***CITY OF BERTHA***

***RGULAR MEETING OF THE CITY OF BERTHA***

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

***MONDAY, OCTOBER 10, 2022***

***Members Present***: Mayor Olson, Members Winkler, Captain, Nelson, and Hoffman

***Staff Present***: Clerk Umland, & Public Works Maland

***Guest Present:***  Pete Wallner, Brenda Roberts, Connie Trotter, Mike Gaudette, Amanda Hansen, Brian Yates and Chris Sonmor (Moore Engineering).

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

***3. Approval of the Agenda:*** Call for additions or deletions to the regular agenda. Member Nelson, made a motion and Member Winkler seconded to approve the agenda as presented. All in favor.

***4. Public Hearing: None***

***5. Unscheduled Public Appearance:*** No one in attendance addressed the council

**6. Communications Reports:**

**A. Review the September Enterprise Reports -**  No Comments

B. ***Public Safety Reports - Next week is Fire Prevention Week will be a joint venture with***

***Eagle Bend , Bertha and Hewitt Fire Departments. Bids closed at noon today for the grass rig which sold for $6,500 and the box sold for $1,200.00. The fire department had a large fire and was assisted by area departments. The Bertha Relief Association along with the volunteer EMTs will be hosting a chili feed along with turkey bingo. Proceeds will go to help purchase new pagers. Director Hansen gave her monthly run report. Brian and she will be meeting with CEMS on October 17th.***

*C. Law Enforcement Report – Todd County Sheriff Department provided the council with the August activity report that summarizes the 20 calls received in their department for Bertha: 1-assault with a weapon, 2-disturbance, 2-gas drive-off, 1-harassment, 1-dog complaint, 1-traffic complaint, 2-welfare checks and 10 miscellaneous.*

***D. Public Works Report –*** He is currently discharging the ponds, concern about tires on the old truck and a crack windshield.

***E. Clerk Review-*** for review only – Brenda Roberts and Mike Gaudettee volunteered to help organize a meet and greet the candidate.

***7. Consider the Consent Agenda – Action required***

***Note: The Consent Agenda listed those items which are considered to be routine and/or which need no discussion. Consent items are acted upon by one motion. If discussion is desired by council, that item may be moved to an appropriate section of the regular agenda for discussion.***

Mayor Olson asked if there were any additions, deletions, or corrections to be made to the Consent Agenda. Motion by Member Nelson, seconded by Member Captain to accept the consent agenda as presented. Carried. The consent agenda included the following items:

1. Approval of September 12, 2022 Regular Council Minutes
2. Approval of September Disbursements & Authorize Issuance in accordance with the list provided including all electronic payments plus October Check Nos. 90553-90580 in the amount of $8,494.14 and Voided Checks 90251, 90525 & 90526.
3. Review Bank Correspondence-Bank Statement & Investment Report
4. Legal Service Agreement (Prosecution) ; Todd County Attorney’s Office –Approving legal services agreement with the Todd County Attorney’s Office to offer the City prosecution services for 2023. The city agrees to compensate the county at a rate of $1,500.00 for the year. This amount is based upon the average number of cases prosecuted for the city in the two year prior.
5. Approve Resolution 2022-46 renewal of Bufords Bar & Grill 2023 liquor license contingent upon receipt of all required documentation, completion of background investigation, and the fulfillment of all requirements for eligibility to hold a liquor license according to the City of Bertha, State of Minnesota Alcohol & Gambling Enforcement Division and Todd County Public Health.
6. Approved the following tobacco license for 2023 contingent upon receiving the necessary paper work:
7. 2023-01- Nell’s Floral, Gift & Groceries – Retail Sales of Cigarette & Other Tobacco Products
8. 2023-02 – Seven Oaks Express –Retail Sales of Cigarette & Other Tobacco Products
9. Resolution 2022-45 removal of delinquent ambulance bills: Invoices 734, 559, 692, 691, 689, 756, and 625 from the active account receivables of Bertha Ambulance Service and be written off as uncollectible and be terminated by Expert Billing. The above invoices will be turned over to MN Recapture Program.
10. Resolution 2022-47 –MN Lawful Gambling – Bingo- Bertha Firemen Relief Association

The MN Lawful Gambling LG2240B Application to Conduct Excluded Bingo for the Bertha Firemen Relief Association to hold a Bingo event on October 29, 2022 at Bertha Community Center, 127 2nd Ave NW, Bertha, MN was presented for approval. The City Clerk is authorized and directed to be able to complete the application on behalf of the City of Bertha prior to submitting the application for approval to the state.

***8. Consider Business Items***

***A. Broadband Communications –***Member Hoffman gave a brief report on the progress of the survey and the committee is in the process of setting up two forums in Todd County.

