

# MEETING MINUTES

## CLARA CITY CITY COUNCIL REGULAR MEETING

Tuesday  
June 11, 2019  
6:30 PM

### CITY HALL COUNCIL CHAMBERS CLARA CITY, MINNESOTA

Members present: Nathan Speiser (Acting Mayor), Rhonda Pieper, Jeff Davids, and Victor Sparks

Members absent: Gary Nelson (excused)

Staff present: Windy Block (City Administrator), Judy Gosseling (Finance Director), Julie Aalfs (Deputy Clerk), Jeff Stager (Public Works Director), Kim Wood (Police Chief), Matt Blum (Clara City Care Center Administrator), and CC Aquatic Center Managers Madison Asche, Olivia Ruiter and Drue Schwitters

Others present: Sam Peterson (Clara City Herald) and Shirley Klaassen

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1. Call to Order—*By Acting Mayor Nathan Speiser at 6:33 p.m. A Quorum was declared to be present.*

**Note:** *This meeting is being officially recorded. Any and all commentary must be communicated through the microphones at the Council and Staff tables or through the microphone attached at the speaker's podium.*

2. Additions/Deletions/Modifications to Agenda

**Action taken:** *M/S/P 4-0 (Pieper/Davids) to approve the Meeting Agenda with the addition of Agenda Item(s) No. 5 (B) Construction permit for Jan & Susan Snavely; No. 5. (C) Request from Joel Asche to use the Basketball Court during the Prairie Fest celebration on July 13, 2019, 8:00 AM – 5:00 PM; No. 9. (D-6a) Purchasing Policy for the Care Center; No. 9. (D-6b Credit Card Policy for the Care Center; No. 9 (D-6c) Bed lay-away decrease for the Care Center; No. 9. (D-6d) Request for Proposal for audit services at the Care Center; No. 9. (J) Request from Massoud Kazemzadeh for the forgiveness of outstanding assessments on three parcels that he recently purchased on a tax-forfeiture sale; No. 9 (K) Approval for Emergency Pump Replacement at the Wastewater Treatment Plant; and the removal of Agenda Item No. 10. (A) Approval of verified claims for the City (due to high activity in the Administrative Office).*

3. Approval of Minutes

3. (A) Regular City Council Meeting of May 14, 2019.

**Action taken:** *M/S/P 4-0 (Pieper/Davids) to approve the Meeting Minutes for the Regular City Council Meeting of May 14, 2019, as presented.*

4. Notices and Communications—*Informational only, no action is required.*

4. (A) Information Memo from the Upper MN Valley Regional Development Commission (UMVRDC) entitled the Planner Update, dated May 28, 2019.

4. (B) Notice from Bonnie Crosby, Chippewa County Assessor, regarding a tax lawsuit from the Solar Farm that is situated on the Michael Stammer land.

5. Approval of Consent Agenda. *If acceptable, please approve the following agenda items in one motion without further discussion. If not acceptable, please request that any objectionable item(s) be moved to the new business section of the agenda and then proceed to approve the remaining item(s) in a single motion.*

5. (A) Approval of the “Application for Construction Permit(s)” for the following applicant(s) as recommended by the Planning Commission from their regular meeting on June 5, 2019.

1. David Tomes, 1019 N. Division St.—Removal of front windows and replacement with a single door along with sidewalk/stone remodeling—Work to be done by Lee Hagemeyer Construction—Project cost as yet unknown—Permit Fee of \$25.00.
2. Troy & Janet Sweep (Sweep Hardware), 26 West Center Ave.—Move in a 20’ X 20’ accessory storage building in the rear lot area—Work to be done by owner self-improvement—Project cost of \$2,000—Permit fee of \$100.00.
3. Troy & Missy Thissen, 530 NE 2<sup>nd</sup> St.—Construction of a 40’ X 60’ pole-type bldg. with rafters accessory building—Work to be done by Dan Cronen Construction—Project cost of \$35,000—Permit fee of \$100.00—The approval of this application is conditioned on the Applicant’s compliance with all of the provisions previously approved in the Conditional Use Permit (CUP, dated February 12, 2019).

5. (B) Approval of a Permit for Construction for Jan 7 Susan Snavely, 123 SW 4<sup>th</sup> Ave. for 32’ of wooden fencing as an extension of his existing fence line—Work to be done by owner self-improvement—Project cost of \$700.00—Permit fee of \$25.00.

