**CITY OF VERNDALE**

**WADENA COUNTY, MINNESOTA**

**REGULAR COUNCIL MEETING MINUTES**

**Tuesday September 5, 2017**

**6:00 p.m.**

**Verndale Fire Hall**

**102 Butler St SE**

**MEMBERS PRESENT:** Raye Ludovissie, James Ackerson, Ardith Carr, Tara Erckenbrack

**MEMBERS ABSENT:** Jim Runyan

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

**STAFF ABSENT**: Michael Madsen, Fire Chief

**VISITORS PRESENT:** Marlo Benning, Verndale Sun; Kevin Wernberg, WSN; Robin Fish, Immanuel Lutheran Church; Joeb Oyster, Moore Engineering; Betty White, Wadena Humane Society; Wayne Mills, Verndale Methodist Church; Melissa Current

**OPENING PRAYER:** The opening prayer was led by Robin Fish, Immanuel Lutheran Church.

**CONSIDERATION OF MINUTES AND SEPTEMBER PAYABLES**

A motion was made by Erckenbrack to approve the August 7, 2017 Regular Council Meeting Minutes as written, seconded by Ackerson. AIF/MC

A motion was made by Erckenbrack to approve the September payables in the amount of $61,896.42, seconded by Carr. AIF/MC

A motion was made by Carr to approve the August 15, 2017 Special Council Meeting Minutes as written, seconded by Erckenbrack. AIF/MC

**ACKNOWLEDGE VISITORS**

**Kevin Wernberg-WSN-** Progress Report #52 – Wernberg stated that construction items (generator brackets, starter) have been completed. Wernberg stated that final payment documentation was signed by RL Larson and submitted to Rural Development. Wernberg stated that it has been verbally approved by Rural Development. Holmes stated she hasn’t received anything yet. Wernberg stated that Rural Development is awaiting “Contractor Release of Surety” form prior to final approval and signatures. Wernberg stated that RL Larson put the forms in the mail Friday. Wernberg stated that he met with Committee and Staff to review project costs and assessment method. Wernberg stated that the front footage method was utilized to match the original hearing method. Wernberg stated that the total assessable costs were

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determined based on the most current information available obtained from Rural Development as of August 31st. Wernberg stated that he completed preparation of the assessment roll. Wernberg stated that the individual assessment sheets will need to get mailed out. Holmes asked if she should send them back to WSN to get mailed, isn’t that included in the $8900. Wernberg stated no, it wasn’t planned on. Wernberg stated that he sent some sample resolutions to Holmes. Wernberg stated that the record drawings are done. Wernberg stated he sent Uselman a copy a couple weeks ago, but here’s a paper copy. Wernberg stated that the final assessment hearing will be on Monday September 25th at 6 pm at the Fire Hall. Wernberg stated that loan closure between the City and Rural Development would possibly be in November. Wernberg reviewed the project costs. Wernberg stated that the cost per assessable foot estimated at $56.83 is $3.49 less than the $60.32 estimated at the preliminary hearing. Wernberg stated he would send a map of the footage to Holmes.

**Joeb Oyster - Moore Engineering:** Oyster stated they are trying to go through the planning phase which is one of the slower phases because you have to manage the risk and the cost and the drilling or research of the aquafer. Oyster stated that hopefully next month he would have some sort of agreement to get set up for the planning preliminary phases. Oyster stated that the drafted IUP came out and Verndale is number one on the list for this year’s projects. Oyster stated that he would be working with Uselman to get some water samples from wells. Oyster stated the well being looked at is from Brian Richter’s to southwest of town. Oyster stated that one well Northeast of town was a half mile off from where the Department of Health had it located on the map so they probably won’t pursue that one. Oyster stated that most of the deeper wells are to the South/Southwest of town. Ackerson asked how deep is a deep well. Oyster stated it just has to be through a confining layer, so you would go sand, clay, sand but if you get a clay layer it confines it from the Nitrates. Holmes asked if he knew how deep some of them were. Oyster stated about 100 ft. Ackerson asked in the state of Minnesota what constitutes a deep well, is it so many feet? Oyster stated no, there’s nothing to constitute deep or shallow. Oyster stated that sand point is usually less than 25 feet. Oyster stated that most of the wells drilled around here are 35-40 feet, like the City well.

