**CITY OF VERNDALE**

**WADENA COUNTY, MINNESOTA**

**REGULAR COUNCIL MEETING MINUTES**

**Monday June 4, 2018**

**6:00 p.m.**

**Verndale City Hall**

**101 Brown St. SW**

**MEMBERS PRESENT:** Raye Ludovissie, James Ackerson, Ardith Carr, Jim Runyan

**MEMBERS ABSENT:** Tara Erckenbrack

**STAFF PRESENT:** Barbara Holmes, City Clerk/Treasurer; Gary Rosenthal, Liquor Store Manager; Michael Madsen, Fire Chief; Cory Carr, Police Chief; Matt Uselman, Public Works Manager; Melissa Current, Deputy Clerk

**STAFF ABSENT**: None

**VISITORS PRESENT:** Marlo Benning, Verndale Sun; Joeb Oyster, Moore Engineering; Amos Self, Family Life Church; Don Weniger, Erwin Barney

**OPENING PRAYER:** The opening prayer was led by Amos Self, Family Life Church

**CONSIDERATION OF MINUTES AND MAY PAYABLES**

A motion was made by Carr to approve the May 7th, 2018 Regular Council Meeting Minutes as written, seconded by Runyan. AIF/MC

A motion was made by Ackerson to approve the May 22nd, 2018 Public Hearing Meeting Minutes as written, seconded by Runyan. AIF/MC

A motion was made by Ackerson to approve the June payables in the amount of $31,096.16 seconded by Carr. AIF/MC

**ACKNOWLEDGE VISITORS**

**Joeb Oyster - Moore Engineering:** Oyster stated that the bonding bill passed and all the funding sounds promising, but it won’t be known for sure until it is finalized.

**DEPARTMENT REPORTS:**

**LIQUOR STORE- GARY ROSENTHAL-MANAGER**- Rosenthal stated that there was a net profit of $979.00 for the month. Rosenthal stated that payroll hours were up $563 over last year due to training of new employee. Rosenthal stated that he has a current employee out for medical reasons and she will see the doctor on 6/16/2018 so he will know after that if is ok for

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her to return to work. Rosenthal stated that from 6/15/18 to 6/23/18 he will have an employee on vacation which means there will only be two employees to work that week including himself. Rosenthal stated that he has adjusted the schedule to fully use that employee next week but there will be comp time earned for that week. Rosenthal stated that the vacation was planned with the assumption that the other employee would have returned to work by now. Rosenthal stated that there was one wedding at the Community Center which the Liquor Store did not serve but they did purchase their liquors at Liquor Store. Rosenthal stated that there are no planned weddings in the month of June. Rosenthal stated that the Lions are having another company coming in for electric pull tabs so after that presentation they will decide which company to do the electronic pull tabs through. Rosenthal stated that he thought the bar would need the faster speed internet for the pull tabs. Holmes stated that the City would go with the 66 speed as recommended. Rosenthal stated that the pull tabs wouldn’t start until July since their fiscal year ends June 30th. Rosenthal stated that he wanted to re-address the 10:00 am start time that was talked about at the Liquor Committee meeting. Carr stated that at the conference she attended they said the wages should only be 25% of the costs and the City has been paying Rosenthal to come in at 8:00 am or 8:30 am when the bar doesn’t open until 11:00 am and the spreadsheet shows that the bar isn’t that busy until noon. Carr stated that the Committee’s concern is that the City is paying for someone to be at the bar for 2 and a half hours with no income coming in. Carr stated that Rosenthal hasn’t tried the 10:00 am start time yet so he wouldn’t know if it was going to work or not. Rosenthal expressed concern about not being able to perform all his manager duties that need to be completed before the bar opens. Rosenthal stated that under his management the Liquor Store has seen a profit every year for the past 5 years. Rosenthal stated that he has an audit done every year and there are no discrepancies that he is aware of. Rosenthal stated that as the manager he didn’t feel that the committee should be telling him when to work or how the bar should be run and that he should be able to schedule his own hours. Rosenthal stated that he felt like if he didn’t do what was asked he would be insubordinate. Carr stated that Rosenthal agreed to the 10:00 am start time at the Committee meeting. Rosenthal stated that he agreed because he didn’t feel he had any other choice. Rosenthal stated that he was concerned that his employees wouldn’t get enough hours and he would lose his employees. Carr stated that Rosenthal told the Liquor Committee that his employees were under the understanding that they are part-time. Rosenthal stated that they do understand, but they still have bills to pay. Carr stated that they would have other ways to pay them if they are part-time. Ludovissie stated that when the Liquor Committee asks for a change, then that’s what needs to happen. Ludovissie stated that the Council was not going to argue with the Liquor Committees decision. Rosenthal stated that there should be public discussion on some of the directives that he and the Council disagree on. Rosenthal stated he can have a list of the directives and show how much money and time can be saved. Rosenthal stated that the only time there are two bar employees working at the bar is when he is not scheduled to work and he goes in to set up the bar and that overlaps. Rosenthal stated that the Council can go with him to see what he does with his time. Ludovissie stated that the Liquor Committee asked him to try something, he needs to try it and if it doesn’t work then