5. (C) Approval of a request from Joel Asche, Wolverine Hoops Club, for the use of the Basketball Court over Prairie Fest for a 3 on 3 Basketball Tourney on Saturday, July 13, 2019, 8:00 AM – 5:00 PM.

**Action taken:** *M/S/P 4-0 (Sparks/Pieper) to approve the Consent Agenda as listed above.*

6. Reports from Officers, Commissions, and Committees—*No action is required.*

6. (A) Planning Commission – *Council Liaison Victor Sparks reported.*

1. Approved Minutes of the May 1, 2019 Regular Meeting.
2. Any notable activities from the Regular Meeting of June 5, 2019.

6. (B) Economic Development Authority (EDA) – *Council Liaison Pieper reported.*

1. Approved Minutes of the May 13, 2019 Regular Meeting.
2. Any notable activities from their Regular Meeting of June 10, 2019.

7. Reports from Staff and Administrative Officers—*No action is required (see general business).*

7. (A) Police Department (Kimberly M. Wood, Chief of Police) – Monthly Activity Report for May 2019.

7. (B) Public Works Department (Jeff Stager, Director of Public Works)

7. (C) Prairie Park Place (Mindie Nurmi, Housing Manager)

7. (D) Clara City Care Center (Matt Blum, Administrator) -- *See Agenda Item No. 9 (D).*

7. (E) City Administrator (Windy Block) reported on 1) the proposed 2019 Street Repair and Improvement Project; 2) the upcoming Swimming Pool Inspection on Friday, June 14, 2019; and 3) a request for a bid opening for the trailer received in the loan foreclosure proceedings with Sonja Giinther at the end of this meeting.

8. Public Hearing—*None*

9. General Business

9. (A) Consideration of approving the implementation of Govnet Pay System which would allow the City to accept debit and credit cards for payment of City services at the City Hall. Deputy Clerk Julie Aalfs introduced the proposal via the use of a handout.

***Action taken: M/S/P 4-0 (Pieper/Davids) to approve the implementation of GOVPAYNET Pay System in the City Clerks office to begin accepting Debit and Credit cards for payment of services as provided.***

9. (B) Consideration of approving the implementation of the Operations Information for the Clara City Aquatic Center.

***Action taken: M/S/P 4-0 (Pieper/Sparks) to approve the 2019 Operation Information for the Clara City Aquatic center as provided by the Clara City Aquatic Center Managers, such including Olivia Reiter, Drue Schwitters, and Madie Asche.***

9. (C) Consideration of approving the use of the Clara City Aquatic Center for the following functions:

1. Prairie Fest Community Swimming Event – Friday, July 12, 2019, an evening event.
2. National Night Out Open Swim Event (Free) – Tuesday, August 6, 2019, 6:00 – 8:00 P.M.  
The Chippewa County Sheriff's Dept will reimburse for the Life Guard wages.

***Action taken: M/S/P 4-0 (Davids/Pieper) to approve the use of the Clara City Aquatic Center for the special events as listed and detailed immediately above.***

9. (D) Consideration of acknowledging and/or approving, as may be required, the operations information and issues, if any, which may be brought forward by the Staff and/or the Council's Care Center Subcommittee.

1. Approval of new employee hire(s) and termination(s) for the period of May 1-31, 2019.

***Action taken: M/S/P 4-0 (Pieper/Sparks) to approve for the Care Center the new hires of Matthew Blum, Amy Dauer, Sarah Hinrichs, Kimberly Nelson, Reina Otterness, Cheryl Peterson, and Diana Reyes; and the terminations of Krystal Envoldsen, Jeanna Haynes, Jennifer Henker, and Cheryl Peterson.***

2. Acknowledgement and review of the Care Center's Client Census Data as of May 31, 2019.

***Action taken: M/S/P 4-0 (Pieper/Sparks) to acknowledge the Care Center Census Data for May 2019, as reported on by Administrator Blum, who reported a total of 39 clients as of 5/31/2019.***

3. Acknowledgement and approval of the current Financial Reporting Information and Documentation for the Care Center, such including:

- a) Balance Sheet for Clara City Care Center as of May 31, 2019—*No report.*
- b) Actual vs Budget Statement of Operations for Care Center as of May 31, 2019—*No report.*
- c) Accounts Receivable Aging Report as of May 31, 2019

***Action taken: M/S/P 4-0 (Pieper/Davids) to approve the Accounts Receivable Aging Report for May 31, 2019, as presented.***

4. Approval of the Check Register of the Clara City Care Center for the period ending on May 31, 2019.

**Action taken:** *M/S/P 4-0 (Pieper/Davids) to approve the Monthly Check Register for the Care Center through May 31, 2019, in the amount of \$389,517.67, for checks #49522 – 49607, as presented.*

5. Approval of the Care Center's Electronic Payments for the Month ending May 31, 2019.

**Action taken:** *M/S/P 4-0 (Sparks/Pieper) to approve the Care center Electronic Payments for the month ending May 31, 2019, as presented.*

6 a. Consideration of approving a Purchasing Policy for the Care Center as presented by Matt Blum.

