# REGULAR COUNCIL MEETING August 8, 2016

# CITY OF HENDRUM Professional Building Board Room:

#  308 Main St E, Hendrum, MN 56550

**COUNCIL PRESENT:** Paul Baukol, Curt Johannsen, Michael Smart and Sarah Tommerdahl.

**COUNCIL** **ABSENT:** Milton Alm.

**CITY PERSONNEL**: Keri Plemmons, Clerk-Treasurer; and Carl Woeck, Maintenance Supervisor.

**CALL TO ORDER:** Mayor Johannsen called the meeting to order at 7:49 P.M. following the public hearing.

**PLEDGE OF ALLEGIANCE:** Recited.

**CITIZEN’S FORUM:** None.

**CONSENT AGENDA:**

*MOTION*:M. Smart moved; seconded by P. Baukol to approve the following minutes:

1. July 11, 2016 – Regular council meeting

Ayes: Baukol, Johannsen and Smart. Nays: None. Absent: Alm and Tommerdahl. *MOTION DECLARED PASSED.*

**APPROVAL OF AGENDA:**

*MOTION:*P. Baukol moved; seconded by M. Smart to approve the agenda with no further additions.

Ayes: Baukol, Johannsen and Smart. Nays: None. Absent: Alm and Tommerdahl. *MOTION DECLARED PASSED.*

**REPORTS OF OFFICERS AND DEPARTMENT HEADS:**

**PUBLIC WORKS REPORT:** The old generator located behind the fire hall will require $1800 worth of estimated repairs to get it operational. Minnesota Department of Natural Resources (MNDNR) surplus currently has a working 100KW generator available for $1000 plus the cost of shipping.

*MOTION:* P. Baukol moved; seconded by M. Smart to allow C. Woeck to contact the MNDNR in order to acquire the 100KW generator and to arrange for transportation of the generator to the city.

Ayes: Baukol, Johannsen and Smart. Nays: None. Absent: Alm and Tommerdahl. *MOTION DECLARED PASSED.*

Minnesota Rural Water Association is holding a Wastewater Operation & Maintenance training session in Ulen on August 24th for no charge that will provide six certification hours for a full day attendance.

*MOTION:* M. Smart moved; seconded by P. Baukol to authorize Carl Woeck to attend the wastewater conference in Ulen on August 24th.

Ayes: Baukol, Johannsen and Smart. Nays: None. Absent: Alm and Tommerdahl. *MOTION DECLARED PASSED.*

**CLERK/TREASURER’S REPORT:**

***Financial Report/Claims:*** The monthly financial report was presented and the claims list totaled $78,113.61.

*MOTION:*P. Baukol moved; seconded by M. Smart to accept the monthly financial report and approve paying $78,113.61 in claims.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

K. Plemmons reported that the city will soon need to issue orders not paid for want of funds (warrants) when needed for payment.

*MOTION:* S. Tommerdahl moved; seconded by M. Smart to transfer investment dollars from the Tahoe savings account as needed to avoid issuing warrants.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

***6-Month Financial Report:*** The six month financial report was handed out at the July meeting to allow the council time to look over the data.

*MOTION:* S. Tommerdahl moved; seconded by P. Baukol to accept the six month financial report as presented.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

***Election Judge Resolution:*** Resolution No. 2016-09 appoints select eligible individuals as election judges for the 2016 state primary, authorizes the city clerk to appoint substitutions in order to fill vacancies and meet party splits, and approves an hourly wage during election training and time served as an election judge for the state primary election.

*MOTION:* M. Smart moved; seconded by P. Baukol to adopt Resolution No. 2016-09: Appoint Election Judges for the 2016 Primary Election.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

**MAYOR’S REPORT:** Mayor Johannsen met with Mark Nygaard, LMCIT insurance adjuster, to inspect the city structures for hail and storm damage. The Professional Building sustained damage to the north side of the shingles and a roof vent. The fire hall also sustained damage to the shingles on the east side of the building and a soffit. Due to the fact that the shingles only have minor damage and the insurance was not reimbursing the city to re-shingle the entire roof on the Professional building and the fire hall, but only partial of the roofs. The general consensus was not to re-shingle at this time. However the damaged roof vent on the Professional building will need to be replaced.

*MOTION:* M. Smart moved; seconded by P. Baukol to hire Nelson Construction to replace the damaged vent on the roof of the Professional Building.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

The barrel train created by Billy Tommerdahl has been generously donated to the city by Marlene Tommerdahl.

*MOTION:* P. Baukol moved; seconded by S. Tommerdahl to adopt Resolution No. 2016-10: Resolution Accepting Donations.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

FIRE DEPARTMENT: Training classes have been scheduled for August 9th in Hendrum and August 23rd in Halstad. The barrel for the water game has been located and will be ready for Family Fun Night.