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bring it back to the Council. Runyan stated that he understands where Rosenthal is coming from but, the City needs to try something. Runyan stated that he didn’t want the Liquor Store to end up in a hole, because it is already the 5th month into the year and the Liquor Store hasn’t made any money. Runyan stated that he wanted Rosenthal to try the 10:00 am start time and if it doesn’t work then come back to the Council with the reasons why it didn’t work and he will listen. Rosenthal stated that customers aren’t reflected on the spreadsheets because they come in and start a tab and then pay it later. Ludovissie stated that when a boss tells an employee to do something they need to do it, that’s their job. Ludovissie stated that Rosenthal needed to try the 10:00 am start time for one quarter. Rosenthal agreed to start at 10:00 am. Ludovissie stated that the Council is going to ask him to try different things, so either he will work with the Council or the Liquor Store Committee or this type of behavior is going to come to an end and he wasn’t going to be happy with it. Runyan stated that Rosenthal has done a good job. Carr stated that that was never a question.

**ACKNOWLEDGE VISITORS**

**Erwin Barney:** Barney apologized for being a little hot at the public hearing. Barney stated that he didn’t think his point came across clear at the public hearing. Barney stated that the type of soil that is in the ground does matter as to how the tower will be able to dissipate the energy from a lightening strike. Barney stated that he wants the city to take every precaution with the water tower to make sure it has the proper grounding system for the soil. Barney suggested having a grounding company that specializes in this to be part of the project. Carr asked Uselman if this was part of the plan. Uselman stated that the tower isn’t going to just be slammed into that location it will take two to three years. Holmes stated that Oyster had told her that the cement work under the tower is 30 feet or more so if lightening hits the tower it would be contained within that cement and it is not going to go anywhere. Holmes stated that geotechnical was done. Barney asked what was included in the geotechnical. The Council stated that they didn’t know, they aren’t engineers. Holmes stated the City is getting funding from the state and the state engineers have to approve everything; whatever the City’s engineer submits has to go through them. Holmes stated that if there is a possibility of a problem then the state engineers will bump it back to the City’s engineer and say it needs to get fixed. Ludovissie stated that the City would give Barney Oyster’s phone number and email address to get his questions and concerns addressed. Runyan asked Barney if had any objections to benches or tables going on that property. Barney stated no.

**DEPARTMENT REPORTS CONTINUED:**

**FIRE DEPARTMENT- MICHAEL MADSEN- FIRE CHIEF-** Madsen stated that there were 12 calls for the month, 7were medical and 5 were fires; 1 false fire call, 1 cancelled, 2 car accidents, and 1 mutual aid grass fire to Staples. Madsen stated that May 19th was their pancake

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feed with the Verndale Flower Club Sale and they served about 100 people. Madsen stated that June 17th they will display a fire truck for the car show that is being held at the school.

**POLICE DEPARTMENT- CORY CARR- POLICE CHIEF-** Ludovissie thanked Chief Carr for putting the public nuisance reports in with his report. Chief Carr stated there was one more property that was talked about that wasn’t included in the report. Chief Carr stated that the Verndale Tire roof ended up in Stave’s yard during the last wind storm. Chief Carr stated that he would stop by there to talk to them about having someone come in to remove and repair the roof so it’s not a safety hazard. Chief Carr stated that the whole month of May there was an officer up at the school. Holmes stated that the school pays for the officer. Ludovissie asked what the plan was for next year. Chief Carr stated that he needs to talk with the school, but he thought it was going to be a permanent thing. Holmes stated that if an officer is hired for the school, it would be a 9-month position but the City would still need to pay full-time benefits for that officer. Chief Carr stated that if he could get by, he would hire another full-time officer for the school and then use that officer during the Summer and that would almost eliminate the need for part-time work. Chief Carr stated he would talk to the school and see what their wishes are and go forward from there. Council member Carr stated that the public should be aware of the proper protocol to get a hold of an officer. Chief Carr stated that residents should contact the Wadena Sheriff’s Office at 218-631-7600. Ludovissie stated that he would like a drive through the trailer park done. Chief Carr stated that he already contacted the Veronen’s and they will go through the trailer park and talk to the owners of the trailers as necessary.