**Action taken:** *M/S/P 4-0 (Sparks/Pieper) to approve the Purchasing Authority Policy for the Care Center as presented by Administrator Matt Blum.*

6 b. Consideration of approving a Credit Card Policy for Clara City Senior Living as presented by Administrator Matt Blum.

**Action taken:** *M/S/P 4-0 (Davids/Pieper) to approve the Credit Card Policy for the Clara City Senior Living as presented by Administrator Matt Blum.*

6c. Consideration of approving a bed lay-away change for the Care Center. A recently commissioned report, entitled Demand Assessment for Independent Living and Skilled Nursing Care in Clara City, MN, dated May 14, 2019, as conducted

**Action taken:** *M/S/P 4-0 (Pieper/Davids) to approve a recommendation from Administrator Matt Blum for a decrease in the number of active beds at the Care Center from the current 55 beds to 45.*

6d. Consideration of approving the release of a Request for Proposal (RFP) for professional audit services at the Care Center.

**Action taken:** *M/S/P 4-0 (Pieper/Davids) to approve the release of an RFP for Professional Audit Services at the Care Center as recommended by Administrator Matt Blum, such to include the understanding that the City reserves the right to reject any and all responses to such RFP.*

9. (E) Consideration of approving a request from Ken Beyerl, 700 NW 5<sup>th</sup> St., for his purchase of the City-owned property immediately adjacent to and west of his property (PIN 30-125-0540). The approximate size of the desired parcel of land is 60' X 90' or 5,400 SF. This property was originally purchase by the City from the Wolf Bros. for construction of a small levee to mitigate the occasional damage from flooding waters in the area. This would require a detachment from the City parcel (PIN #30-912-1103). The raw cost of the land from the City's point of view is \$1,837.08 (34.02 cents per SF X 5,400 SF = \$1,837.08). The costs for survey and property description costs and any other required legal expenses would have to be in addition.

**Action taken:** *M/S/P 4-0 (Davids/Sparks) to approve the request from Ken Beyerl, 700 NW 5<sup>th</sup> St., for his purchase of the City-owned 60' X 90' strip of vacant land immediately adjacent and west of parcel # 30-125-0540, such sale to include the terms of \$2,000 lump sum land price plus the payment of all surveying and legal costs by the purchaser, and the granting of an access easement to the City for its future use if needed.*

9. (F) Consideration of approving possible recommendation(s) from the EDA as may have been made at their regular meeting on June 10, 2019. Staff reviewed the activities of the EDA and Memo from Development Services Inc., and then invited the Councilors to participate in the SWOT exercise as explained.

**Action taken:** *Inasmuch as this item was informational only, no official action was requested nor taken.*

9. (G) Consideration of items as requested by the Public Works Department and to be brought forward by Jeff Stager, Public Works Director. These items include:

1. Purchase of slightly used picnic tables.

***Action taken:*** M/S/P 4-0 (Speiser/Sparks) to approve the request to purchase up to 20 picnic tables from Kegger for \$100.00 each with payment to come from the Park Maintenance Account and/or the Public Improvement Reserve, as to be determined by the Finance Director.

2. Approval for the hiring of a second part-time seasonal worker.

***Action taken:*** M/S/P 4-0 (Pieper/Davids) to approve the hiring of Scott Berghuis as a Part-time Seasonal Worker with assignment at Level 1, Step 2 on the wage chart, which is \$10.48/hour.

9. (H) Consideration of approving a Change Order in the favor (\$939.00) of American Fence Company for their extra work incurred in removing dirt piles standing in the way of their placement of the fence poles. There was a lengthy discussion as to who might have caused this problem and who should be paying for the correction?

