

City of Hewitt
509 East Third Ave
Hewitt, Minnesota 56453

City Council Minutes
Regular Meeting

May 12th, 2015
City Hall, 7:00 p.m.

CALL TO ORDER The Hewitt City Council met in regular session. Acting Mayor Jim Opelia 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: Jim Opelia, Councilmember/Acting Mayor
 Donald Fitzgerald, Councilmember
 Alice Melzer, Councilmember
 Alex Weego, Councilmember

Staff present: Luke Mitchell, Maintenance
 Tara Greer, Clerk/Treasurer

Guests: Adam Templin, Gloriann Bartels, Rick Sullivan, Karen Raskie, Diane Shingledecker, Larry Pearson, Marietta Matthews, Steve Peterson, Ray Stach, Kimberly Moeller, Tom Meszaros, Jeannette Meszaros, Tom Meszaros Jr., Linda Koenig, Jonathan Koenig, Carolynne Bisel

APPROVAL OF MINUTES Jim Opelia requested adding Jon and Linda Koenig Fence Permit. Oak Valley Township asked to be on the agenda concerning payments towards the Fire Department. Alice Melzer made the motion to **approve the minutes as written**, Donald Fitzgerald second, all in favor, motion carried.

**FINANCIAL
REPORTS**

Alex Weego asked about Denise Giada, which was for the 2015 property taxes owed to the county, USA bluebook that was for paint and flags for Gopher-Locates. He then asked if any Minnesota Energy could be converted to natural gas. It was then explained that the two biggest bills were not heating related. The check for Wadena Truck and Trailer came into question; Adam Templin explained that it was a bunch of little things that all added up. Alex Weego made the motion to **approve the payment of checks 14309 – 14345**, Donald Fitzgerald second, all in favor, motion carried.

Alex Weego mentioned that it was the first time he has seen the Aged Balance Report with no one more than 60 days past due on their Water Bills.

**MAINTENANCE
REPORT**

Luke Mitchell explained that the parking lot at the City office needed seal coated again since it had been a few years. He informed that he took estimates and lowest price will be \$600 and the company still brushes it on. Donald Fitzgerald made a motion to **approve Sunny Day Seal Coating to do the seal coating for up to \$600 which is to be taken out of the Street Program Fund**, Jim Opelia second, all in favor, motion carried.

Mitchell then informed the Council that whenever they had the grass fire behind Tom Meszaros residence, the Bertha Fire Department could not find his property because his fire number is not at the end of his driveway on 210, formerly Iowa St. Likewise, the road that Meszaros has been using as his driveway past Greenwaldt's property should be labeled as a dead end. Due to liability issues Luke Mitchell and Adam Templin are planning on discussing with Meszaros why he needs to move his fire number; Alex Weego requested to be informed when they go to talk to him.

**CLERK'S
REPORT**

Tara Greer shared the rates for both the 4M Fund and CD rates for Star Bank, the best rate for the 4M Fund was a quarter of a percent while Star Bank was better in all aspects. Alex Weego asked the Council if they wanted to make a decision on it that night but it was decided to table the topic until Juanita Mitchell, Mayor, was present.

Greer then asked if it would be okay to send out a reminder to the residents of Hewitt to put numbers on their houses because Prairie Sanitary Services has been having a difficult time taking care of their grievances, the council had no objections.

It was then shared that the former clerk did not submit 2014's W-2s to the State and we would have gotten an \$850 penalty if we did not turn them in by May 19th. Luckily, it was resolved quickly and Hewitt will not face the penalty.

Lastly, Greer asked the Council for permission to close the office early Thursday, May 21st, in order to make it to Fargo for a flight. The Council told her to close at 10am so she would have enough time to make it there and she graciously accepted.

**FIRE DEPT
MINUTES**

Adam Templin stated that there had to be a change to the minutes because Alice Melzer was not present at the April 20th meeting. Templin also informed the Council that their newest hire, William Jansen, is no longer volunteering for the Hewitt Fire Department. Donald Fitzgerald made a motion to **approve the Fire Department Minutes and to hire Robert Warner provided he pass a background check and drug screening**, Alice Melzer second, all in favor, motion carried.