**Wayne Mills – Verndale Methodist Church**: Property Split

Ludovissie stated that he had talked to Holmes about this and there’s an issue with the front footage, but overall the square footage matches up with what is needed. Ludovissie asked if they need to do a variance then. Holmes asked Uselman what is your opinion, can the Council approve it based on the square footage. Holmes stated that the City Ordinance states there needs to be 100 feet of front footage and neither parcel has 100 feet when they split it but the overall square footage is over what is needed. Ludovissie asked if they were both listed in the ordinance. Uselman stated that the ordinance states that the lot sizes need to have a width of 100 feet and the depth is supposed to be 45 feet, with the lot square footage of 4,500. Carr stated that there is no way for either of the lots to be fixed, there isn’t any more room. Ludovissie asked if they can approve the Resolution without a variance. Holmes stated she did the Resolution based on the square footage. Holmes asked Uselman if he had to go out and approve it without a variance, would he do it. Uselman stated it is a sticky situation. Erckenbrack stated the City

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isn’t selling an empty lot for business purposes, the City is splitting what used to be a tax-exempt property to a home. Erckenbrack stated if there’s a church that wants to get rid of their home, that’s the only other instance where such thing would apply. Carr stated that the church isn’t taking advantage of the City, they are actually adding to the taxes. Mills stated that the City is getting taxes, but this would be official.

A motion was made by Carr to accept Resolution 17-0905B – Resolution Approving Split of Parcel 21-300-1480 based on square footage instead of front footage due to putting them back on the tax rolls, seconded by Ackerson. AIF/MC

**Betty White- Wadena Humane Society**: Ludovissie asked White how does this work. Ludovissie stated that it used to be a payment of $13/day and then if someone picks the dog up the City doesn’t pay the whole $65. Holmes stated that the Humane Society should collect $70 for the dog, but only keep $13/day for the days the dog is there, the rest should come to the City. White stated that that is not what she understood from Tracy Kooman. White stated it is a flat fee. Holmes asked if they are charging the flat fee whether the dog was picked up or not. Holmes stated that either someone gives you the flat fee or if the dog isn’t picked up you’re charging the City $13 per day. White stated that the $65 flat fee covers 5 days. Chief Carr stated that $65 should be collected even if the dog is only there one day. Chief Carr stated that the Humane Society would keep $13 per day the dog is there and then the rest goes back to the City quarterly. White stated that she needs to take this back to their next meeting, which is at the end of the month. Tabled until the October 2, 2017 Regular Council Meeting.

**DEPARTMENT REPORTS:**

**LIQUOR STORE- GARY ROSENTHAL-MANAGER**- Rosenthal stated that the net loss for the month was $7,609.00. Rosenthal stated that extra costs were incurred for auditing, MMBA dues, Fire Relief Aid, and toilets for Verndale Days. Rosenthal stated that Keila Schmitz was hired as a new bartender. Rosenthal stated that he will be starting Texas Hold-Em on Tuesdays. Rosenthal stated that he will be going back to Free Poker League at $30 per week. Rosenthal stated it was $15 per week in the other league. Rosenthal stated that the Free Poker League wants to put it on a credit card. Rosenthal stated there is $150 deposit and $120 per month and the Liquor Store can pay monthly. Rosenthal stated that Free Poker is the league that is all around this area. Rosenthal stated that the other league was trying to start a league and get more teams in this area so they could have Regionals around here, it didn’t work out. Rosenthal stated that regionals were in the Bemidji area and no one wanted to drive that far. Rosenthal stated that with Free Poker it is the same league that most of the bars in the area are using so they can go play and still qualify for regionals. Rosenthal stated he needs authorization to put it on a credit card on a monthly basis.

A motion was made by Carr to allow the Liquor Store to put the reoccurring Poker Fee on the credit card, seconded by Erckenbrack. AIF/MC

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Rosenthal stated he was closed Monday for Labor Day. Rosenthal stated he has two events: one is a wedding at the community center on September 9 and the other is Vegas Night on October 14th at the community center. Rosenthal stated new towel dispensers were put in the bathrooms.

**POLICE DEPARTMENT- CORY CARR- POLICE CHIEF-** Chief Carr stated that there was nothing new. Erckenbrack stated she saw three different cars pulled over within a short amount time when Officer Wolf was working. Chief Carr stated he enjoys have Officers Wolf and Huotari around as part-time officers. Chief Carr stated that Officer Youngbauer got a full-time job in June. Chief Carr stated he is waiting for a forfeiture to be processed. Erckenbrack stated she has seen the other Officers around, keep encouraging them to make the rounds.