***Action taken:*** M/S/P 2-2 (Davids/Speiser) to approve the Change Order, dated May 3, 2019, in favor of the American Fence Company in the amount of \$939.00, as presented. The motion died for a lack of a majority vote and was directed by the Acting Mayor to be returned by staff to the Construction Manager of the Swimming Pool project for further analysis and recommendation.

9. (I) Consideration of approving the implementation of a sidewalk project by Michael Murphy Construction for the removal of the old and the construction of a new sidewalk fronting and running along the north side of 3<sup>rd</sup> Ave. NW from Division Street North, past the tennis courts, the basketball court, the new swimming pool, and ending approximately at the school district's property line. Staff presented a Quote, dated 5/28/19, from Michael Murphy Construction and discussed the benefits of approving it.

***Action taken:*** M/S/P 4-0 (Sparks/Pieper) to approve the Quote #585, dated May 28, 2019, from Michael Murphy Construction, Litchfield, MN, in the amount of \$39,168.00 for the replacement and installation of new sidewalk along the north side of 3<sup>rd</sup> Ave. NW, from Division Street North to the parking lot at the MACCRAY High School, subject to a condition that this project must be completed by July 9, 2019, weather permitting, and for which the payment is to come from Capital Outlay Fund and/or the Sidewalk Reserve Fund.

9. (J) Consideration of approving a request from Massoud Kazemzadeh for the forgiveness by the City of certain remaining assessments against three parcels in Clara City which Mr. & Mrs. Kazemzadeh have recently purchased on a tax-forfeiture sale. Staff presented a report outlining four possible options for the resolution of this request and answered questions. The four options included full forgiveness to zero forgiveness of the estimated assessments which totaled \$21,245.16 for all three parcels.

***Action taken:*** M/S/P 4-0 (Sparks/Davids) to approve, as based upon the analysis as provided by staff and the fact that Mr. & Mrs. Kazemzadeh were providing a real benefit to the community by taking on the rescue of these three parcels for the benefit of improving housing alternatives in the community, the offering of Option #3 in response to the request, said option detailing a forgiveness by the City of \$15,785.57 in assessments, a \$5,199.13 remaining responsibility to the purchaser (Kazemzadeh), and a \$260.46 forgiveness by West Central Sanitation as the City's refuse service provider.

9. (K) Consideration of approving a quote for the emergency replacement of pumps at the Waste Water Treatment Plant's Main Lift Station. Public Works Director Jeff Stager outlined the problems and the glaring need for action.

***Action taken:*** M/S/P 4-0 (Davids/Pieper) to approve the Quotation, dated May 20, 2019, from preferred Controls Corp., Albany, MN, in the amount of \$52,115.00 (electrical by others), for the installation of three pumps at the Main Lift Station. It was understood that this quotation has also been approved by John Graupman, P.E., Bolton & Menk, which is the City's consulting engineer on this project.

9. (L) Consideration of awarding the most qualified high bid for the purchase of a 12,000 GVW cargo trailer which the City received upon settlement with Sonja Giinther on a business loan. Two bids had been received, including: 1) Eileen Suter, DeGraff, MN, in the amount of \$501.00, and 2) Brian Doesken, Clara City, MN, in the amount of \$1,061.00, subject to the availability of a bona fide title.

***Action taken: M/S/P 4-0 (Sparks/Pieper) to award the sale of the 12,000 GVW Cargo Trailer, VIN #IS9ET2026YG384709, to Brian Doesken, Clara City, for his bid amount of \$1,061.00, and as conditioned upon the ability of the City to provide Mr. Doesken with a bona fide title of ownership.***

10. Approval for the Payment of Claims and Appropriations

10. (A) Consideration for the approval of the City's Verified Claims for the period ending June 11, 2019—***This agenda item had been removed from consideration by action under Agenda Item No. 2 above.***

10. (B) Consideration of approving the City's Electronic Payments for the Month ending May 31, 2019. Judy Gosseling, Finance Director, distributed a list of the payments and answered any questions from the Councilors.

***Action taken: M/S/P 4-0 (Pieper/Sparks) to approve the City's Electronic payments for the month ending May 31, 2019, as presented.***

11. Appearance of Interested Citizens—None.

12. Announcements—Acting Mayor Speiser reminded the Councilors of the following:

12. (A) The next Regular Meeting of the City Council will be on Tuesday, July 9, 2019, 6:30 pm.

13. Adjournment—Upon recognizing that there was no additional business to be considered, Acting Mayor Speiser, without objection, declared this City Council Meeting to be adjourned as of 9:02 P.M.