

MEETING MINUTES

Amended
CLARA CITY
CITY COUNCIL
REGULAR MEETING

Tuesday
January 9, 2018
6:30 PM

CITY HALL COUNCIL CHAMBERS
CLARA CITY, MINNESOTA

Members present: Jack Sparks, Gary Nelson, Nathan Speiser and Rhonda Pieper

Members absent: Jeffrey Davids (excused)

Staff present: Judy Gosseling (Finance Director), Jeff Stager (Prov. Public Works Director), Kimberly Wood (Police Chief), Mike Stordahl (Care Center Administrator), and Windy Block (City Administrator)

Others present: Josie Oliver (Clara City Herald), Mike Amborn (Rodeberg & Berryman, Inc.) Randy Dooley (Dooley's Natural Gas), Tim Hulscher (Dooley's Natural Gas), and Shirley Klaassen

1. Call to Order—*By Mayor Jack Sparks at 6:31 p.m. A Quorum of the City Council was declared as being 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/Speiser) to approve the draft Agenda for this meeting with the addition of Agenda Items No. 9 (H) City Resolution No. 2018-002; and No. 9 (I) City Resolution No. 2018-003.*

3. Approval of Minutes

3. (A) Regular City Council Meeting of December 12, 2017.

***Action taken:** M/S/P 4-0 (Nelson/Pieper) to approve the Meeting Minutes for the Regular City Council Meeting of December 12, 2017 as presented.*

3. (B) Special City Council Meeting of December 26, 2017.

***Action taken:** M/S/P 4-0 (Nelson/Pieper) to approve the Meeting Minutes for the Special City Council Meeting of December 26, 2017 as presented.*

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

4. (A) Notice from the Minnesota Emergency Medical Services Regulatory Board (MEMSRB), dated December 27, 2017, notifying the City that its Ambulance has been properly licensed for the period of January 1, 2018 – December 31, 2019.

5. Approval of Consent Agenda.

5. (A) Consideration of approving “Application for Construction Permit(s)” as previously approved by the Planning Commission at its Meeting on January 3, 2018, for the following applicant(s):

1. Billie Jo Rassatt, 411 SW First St.—Re-shingle house with asphalt shingles—Work to be done by owner self-improvement—Project cost of \$6,200—Permit fee of \$25.00.
2. LeAnn & Jim Essendrup, 210 7th Ave. NE—Construction of a new home consisting of 2,079 SF of house plus 1,080 SF of garage space utilizing a slab on grade design—Work to be done by Niemeyer Construction—Project cost of \$280,000—Permit fee of \$1,700.00.

Action taken: M/S/P 4-0 (Speiser/Nelson) 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 Nathan Speiser reported.*

1. Approved Minutes of the December 6, 2017 Regular Meeting.
2. Any notable activities from the Regular Meeting of January 3, 2018.

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

1. Approved Minutes of the December 11, 2017 Regular Meeting.
2. Any notable activities from their Regular Meeting of January 8, 2018.

7. Reports from Staff and Administrative Officers—No action required.

7. (A) Police Department—Kimberly M. Woods, Chief of Police, Monthly Activity Report for December 2017

7. (B) Public Works Department—Jeff Stager, Provisional Director of Public Works, with the collaboration of the City Administrator, the Council was alerted to the department’s upcoming use of flexible working hours.

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

7. (D) Clara City Care Center—Michael Stordahl, Administrator---*See Agenda Item No. 9 (D).*

7. (E) City Administrator

1. Memorandum, dated January 4, 2018, regarding Dooley’s Natural Gas Utility issue—***Mayor sparks recognized Randy Dooley and Tim Hulscher of Dooley’s Natural Gas (DNG) for a presentation of their perspectives with regard to the recent short-term spike in natural gas prices and the company’s use of the Purchase Cost Adjustment (PCA) factor for remedying the spike as is legally permitted and encouraged in the DNG Natural Gas Franchise.***
2. Update on the Comprehensive Housing Study to be conducted by Community Partners Research, Inc. of Faribault, MN, which is expected to begin on or around January 15, 2018.
3. Update on the Swimming Pool discussions. Block announced that there now appears to be a very real possibility that the City will have to place this matter into a suit in order to make any real progress toward a settlement.

8. Public Hearing—None.

9. General Business

9. (A) Consideration of receiving a Preliminary Engineering Report for a proposed 2018 Street and Utility Improvements Project. Michael Amborn, P.E., of Rodeberg & Berryman, Inc., distributed copies of the Report entitled "Preliminary Engineering Report 2018 Street & Utility Improvements," dated January 5, 2018, and then followed with a review of its contents, answering questions as the Councilors moved through the Report.