**** UNFINISHED BUSINESS ****

**Follow-up on
410 North
Main St**

After a brief history of the problems, the property owner attempted to tell the Council that he did clean everything up despite the opinion of some Council members and even with the fact that the gravel covering the sidewalks was not touched. Rick Sullivan claimed that a Council member told him to put a drain pipe in so the water drained away from surrounding properties, which he did. This was not an option listed in the certified letter that was sent April 15th. After much discussion about options and legalities, Sullivan agreed to remove the gravel from the sidewalk that evening. He was then instructed to call the City Clerk to inform her that he got it accomplished, an assisted action without a motion was then given to the Clerk who would then contact the Todd County Civil Engineer to see if he could come up and discuss the options with all those involved.

Discussion was then directed to the property owner's backyard, which was still in disarray. Sullivan stated that he had loaded up trailers with stuff that he was planning on getting rid of. Alex Weego asked about the inoperable vehicles, Sullivan then explained that all his trucks were registered and in working condition. Donald Fitzgerald inquired about the pile of brush which Sullivan informed the council that it would be burned. This brought up some concerns with a neighbor who was present and it was finally agreed for him to move the brush pile to the City Dump. Council then agreed to give him 10 days until May 22nd to at last get his property cleaned up.

****OLD BUSINESS****

**State Law
Yield Signs**

The previous crosswalk signs that the City had purchased were poorly made and there was a lot of upkeep for them. Donald Fitzgerald mentioned that the crosswalk at Wisconsin St is hardly used now compared to the one at Front St. Luke

**State Law
Yield Signs
Continued...**

Mitchell also informed the group that the ones the City had purchased before would no longer be up to current code. Donald Fitzgerald made the motion to **amend the motion he made during the April 14th meeting of purchasing two yield crosswalk signs for \$400 each to purchase one yield crosswalk sign for a total of \$550**, Jim Opelia second, all in favor, motion carried.

****NEW BUSINESS****

**Minnesota
Directory**

The City Clerk asked the Council if they wanted to purchase the Minnesota City Official 2015 Directory which lists all the contact information and statistics for all the cities in Minnesota. The Council said that the only one it would really benefit would be the City office. The City Clerk stated that she had no real need for it so it was agreed that the City of Hewitt would not purchase one.

**LMC
Insurance/
Workers
Comp**

Steve Peterson answered some questions that the Council had last meeting concerning whether or not the rates for Worker's Comp was going to increase by 5%. The rates are done individually by city so Hewitt's rates likely will not go up. If the estimated costs are higher than the actual costs at the yearend report, LMC will then give a refund. Peterson explained that it's all guess work now until but using last year's rates, it would be a \$133 increase.

Alex Weego asked about the deductibles and whether or not the City use to have any. Peterson said that yes, the City use to but the savings were so small that it was almost useless.

Kruzin-4-Kidz

Ray Stach explained to the Council that their goal is to make 10 wishes come true this year which requires a grand total of \$65,000 needing to be raised. He asked for a donation towards their cause from the Charitable Gambling Funds. Donald Fitzgerald reminded the Council that the City needs to donate some funds towards Pickle Fest. Alice Melzer made a **motion to donate \$500 to Kruzin-4-Kidz no later than August 15th, 2015**, seconded by Donald Fitzgerald, all in favor, motion carried. Stach also shared that checks can now be made out directly to Kruzin-4-Kidz.

**AUCTION
PARKING**

Kimberly Moeller addressed the Council to see if they would allow goers of Quam Auctions to park on the City property across the street 2-3 times a month whenever they have auctions. Moeller assured that they would get liability insurance to cover any incidents that might happen. No objections from the Council.

**Meszaros
Posts**

Members of the Council explained their unease about safety of the children who play at the City Playground, saying that the posts that were installed could pose a safety hazard because of the sharp edges that were on them. Tom and Jeanette Meszaros explained that they installed the posts because children kept coming on their property, and they did not want to be responsible for their actions. After a lengthy discussion, the property owners agreed to cover the sharp post edges and put up “No Trespassing” signs.

