

CITY OF HENDRUM

Regular Council Meeting Minutes

July 8, 2019

CALL TO ORDER

Mayor Johannsen called to order the regular meeting of the City of Hendrum council at 7:35 pm on July 8, 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 Steven Jeffery.

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

CONSENT AGENDA

- a) 2019-06-10 Regular Council Meeting Minutes
- b) 2019-06 Maintenance Logs
- c) Notification from Laser Systems
- d) Norman County West facility marketing notification letter
- e) Notification of compliance with the Local Government Pay Equity Act
- f) 2018 TIF Reports

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

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

APPROVAL OF AGENDA

- a) Add to New Business: D. City Attorney Opinion
- b) Add to New Business: E. Actuarial Study
- c) Add to New Business: F. BCA JPA

MOTION: M. Smart moved; seconded by S. Jeffery to approve the agenda with the listed additions.

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

REPORTS OF OFFICERS AND DEPARTMENT HEADS

1. **PUBLIC WORKS:** Maintenance Superintendent Sundblad has determined that it requires 2-1/2 gallons of chemical each time he sprays the city for mosquitos. Mr. Sundblad requested authorization to order more chemical since there is only enough left for one more application.

MOTION: M. Smart moved; seconded by P. Baukol to authorize purchasing twenty-five gallons of mosquito spray.

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

- a) **Gravel:** Several locations were discussed which are in urgent need of gravel. It has been estimated that it will require twelve loads of gravel to repair the worst locations including the road out to the lagoons. Mayor Johannsen requested authorization from the council to order approximately twelve loads of gravel. He will call around for the lowest price before ordering.

MOTION: P. Baukol moved; seconded by M. Smart to authorize Mayor Johannsen to purchase gravel with a spending limit of four-thousand dollars.

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

- b) **Georgetown Mosquito Spraying:** The Georgetown City Council has decided to discontinue mosquito spraying services with the City of Hendrum. They elected to purchase aerial spraying services for their pest control measures.

2. **CLERK-TREASURER:** The June financial report and July claims list totaling \$57,808.10 was presented for approval. Clerk-Treasurer Plemmons handed out copies of the six-month financial report to the council for review.

MOTION: P. Baukol moved; seconded by M. Smart to approve the June financial report and pay the claims in the amount of \$57,808.10.

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

3. **MAYOR:** Mayor Johannsen attended management training for elected and senior officials. The training took place at the Becker County Emergency Operations Center in Detroit Lakes. It was conducted by the Minnesota Homeland Security and Emergency Management Director Joe Kelly who has been traveling around the state to facilitate the training specifically designed for elected officials. The training is intended to help local officials better understand their roles during emergencies and disasters and how to contribute as policymakers by establishing priorities, providing resources, and instilling public confidence that the incident is being managed effectively.
4. **FIRE DEPARTMENT:** Fire Chief Smart reported that daylight shines through the overhead door seals along the bottom of the door of the fire hall. He requested permission to obtain quotes for replacement. Mayor Johannsen mentioned that the city storage building's overhead door also has a deteriorated seal and would like to obtain a quote for that door as well.

UNFINISHED BUSINESS

- A. **City Ordinance Violations:** Updates on open city ordinance violations were reviewed. Three properties were identified as needing mowing and trimming notices. Ten additional properties were reviewed and identified by the council as maintaining parking and/or nuisance violations. Council instructed Clerk-Treasurer Plemmons to send notifications of violation to thirteen properties.

MOTION: M. Smart moved; seconded by P. Baukol to send violation letters to the properties identified as being in violation of the city ordinances.

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

- B. MnDOT Hwy 75 Reconstruction Project:** MnDOT has provided the city with the final cost for the city's portion of the Reconstruction Project. Jason Murray, David Drown Associates, is getting the funding numbers ready for bonding. A special meeting will need to be called to adopt the resolution to bond the project when Mr. Murray has everything set up and ready to move forward.

A request was made by the contractors of the MnDOT TH 75 Reconstruction Project for authorization to conduct construction activities between 6:00 am and 10:00 pm Monday through Saturday. According to the Public Nuisance Ordinance, no person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas-powered machine or other power equipment, except between the hours of 7:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 10:00 p.m. on any weekend or holiday. The council agreed to temporarily allow the contractors to work during the requested time frame for the duration of the project in order to provide additional available working hours to assist with timely completion of the project.

