**CITY OF BERTHA**

**REGULAR MEETING OF CITY OF BERTHA**

**HELD AT THE BERTHA COMMUNITY CENTER**

**MONDAY, DECEMBER 12, 2016**

**Present:** Mayor Zimmerman, Members Olson, Hoemberg, Bowman and Nelson

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

**Guest:** Trinity Gruenberg, Russ Vandenheuvel, Brenda Roberts, Karen Stalberger, Pete Wallner, Roger Schahn, Mark Fay and Marv Stokes.

***Public Hearing – Alcohol Ordinance Update-Ordinance 5, Third Series***

Hearing called to order at 6:15 p.m. by Mayor Zimmerman. Mayor Zimmerman opened the floor and asked if there is anyone to speak in favor or against the Alcohol Ordinance update. There were no citizens present to speak for the proposed Ordinance.

Mayor Zimmerman asked for a motion to approve the Alcohol Ordinance amendment.

***A motion was made by Council Member Bowman, seconded by Council Member Olson. The motion carried with all members voting in favor.***

***-Zoning Map Amendment & Adding District Uses –Ordinance No. 4, Third Series***

Mayor Zimmerman opened and closed the public hearing with no testimony. The proposed amendment has changed the Industrial District Zone to Commercial District Zone. It also indicates all the Rural Residential areas on the City of Bertha Zoning Map. The water tower is now open space. The ordinance now defines the district zone uses.

***A motion was made by Nelson and seconded by Hoemberg to adopt Ordinance No. 4 and its Summary Ordinance for publication. The motion was carried with all voting in favor.***

Both ordinances become effective from and after their passage and publication.

***The public hearings closed at 6:24 p.m.***

**Regular Council Meeting**

**Declaring a quorum, Mayor Zimmerman called the meeting to order at 6:30 p.m. and the citizens recited the Pledge of Allegiance.**

***Public Comments: An opportunity for members of the public to address the City Council on items not on the agenda. Items requiring Council action may be deferred to staff or committee for research and future agenda, if needed.***

Ms. Brenda Roberts who resident is located at 307 1st Street NE, informed the council that she has standing water in her backyard. Mr. Templin was asked to inspect her property to see what is causing the problem. There were no other citizens that address the council.

***3. Communications Reports***

***A. Enterprise Reports –***November reports were reviewed.

***B. Fire/Ambulance Reports –*** Mr. Wallner did not have any items of business to present to the council. He stated that the Bertha Relief Association has put selling pull-tabs at Traditions Bar & Grill on hold until further notice. The Trail Association will continue to sell pull-tabs until they are notified by the Relief Association. Mr. Vandenheuvel is in the process of possibly getting a couple new EMT recruits.

***C. Law Enforcement –*** Mr. Berndt presented his November activity report. The monthly report showed the following violations for Bertha; 11-citizens’ complaints, 4-citations, 6-warnings, 1 arrest, 6-public assist, 1-investigation and 4-assist other agencies.

***D. Public Works Report –***Mr. Templin supplied the council with his November activity report. The monthly report included a lot of snow removal, winterized the RV park and street sweeper. Mr. Templin asked the council if they had any objection to plowing snow at the new Verizon Tower. He will charge according to the fee schedule.

**E. Clerk –** review of the December agenda.

***4. Consider Business Items***

***A. Update on the Progress in Purchasing of Mousseau Lot -*** Clerk Umland read correspondence from the city attorney stating that he ordered the abstract to be updated. Once the abstract is current, he will set up a closing meeting date.

Member Hoemberg introduced the following resolution and moved for its adoption:

***Resolution 2016-31 Removing the 2012 Special Assessment on Parcel No. 29-0030200 created by the Bertha Authority Water Improvement Project.***

The motion for the adoption of the foregoing resolution was duly seconded by Member Bowman and upon vote being taken thereon, all voted in favor. The amount that will be removed from the parcel is $1,950.77. When the assessment role was established all city owned property was excluded from being assessed. Since we have purchased this lot from a private party the council has decided to remove the special assessment on this parcel.

***B. 2017 Insurance Package Renewal from the LMC -*** League of Mn Cities Agent, Steve Peterson, was unable to attend the meeting to answer questions. The council must decide each year whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. After review and some discussion, Nelson moved to approve Resolution 2016-30 stating that the City does not waive the liability limits set by the state in the property/casualty insurance policy the City has with the League of Minnesota Cities Insurance Trust. Olson seconded, unanimously carried. The city has elected not to purchase excess liability coverage, a single claimant would be able to recover no more than $500,000 on any claim to which the statutory tort limits apply. There was a brief discussion on the content limit on the fire hall. Mr. Wallner questioned the coverage limit for clothing. Clerk Umland will check with Mr. Peterson. Clerk Umland informed the council that the city has received their dividend check for the 2016 policy year. The cost of coverage for 2016 was $11,463.00 and they received a dividend of $6,215.00.

5. **Consider Consent Agenda – Action Required**

**Note:** The Consent Agenda listed 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 Zimmerman asked if there were any additions, corrections, deletions to be made to the Consent Agenda. Motion by Nelson, seconded by Olson to approve the Consent Agenda as presented, with all members voting in favor. The agenda items include the following:

1. Approval of the November 14, 2016 Regular Council Minutes
2. Approval of November Disbursements & Authorize Issuance in accordance with the list provided including all electronic payments.
3. Review bank correspondence – Bank Statement & Investment Report
4. Approved the 2017 Ambulance Service Agreement with the area townships/cities that they serve for a total of $6,954.
5. Approved the following tobacco licenses for 2017: Seven Oaks Express & Corner Market with the new fee of $50.00.
6. Tradition Bar & Grill – 2017 Liquor License Renewal

Each year, the City Clerk’s office prepares an application packet for the establishment seeking to renew their liquor licenses. The annual renewal list, which includes certificates of liability insurance, payment of all required fees, and completion of application materials. The license is contingent upon receiving all the necessary documents.

1. Audit Engagement Letter – Mayor, Porter & Nelson Ltd. A copy of the Engagement Letter from the City Auditor(s) Mayer, Porter & Nelson, LTD, was provided by the clerk. The engagement letter outlines the scope of services that are to be provided by the auditors and the requirements that are to be met by the Client, which is the City of Bertha. City Clerk expressed her support for the approval of the engagement letter, which she has signed and asked the City to approve the audit fee in the amount of $9,500.
2. Resolution 2017-01 adopting the 2017 schedule of fees and charges for various services, licenses and permits. There were some changes from the 2016 fee schedule. The council increased the tobacco licenses, Zoning Permits, rent for rummage sales and camping.

**6. Committee Reports**

A. 2017 Employee Compensation – the committee of Nelson & Olson will meet prior to the January meeting and will bring recommendation to the council for approval.

**7. Meeting/Conference/Correspondence**

**A.** Peters & Churchwell – stating on behalf of the City of Bertha, they are dismissing the matter (Gerald Berndt) and asking the Court to close the file.

B. Mail Elections – correspondence was included in the council packets about big changes for elections in Small Cities. Mayor Zimmerman read correspondence from the county concerning the cost of holding an election by mail

C. Mn Employment & Economic Development – asking if the city would job shadow a student from the local high school.

Independent News Herald inquired if we would be interested in doing a Christmas Greeting Ad on behalf of the city. The ad would cost $45.00 for a 2X3. Due to lack of a motion-the item was dropped.

**8. Adjournment**

There was no further business to come before the City Council, Member Hoemberg moved; Member Bowman seconded the motion to adjourn. With all members in favor motion was carried. The meeting adjourned at 7:17 a.m.