> Ave. Luke Mitchell shared that he is hoping that there will be left over gravel from the road construction project to repair the pot holes on 5<sup>th</sup> Ave.

Alex asked if the city should give notice to the citizens for parking during the road construction project.

Luke shared that the new city truck has been picked up. Mayor Juanita Mitchell stated that there is to be absolutely no smoking in the new truck, old truck or any city buildings.

**CLERKS  
REPORT**

Clerk Michael Dagen referenced his notes and explained that the Raskie sewer credit last month was short \$22.35. Donald Fitzgerald made a motion **to correct the Raskie sewer credit \$22.35**, Jim Opelia 2<sup>nd</sup>, all in favor, motion carried.

Alex Weego made a motion **to cancel the Verizon maintenance phone account**, Donald Fitzgerald 2<sup>nd</sup>, all in favor, motion carried.

Jim Opelia made a made a motion **to transfer \$15,000 from the sewer account to the general fund**, Donald Fitzgerald 2<sup>nd</sup>, all in favor, motion carried.

Clerk Dagen requested to take Monday, 28<sup>th</sup> off of work.

**MAYOR'S  
REPORT**

Mayor Juanita Mitchell shared that Travis Mevissen's application to the Hewitt Fire Department has been approved by the department. Donald Fitzgerald asked if Travis will be able to attend trainings and fire calls. Rick Sullivan shared that Travis's work shift has been changed to days. Donald Fitzgerald made a motion **to approve Travis Mevissen's application to the Hewitt Fire Department pending Travis passing a urine analysis**, Jim Opelia 2<sup>nd</sup>, all in favor, motion carried.

**\*Unfinished business\***

**MILL  
REMOVAL**

Donald Fitzgerald stated that the mill building is still there.

**PERSONNEL  
POLICY**

Clerk Michael Dagen said that he doesn't have any updates on the city's personnel policy. Donald Fitzgerald asked when the clerk would have an updated personnel policy and Dagen said in the next month or two. Alex Weego asked if this policy is for the fire department and Mayor Mitchell stated that the personnel policy will cover all city employees.

## SENIOR CENTER

Dave Templin asked why the seniors were locked out of the senior center. Mayor Juanita Mitchell stated that last Saturday she asked Dave to wait to remove any items from the senior center which he agreed to and then later started removing items. Juanita said that the locks were changed in order to keep peace in the situation. Dave Templin referenced the letter from the Senior Citizens' attorney which says that anything inside the senior center belongs to the Hewitt Senior Citizens. Juanita said that ownership of the items in the center was not clarified at that time. There was a discussion about the events that took place at the senior center last Saturday and the argument that has been held over the contents of the building. Alex Weego stated that the contents of the building are a mute point as they belong to the seniors as stated by the Senior Citizens attorney's letter. Dave Templin stated that according to the seniors' attorney, the city cannot sell the building since the State Tax Deed restricts the use of the building to a Senior Citizens Center. Donald Fitzgerald shared that Hewitt's attorney Dan Carlisle has informed the City that the State Tax Deed sale restriction has expired. Alex Weego read a message from the City of Hewitt's attorney Carlisle stating that after researching this topic he concludes that the use restriction expired in 2003. Lori Bates spoke up and shared that the seniors would like to use the building through the summer and have time to dispose of the contents of the center. Steve Peterson asked if a new abstract would need to be drafted which would take some time. Clerk Dagen shared that the Dennys have stated that they do not want an abstract for the property. Dave Templin said that the seniors will need at least 30 days to remove the contents of the building. Donald Fitzgerald said that Clerk Dagen will inform the Dennys that the seniors own the contents of the building and that the council has given the seniors 30 days to remove their items. Jim Opelia suggested that August 11<sup>th</sup> be set as the deadline for the seniors to remove their property from the building.

**SENIOR  
CENTER  
CONT...**

Alex Weego made a motion **to amend the council's previous motion accepting Judy & Dale Denny's offer of \$5000 for the senior center, with attorney fees and closing costs to be limited to "real property"**, Donald Fitzgerald 2<sup>nd</sup>, all in favor, motion carried.

**\*New Business\***

**MANDATORY  
CITY  
GARBAGE  
PICKUP**

Ginny Bruder from Prairie Sanitary Service gave a presentation on providing mandatory garbage pickup service for the City of Hewitt. There was a discussion about how required city garbage pickup would work. Alice Melzer asked if there would still be a monthly or every other week garbage pickup option. Ginny stated that no, mandatory garbage service gets picked up every week whether or not you put your garbage out. Jim Opelia asked what would happen if people didn't pay their garbage bill. Mrs. Bruder said that delinquent balances would be assessed to property owners' taxes, but the service would not be discontinued. Clerk Dagen asked if the service would include all properties located in city limits. Ginny suggested that only the water and sewer accounts in city limit would be eligible. Donald Fitzgerald made a motion **to hold a public meeting August 12<sup>th</sup> at 6:30 pm to discuss mandatory city garbage pickup in the city's water and sewer service area**, Jim Opelia 2<sup>nd</sup>, all in favor, motion carried.

