June 12, 2012

Regular Council Meeting

Pledge:

Mayor Juanita Mitchell and Council Members Alex Weego, Darlene Fah and Alice Melzer, and Jim Opelia were present.

Minutes: A motion was made by Alex to approve the minutes from May 8, 2012 Council Meeting subject to change at the next Council Meeting seconded by Jim, all in favor, motion carried.

Financial Reports: Darlene asked how much money was received from Clean-Up day to offset the $896.50 paid to Todd County Solid Waste. Barbara stated that she thought it was about $100.00 and that the charge from Todd County Solid Waste was less than last years. Alex asked about the Todd County Veterinary Clinic billing. Barbara stated that it was for euthanizing the feral cats. Alex asked about the Vet Clinic that was held in May and Barbara stated that they did that at no charge to the City. Darlene asked if the Empire Pipe Service was the amount of the bid. Barbara stated yes. Alex asked what fund was used for Empire. Barbara stated the Sewer Fund. Darlene questioned the credit balance on the Museum Fund. Barbara stated that it had been that way since she had been here and had considered asking the Council if she should transfer the $63.06 from the General Fund to cover the overage. Juanita stated that the Historical Society should reimburse the city that amount. Jeannette Meszaros asked what the overage was for. Barbara stated that she would print out the reports for everything from the Museum and get them to Alice. Alex made a motion to refer to audit, seconded by Alice, all in favor, motion carried.

Maintenance Report: Aaron stated that jetting went smooth. There is a slight sag in one area piping but it does not need anything done with it at this time and there were no other problems found. Alex questioned that there was nothing else found since it is a 20 year old system. Aaron stated that there were no other areas of concern found, however there was 500 feet that could not be televised and jetted as the ground was to wet and soft to get the equipment to that location. It only affects 2 properties. Aaron feels that once the ground is dried out enough he could get a fire truck and hose to that area to flush it out. There is also a chunk between the lift station and the manhole that they could not get to due to the way it was installed. There is a piece of concrete in the way. This should not create a problem. Alex asked when it would be necessary to have this done again. Aaron stated that it should be jetted every 3 or 4 years, but it would not need to be televised every time. Juanita also stated that it is the League that tells us that we need to do the jetting every 3 or 4 years also for insurance purposes. Juanita asked if he had viewed the televising. Aaron stated that he watched part of it while they were doing the work, but he has not viewed the CD that we received from them yet.

Aaron stated that the discharge is now finished. The transfer is also finished. It all went well.

Aaron purchased the new weed trimmer. It was less expensive than he had anticipated which was good.

Juanita thanked maintenance for getting the list she had given them all completed.

On June 27th there is a Waste Water Session and on June 28th there is a Water Operations Session that he would like to attend. There is no charge for the classes. Darlene asked where the classes would be held. Aaron stated that they were over by Isle. Jim asked if he would stay overnight, Aaron said no, he would drive back and forth for both sessions. Jim made a motion to approve Aaron attending the classes, seconded by Darlene, all in favor, motion carried.

Aaron had the grating done after the completion of the jetting. Braaten’s were supposed to get back to him on any gravel that was needed but he hadn’t heard from them that we needed any.

Clerk’s Report: Bills paid prior to the Claims List for the meeting were: ARVIG, Minnesota Energy, Verizon and Rick’s Repair.

There were a few letters issued again this month for water/sewer collection. Two have already been addressed by the residents. Darlene asked about account 9 and Barbara stated that they have not responded.

UBPro: Barbara is still using both systems. She has received an email stating that effective June 15th she should be able to just use the new system, but she has concerns as the history was not transferred. It is supposed to be fixed now according to another email but she will have to check on that again. Barbara asked if she should put a note on June’s water billing that customers can now pay online. Jim and Alex both felt that would be a good idea. Alex also suggested having Karin add this information to the web site. Barbara will email Karin about having this added.

The pet clinic was not very successful in getting the Cities dogs licensed. Barbara asked how to proceed to get the dogs licensed. Alex suggested that Barbara also add a notice to the water/sewer billing for this also.

The Controlled Burn and Handicap Paving letters were sent to Steve Peterson. The Fire Department minutes show that they have addressed both of these items.

No action was completed on the fence permit.

Payment was received from Mendakota Insurance for the damage to the building. It is now paid in full.

June 27th and 28th is the training for election judges. The Council does need to determine a selection for Head Judge so that they can be scheduled for the training session that will be held on August 9th. Jeannette Meszaros had indicated that she would like the position again as she was head judge last year. Barbara also said she feels it is necessary to have a second person trained as an alternative. Alex made a motion that Mrs. Meszaros be named head judge and that Barbara be the alternate, seconded by Jim, all in favor, motion carried.