**Garbage at
605 E 3rd St**

The property owners believed that since it is a commercial property, they should not be charged for the garbage. Donald Fitzgerald pointed out the fact that they have someone renting and living in the building and it is the property owner’s responsibility to increase their rent in order to cover for the added expenses.

**Amendment
to Ordinance
600-002**

Donald Fitzgerald recognized that the State changed the law that now allows alcohol to be served at 8am Sunday mornings. The bar in town has not come and requested this change, as acknowledged by Jim Opelia, so he saw no need to change the Ordinance as it is written now. This belief was felt by all Council members and it was agreed to revisit it if the owner of the bar requests that the Ordinance be changed.

**Tractor Pull
Project**

The previous City Clerk took the previous funds for the Tractor Pull Project and put it back into the General Fund somewhere. Donald Fitzgerald made a **motion to withdraw the \$5,000 from General Funding and be put into a new fund called the Tractor Pull Project**, Alice Melzer second, all in favor, motion carried. Jim Opelia then read a letter given by Juanita Mitchell that stated that Gerald Ganske is waiting for the weight restrictions on the roads to be lifted when he will then resume hauling clay and gravel to construct the Tractor Pull Track.

****REQUESTS & COMPLAINTS****

**Oak Valley
Township**

Larry Pearson from Oak Valley Township shared that they were wondering when the ending date was going to be for their payments towards the Pumper Truck that the Fire Department had purchased. Adam Templin shared that the truck was purchased in 2012 with a seven year loan and they have been trying to make more than one payment year in order to get it paid off quicker and ultimately save money on interest. Diane Shingledecker expressed her concerns about how much Oak Valley had paid into it so far and they want a deadline for the payments. Steve Peterson explained that the agreements are biannual and if the townships wished to go another way, they could at that time.

Koenig Fence Permit

Linda and Jon Koenig presented their fence permit application to add onto their already existing fence and stated they were going to hold off on the addition to their garage since they might not get to it this year, even though it was mentioned on their permit application. Donald Fitzgerald made the motion to **approve the Koenig's to add onto their six foot fence**, Jim Opelia second, all in favor, motion carried.

Meszaros Fence Permit

Thomas Meszaros Jr presented his fence permit application, saying he wanted to keep his new dog away from HWY 71. Donald Fitzgerald made a motion to **approve Tom Meszaros six foot, chain-link fence**, Alice Melzer second, all in favor, motion carried.

Insulation in Windows Complaint

Donald Fitzgerald explained that it is a vacant building that is mostly used for storage. While the property owners would like to put up curtains, the window frame is metal and if someone would drill into it, the windows would shatter. While there is not an Ordinance that directly states that someone cannot put things in their windows, Marietta Matthews suggested that she can take fabric and put it over the insulation so that it looks better from the street. The Council liked the idea and agreed that it would look a lot better.

Melzer Property Complaint

Alice Melzer addressed the complaint against her and her husband's property by stating that the semi-trucks that are parked there are on a commercial lot and they are his business so they will not be removed. The left on the west side is going to be moved/hailed to Wadena the week of the 18th and the trailers are going to be moved. The sand pile that is there is also going to be spread out to create a

**Melzer
Complaint
Cont....**

parking mat. Alex Weego let it be known that it was nothing personal and the Council just has to address complaints as they come in. Melzer then informed the Council that their building permit has expired, again, and that she needs to apply for another one.

Donald Fitzgerald shared that he heard from Ardy McAllister that the owners of the “Old Mill” are planning on tearing it down this year.

Jim Opelia read a note from Juanita Mitchell which asked them to think about utilizing the City property on the north side of the City Office to build a lean-to with a locking gate for storage of the plow and other items to make our town look more professional.

**MEETING
ADJOURNED**

Alex Weego made a motion to **adjourn the meeting**, Donald Fitzgerald second, all in favor, motion carried.

Mayor _____

Clerk _____