October 9, 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 without change, seconded by Darlene, all in favor, motion carried.

Financial Reports: Alice asked about Neuenberg Electric, Barbara stated that the Lions’ had chosen them for the replacement of the lights at the Community Center, and that they had issued a check to refund the amount over what the Council had approved to pay for the Cities portion of the repair. Darlene asked about Professional Agronomy Service, Barbara stated that was for the chemicals that the Council had approved to purchase to spray at the ponds.

Darlene questioned the credit balance for the general fund. Barbara stated that on her report she has the information on property taxes will be received on approximately 11-1-2012 and the LGA will come in approximately 12-26-2012. The City paid for the paving and the extra on the shop and that put General Fund over extended until the balance of the funding is received.

Alex asked if the CD had been reimbursed. Barbara stated that it had not been done yet.

A motion was made by Alex to refer to audit, seconded by Alice, all in favor, motion carried.

Maintenance Report: Adam stated that he had talked with Tri City Paving. They used a regular road mix. They said that we would not need to put a sealer on it for several years. However, if any cracks appear to be sure that they are filled.

The DOT was good, a head light was out but that was all. However, today the fuel strap on the tank broke so that will need to be repaired.

They will keep an eye on the leak at the fire hall until Aaron is back. The parts did come in if they have to complete the repair as an emergency repair.

They had to pull the lift pump again today it was plugged again with rags. Alex stated that it is two months in a row that it had plugged, Adam stated yes. Adam feels that the purchase of the hoist was a very good purchase as it has almost paid for itself with the two times it has plugged in the last couple months. The cable is to short and Aaron has added a chain and it worked better now.

Alex asked about the curb stop replacement. Barbara stated that it is on one of Rosanne Moats’ properties. Adam stated that it was hit by a plow truck last winter and is bent. Adam feels that it can be cut off and a piece of pipe spliced in.

Juanita asked if the shop is getting put back into order. Adam stated that it is slowly getting done. The plow truck is back in and Shaun will be working on the inventory and getting more cleaned up in the shop tomorrow.

Clerk’s Report: Bills paid prior to the Council Meeting: ARVIG, Barter Fest – Wolf Pack Donation, Hewitt Service Center, Minnesota Energy and Verizon.

Barbara asked if there were any questions on the water collection. Alex stated that he feels the bills are starting to climb up again. He feels there is more over $100.00 again. Barbara stated that #29 – she has a post dated check for the 11th and another $100.00 payment is promised in two more weeks. That will bring their account close to current. #30 has been shut off for nonpayment. #9 is the uncollectable account. Alex asked if there isn’t some way to get rid of that one. Barbara stated she can write it off as a bad debt but the Council had stated earlier that they wanted to wait until the end of the year to see if possibly they would pay. #23 is under a contract and had asked for a one week extension on her contract payment this month, but she is current on her payments. Darlene asked if #80 is shut off. Barbara stated no and we do need to discuss that billing. They are closed and are currently 2 months behind and a new billing will be going out soon. They have not run into the 60 days so no letter has been sent. Barbara stated that when the new bills goes out she will include a letter stating that it has to be paid in full by the 6th of November or she will turn the bill in on their tax assessments at that time.

Juanita stated that it is rumored that Denim and Diamonds plans to lease out the bar. Barbara is to send a letter to let them know that their license is not transferable and that if they lease it out their tenant will have to apply for a new liquor license just in case they are not aware that needs to be done.

The missing Ordinances have been sent to Dan for his review.

Barbara talked with Larry Schultz about burying the cement on the church’s property. He stated that he thought the cement was to be hauled away and thanked her for the call.

Barbara has sent the updated forms to Karin to be posted on the web site.

The Worker’s Comp. audit was completed on the 18th of September.

The web site has been down for awhile. Karin’s computer crashed and she lost everything. She has started setting up a new site and will need a lot of information again. She will get with Barbara on that.

The license renewal was delivered to Jimmy’s on 10-1-12. Denim and Diamonds was closed on the 1st so Barbara mailed their renewal on the 2nd.

Mayor’s Report: Juanita signed up for a League of Minnesota class on HR Preventing Harassment and Promoting Respect. Barbara stated that since it has to be billed through the City that she should ask the Council to pay for the class and not pay for it out of her personal funds. It is an online class that she can do on her own time. Alex stated there is also a land use class he is interested in. Darlene asked if she would be able to bring back information to the Council. Juanita thought she should be able to print out information from the class to share. Juanita asked if Alex would like the other class included in this motion. He stated that he wanted to check into the time requirements etc. before committing to signing up for the class. Darlene made a motion for the City to pay the $15.00 fee for the on line class, seconded by Alice, Juanita abstained, all others in favor motion carried.