Shaun has exceeded the $425.00 maximum per month for PERA qualification. There are two options available to the City at this time: He can be laid off by the end of June and reinstated after 30 days as a temporary employee or he can be changed from a no benefits employee and added to PERA. Alice stated that he should be added to PERA as there is no way to get the work completed without his help. Alex asked what the rate charged to the City is for PERA. Barbara stated that it is 6.875% matching plus the additional 1% the City has to pay. Juanita stated that he has been doing a very good job for the City. Alice also stated that we will need him in the winter also as soon as the first big snow storm hits. Jim made a motion that Shaun will now qualify for the PERA benefit, seconded by Darlene, all in favor, motion carried.

The Norton is going to expire on the Cities computer. Barbara presented the options available and also questioned how to pay for it without a credit card. Darlene thought that possibly it could be purchased using the routing off the checking account. It was determined that Option 2 was the most economical and that option should be purchased. Barbara stated that she could use her Debit card as long as the Council approves a midsession check to reimburse her.

Mayor’s Report: Juanita reminded the Council that the preliminary Council Meeting packets are now available to the Council on the Thursday before the meeting so that they have the weekend to go through the packets.

New Business: Hewitt Lion’s Club – Minnesota Lawful Gambling application for Exempt permit: Darlene asked what the Council needs to do. Barbara stated that they are requesting the Council approve the application with no waiting period. Jim made motion to approve the application with no waiting period, seconded by Darlene, Alex abstained as he is a member of the Lion’s Club, all others in favor, motion carried.

Stange Fence Permit: Alex asked where the front door is located. The front door faces the street side. Alice asked how tall the fence would be. It will be 6 Feet. The Council determined that the fence meets all Ordinance requirements. Darlene asked what is between the house and the garage. There will be a gate in the opening between the house and the garage. Alex made a motion to approve the permit as presented, seconded by Darlene, all in favor, motion carried.

Repayment Agreement on Peter Bushey Property – Jim Hinkel: They have a person wanting to purchase this property. However, they would not be a full time resident of Hewitt as they have another property in Royal City. They are farming over 300 acres in the Hewitt area and would like to obtain this property to have a place to live while they are here. Juanita questioned if they meet the income requirements. Jim stated that he feels that they do. He stated that if they did not meet the income requirements he is not asking to have that portion waived just the full time resident requirement. Alex made a motion to waive the full time residency requirement for this property, seconded by Jim, all in favor, motion carried.

Museum – Painting of the Library: Jeannette Meszaros described the work that would be completed with the estimate submitted. She asked if the contractor needed to be licensed, bonded and insured to work on a City building. Jeanette stated that she feels that there should have been 3 bids obtained to do the work on this project. Alex stated that since this is under the $10,000 requirement to get bids they do not need to obtain them. It was stated that this is not a bid it is an estimate. If there any over runs it will be addressed at that time. Lead paint removal was discussed. Waivers have been signed by the men submitting the estimate for claims for injury, illness or accidents. Alex stated that they would be covered by the Cities policy. Darlene agreed. Jim made a motion to approve the estimate, seconded by Darlene. Juanita called for any further discussion. Alex pointed out that they are not approving the estimate, just that the Historical Society can have the work done on the building. Barbara questioned if Minnesota has the requirement that all hazardous removal of lead based paint needed to be done by a licensed hazardous material company. Don said that when his house was done they did not have to be licensed. Juanita suggested that they resign the waivers and have Barbara notarize them. Alex abstains for conflict of interest, Alice abstains as she is the Treasurer of Historical Society, Juanita aye, Jim aye, Darlene aye motion carried.

Chromey request for reduction in fire call cost: Adam Templin is present to represent the Fire Department. Diana Chromey stated that she was not happy with service received from the Fire Department and the amount of damage to the trailer due to the fire restarting. Her insurance company had put a $500 limit on the amount they would pay for the fire call. Adam stated that $500 is pretty much standard on what insurance companies pay. Juanita asked why did it take them 6 months to complain about the amount of the bill. Diana stated that no one had said anything about the bill. Juanita stated that the Fire Department saved their trailer when most trailers will burn to the ground so that they were able to sell the trailer. Diana and Jerry stated that they didn’t sell it they gave it away. Juanita stated that they were not billed for the second time the Fire Department was called out, they did the second call as a courtesy. Adam requested the call time sheet from the fire call. Adam gave a report of the fire call. Juanita stated that she felt the fire department had done a good job. Diana stated that she was concerned because the Fire Marshall had been called out after the fire as they thought the fire had started outside on the deck. Jerry voices concern that it took awhile to get the water onto the fire. Adam stated that their training is the first is the safety of the fire fighters or self preservation, second is people’s safety and third is putting out the fire on the structure. Safety procedures have to be followed. Gas was still on, electricity was still on. These things have to be done before they start putting water on the fire. Jerry stated that he had been trained in putting out chemical fires and agreed with the safety procedures. Darlene stated that if they have concerns with the Fire Department they need to attend their meeting and take that up with the Fire Department. Jerry stated that they should be paying the Fire Department not the City. The Chromeys were informed that the money does go into the Fire Department’s account, but that the money has to come through the City as that is the law. They were told they could write the check out to the Hewitt Fire Department if they would like. Alex explained that all funds for the Fire Department must be maintained by the City and all expenditures from that account have to for Fire Department expenditures. Darlene stated that the Fire Department also sets the rates for the calls. Juanita stated that even the townships are calculated by the Fire Department. They are just sent out by the City. Barbara has to do the work for the Fire Department also. Karen Weego said that she would like to thank the Fire Department for all they do and feels they are doing an excellent job. Diana stated that the check would get made out to the Fire Department.