**FIRE DEPARTMENT- MICHAEL MADSEN- FIRE CHIEF-** Holmes stated that Madsen was absent due to being at the hospital with his dad. Ludovissie stated that Madsen’s report says there were 4 medical calls and 2 fire calls for the month and signatures are needed for the purchase agreement for the rescue van. Ludovissie stated that Vegas night is October 14, dinner tickets and gun raffle tickets are for sale with the firemen. Holmes stated the main thing Madsen wanted to discuss was the approval of the purchase agreement for the rescue van. Ludovissie stated which is a total of $59,409. Holmes stated that Madsen stated it would be right around $70,000 by the time it’s all done. Carr asked didn’t the City give him approval. Holmes stated that the City has to sign the purchase agreement. It was agreed to sign the agreement.

**PUBLIC WORKS- MATT USELMAN-MANAGER-** Ludovissie stated that Uselman had to step out of the meeting. Ludovissie stated that Uselman had issues on the 27th and he ended up working quite a bit. Holmes stated yes, that’s when there was a power outage. Holmes stated Uselman wants the $530 per year through the Generator Power Systems contract for preventative maintenance to make the 2-year warranty on the generator that was approved valid. Holmes stated otherwise the generator has no warranty.

A motion was made by Erckenbrack to accept the warranty conditions for the generator, seconded by Ackerson. AIF/MC

Holmes stated that her and Uselman met with Joe Ingebrand from the League of MN Cities for the annual loss control survey. Holmes stated that Ingebrand recommends to develop, adopt, and train employees on required OSHA safety programs. Ludovissie asked what is the cover crop. Holmes stated that’s the Well Head stuff where you put a crop in and you spray it off and it helps with the Nitrates. Ludovissie asked if the City has done this before. Holmes stated yes. Carr stated that the City actually received an award for it. Ludovissie stated that the sidewalks on North Farwell were replaced. Holmes stated that the City is hosting safety training on September 15th at 10 am if anyone wants to come learn how to use a fire extinguisher.

**CLERK/TREASURER- BARBARA HOLMES-** Holmes stated that she was requesting approval to transfer $23,713.03 available from the General Money Market Account – Committed

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Major Sidewalk Funds – to the General Fund Checking Account for the paving completed by Shingledecker Concrete & Construction LLC.

A motion was made by Erckenbrack to approve the transfer of funds from the General Money Market Account – Committed Major Sidewalk Funds – to the General Fund Checking Account, seconded by Carr. AIF/MC

Holmes stated the Final Assessment Public Hearing has been moved to September 25, 2017 at 6 pm at the Fire Hall. Holmes stated that herself and Uselman met with Wernberg and the City is staying with the previously Council approved method of determining frontal footage. Holmes stated that she would like to be compensated for calls/texts she receives while off-duty. Ludovissie stated it should be addressed. Holmes stated she would like this to be considered during the next budget meeting. Erckenbrack stated there is a difference in getting called to come in and just getting called, but it does need to be looked at.

**OLD BUSINESS:** None

**NEW BUSINESS:**

1. Resolution 17-0905 – Preliminary Levy

A motion was made by Erckenbrack to approve Resolution 17-0905- Resolution Approving Proposed 2017 Tax Levy Collectable in 2018 as discussed at the preliminary budget meeting, seconded by Carr. AIF/MC

1. PAWS 2017 Bingo License

A motion was made by Carr to approve the PAWS Bingo License, seconded by Erckenbrack. AIF/MC.

1. Resolution 17-0905A – Approve Amended Resolution

Holmes stated the documents received from the attorney for the split for the Desrocher Brothers has a different number. Holmes stated the City is changing the Resolution to match the number submitted to the County.

A motion was made by Erckenbrack to approve Resolution 17-0905A – A Resolution to approve the Split of Parcel 21-310-0320 with the correction of footage, seconded by Ackerson. AIF/MC.

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1. Certificate of Final Approval

A motion was made by Erckenbrack to accept the Certificate of Final Approval, seconded by Carr. AIF/MC.

1. Resolution 17-0905C - Resolution for Hearing on Proposed Assessments for the Wastewater System Improvements Year 3 Project
2. Resolution 17-0905D – Resolution Declaring Cost To Be Assessed and Ordering Preparation of Proposed Assessment For the Wastewater System Improvements Year 3 Project

A motion was made by Carr to approve Resolutions 17-0905C – A Resolution for Hearing on Proposed Assessments for the Wastewater System Improvements Year 3 Project and Resolution 17-0905D – A Resolution Declaring Cost To Be Assessed and Ordering Preparation of Proposed Assessment For the Wastewater System Improvements Year 3 Project, seconded by Ackerson. AIF/MC

**OTHER BUSINESS:** None

A motion was made by Erckenbrack to adjourn the meeting at 7:01 pm, seconded by Ackerson. AIF/MC

**Submitted by: Attest:**

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Melissa Current, Deputy Clerk Ray Ludovissie, Mayor