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Unfinished Business: Thomas and Jeannette Meszaros Fence Permit: Juanita stated that on the back side of the building it is still not in compliance to the 3’ easement. Alex stated that he understands that the post on the north side needs to be 3’ away from the building. Tom asked if Alex had just told him he should go 3’ out from the building then go north south all the way alongside the building and then all the go down and all the way around the building. If he is going to do that why can’t he go all the way to the property line to start the fence? Alex stated that he thought the purpose of the fence was to safeguard the trees they were going to put in. Alex stated that he feels they are making this a much harder issue than it needs to be. Tom agreed. Alex stated that if they will just place the post 3’ away from the building it would end the discussion. Alex also asked why they would want to add the additional expense to put the fence all the way around the building. Tom stated that they didn’t that is why in their original proposal they didn’t have it going all the way around. Tom stated that he feels that the Council doesn’t trust them with the issue of the 3’ easement. Alex stated that it has nothing to do with not trusting them. It has to do with the agreed to 3’ easement. Tom asked if he puts the fence 3’ from the building how he can keep the kids from going onto their property. Alex stated that the City needs to stick with the agreements as they are made or it could run into the same problem with every single property owner in the City. It has to be fair with everyone. Tom stated that they need to have their attorney talk with the Cities attorney. Juanita asked if they have the same attorney as the used last time. Tom stated that he is looking for a new attorney. Juanita stated that the Cities attorney had tried to contact their previous attorney and he had said that he was not representing them on this issue. Darlene suggested tabling this issue until we can get more information and are able to come to an agreement. Tom stated that he does not feel it is legal for the City to tell him he can’t use his property. Alex stated that it only has to do with an unencumbered easement. He also stated that if Tom was sitting on the Council he would have to deal with the same issues with other members of the community. The Council must be consistent. Tom asked what Alex meant by unencumbered. Alex stated that it means there can be nothing that will block you from getting to the easement. Tom stated that if is going to have an open spot he may as well not put a fence up. Juanita stated on the end with the shrubs they would have an open spot. Tom stated that shrubs don’t stop kids from running though. Darlene stated that a 4’ fence won’t stop them either. Jim asked if a snowmobile can get through a 3’ opening. Fitz said it could, but it would scratch it up. Darlene stated that she would be more concerned about some getting hurt on the fence if the snow is deep and they don’t know it is there, but that is beside the point. Jim asked if even if the Council all agrees that the 3’ opening is acceptable, should we still talk with the Attorney to be sure that he is also in agreement. Darlene suggested the permit be tabled again until it can be approved by the attorney. Alex also suggested that Tom and Jeannette talk with their attorney to be sure he is also in agreement. Tom asked if they can now go back to their original plan. Jeannette asked if since their permit is not approved if she will get her $15.00 back. Barbara stated that she has never had a permit paid for that was not approved, but she would have to get approval from the Council to refund the payment. Darlene asked if they are dropping it now. Jeannette said that they couldn’t put it in now as the ground will be frozen soon. Alex stated that the ground is so hard right now because it is so dry that it wouldn’t be any worse if the ground was frozen. Alex asked if they felt everyone is agreement now. That they can stay on their property line but that the post must be placed 3’ from the building. Juanita requested that they submit a new drawing. They agreed to submit a new drawing to be taken to the attorney for approval.