Doug Carter – Removal of Mill per Re-Zoning Approval: The mill was to be down by 9-1-11 as part of the re-zoning of this property. Alex made a motion that a copy of the application for re-zoning and the minutes of the meeting that approved the re-zoning with the stipulation that the Mill would be down by 9-11-11 with a letter stating that they have until 10-1-12 or legal action will be taken, seconded by Juanita, all in favor, motion carried.

Hanson’s Noxious Weed Report: Juanita stated the report was sent to the son, and he called and requested that the City quit harassing them as they have nothing to do with this property as the county or the bank own this property. Neighbors have been putting up with the weed problem for some time now and want the issue taken care of. Adam suggested contacting the Weed control to determine what the Cities options are in getting this matter taken care of. Alex will also try to find out more information at Todd County also as to who now owns the property.

Participation in the Standard Measures Program: Barbara asked if the City wanted her to complete this project. All the small cities in the area from the Clerk’s List emails are not participating. The Council gave Barbara approval to not participate.

League of Minnesota Cities Trust – Premium Options: The Council chose to continue with the $250 deductable option.

Letter to the Editor: Hewitt Memorial. Juanita stated that the Memorial work is under way to complete the project. Hopefully it will be completed by Pickle Fest. Fitz stated that the person who submitted the letter to the editor was aware that this project is moving forward. Juanita stated that it may be necessary to budget for some wages for the gentleman that has offered to do the work. Alex suggested that hopefully some concerned citizen would write a rebuttal letter to the editor.

LMCIT Liability Coverage Waiver Form: The Council chose to continue to waive the monetary limits.

Denim & Diamonds – Renewal Application for Optional Liquor 2 AM and Denim & Diamonds Noise Complaint: Juanita stated that there was another incident last weekend with serious injuries. Alex stated that the incident happened outside the bar according to the first responders from Bertha. The verbal altercation did start inside the bar, but the actual incident occurred outside the bar. Juanita stated we keep saying it is not the bars fault but the people involved were drinking in the bars. Juanita feels that if both bars closed at the same time it would be better. Alex made a motion that based on citizens complaints and the recent incidents that have occurred that the application be denied, seconded by Alice, all in favor, motion carried. Barbara will issue a letter to Denim and Diamonds and return their application.

Unfinished Business: Resolution for a Referendum for Police Service: Alex stated the deadline is August 24th. Alex has a meeting scheduled with Kevin regarding this matter.

Feeding of Stray Cats Complaint: Barbara stated this complaint has been resolved by the trapping and disposal of the cats. She will send a letter to the person that filed the complaint if the Council agrees.

Kyle Flannery – Fence: Juanita asked if Kyle had been in to apply for his permit. Barbara stated no. Juanita said he had told her that he was going to do so. Barbara will send another letter with a copy of the penalty stated in the ordinance.

City Ordinances for Approval: Ordinance 500-001: Barbara stated that Dan had said this is covered by another Ordinance and is to be repealed. A motion was made by Juanita to repeal Ordinance 500-001 as it is covered by another Ordinance, seconded by Jim, Alex opposed, all others in favor, motion carried.

Ordinance 600-004: Barbara obtained a copy of referenced 2011 Minnesota Statutes 340A.404 referenced in this Ordinance for the Council. Aaron pointed out that this Statute pertains to service liquor not just catering in general. Alex stated that this change is just to cover the Cities ability to charge for the electricity at events. A motion was made by Alex to accept Ordinance 600-004 as stipulated, seconded by Darlene, all in favor, motion carried.

