

CITY OF HENDRUM

Regular Council Meeting Minutes

June 12, 2017

CALL TO ORDER

Mayor Johannsen called to order the regular meeting of the City of Hendrum council at 7:35 pm on June 12, 2017 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: Michael Smart, Milton Alm, Curt Johannsen, Paul Baukol

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

The following members of the public were present: John Kolness, Carl Woeck

PUBLIC HEARING

Mayor Johannsen opened the public hearing at 7:36 pm. The purpose of the public hearing was to provide an opportunity for the public to provide commentary on the proposed nuisance ordinance and/or the proposed liquor ordinance. No comments were submitted. Mayor Johannsen closed the public hearing at 7:43 pm.

CITIZEN'S FORUM

J. Kolness discussed the Hendrum 135th and Hendrum-Perley All School Reunion, Friday, June 30th – Sunday, July 2nd, with Friday's events being held Hendrum. There will be a tent, an antique car show, a parade, and a dance. The Hendrum Firefighters will be serving food. J. Kolness also discussed needing volunteers for set-up/clean-up and parking issues since Main Street will be blocked off. Notification will need to be sent out to the residents to get the word out. J. Kolness also asked who was responsible for cleaning the curb and gutters on Highway 75.

CONSENT AGENDA

- a) 2017-05-15 Regular Council Meeting Minutes
- b) 2017-05-22 Special Council Meeting Minutes
- c) 2017-05 Maintenance Log

MOTION: M. Smart moved; seconded by M. Alm to approve the listed consent agenda items. ALM: aye; BAUKOL: aye; JOHANNSEN: aye; MAGNELL: absent; SMART: aye. MOTION PASSED.

APPROVAL OF AGENDA

MOTION: M. Alm moved; seconded by P. Baukol to approve the agenda as listed.

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

REPORTS OF OFFICERS AND DEPARTMENT HEADS

- a) **PUBLIC WORKS:** The council recommended getting a new cell phone with a new number that is only available to staff & council. The public phone numbers will be for the shop and city office only. Discussion also occurred about the need to find a replacement computer for the shop.
- b) **CLERK-TREASURER:** The May financial report and June claims list totaling \$13,471.41 was presented for approval.

MOTION: M. Alm moved; seconded by M. Smart to approve the May financial report and June claims list totaling \$13, 471.41.

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

- a) **MAYOR:** The legislature passed bills that were signed into law by the governor which includes a permanent increase in Local Government Aid (LGA) which will increase the City of Hendrum LGA an additional \$2,373. The bonding bill passed which provides \$11.6 million for statewide flood hazard mitigation projects. The omnibus transportation bill, which was signed into law on May 30, contains \$8 million per year for the Small Cities Assistance Account for the biennium beginning July 1, 2017. The program is aimed at providing street funding for cities like Hendrum that do not receive municipal state aid. Under a new law effective on August 1, cities must provide a 10-day notice of most proposed ordinances.
- b) **FIRE DEPARTMENT:** The fire department conducted training on the new JAWS unit. A meeting has been scheduled to plan running the concessions for the 135th reunion.

UNFINISHED BUSINESS

- a) **City Ordinance Violations:** Mayor Johannsen provided an update on a company interested in conducting blighted property clean-up. A letter will need to be sent to the property owners who were provided a temporary respite giving them 10 days to provide a response before the city goes in to clean up the property. The council also discussed the pending court case.
- b) **Minnesota Basic Code:** No update.
- c) **MNDot Hwy 75 Reconstruction Project:** No update.
- d) **Hwy 75 Parking:** No update.
- e) **Hendrum Relief Association Pension Actuarial Study:** No update.
- f) **Wellhead Protection:** No update.

g) Sunday Off-sale: Under the new law starting Sunday, July 2, off-sale of intoxicating liquor may occur on Sundays between the hours of 11 a.m. and 6 p.m. The city reviewed their ordinance and needed to amend some of the language in order to conform to this change in state law. Notification of a public hearing concerning an ordinance regulating liquor was posted May 31st. The scheduled public hearing was conducted at the start of the meeting concerning the changes to the ordinance and no public commentary was received. The council concluded that it was in the best interest of the city to allow off-sale liquor sales to occur on Sunday by adopting Ordinance No. 81: Liquor Ordinance.

MOTION: M. Alm moved; seconded by *M. Smart* to adopt Ordinance No. 81: An Ordinance Regulating the Possession, Sale and Consumption of Intoxicating and 3.2 Percent Malt Liquor Within the City of Hendrum, Minnesota.

