

CITY OF HENDRUM

Regular Council Meeting Minutes

November 18, 2019

CALL TO ORDER

Mayor Johannsen called to order the regular meeting of the City of Hendrum Council at 7:05 pm on November 18, 2019 in the board room of the Professional Building located at 308 Main Street East in Hendrum, Minnesota. The Pledge of Allegiance was recited.

ROLL CALL

The following council members were present: Curt Johannsen, Michael Smart, Paul Baukol, and Steve Jeffery.

The following city personnel were present: Keri Plemmons, Clerk-Treasurer and Mark Sundblad, Maintenance Superintendent.

The following members of the public were present: Cavin Berube, Project Manager (Moore Engineering, Inc.).

CONSENT AGENDA

- a) 2019-10-14 Regular Council Meeting Minutes
- b) 2019-10-23 Special Council Meeting Minutes
- c) 2019-10 Maintenance Logs
- d) MPCA Public Notice of Intent to Modify the Wastewater Pond General Permit

MOTION: M. Smart moved; seconded by P. Baukol to approve the listed consent agenda items.

BAUKOL: aye; JEFFERY: aye; JOHANNSEN: aye; MAGNELL: absent; SMART: aye. MOTION PASSED.

APPROVAL OF AGENDA

MOTION: P. Baukol moved; seconded by S. Jeffery to approve the agenda as presented.

BAUKOL: aye; JEFFERY: aye; JOHANNSEN: aye; MAGNELL: absent; SMART: aye. MOTION PASSED.

REPORTS OF OFFICERS AND DEPARTMENT HEADS

A. PUBLIC WORKS: The lagoon has been discharged and is in the process of transferring water between ponds.

B. CLERK-TREASURER:

- 1. Financial Report & Claims List:** The October financial report and November claims list totaling \$5,992.40 was presented for approval.

MOTION: P. Baukol moved; seconded by M. Smart to approve the October financial report and pay the claims in the amount of \$5,992.40.

BAUKOL: aye; JEFFERY: aye; JOHANNSEN: aye; MAGNELL: absent; SMART: aye. MOTION PASSED.

2. Holiday Newsletter: Members of the Council discussed including the following topics in the newsletter: to include a list of holiday date changes for garbage collection; and that motorized vehicles are not allowed in the retention ponds or on the levee.

C. MAYOR: No report.

D. FIRE DEPARTMENT: Santa Days has been scheduled to take place on December 14th from 10:30 am until noon.

1. Applicant: An application for employment with the Hendrum Fire Department was reviewed by the Council.

MOTION: S. Jeffery moved; seconded by P. Baukol to hire Hunter Rudnik as firefighter of the Hendrum Fire Department.

BAUKOL: aye; JEFFERY: aye; JOHANNSEN: aye; MAGNELL: absent; SMART: aye. MOTION PASSED.

UNFINISHED BUSINESS

A. City Ordinance Violations: The Council reviewed nine (9) open ordinance violation files. One file has an agreement filed to have the violations abated by December 1st. Two files were sent to the Attorney in October and are pending. One file is in litigation. One file is making progress and will be reviewed again next month. Two files that were reported abated will be sent notification that a copy of current registration and/or operation or removal of the vehicle(s) is to be provided to the City for confirmation. One file was closed due to becoming a tax forfeiture property. One file was identified as maintaining an unabated nuisance and documents will be provided to the Attorney to authorize enforcement of the following order:

MOTION: P. Baukol moved; seconded by S. Jeffery to adopt Resolution No. 2019-23: Order to Find Public Nuisance at 263 Herbert Street South under City of Hendrum Ordinance No. 80. By the following roll call vote the Resolution was duly adopted and on file at the City Clerk's office.

BAUKOL: aye; JEFFERY: aye; JOHANNSEN: aye; MAGNELL: absent; SMART: aye. MOTION PASSED.

The meeting was closed at 8:06 pm.

MOTION: M. Smart moved; seconded by P. Baukol to close the meeting at 8:06 pm as permitted by MN Stat. 13D.05, subd. 3(b), for reasons of attorney client privilege, to discuss the ongoing matter of City of Hendrum v. BJM Land Inc. and Mitchell Farms, Inc.

BAUKOL: aye; JEFFERY: aye; JOHANNSEN: aye; MAGNELL: absent; SMART: aye. MOTION PASSED.

The meeting was opened at 8:37 pm.

MOTION: M. Smart moved; seconded by S. Jeffery to open the meeting at 8:37 pm.

BAUKOL: aye; JEFFERY: aye; JOHANNSEN: aye; MAGNELL: absent; SMART: aye. MOTION PASSED.

B. MnDOT Hwy 75 Reconstruction Project: The main structural work of Highway 75 has been completed. Other punch list items include: landscaping which is scheduled to occur in the spring; installation of the decorative street lights; and new street signs.

- C. City Street Paving Project:** Cavin Berube from Moore Engineering, Inc. provided background on himself and his past work projects. He discussed the design process, bidding process, public hearings, advertising, etc., that take place when a city undertakes a street project. The first step is authorizing the engineer to put together a feasibility report that will give an idea of what the overall cost of the project will be and how that would break down into payments if the project was bonded for fifteen or twenty years.