Bids for Paving Parking Lot: Darlene asked which company Bertha is using. Adam stated Tri Cities. Ideal was the approved vendor last year. Alice questioned the depth that is in the bids as if trucks park on the lot it will break out if it is only 2” thick. Darlene stated that they are not to be parking there; they should be using the truck parking area. Juanita stated that if trucks are just coming through they will not know where the designated truck parking area is. Alice agreed and stated that they are stopping to sleep. Alex suggested putting a no truck parking sign up. Adam was asked by Juanita if he had given the ones bidding the depth. He stated no, that they used what was used last year. Adam stated that this does not have to be completed for over a year. Adam stated that if it does crack up there will not be enough grade to do an overlay. The Council requested that Adam check with the bidders for an estimate for 3” and 4” also. This item will be readdressed at the next Council Meeting.

Estimate for Finishing the Shop: Juanita stated that Michael had asked about replacing the door in the office. Darlene asked why we would want to have a door put in there. Barbara stated that she would like to also have a screen door put on there to be able to have fresh air in the office. Darlene suggested a window instead as there wouldn’t be as much heat loss. Alex agreed and said it would be cheaper and serve the same purpose. Juanita stated that if we are going to add on as previously discussed, we would then have to remove the window and install another door. The need for the new building was discussed for the generator. It was questioned why the truck could not be left outside if it was plugged in. Aaron stated that when it was outside for two years even when it was plugged in there were times it would not start. Alex stated that we will have to put up the new building so we should stay with a door. Juanita stated that she would like to see the little add on portion of the building removed and have the door flush with the office building. Jim made a motion to add the extra door where the entrance to the old garage was, seconded by Alice all in favor, motion carried. Juanita asked if the shop was cleaned and ready for the work to be done. Aaron said it would be. Alex made a motion to approve the estimate for the finishing of the existing shop as presented, seconded by Jim. Juanita asked if anything else needed to be added to this subject. Alex mentioned the electricity and that the maintenance would need to keep watch on that. All in favor, motion carried.

Personnel Policy: Juanita asked if all the changes had been completed. Barbara said that the area on page 23 the Council still needed to address the verbiage as to if they wanted “serious” included or how they wanted it to read. Adam questioned the new rates for vacation and sick time that had previously been approved by the Council. Alex stated that serious should be deleted from the misconduct section on page 23. Barbara will remove the word serious from the policy. Adam and Aaron asked when the policy would go into effect. Barbara asked when the vacation and sick pay calculations went into effect. Darlene said that this area was approved several meetings ago and that is when the vacation and sick pay changes should be calculated to. The Council agreed. The balance of the year will be calculated at the previous rate. A motion was made by Alex to accept the Personnel Policy with the changes from Dan Carlisle, the changes as discussed in this Council Meeting, and effective with the next pay period, all vacation and sick leave formulas are in effect from when first approved by the Council seconded by Jim, all in favor, motion carried.

Building Permit: A motion was made by Jim to add the Tina Stokes Building Permit to the agenda, seconded by Juanita, all in favor, motion carried. Jim stated that he had told them they need to apply for a separate permit for the fence portion and the drawing shows that it meets all the requirements. Jim made a motion to accept the building permit, seconded by Darlene, all in favor, motion carried.

Requests & Complaints:

Dog off Leash Complaints: Karen Weego stated that she doesn’t know how the City will be able to enforce keeping of dogs on a leash, but that it is dangerous to walk her dogs. She was attacked by a dog this week. Teresa Helsley stated that her dog had been attacked causing about $1000 in veterinary bills. The same dog that attacked her dog was seen off leash again today. Teresa stated that when Karen’s dogs were attacked there were 2 small children nearby. Karen stated that she can no longer walk her dogs in town. Jim asked if they had contacted the Sheriff’s department. They both said they had not. Juanita stated that it has to be documented by the Sheriff’s department when these things occur. Juanita stated that letters will need to be sent to all residents reinforcing the Ordinance regarding dogs on leash. Darlene also stated that everyone that has an incident needs to call the Sheriff’s department so that there is a record of the dog’s aggressive history. The Council understands that they may not want to rub their neighbor the wrong way, but it does need to be done. Juanita stated that the City will send out letters of warning if they agree to go home and call the Sheriff’s office and report these incidents. Both Karen and Teresa said they would.

Open Forum: A Thank you was received from Bertha-Hewitt Post Prom 2012.

Juanita asked Adam where the Fire Department is taking their trucks with the sale of Rick’s Repair. Adams stated that they had taken them to B-H Transportation in Bertha during the time Rick has been closed. Darlene asked who the new owners are and was told Floyd Snelling. Alice asked if they knew his background that he had worked on equipment for approximately 10 years in Park Rapids.

Alex made a motion to adjourn the meeting, seconded by Alice, all in favor, motion carried.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor, Juanita Mitchell

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

City Clerk/Treasurer, Barbara Holmes