Doug Carter – Removal of Mill per Re-Zoning Approval: Alex checked with Steve Peterson and a controlled burn was previously approved. They do have to have an inspector on site at the time of the burn due to the size of the building and the power lines. Steve estimated the cost for that would be between $2000 and $2500 for the Fire Department to do a controlled burn. The fire department can do the traffic control that would be required. The power company estimated over the phone that the cost for them to have someone onsite for the power would be $500 to $1000. That would be a total of approximately $4000 to do a controlled burn. Darlene asked if he feels the City would be paying for that. Adam stated that years ago when this came up the Fire Department determined that it was too large of a structure for them to handle a controlled burn. There is several building quite close to the structure. Alice stated that Doug had said that the galvanized metal would need to come down before a controlled burn as it would emit a chemical if it burned. Alex said that he wanted to have the metal removed prior to a controlled burn. Darlene doesn’t feel that Doug has the money to pay the Fire Department for the controlled burn. Barbara stated that Doug’s wife did inform her that his social security disability will go into effect in January. Jim stated that if the City is going to spend $4000 on this he would rather see it spent on metal siding and keep it as a land mark. Juanita commented that Doug has said that the structure is beginning to rot inside. Alex stated that he thought it would cost a lot more than $4000 to put metal on the building. Darlene brought up that if we pay for this for Doug that there will soon be a lot of other people coming to the City and saying I can’t afford to do this and it needs to be done and expect the City to pay for theirs too. The possibility of the metal coming off the building and hurting someone was brought up. Alex asked what all of the Cities options are. He wondered if we could get Sentence to Serve to do the work to take it down. Do a controlled burn. Could we do an injunction to Doug to make sure it comes down? Alice stated that he had said he was going to have the Amish come and take the metal off. Darlene stated that was true, but nothing has started yet. Alex stated he is sure he hasn’t received the money necessary to do so. Alice stated that if we are waiting for him to have the money to do it and he doesn’t get money until January does that mean we are just going to wait until Spring? Darlene stated that we need to treat this the same way as we do the past due water bills. People can always come up with a lot of reasons why they can’t pay. A policy needs to be established and followed through on. Darlene also stated that if he doesn’t get money until January he will have a lot of other issues he may feel need to be addressed before getting the metal off the building. Darlene asked if possibly we could get some assistance through the County. Alex suggested calling the County to see, call our attorney to see what our legal options are, and contact the League of Minnesota Cities. Darlene asked if Barbara would contact the County Assessor’s office and also ask if they know of any emergency assistance that might be available to Doug for assistance. Darlene stated that once Barbara obtains this information she does feel that it should be given to Doug and that it should be his responsibility after that to get it arranged. Alex also suggested that Barbara contact Michael Dagen to see if there are any grants available to restore it. Barbara stated that the City would have to own it to qualify for anything like that and Doug stated in the last meeting he might consider selling it but it would have to be moved. Alex stated that if Doug is going to be hit with a large bill to tear it down he may change his mind. Barbara will do some research on this issue it will be addressed again at the next Council Meeting.

Chris Kludt – Weed Complaint – 308 E. Third Ave.: Bank of America’s attorney has informed the City that they have reprojected the due date for remediation and that the weed issue is “pending”. The property is not foreclosed yet. Jim asked if we couldn’t do like we did with the other weed problem property. Barbara stated that we have not received permission to go onto this property. Juanita asked Karin if she has been paid for taking the pictures of the tree and she said “No”. Barbara will send her the email address of the attorney for Bank of America. Darlene asked if we just have to wait and Barbara said basically yes. Barbara suggesting faxing or ask for an address to send a copy of the Ordinance to Bank of America and have Karin come and take a picture to send along with it. Juanita stated that if we keep working on it over the winter possibly by spring it will be cleaned up.

Snow Removal Posting: Adam stated that the signs are $17.05 each if 40 are ordered. The order would be shared with Bertha. The signs can be put up on existing posts for the most part and there are a few more posts in the shop if they are needed. Adam feels that we would only need around 5 signs for Hewitt. Jim made a motion to pursue the purchase of the snow removal signs, seconded by Alex, all in favor, motion carried.

Handicapped Painting: Juanita stated the Methodist Church felt that the City would do their painting for free and at the last Council Meeting it was said that they would be charged. They want to know how much it will be before we do the painting for them. Alex stated we also talked about the one for the Post Office. Jim asked if the cost of the paint plus $20.00 per hour would be about right. Alex asked if the Department of Agriculture had been notified that the handicapped parking area and paving stipulations of the grant had been satisfied. Barbara said she didn’t know that she needed to do so, but would send a letter. Alex suggested that the estimate be $100.00 or less and a letter be sent to each of the churches and the Post Office with a response deadline of the end of October to accept the proposal due to the weather. Adam stated that there is also a handicapped parking spot by the Community Center that should be done.

New Business: Rick Sullivan Building Permit: Jim stated that there is an existing foundation on the back side of the house that he is going to rebuild the shed on. The building will be 8’ from the property line and is replacing a building that was there before. Rick did have an approved permit in 2002 for this project but did not get it done. Alex made a motion to approve the permit with the requirement that the construction cannot exceed the size of the existing pad, seconded by Jim, all in favor, motion carried.

Minnesota Department of Transportation: Information only regarding the Council’s ability to go participate in the 20-Year Highway Investment Plan. Alex asked if you have to go to the meeting in St. Cloud to participate.