Action taken: *M/S/P 4-0 (Speiser/Pieper) to acknowledge the receipt from Rodeberg & Berryman, Inc. of the "Preliminary Engineering Report for the 2018 Street & Utility Improvements," dated January 5, 2018, and to adopt City Resolution No. 2018-004 RESOLUTION RECEIVING PRELIMINARY REPORT AND CALLING A PUBLIC HEARING ON THE 2018 STREET AND UTILITY IMPROVEMENTS PROJECT, such to include the ordering of a Preliminary Public Hearing to be noticed and held on Tuesday, February 13, 2018, 6:30 P.M., at the City Hall in Clara City, with the stated Improvements Project to include: Project 1 – Mill and overlay of Center Avenue (Low Road), from 5th Street NW to Highway 7; Project 2 – Street reconstruction, storm sewer improvement, and watermain replacement on Center Avenue, from 5th Street NW to Main Street and 1st Street NW, from Center Avenue to 2nd Avenue NW; and Project 3 – Street reconstruction and watermain replacement, of Center Avenue, from Main Street to the bridge over Hawk Creek.*

9. (B) Consideration of approving and designating certain professional service providers for 2018:

1. Official Depositories – Citizens Alliance Bank, Clara City, and the 4M Fund (LMC)
2. Official Newspaper – Clara City Herald
3. Consulting City Engineer – Rodeberg & Berryman, Inc.
4. City Auditor – Conway, Deuth & Schmiesing, PLLP
5. City Attorney (Civil) – Stermer & Sellner, Chtd.
6. City Attorney (Criminal) – Dave Gilbertson, JD

Action taken: *M/S/P 4-0 (Speiser/Pieper) to approve the designation for use by the City of the professional service providers in 2018 as listed above.*

9. (C) Consideration of approving the "2018 Meeting Schedule" for the City Council.

Action taken: *M/S/P 4-0 (Pieper/Speiser) to approve the 2018 Meeting schedule for the City Council as presented in draft form on January 9, 2018.*

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 terminations for the period of December 1 – 31, 2017.

Action taken: *M/S/P 4-0 (Pieper/Nelson) to approve the new hires and terminations, if any, at the Care Center for the monthly period ending December 31, 2017, such including the new hires of: Amber Nelson (C.N.A) and Susan Sweno (LPN in Nursing); and the terminations of: Juanita Stueckrath (Housekeeping Aide) and Tammy Robertson (Nursing).*

2. Acknowledgement of the Care Center's Client Census Data Report for December 31, 2017.

Action taken: *M/S/P 4-0 (Speiser/Pieper) to acknowledge and approve the Client Census Report for December 31, 2017, as prepared and presented by the Care center Staff, such revealing a total of 48 clients out of a possible 63.*

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

- a) "Financial Data" Report for the period ended November 30, 2017.
- b) Bank Balances and Financial Statement Balances as of December 31, 2017.
- c) Accounts Receivable Balances as of December 31, 2017.

Action taken: *M/S/P 4-0 (Nelson/Pieper) to approve the receipt of the financial data report as prepared and presented by the Care Center Staff, such including:*

a) "Unaudited Financial Data" Report for the period ended November, 2017, showing Current Income of \$374,080 + Expenses of \$<344,681> = Net Income (Loss) of \$29,399. For the Fiscal Year, the Net Income (Loss) is \$11,918; and

b) Bank Balances and Financial Statement Balances as of December 31, 2017, such including: Checking #293 = \$383,030.68; MMS #321 = \$27,553.50, MMS Debt Service #432 = \$57,176.71; MMS Capital Improvement #462 = \$2,505.55; MMS Memorial Fund #650 = \$74,233.63; MMS Construction Bond 2014 #632 = \$17,012.10; and MMS 2014 Debt Service Account #642 = \$126,030.26; equaling a grand total of \$687,542.53; and

c) Accounts Receivable Balances as of December 31, 2017, totaling \$442,236.22.

4. Approval of the Check Register of the Care Center for the period of December 1-31, 2017.

Action taken: *M/S/P 4-0 (Nelson/Speiser) to approve the Check Register of the Clara City Care Center for the period of December 1-31, 2017, in the total amount of 356,786.74 for Check Nos. 47876-47961.*

9. (E) Consideration of approving a recommendation from the Economic Development Authority regarding the possible acceptance of a gift for the payment in 2018 of the cost for personnel that is required in support of the City's/EDA's economic development program. Staff presented a draft resolution and pointed out that there would also be a Memorandum of Understanding (MOU) created as an appendix to this resolution that will address issues such as liability and management of the Hanson Communication employee while acting as a volunteer for the EDA/City. Finally, staff further informed the Council that the draft resolution has been submitted to the League of Minnesota Cities (LMC) for their review and comment.

