

CITY OF HENDRUM

Regular Council Meeting Minutes

December 16, 2019

CALL TO ORDER

Mayor Johannsen called to order the regular meeting of the City of Hendrum Council at 7:04 pm on December 16, 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 and Steve Jeffery. The following city personnel were present: Keri Plemmons, Clerk-Treasurer and Mark Sundblad, Maintenance Superintendent.

CONSENT AGENDA

- a) 2019-11-18 Regular Council Meeting Minutes
- b) 2019-11 Maintenance Logs
- c) MRWA request for letter of support
- d) MDH Notice of Public Hearing on proposed changes to fluoride rule
- e) DNR Final State approval of Floodplain Ordinance
- f) League of MN Cities dividend check information

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

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

APPROVAL OF AGENDA

MOTION: S. Jeffery moved; seconded by M. Smart to approve the agenda as presented.

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

REPORTS OF OFFICERS AND DEPARTMENT HEADS

- A. PUBLIC WORKS:** Maintenance Superintendent Sunblad has been working on repairing the skid steer and expects to have it operational tomorrow. A broken wire on the outlet by the fire hall generator was repaired. The generator will need a new block heater and battery blankets. The Christmas lights have been hung. The City of Halstad has been doing an amazing job removing snow from the streets. They are here promptly and get the job done quickly. Discussion concerning removing snow from the sidewalk lining Highway 75 resulted in a general consensus that removing snow from this sidewalk requires too much time and cost for the effort and since it does not appear to get used in the winter that the City will no longer attempt to maintain snow removal and will not require the property owners to

remove snow from this sidewalk. However, since the EDA will be acquiring the property at the intersection of Herbert Street and Main Street, the City will remove snow from the Main Street East sidewalk on the western half of the block.

B. CLERK-TREASURER:

- 1. Financial Report & Claims List:** The November financial report and December claims list totaling \$20,398.23 was presented for approval.

MOTION: S. Jeffery moved; seconded by M. Smart to approve the November financial report and pay the claims in the amount of \$20,398.23.

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

C. MAYOR: No report.

D. FIRE DEPARTMENT:

- 1. Applicant:** An application was reviewed by Council to join the Hendrum Fire Department to serve as a firefighter at the Perley-Lee Township Fire Department.

MOTION: M. Smart moved; seconded by S. Jeffery to hire Chad Meis as a firefighter of the Hendrum Fire Department.

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

UNFINISHED BUSINESS

- A. City Ordinance Violations:** The Council reviewed seven (7) open ordinance violation files. One file will be reviewed again when the snow melts. Two files are waiting on notification letters requesting a copy of current registration and/or operation or removal of the vehicles(s). One file has notified the attorney that the nuisance has been abated and is waiting on inspection to confirm. One file is waiting on a response from the notification by the attorney. One file has been abated and can be closed. One file, which had an agreement filed to have the violations abated by December 1st, has not followed through completely and a review is scheduled for court in January. The last file is in litigation. The meeting was closed at 7:49 pm to discuss the file in litigation.

MOTION: M. Smart moved; seconded by S. Jeffery to close the meeting at 7:49 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: *absent*; JEFFERY: *aye*; JOHANNSEN: *aye*; MAGNELL: *absent*; SMART: *aye*. *MOTION PASSED.*

The meeting was opened at 8:20 pm.

MOTION: S. Jeffery moved; seconded by M. Smart to open the meeting at 8:20 pm.

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

A Conditional Use Permit application, Variance application, and Fence Permit application relating to the property in litigation are awaiting a council decision. Until more information has been obtained, the Council has tabled the decision concerning the applications.

MOTION: M. Smart moved; seconded by *S. Jeffery* to table the decision concerning the following applications received by Bob Mitchell dba BJM Land Inc., and Mitchell Farms, Inc.: Conditional Use Permit, Variance, and Building Permit for a fence.

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

New discussion occurred concerning the trucks and fuel trailer that are parked near the intersection and on the ROW (right-of-way) of Main Street and Highway 75. The trucks and fuel trailer are causing a blind spot at the intersection which is a traffic hazard for any vehicle attempting to cross or turn onto Highway 75. Council instructed Clerk-Treasurer Plemmons to send a parking violation letter to Bob Mitchell.

MOTION: S. Jeffery moved; seconded by *M. Smart* to send a parking violation letter to Bob Mitchell dba BJM Land Inc. regarding the traffic hazard created by parking too close to the intersection.