POLICE DEPARTMENT:

*2016 Contract:* No update on the contract.

UNFINISHED BUSINESS:

*City Ordinance Violations:* Several new violations were discussed and the council has identified to the city clerk the property owners who are to receive notification of violation letters. A second inspection was made for the previously reported nuisance violations and the photographs and notices were reviewed by the council to determine action. Seven properties were identified as still maintaining unabated nuisances and documents will be provided to the city attorney to authorize enforcement of the following orders:

*MOTION:* M. Smart moved; seconded by P. Baukol to adopt Resolution No. 2016-11: Order to Find Public Nuisance at 444 Gordon Street West under City of Hendrum Ordinance No. 50.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

*MOTION:* S. Tommerdahl moved; seconded by P. Baukol to adopt Resolution No. 2016-12: Order to Find Public Nuisance at 104 Park Avenue East under City of Hendrum Ordinance No. 50.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

*MOTION:* P. Baukol moved; seconded by M. Smart to adopt Resolution No. 2016-13: Order to Find Public Nuisance at 269 Herbert Street South under City of Hendrum Ordinance No. 50.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

*MOTION:* M. Smart moved; seconded by S. Tommerdahl to adopt Resolution No. 2016-14: Order to Find Public Nuisance at 414 Gordon Street East under City of Hendrum Ordinance No. 50.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

*MOTION:* S. Tommerdahl moved; seconded by P. Baukol to adopt Resolution No. 2016-15: Order to Find Public Nuisance at 335 Main Street West under City of Hendrum Ordinance No. 50.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

*MOTION:* P. Baukol moved; seconded by M. Smart to adopt Resolution No. 2016-16: Order to Find Public Nuisance at 100 Park Avenue East under City of Hendrum Ordinance No. 50.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

*MOTION:* M. Smart moved; seconded by S. Tommerdahl to adopt Resolution No. 2016-17: Order to Find Public Nuisance at 363 Rice Street South under City of Hendrum Ordinance No. 50.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

*Minnesota Basic Code:* Tabled.

*Family Health Care Dwelling Law:* After discussing public input provided at the public hearing, the council has determined that MN Statute 462.3593, which defines and regulates temporary family health care dwelling and creates an expedited approval process which does not require public notification of the proposed land use to place a temporary dwelling which could be a recreational vehicle, modular or manufactured housing onto a property in a residential district to be used for temporary housing to anyone who needs assistance with two or more instrumental activities of daily life for mental or physical reasons who would be eligible to be housed in this manner, is not suitable as a permitted zoning option for the City of Hendrum and has chosen to opt out of the requirements pursuant to authority granted by subdivision 9 of MN Statute 462.3593.

*MOTION:* M. Smart moved; seconded by P. Baukol to adopt Ordinance No. 79: An Ordinance Opting-Out of the Requirements of Minnesota Statutes, Section 462.3593 which will be effective immediately upon its publication.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

*Tree Removal Request:* Two estimates were provided for the removal of the willow located at 216 Canning Street East and the diseased elm located at 124 Park Avenue East. Also two stumps located on city property need to be removed.

*MOTION:* S. Tommerdahl moved; seconded by M. Smart to hire Jim Martine to remove the previously identified willow, elm and two stumps.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

NEW BUSINESS:

*Baseball Field Lease Agreement:* Independent School District No. 2527 desires to enter into a lease agreement for the right to use the field, restrooms, and surrounding area of the Hendrum Community Park and the area south of the Elementary tennis court as a garden plot from March 1, 2017 through July 31, 2017.

*MOTION:* P. Baukol moved; seconded by S. Tommerdahl to enter into the Hendrum Baseball Field Lease Agreement and authorize Curt Johannsen and Keri Plemmons to be the official signatories on the agreement.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

*Data Practices Policy:* Pursuant to MN Statute 13.025, the city is required to prepare and annually update a written data access policy to reflect changes in personnel, procedures, or other circumstances that impact the public’s ability to access data. The City of Hendrum Data Practices Policy was updated by the city clerk and presented to the council for approval.

*MOTION:* P. Baukol moved; seconded by S. Tommerdahl to approve the recommended changes to the Data Practices Policy for 2016.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

*Budget Work Session:*  A date needs to be selected to schedule a budget work session.

*MOTION:* P. Baukol moved; seconded by M. Smart to schedule a special meeting for the purposes of working on the 2017 city budget for August 31, 2016, at 7:30 P.M.

Ayes: Baukol, Johannsen, Smart and Tommerdahl. Nays: None. Absent: Alm. *MOTION DECLARED PASSED.*

Having no further business, S. Tommerdahl moved; seconded by M. Smart to adjourn at 9:15 P.M. Motion carried. The above minutes are unofficial until approved at the next council meeting scheduled for September 12, 2016.

Respectfully submitted,

Keri Plemmons, City Clerk-Treasurer