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

All ordinances must be published once in the official newspaper. There is an exception that allows for summary publication if the ordinance is lengthy. After reviewing the proposed summary, the council has determined that publication of the title and summary of the ordinance would clearly inform the public of the intent and effect of the ordinance.

MOTION: P. Baukol moved; seconded by *M. Alm* to adopt Resolution No. 2017-14: a resolution providing for the summary publication of Ordinance No. 81.

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

h) Nuisance Ordinance: The nuisance ordinance has been adapted from the most recent version of the example from the League of Minnesota Cities, refined through a work session of the council, and reviewed by the city attorney. Notification of a public hearing concerning an ordinance to administer and regulate public nuisances was posted May 22nd and published in the official city newspaper May 30th. The scheduled public hearing was conducted at the start of the meeting and no public commentary was received. The council concluded that it was in the best interest of the city to repeal Ordinance No. 50 and replace with Ordinance No. 80: An ordinance regulating public nuisances within the City of Hendrum.

MOTION: M. Alm moved; seconded by *M. Smart* to adopt Ordinance No. 80: An Ordinance Regulating Public Nuisances within the City of Hendrum, Minnesota.

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

After reviewing the proposed summary, the council has determined that publication of the title and summary of the ordinance would clearly inform the public of the intent and effect of the ordinance.

MOTION: M. Smart moved; seconded by *P. Baukol* to adopt Resolution No. 2017-13: a resolution providing for the summary publication of Ordinance No. 80.

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

- i) Class D Water/Wastewater License Reporting:** The samples, fluoride reports, DMRs, and flushing hydrants needs were discussed. The reporting requires a licensed water/wastewater operator. C. Woeck is conditionally available to perform these requirements.

MOTION: *M. Smart* moved; seconded by *M. Alm* to rehire Carl Woeck to manage the reporting, sampling, and other duties required for operating the water/wastewater facility for five hundred dollars (\$500.00) per month with the exception of June which will be two hundred and fifty dollars (\$250.00).

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

- j) Bids on Lease Property:** One sealed bid was opened and read. A contract stating the terms of the lease will be drafted and offered to Mr. Hempeck for acceptance.

MOTION: *M. Alm* moved; seconded by *P. Baukol* to accept the bid of two hundred dollars (\$200.00) per year for three years submitted by Stash Hempeck contingent on terms of the agreement.

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

NEW BUSINESS

- a) Delinquent Utility Assessment:** The deadline for an extension request concerning delinquent utility billing assessment for 441 Gordon St W expired May 30th. No additional correspondence occurred. No payment arrangement agreement was signed and returned. No payment was received. The council agreed that the best course of action was to assess the delinquent bill to the property taxes as defined by ordinance.

MOTION: *P. Baukol* moved; seconded by *M. Smart* to adopt Resolution No. 2017-12: a resolution to certify delinquent utility charges to the Norman County Auditor for assessment on the parcel located at 441 Gordon St W.

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

- b) Shooting Range:** The city insurance will not cover the liability of the city maintaining a shooting range on its property. There has been too much damage and detritus left on the property. The negative behaviors that are continuing to occur at the shooting range at Nichol Park along with the liability issues have forced the council to conclude that it is no longer feasible to allow weapons of any kind. Signs will be erected stating no weapons allowed on the city property. Violators will be prosecuted to the fullest extent of the law. The sheriff's department will be notified.

MOTION: *P. Baukol* moved; seconded by *M. Alm* to discontinue allowing weapons of any kind at Nichol Park due to liability concerns.

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

c) Building Permit: A building permit application to repair siding and windows was received for 258 Herbert Street.

MOTION: M. Alm moved; seconded by P. Baukol to approve issuing a building permit to the property owner at 258 Herbert Street.

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

d) Maintenance Card: It was determined that the new Maintenance Superintendent will need a credit card for extraneous purchases such as postage for water and wastewater sampling and other miscellaneous supplies as needed.

MOTION: P. Baukol moved; seconded by M. Alm to add Mark Sundblad as an authorized user of a credit card attached to the City of Hendrum General Fund Checking Account.

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

Recommended changes to the Credit Card Usage policy were reviewed for approval.

MOTION: M. Smart moved; seconded by M. Alm to approve the recommended changes to the Credit Card Use policy.

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

ADJOURNMENT

M. Alm moved; seconded by M. Smart to adjourn the meeting at 10:05 pm. The next regular council meeting will be at 7:30 pm on July 10, 2017, in the board room of the Professional Building located at 308 Main Street East in Hendrum, Minnesota.

Minutes submitted by: Keri Plemmons, Clerk-Treasurer