**PUBLIC WORKS- MATT USELMAN-MANAGER-** Uselman stated that Joe Ingebrand with the League of MN Cities was here last week to go over ADA compliance. Uselman stated that the City was provided with suggestions on how to become ADA compliant. Uselman stated that he painted lines for the handicapped parking space at the Community Center. Uselman stated that he would like to fix up the bar back entrance. Holmes stated that if the ramp gets fixed and a handicapped parking space gets painted and a handicapped sign goes up it will help the City to be more compliant. Ackerson asked about the bathrooms. Holmes stated that those are not fixable. Carr stated that if bathrooms get to be an issue then they would be for employees only. Carr stated that the Cemetery looked very nice for Memorial weekend. Uselman stated that Chase Graba has started working for the City as needed. Uselman stated that he has had residents tell him that a Council member has told them they could do something. Uselman requested that the Council not do that and to refer the residents to City Hall. Uselman stated that he asked Chief Carr to look into laws against parking in front of mailboxes and no such law exists. Uselman stated that he would like to stop painting yellow lines in front of mailboxes unless they are in a bunch or on a corner. Council agreed. There was discussion on Ordinance 61 Section 4-25-7 Required Fences-Swimming Pools. The discussion included the purpose of the Ordinance, whether to repeal that part of the Ordinance, to take part of the Ordinance out or to leave it the way it is. Carr asked what the Council was voting on. Holmes stated that the Council wasn’t voting on anything, they needed to decide if the Ordinance was going to be

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repealed. Holmes stated that if the Council decides to repeal the Ordinance the City would need to put a notice in the paper for two weeks, hold a public hearing, redraft the Ordinance, have

another meeting, approve the new Ordinance and publish the changes. Holmes stated that it would be another six weeks before this would be completed. The Council decided to leave the Ordinance as it is.

**CLERK/TREASURER- BARBARA HOLMES-** Holmes stated that the City received a membership form from MASOC, the City has not been a member since 2012 the cost would be $389.55. Holmes asked if the Council wanted to decline the membership again this year.

A motion was made by Carr to decline the MASOC membership, seconded by Ackerson. AIF/MC

Holmes stated that Current is enrolled in three training sessions through NJPA (now Sourcewell) that take place in June. Holmes stated that the trainings are Grant Writing on June 26th, Basics of Planning & Zoning on the 27th and Beyond the Basics on the 28th. Holmes stated that each of these sessions come at no cost to the City and they count as points for Current’s Clerk Certification. Holmes stated that the City has been notified by the League of MN Cities that there will not be an increase in dues for 2019. Holmes stated that dividends were received from West Central Telephone in the amount of $411.58. Runyan asked where the dividends go. Holmes stated that they go back to the General Fund. Holmes stated that most of the dividends go into the City’s General Fund, a little bit of it is for the Liquor Store, and a little bit is still from the Senior Center. Holmes stated that the Liquor Store dividends goes back to the Liquor Store. Holmes stated that Nola Schultz is requesting to have her Special Assessments from the Year 3 Sewer Project deferred. Holmes stated that Schultz stated she never received notification of the assessments. Holmes stated that Schultz qualifies for the deferment due to disability. Holmes stated that the assessments won’t go away, they will still accrue interest. Holmes stated she talked with Tammy Lupkes at the Treasurer’s office in Wadena and she said this did happen a few years back with a Menahga resident. Ludovissie asked if the ownership of the property transfers to someone else if the assessment would need to be paid. Holmes stated yes. Ludovissie asked if the property was just in her name. Holmes stated yes, according to the County tax records. Holmes stated that if the title to the property changes then the assessments are due and payable.

A motion was made by Carr to approve resolution 18-0604A – Resolution Approving a Special Assessment Deferment for Wastewater System Improvements – Year 3 for Nola Schultz, seconded by Ackerson. AIF/MC

Holmes stated that election training will be on June 25th.

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**NEW BUSINESS:**

A motion was made by Ackerson to approve Resolution 18-0604- A Resolution Accepting a Donation to the Verndale Fire Department in the amount of $20 from Sam and Norma Goddard, seconded by Carr. AIF/MC

**OLD BUSINESS:** None

**OTHER BUSINESS:**

Carr asked the Council if the Denny family could spread Lee Denny’s ashes on third base at the ball field. Carr stated that his memorial service will be Thursday June 14th and they would like to spread some ashes on Friday June 15th. Holmes stated that she has been told that it can not be approved because it is illegal to spread ashes.

Mayor Ludovissie adjourned the meeting at 7:36 pm.

The meeting was re-opened with all Council members still present to set future meetings dates. Holmes stated that she wanted to know what dates the Council would meet in July and September due to Holidays those months. There was discussion on dates. The July meeting will be held July 9th and the September meeting will be held on September 10th.

The meeting was adjourned at 7:39 pm.

**Submitted by: Attest:**

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Melissa Current, Deputy Clerk Raye Ludovissie, Mayor