***CITY OF BERTHA***

***TODD COUNTY, MINNESOTA***

***REGULAR MEETING OF THE CITY OF BERTHA***

***HELD AT THE BERTHA COMMUNITY CENTER***

***MONDAY, OCTOBER 8, 2018***

***Present:*** Mayor K. Nelson, Members Olson, Bowman, D. Nelson and Captain

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

***Guests:*** Marlo Benning, Pete Wallner, Russ Vandenheuvel, Matt Peterson, Amy Botzet, Ken Ashbaugh and Karen Winkler.

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

***Public Hearing –Proposed Assessments for Unpaid Bills***

The Public Hearing was opened at 6:35 p.m. to hear comments from property owners regarding proposed assessments. No written or oral testimony was offered and the Mayor closed the hearing. The hearing was closed at 6:37 p.m.

***A Motion was made by Council Member D. Nelson and seconded by Member Bowman adopting both resolutions approving assessments of delinquent accounts. The motion carried unanimously.***

Both parties were notified with a letter indicating the total cost incurred for enforcing the Public Nuisance Code.

 Resolution 2018-34- This current assessment is for expense for costs incurred in carrying out and enforcing General building unfit for human habitation at 205 First Street NW. The complete resolution is filed in the minute book and all paperwork is on file at the city office.

 Resolution 2018-33-This current assessment is for expense for costs (mowing) in carrying out and enforcing Public Nuisance affecting Health at 4th Street NW. The complete resolution in filed in the minute book and all paperwork in on file at the city office.

The regular meeting reconvened at 6:38 p.m.

***3. Public Comments:***

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

No one in attendance addressed the council.

***4. Communications Reports***

 ***A. Enterprise Reports – September reports – review only***

 ***B. Fire/Ambulance Reports –*** Chief Wallner informed the council this week is National Fire Prevention Week. On October 9, firefighters from Eagle Bend, Bertha and Hewitt will attend the Bertha-Hewitt Elementary School to do a presentation on fire safety for the students. In cooperation with the American Red Cross, the Bertha Volunteer Fire Department is providing and installing free smoke detectors for residents within the Bertha Fire District. Early detection significantly increases the chance of safe escape, and the department is proud to partner with Red Cross to offer the residents free smoke detectors and installation.

 Chief Vandenheuvel gave a brief update on the fundraisers with proceeds going to an education fund that can be used for certification of the volunteers. To retain their certification, EMT’s must recertify every two years; and are required to be registered with the NREMT. The funds cannot be used to attend out of state conferences. All expenses for ambulance items must go thru Russ.

 ***C. Law Enforcement –*** Mr. Berndt presented the council with his September activity report. The monthly report showed the following violations for Bertha: 18-citizen calls, 6-citations, 3-warnings, 2-arrests, 2 public assist, 1-investagation, 2-assist other agencies and 1 vehicle unlock. Police Berndt said that a state citation was issued to a resident whose dog was running at large. The party was issued an administrative citation on the same dog prior to the state citation.

 **D. Public Works Report –** Mr. Templin supplied the council with his September Maintenance Report for the council to review and give comments. Mr. Templin explained the confusion that took place when Knife River took over the contracts from Tri-City Paving. The street repairs that did not get done will be bid on for next year. Knife River only charged for the tonnage used to complete Meadow Street. Mr. Templin inquired what should be done with the arbor that was damaged. Mayor Nelson asks the Park Commission to bring recommendations to the next meeting. At this time, Mayor Nelson explained the problems the city is confronted with on the easement road to the ponds. At this time, the city is working with the property owner requesting permission to install a fence so the cattle will not destroy the road. A letter from the city attorney will be sent to the owner. Before fall they want to build the road back up with several loads of Class 5 at a cost of $550 but this is not a permanent fix. He is recommending installing a two strand electric fence with gates with the cost being shared with the owner.

 Matt Peterson inquired about installing a privacy fence on his property. The application (Zoning Permit 2018-13) was reviewed with some questions. Mr. Peterson stated he was only installing a fence on two sides. The applicant requested that the fence be installed on the property line. Mr. Templin was concerned about being unable to read the meter. The council stressed that they did not want to allow it built on the property line. An agreement was met to allow him to install it within 5 feet of the east property line and 10 feet from the back property line abutting the alley. The council put stipulations on the permit that the owner must allow 5 feet setback on the east side and must allow a setback of 10 feet on the property line abutting the alley.

***5. Consider Business Items***

 ***A. Nuisance Property –*** A city wide inspection was done the end of May. Letters then were sent out to all owners not in compliance with the public nuisance code. The end of September an inspection of all the properties owners that received letter in May was done. There were only four property owners that didn’t meet compliance. The four property owners were personally served notice that their property was still in violation and given ten days to meet requirements. The notice stated that if compliance was not met the next step would be going thru the abatement process. The morning prior to the meeting a quick inspection was done and consensus was that violations were corrected. At this time, no action will be taken on the properties.

 ***B. Hope Addition One –*** Zoning Permit 2018-12 was submitted by Martin Schmidlin and the committee signed off on it. The permit application allows a 28X76 house and a 28X40 garage be installed on Parcel 29-0032400.

 ***C. Bertha Manhole Rehabilitation –*** Mr. Templin stated that there are six manhole that are on Hwy 24 in which of four are failing. The council reviewed the two proposals that were presented. This project was tabled until the next meeting until more information is available.

***6. Consider Consent Agenda***

 ***Note: The Consent Agenda list 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 K. Nelson asked if there were any additions, corrections, or deletions to be made to the Consent Agenda. Motion by D. Nelson, seconded by Member Captain to approve the Consent Agenda as presented, with all members present voting in favor. The following agenda items include the following:

1. Approval of the September 10, 2018 Regular Council Minutes
2. Approval of the September Disbursements & Authorize Issuance in accordance with the list provided including all electronic payments
3. Review Bank Correspondence – Bank Statement & Investment Report
4. Resolution 2018-35-Accepting two donations designated to be used for Ambulance Continuing Education.
5. Concerned Citizens of Bertha - $1,804.60
6. Bertha American Legion - $4,048.05
7. Approving the Fire Department to apply for grants
8. Resolution 2018-39 authorizing the Fire Department to apply for MN Department of Safety/State Fire Marshall Assistance Matching Grant. If awarded, would provide funding to purchase turnout gear washer/extractor and dryer.
9. Resolution 2018-38 authorizing the Fire Department to apply for a FEMA grant under the 2018 Assistance to Firefighter Grant with a minimal 5% match. The grant would be used to purchase personal protective equipment and pay for the grant writer.

***7. Committee Report-None***

***8. Correspondence/Meeting/Conference***

 ***A. Request for Donations-***

Hilltop Kitchens request has been put on hold until they find out what the county commissioners decision is. The HRK request is for $472.00 per year. Approved supporting the Bertha-Hewitt Photo Pages. The rate is the same as last year at $20.00 per run and roughly 16 runs. The council decided not to support the Salute to Teacher ad.

 ***B. Minnesota Investment Fund Request –***

The agreement for the one-time exception for using funds was that the city provides a report to two legislators stating what lawful purpose the funds were used for. A report was provided to each member to review.

***9. Adjournment***

There was no further business to come before the City Council. Member Bowman moved; Member Captain seconded the motion to adjourn. With all members in favor, motion was carried. The meeting adjourned at 7:30 p.m.