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

The City has not received the site plan for the new construction on Hendrum Drive. Approval of the building permit requires the site plan, and without the building permit, the construction is considered unpermitted. Also, a driveway appears to have been installed without a culvert which will impede proper drainage. Since drainage in the area is also monitored by the Wild Rice Watershed District (WRWD), the property owners will need to apply for a drainage permit from the WRWD. In addition, it has been brought to the City's attention that the semi-trailer of the property owner has been parked on the street within the residential district which is in violation of the City of Hendrum Parking Ordinance. Council instructed Clerk-Treasurer Plemmons to send a violation notice concerning the unpermitted construction at 150 Hendrum Drive and to notify the property owners of the parking requirements within the city.

MOTION: M. Smart moved; seconded by *S. Jeffery* to send a violation letter to 150 Hendrum Drive regarding the unpermitted construction and to also notify the property owners of the City of Hendrum Parking Ordinance.

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

- B. MnDOT Hwy 75 Reconstruction Project:** No update.
- C. City Street Paving Project:** No update.
- D. Wellhead Protection:** No update.
- E. City Pickup:** The dealership for the 2015 Chevrolet 1500 regular cab pickup under consideration for purchase has agreed to drive the vehicle to Hendrum on Thursday, December 19th to be inspected.
- F. Fence Permit Applications:**
 - a. Karsten's:** A completed fence application with a site plan was submitted for review by the Council.

MOTION: S. Jeffery moved; seconded by *M. Smart* to approve a building permit to install a five foot high metal fence at 316 Main Street East.

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

- b. BJM Land:** A motion was passed to table a decision on the building permit application for a fence until more information has been received.

G. Snow Removal:

- a. Contract:** No update.

H. Seasonal Help: One application was reviewed for the open position.

MOTION: *M. Smart* moved; seconded by *S. Jeffery* to hire Tom Brownlee to the 2019-2020 seasonal on-call position for snow removal at \$15.00 (fifteen dollars) per hour.

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

- I. Conditional Use Permit:** A motion was passed to table a decision on the conditional use permit until more information has been received.
- J. Variance:** A motion was passed to table a decision on the variance until more information has been received.

NEW BUSINESS

A. 2020 Budget: No changes were made to the proposed budget for 2020.

MOTION: *S. Jeffery* moved; seconded by *M. Smart* to adopt Resolution No. 2019-25: Resolution Adopting 2020 Budget. By the following roll call vote the resolution was duly adopted and on file at the City Clerk's office.

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

B. 2020 Tax Levy: No changes were made to the preliminary 2020 property tax levy certified in September.

MOTION: *M. Smart* moved; seconded by *S. Jeffery* to adopt Resolution No. 2019-26: Resolution Approving 2019 Tax Levy Payable in 2020. On the following roll call vote the resolution was duly adopted and on file at the City Clerk's office.

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

C. Certify Delinquent Charges for Assessment: A resolution to certify a list of delinquent utility account charges to property taxes was presented to the Council for consideration.

MOTION: *S. Jeffery* moved; seconded by *M. Smart* to adopt Resolution No. 2019-27: Resolution to Certify Delinquent Utility Charges to the Norman County Auditor for Assessment on Parcels within the City of Hendrum. By the following roll call vote the resolution was duly adopted and on file at the City Clerk's office.

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

MEETING RECESSED

S. Jeffery moved; seconded by *M. Smart* to recess the meeting at 9:03 pm on Monday, December 16, 2019, until 6:00 pm on Thursday, December 19, 2019, for the purpose of inspecting and making a decision on the 2015 Chevrolet 1500 regular cab pickup under consideration for purchase.

MEETING REOPENED

Mayor Johannsen reopened the regular meeting of the City of Hendrum Council at 6:18 pm on December 19, 2019 in the board room of the Professional Building located at 308 Main Street East in Hendrum, Minnesota.

The following council members were present: Curt Johannsen, Michael Smart and Steve Jeffery. The following city personnel was present: Keri Plemmons, Clerk-Treasurer and Mark Sundblad, Maintenance Superintendent.

The following members of the public were present: Nick Brooks, Watertown Motor Company.

The council members moved the meeting to the city shop located at 317 Main Street East in order to inspect the 2015 Chevrolet 1500 regular cab pickup. After inspection of the pickup, the council members returned to the Professional Building board room.

MOTION: S. Jeffery moved; seconded by *M. Smart* to authorize purchasing the 2015 Chevrolet 1500 regular cab pickup from Watertown Motor Company through United Lease and Finance for the purchase price of \$16,076.39 (sixteen-thousand seventy-six dollars and thirty-nine cents) and to authorize the Mayor and Clerk-Treasurer to sign any documents necessary to complete the transaction.

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

ADJOURNMENT

S. Jeffery moved; seconded by *M. Smart* to adjourn the meeting at 7:13 pm. The next regular council meeting will be at 7:00 pm on January 13, 2020, in the board room of the Professional Building located at 308 Main Street East in Hendrum, Minnesota.

Minutes submitted by: Keri Plemmons, Clerk-Treasurer