MOTION: P. Baukol moved; seconded by M. Smart to authorize a temporary variance of Ordinance No. 80 concerning the hourly restriction of certain operations to allow the contractors for the MnDOT TH 75 Reconstruction Project to conduct construction activities between the hours of 6:00 a.m. and 10:00 p.m. Monday through Saturday for the duration of the project.

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

MnDOT will be holding construction update meetings for the Highway 75 projects in Hendrum and Halstad at 10:00 am on alternating Tuesdays. Members of the public are invited to attend. These meetings are not city council meetings although city councilmembers are welcome to attend to keep up to date on the project. No council business or decisions are to be addressed or discussed at these meetings.

MOTION: P. Baukol moved; seconded by S. Jeffery to authorize attendance by members of the council as members of the public.

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

- C. City Street Paving Project:** No update.
- D. Wellhead Protection:** No update.
- E. City Pickup:** No update.
- F. Arvig:** No update.
- G. Lift Station Service Agreement:** No update.
- H. Potentially Dangerous Dog Declaration:** Copies of the correspondence between the attorney and owner of the potentially dangerous dogs were reviewed. The dog owner is not

providing the requested information which is required by state statute. The city attorney stated that the next step would be to turn the situation over to the county attorney. The council agreed that the city needs to continue to attempt to enforce the state statute in order to protect itself from possible liability.

MOTION: P. Baukol moved; seconded by *M. Smart* to turn the potentially dangerous dog noncompliance issue over to the county attorney.

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

- I. **Annual Audit Report:** The council was provided with an opportunity to review the 2018 audit report that was handed out at the June meeting. The internal controls findings that were reported in 2008 were discussed. Clerk-Treasurer Plemmons was instructed to contact the auditor about an internal controls policy and defining what is required as part of initialing each invoice.

MOTION: M. Smart moved; seconded by *P. Baukol* to accept the 2018 annual audit report as presented.

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

- J. **Council Vacancy:** Councilmember Baukol updated the council on the conversation that took place with Councilmember Magnell about the procedure to vacate his seat if he no longer wishes to participate.

NEW BUSINESS

- A. **FEMA Correspondence:** The city has received notification from FEMA that the revised flood insurance rate maps will be going into effect on December 20th. The city is working with the Wild Rice Watershed District to try and obtain an extension to provide time to get the levee certified before the revised maps go into effect. If the revised maps go into effect before the levee is certified, all property owners with a mortgage will be required to carry flood insurance.
- B. **Fence Permit Application:** One building permit application to install a fence was reviewed. A site plan that identifies the setbacks was not submitted by the applicant. The council instructed Clerk-Treasurer Plemmons to notify the applicant that a site plan will need to be submitted prior to approval of a permit.
- C. **Complaint:** A complaint was received concerning the condition of the alley between Gordon Street and Hancock Street. Approval was granted earlier in the meeting to purchase gravel. The situation will be addressed when the condition of the alley is drier.
- D. **City Attorney Opinion:** Council decided to request a written opinion from the city attorney regarding the roles and responsibilities of individual councilmembers acting in a supervisory capacity of the city employees and if this will put the city or individual councilmember at risk of liability.

MOTION: P. Baukol moved; seconded by *S. Jeffery* to submit a request for a written opinion from the city attorney regarding the possible risk of liability for an individual councilmember to supervise an employee of the city.

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

- E. Actuarial Study:** The company that has been producing the GASB 67/68 pension accounting valuation for the Hendrum Fire Relief Association has provided an engagement letter for the fiscal year ending 2018 describing the terms, conditions and fees that will need to be acknowledged and signed by an authorized representative of the Hendrum Fire Relief Association before engaging their services.

MOTION: M. Smart moved; seconded by *P. Baukol* to authorize Keri Plemmons as the Hendrum Fire Relief Association Treasurer to acknowledge and sign the engagement letter for GASB 67/68 Actuarial Services from VanIwaarden.

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

- A. BCA JPA:** An invoice was received from the Minnesota Bureau of Criminal Apprehension concerning a monthly fee for access to their database. They had previously sent a joint powers agreement which had not been entered into by the City of Hendrum due to disbanding the police department in 2015. Council instructed Clerk-Treasurer Plemmons to contact the BCA to make sure they know that the city no longer has a police department and is contracting with the Norman County Sheriff's Department for patrolling service.

ADJOURNMENT

M. Smart moved; seconded by *P. Baukol* to adjourn the meeting at 10:00 pm. The next regular council meeting will be at 7:30 pm on August 12, 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