MOTION: M. Smart moved; seconded by *S. Jeffery* to adopt Resolution No. 2019-24: Resolution Ordering Preparation of a Feasibility Report for the City of Hendrum Street Paving Project. By the following roll call vote the Resolution was duly adopted and on file at the City Clerk's office.

BAUKOL: *aye*; JEFFERY: *aye*; JOHANNSEN: *aye*; MAGNELL: *absent*; SMART: *aye*. *MOTION PASSED.*

- D. Wellhead Protection:** No update.

- E. City Pickup:** The Council discussed that both of the vehicles under consideration are still available, and the logistics of who may be able to go inspect the pickups.

- F. Fence Permit Application:** The City Attorney recommended sending an official ordinance violation letter directly from the City to get the legal process started.

- G. Snow Removal:** A request was submitted to Norman County to see if they would be available to contract out for snow removal services for Hendrum. After some discussion, the County Board concluded that the County could not provide these services without adding equipment and staff and declined the request. Mayor Johannsen also reached out to the City of Halstad to see if they would be willing and able to contract out for snow removal services. Estimated services and rates were provided by Mr. Spaeth, Superintendent of Halstad Municipal Utilities. The Halstad City Council will still need to review the proposal and make a final decision. If approved, the City of Hendrum will contact the City Attorney to create an agreement between the communities for the snow removal services.

MOTION: P. Baukol moved; seconded by *M. Smart* to contract with the City of Halstad for snow removal services and to authorize Mayor Johannsen and Clerk-Treasurer Plemmons to sign any documents necessary to effectuate the agreement.

BAUKOL: *aye*; JEFFERY: *aye*; JOHANNSEN: *aye*; MAGNELL: *absent*; SMART: *aye*. *MOTION PASSED.*

- H. Seasonal Help:** No applications were received for the open position. It was decided to advertise again and include mowing in the description.

MOTION: S. Jeffery moved; seconded by *P. Baukol* to advertise the open position for seasonal help in the official newspaper for one week with a deadline to turn in applications at noon on December 9th.

BAUKOL: *aye*; JEFFERY: *aye*; JOHANNSEN: *aye*; MAGNELL: *absent*; SMART: *aye*. *MOTION PASSED.*

- I. Tax-forfeited Properties:** The Norman County Commissioners approved the public sale of 335 Main Street West and 363 Rice Street South to the City. The properties will be titled to the Hendrum EDA and the EDA board will be coordinating the blight removal to ready the properties for redevelopment.

- J. Conditional Use Permit:** No action was taken.

K. Variance: No action was taken.

NEW BUSINESS

A. Polling Place: Minnesota cities are required by state statute to annually establish polling places for the following year by ordinance or resolution no later than December 31st.

MOTION: M. Smart moved; seconded by *S. Jeffery* to adopt Resolution No. 2019-21: Resolution Designating the Polling Place for Election Year 2020. By the following roll call vote the resolution was duly adopted and on file at the City Clerk's office.

BAUKOL: *aye*; JEFFERY: *aye*; JOHANNSEN: *aye*; MAGNELL: *absent*; SMART: *aye*. *MOTION PASSED.*

B. Utility Rates: Two options for setting increased utility rates were presented to the Council for consideration. Increased rates were necessary due to the payment obligations from the bond taken out to pay for the improvements to water and sewer mains and extensions during the Highway 75 Reconstruction Project. Changes to the proposed water rate were discussed and approved. It was also decided to reduce the late fee from 10% to 5%.

MOTION: M. Smart moved; seconded by *S. Jeffery* to adopt Resolution No. 2019-22: Resolution Setting Utility Billing Rates for 2020. On the following roll call vote the resolution was duly adopted and on file at the City Clerk's office.

BAUKOL: *aye*; JEFFERY: *aye*; JOHANNSEN: *aye*; MAGNELL: *absent*; SMART: *aye*. *MOTION PASSED.*

C. Fence Permit Application: A fence permit application was submitted by BJM Land, Inc. and reviewed by the Council. There were concerns with the site plan and the location of the proposed fence. More information will be needed before making a decision on the permit.

MOTION: S. Jeffery moved; seconded by *M. Smart* to table the fence permit decision until more information can be obtained.

BAUKOL: *aye*; JEFFERY: *aye*; JOHANNSEN: *aye*; MAGNELL: *absent*; SMART: *aye*. *MOTION PASSED.*

D. Mitigation Action Chart: The proposed mitigation action chart for the City of Hendrum to be included in the Norman County Multi-Hazard Mitigation Plan update was reviewed. A few additions were recommended and these will be provided to the consultant working on the Plan.

ADJOURNMENT

S. Jeffery moved; seconded by *P. Baukol* to adjourn the meeting at 9:11 pm. The next regular council meeting will be at 7:00 pm on December 9, 2019, in the board room of the Professional Building located at 308 Main Street East in Hendrum, Minnesota.

Minutes submitted by: Keri Plemmons, Clerk-Treasurer