**CITY PROPERTY  
& WORKERS  
COMPENSATION  
INSURANCE  
RENEWAL**

City insurance agent Steve Peterson presented the city's property and workers compensation insurance renewal information. Steve stated that insuring the new city truck will add to the city's renewal price. For insurance purposes, Mayor Mitchell asked about the fire department's previous policy for driving the fire trucks out into inclement weather. Steve said that it had been fire department policy to not drive the fire trucks out into severe weather.

**CITY  
INSURANCE  
CONT...**

Jim Opelia made a motion **to adjust the city's workers' compensation deductible to \$0**, Donald Fitzgerald 2<sup>nd</sup>, all in favor, motion carried.

**MELZER  
LAND USE  
PERMIT  
RENEWAL**

Luke Mitchell asked how close the building would be to the trail and Alice Melzer stated that it was not close. Donald Fitzgerald made a motion **to renew Terry Melzer's land use permit**, Jim Opelia 2<sup>nd</sup>, all in favor, motion carried.

**MN ENERGY  
FACILITIES  
INSTALLATION  
AGREEMENT**

Clerk Michael Dagen said that to bring natural gas service to the water plant it will cost the city \$169.

Donald Fitzgerald made a **motion to approve the MN Energy Facilities Agreement for the city's water plant**, Alice Melzer 2<sup>nd</sup>, all in favor, motion carried.

**WATER  
PLANT  
INSULATION  
BIDS**

Donald Fitzgerald made a motion to **accept the \$4062 Tri County Foam Insulation bid for insulating the water plant**, Alex Weego 2<sup>nd</sup>, all in favor, motion carried.

Lead Maintenance said that he is confident that installing a furnace, insulating the building and connecting a gas line to the water plant will come in around \$5000 total. Luke said that he thinks the savings from these improvements will pay for itself in one year.

Donald Fitzgerald made a motion **to approve the purchase of a furnace for the water plant for \$650**, Jim Opelia 2<sup>nd</sup>, all in favor, motion carried.

**OPEN FORM**

**TODD COUNTY  
DEVELOPMENT  
COMMISSION  
HOT SPOT  
PROGRAM**

Clerk Michael Dagen explained the letter from the Todd County Development Commission saying that the city has received a \$75 check for the city’s Wi-Fi router program.

**GTS  
PLANNING  
AND ZONING  
WORKSHOP**

Councilmember Alex Weego expressed that he would like to attend the GTS planning and zoning workshop in Little Falls.

Donald Fitzgerald made a motion **to approve Alex Weego attending the GTS Planning and Zoning Workshop in Little Falls for \$135**, Jim Opelia 2<sup>nd</sup>, all in favor, except Alex abstained, motion carried.

**RESOLUTION  
#14-010  
APPROVING  
2014  
ELECTION  
JUDGES**

Clerk Michael Dagen explained that he discovered that the city’s election judges were paid \$7.25 per in 2012.

Donald Fitzgerald made a motion **to approve Resolution #14-010 approving the city’s 2014 election judges**, Jim Opelia 2<sup>nd</sup>, all in favor, motion carried.

**KENDAL &  
JIMMY  
WURST  
STREET  
DANCE  
REQUEST**

There was a discussion about allowing Front Street in front of Jimmy Wurst’s Saloon to be closed for a dance on July 19<sup>th</sup>, 2014. Mayor Mitchell offered to deliver a letter to the Wursts laying out the council’s terms for closing the street.

Donald Fitzgerald made a motion **to allow Kendal & Jimmy Wurst to close Front Street in front of Jimmy Wurst’s Saloon for a dance , with the option to buy a \$25 temporary liquor and beer license to sell outside on July 19th**, Jim Opelia 2<sup>nd</sup>, all in favor, motion carried.

**LOOSE DOG  
COMPLAINT**

Donald Fitzgerald stated that the loose dog problem was investigated and resolved. Deanna Gould shared that the dog is no longer able to get out.

**CLOSED  
SESSION**

Luke Mitchell requested to close the meeting for an employee discussion.

Alex Weego made a motion **to close the meeting per State Statute 13D.05 Subd 3. A for employee evaluations**, Donald Fitzgerald 2<sup>nd</sup>, Alex, Jim, Juanita, Alice in favor, Fitz no, motion carried.

Alex Weego made a motion to **open the meeting back up**, Donald Fitzgerald 2<sup>nd</sup>, all in favor, motion carried.

Alex Weego stated that personnel issues were discussed and settled with no further action needed.

**MEETING  
ADJOURNED**

Donald Fitzgerald made a motion **to adjourn the meeting**, Alice Melzer 2<sup>nd</sup>, Alex, Fitz, Alice in favor, Jim & Juanita no, motion carried.

Mayor \_\_\_\_\_

Clerk \_\_\_\_\_