***B. Small Cities Development Program –*** The council reviewed the Bertha-Hewitt Rehabilitation Project report submitted by Jason . Grant goal: 17 owner-occupied projects. Many of the projects may wait until spring of 2023 due to contractor’s schedules/shortages.

Approval of Payment Request #2 for the following payments:

Approval of Partial Payment Request #2 in the amount of $525.00 to Central MN Housing

Approval of Partial Payment Request #2 in the amount of $3,500.00 to Environmental Health Testing .

Council Member Nelson moved and Member Winkler seconded the motion to approve Pay Request #2 contingent upon DEED SCDP signing. Carried.

***C. LPS Mandatory Garbage Pickup-*** One advantage of having mandatory garbage pickup is resident’s rates would be cheaper and it was the hope to help combat public nuisance. There were concerns that this would create a financial hardship to some of the homeowners. Waste collection in Bertha is provided by only one hauler. Unlike some other area cities, residents have a choice of haulers. Currently, the city has an agreement entered into the 1st day of October, 2017 with Long Prairie Sanitation. This agreement grants the contractor the exclusive right to collect garbage and rubbish within the City limits until September 30, 2025. Motion by Member Hoffman, seconded by Member Winkler to hold off until renewal of the contract. Carried. At that time, the council would like to look at bidding out garbage service to area contractors.

***D. Energy and Environmental Plan –*** Clerk Umland informed the council the 2nd meeting is scheduled for November 1st at that time the committee will review the results of the survey. The committee will chart a work plan in order to provide and prioritize actionable steps and support the city efforts to protect the environment.

***E.***  Approve Resolution 2022-44 LMC Liability Coverage Waiver to NOT WAIVE the monetary limits on municipal tort liability.

1. Sign the LMCIT Waiver Form with a check in the box indicating that the city does not waive the monetary limits on municipal tort liability established by Minnesota Statute 466.04.

2. Send the completed form to the city’s insurance representative Klein’s Insurance Agency, so they can forward it to the LMCIT underwriter.

**F. Moore Engineering Housing Development Feasibility Study-***Discussion and No Action Taken Regarding the Study.*

*1. Hope Addition One 6 vacant lots plus 2nd Ave NE Street & Utility Improvement*

The study presents a proposed layout of necessary utilities, roadways, preliminary cost estimates, assessments, and recommendations. City is considering developing the remaining 6 vacant lots.

Per Lot with curb & gutter $98,560.87

Per Lot without curb & gutter $77,912.50

` Full Depth Reclamation on 2nd St NE & 2nd Ave NE $89,289.45

2 Kneisl Addition – includes the necessary utilities, roadways, preliminary cost estimates, assessments, and recommendations. This addition would include 32 lots available for housing.

Per Lot with curb & gutter $68,508.33

Per Lot without curb & gutter $50,997.78

Chris is talking with a developer that he has worked in the past to see if he would be interested in this project. Mr. Sonmor gave a presentation to the council and the public on the results of the study. The council then had the opportunity to ask questions to the engineer who performed the study. A copy of the new study will be given to each councilmember to review prior to next meeting. No action was taken at this time . Mr. Sonmor will be doing a case study on the cost to run sewer to the Maslowski Event Center.

***9. Committee Reports-Personnel***

***A. Vacant Position Public Works Department-*** The next topic for discussion was the public works maintenance worker position if it should be full-time or part-time. Motion by Member Nelson, seconded by Member Hoffman to advertised for a part-time public works maintenance worker for up to 25 hours per week at $17.00 per hour with no benefits except PERA. This position will be posted until filled. All members voted for this with Member Winkler opposed. Carried.

B. Evaluation of Public Works Supervisor- At the July 11th regular council meeting it was moved that Jordan Maland be hired to fill the Supervisor position. It was approved that training wage would be $20.00 per hour and would be reviewed at the end of three months. Once his job performance is approved his wages would be increased to $22.00 per hour but will be on probation for six months. Motion by Member Winkler, seconded by Member Captain to approve increasing Mr. Maland wages to $22.00 per hour. All in favor except Member Nelson opposed. Carried. Member Nelson suggested that Mr. Maland do a monthly report for the council to review. There was discussion on Mr. Maland getting paid during a recent fire. It was decided to adjust his hours while working as a volunteer .

***10. Correspondence/Meeting/Conference***

A. Sourcewell is hosting a network event for regional leaders on October 26th in Staples.

***11. Adjournment***

There was no further business to come before the City Council. Member Winkler moved; Member Captain seconded the motion to adjourn. With all members, in favor motion was carried. The meeting adjourned at 8:40 p.m.