Rural Water – Financing Your Community Projects Training: Alex asked if we are contemplating any new projects in the near future. Alex does not feel that we need to attend at this time since no projects are going to be done at this time.

Wing River Dam – Adam stated he had contacted DNR and they came up and took pictures for review. There is money available in grants. Barbara gave the grant information to Alex to research this project. The Cities portion would be 10% of the cost of the project. Juanita stated that a grant request submittal should be completed before the next meeting.

Records Retention Schedule: Alex made a motion to accept Resolution # 12-007 Adopting City General Retention Schedule, seconded by Jim, all in favor, motion carried. Alex asked where the records are stored now. Juanita stated that most are at the Fire Hall. Adam suggested using plastic containers for storage. A determination will need to be made as to where the records will be stored once they have been gone through.

New Internal Control Policy: Darlene made a motion to accept Resolution # 12-008 Internal Control Policy, seconded by Alice, all in favor, motion carried.

Shop Heater Bids: Barbara stated that in considering the bids to make note of the size of the heaters in the proposals. Darlene noted that the electrical is not included in the bids. Darlene stated that Giza Plumbing and Heating’s bid for the 105,000 BTU units is $50.00 less than RC Plumbing, Heating & Cooling, Inc... Alex stated that for only $50.00 difference RC is local and has done work for the City before. Alex made a motion to accept the RC Plumbing, Heating & Cooling, Inc. bid, seconded by Jim, all in favor, motion carried.

Hewitt Service Center: Informational only. Juanita wanted to make sure that everyone was aware that they now have on road and off road diesel and that we are to be purchasing gas from them also. Barbara stated that Steve Peterson had stopped into the office today and she asked if the Fire Department was aware of this. He said that he was and that they would be using them for the diesel fuel, but that they only use premium in their gas vehicles so they would still have to go to Bertha to purchase that.

Requests & Complaints: Hewitt Santa Days: Juanita stated that they were looking for a donation from the City. Darlene asked what the City had done in the past. Barbara stated that last year the City gave $500.00, Alice agreed. Darlene asked when the Gambling money will come in again. Barbara stated that is should be here around the 26th of October. Darlene asked how much is expected. Barbara stated that the 2nd quarter was only a little over $600.00 and that previously they had been a little over $900.00. Darlene stated that it is for a very good cause, but doesn’t feel that we should give the money until it does come in. Alex made a motion to do a contingency of a of donation of $500.00 payable upon receipt of the funds, seconded by Jim, Juanita abstained, all others in favor, motion carried. Barbara stated there is also a box of gifts available from free stuff that Juanita gets when ordering office supplies that Juanita requested on her request. Alice stated that she feels that most of it would be more appropriate for the lock in at the school as most of the items are geared toward older kids. Alex stated that the decision on what is useable for Santa Days should go to Juanita and the balance should be donated to the school function next spring.

Wadena County Crisis and Referral Program – Darlene stated that she had received the same request in her personal mail. Darlene stated that we do give to Todd County Crisis Center. It is a positive program, but that we are already giving to Todd County. Request denied.

Juanita asked if there is anyone there with a complaint. There were no other items.

Open Forum: Don Fitzgerald asked if the extra blocks from the Memorial should be sold and the proceeds put back into the Memorial Fund. Juanita asked how many are left. Fitz stated that almost a pallet, but that we should keep a dozen or so for repairs if they are ever needed. Juanita asked if Fitz would head that up and work with Barbara on it. He said that he would. Alex suggested signing the blocks and selling some of them that way. He felt that more money could be generated that way also. Barbara asked if they could be returned. Fitz stated that they cannot be returned.

Juanita commented that the Council did not attend the Fire Department Chili Feed fund raising event held on October 6th. She feels that there should be better attendance at this type of function by the Council.

Adam has a conflict for attending the November meeting for his evaluation as Bertha is having their meeting on the same night because of Veteran’s Day. It was determined that Adam will come after the meeting in Bertha on the 13th of November. If he does not arrive before the close of the meeting they will do his evaluation in December.

Let’s go camping: A thank you note was received from Michael and Amber for the City’s support of Barter Fest.

Rural Minnesota CEP: They are looking for qualified persons to fill a private sector seat their workforce council. Jim stated that it would rule the Council out because they are associated with government.

Alex stated that on Thursday nights for the next two weeks the book store that he works at is having an event displaying local art collections.

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A motion was made by Darlene to adjourn, seconded by Alice, all in favor, motion carried.

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

Mayor, Juanita Mitchell

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

City Clerk/Treasurer, Barbara Holmes