Action taken: *M/S/P 4-0 (Nelson/Speiser) to adopt, subject to the legal review by the LMC and the submittal of an acceptable MOU, City Resolution No. 2018-001 "Resolution Acknowledging and Accepting the Donation from Hanson Communications, Inc. of Economic Development Consulting Services by Gene Wenstrom for the 2018 Activities of the EDA/City of Clara City, MN.*

9. (F) Consideration of receiving and approving the recommendation of the Police Department Subcommittee which was assigned by the Mayor to interview and possibly qualify Part-time Police Officer Tanner Torgerson for potential service with the City as a Full-time Police Officer. If he is found to be worthy and qualified, he will be placed on the eligibility roster which will be active for one (1) year from date of qualification for his consideration of appointment as a Full-time Police Officer, if the situation should arise. Administrator Block gave a verbal report on behalf of the Subcommittee (Councilor Nate Speiser, Councilor Jeff Davids, Administrator Windy Block), stating that it was the Subcommittee's unanimous finding that Tanner Torgerson was determined to be qualified and prepared for appointment as a Full-time Police Officer for the City if a vacancy in that position should arise within the coming year. Administrator Block further indicated that the City had received a written letter of resignation from Officer Matt Vatsaas as the City's Full-time Police Officer as of 7:00 A.M. on January 14, 2018. Consequently, Block encouraged the Council to consider three separate actions, including: 1) Accepting Officer Vatsaas' resignation, 2) Ratifying the Subcommittee's findings regarding the eligibility of Tanner Torgerson for full-time duty with the City, and 3) Making official the appointment of Tanner Torgerson as the City's Full-time Police Officer as of 7:00 a.m. on January 14, 2018.

Action taken: *M/S/P 4-0 (Speiser/Pieper) to accept, with regret, the written resignation from Matthew Vatsaas, dated January 9, 2018, as the City's Full-time Police Officer, effective at 7:00 A.M. on January 14, 2018, due to his acceptance of a position with the Minnesota State Patrol. Further, that staff should move forward with the necessary steps to fill the vacancy as created by this resignation as the City's Full-time Police Officer.*

Action taken: M/S/P 4-0 (Nelson/Pieper) to acknowledge and approve the findings of the Police Department Subcommittee that Tanner Torgerson is duly qualified for consideration of appointment as a Full-time Police Officer for the City, and that his name and credentials be placed on the City's roster for future consideration of appointment, such roster to be effective from January 9, 2018 – January 8, 2019.

Action taken: M/S/P 4-0 (Nelson/Speiser) to appoint, per the recommendations of the Police Department Subcommittee and Police Chief Kimberly M. Wood, Tanner Torgerson as the Full-time Police Officer for the City, effective as of 7:00 A.M. on January 14, 2018, with terms of this appointment to be at Level 7, Step 3 for the first three months, and then, if a successful probation has been attained, the candidate will be moved to Level 7, Step 4 on the 2018 Wage Chart.

9. (G) Consideration of officially approving the following transfers of funds, effective for the 2017 Budget Year, such approval which will ratify the repayment of these costs to the 2016 Utility & Street Improvement Project. Both of these projects were previously assumed to have been approved and the amounts include:

- 1) City reimbursement of the costs of the City/County Shop Parking Lot Improvements in the amount of \$16,543.90, and
- 2) City reimbursement of the costs for the Care Center Parking Lot Improvements in the amount of \$36,623.50.

Action taken: M/S/P 4-0 (Speiser/Pieper) to approve the transfer of funds, effective for the 2017 Audit Year, which will reimburse the 2016 Utility & Street Improvement Fund for the following two projects and their respective costs, including: City/County Shop parking lot improvements at \$16,543.90; and the Care Center parking lot improvements at \$36,632.50.

9. (H) Consideration of adopting City Resolution No. 2018-002 Resolution Acknowledging and Accepting a \$300.00 Cash Donation from Ester Kluver.

Action taken: M/S/P 4-0 (Speiser/Nelson) to adopt City Resolution No. 2018-002 "Resolution Acknowledging and Accepting a \$300.00 Cash Donation from Ester Kluver for the Sun Porch Fund at the City-Owned Prairie Park Place facility in Clara City, MN."

9. (I) Consideration of adopting City Resolution No. 2018-003 Resolution Acknowledging and Accepting a \$3,000.00 Cash Donation from Citizens Alliance Bank of Clara City.

Action taken: M/S/P 4-0 (Nelson/Speiser) to adopt City Resolution No. 2018-003 "Resolution Acknowledging and Accepting a \$3,000.00 Cash Donation from Citizens Alliance Bank of Clara City for the City's Use in Implementing a Housing Study."

10. Approval for the Payment of Claims and Appropriations

10. (A) Approval of the City's Verified Claims.

Action taken: Due to the early date of the month for this meeting, these claims were not ready for approval at this meeting. Hence, no action was taken nor requested.

11. Appearance of Interested Citizens—None.

12. Announcements—Mayor Sparks reminded the Councilors of the following activities:

12. (A) The next Regular Meeting of the City Council will be on Tuesday, February 13, 2018, 6:30 pm, in the City Hall Chamber.

12. (B) Interview with CDS Auditor for the 2017 Audit on Wednesday, January 10, 2018—Councilor Nelson

13. Adjournment—*Upon recognizing that there was no additional business to be considered, Mayor Sparks, without objection, declared this Regular Meeting of the City Council to be adjourned as of 8:18 P.M.*

BY: _____
JACK SPARKS, MAYOR

BY: _____
WINTHRO C. BLOCK, CITY ADMINISTRATOR