

The Pledge of Allegiance was recited by those in attendance.

The regular council meeting of the City of Browns Valley, MN was held at City Hall. Council members present were Acting Mayor Mike Heck, Neil Madison, Ken Warren, and Tony Miller. Also in attendance were Robert and Brenda Zabel of Union State Bank, Lloyd Heaney, Donna Stewart, Kirk Adams, Richard Johnson of the Browns Valley Historical Society, City Building Inspector Mike Jacobson, Ken Westbrook, Dale Dobbs, Tina Erickson, Public Works Director Tony Serocki, Librarian Bernice Piechowski, City Attorney Matthew Franzese, and City Administrator Tom Schmitz. The meeting was called to order at 5:30 p.m. by Acting Mayor Heck.

Additions to the Agenda

Additions to the agenda were:

- Document showing expenses the City has in 329 W Broadway
- Expense tracking sheet for the Coulee project
- Meeting minutes from the September 17, 2018 Special Meeting

Upon a motion by Madison with second by Miller, the Council approved the additions to the agenda 4-0.

Visitors

Robert Zabel would like to purchase the property located at 329 West Broadway. He has contacted a contractor regarding the clean-up and renovation of the building. He stated that the building would be utilized as an expansion of Union State Bank. Zabel added that he plans to have a mural, Gateway to the Hunter's Paradise, added to the outside of the building.

Because the City was able to purchase the building under tax forfeiture with the understanding of removing blighted properties, there may be restrictions on their transferring the property to a third party, requiring the City Council may put restrictions on what can be done with the building.

Upon a motion by Warren with second by Miller, the Council approved 4-0 to close the meeting pursuant to M.S.A. §13D.05, Subd. 3(c) in order to discuss selling 329 West Broadway property to Union State Bank, and any proposed terms of sale.

Upon a motion by Miller with second by Warren, the Council approved 4-0 to open and resume the regular scheduled meeting of the Browns Valley City Council.

Upon a motion by Warren with second by Madison, the Council approved 4-0 the sale of 329 W Broadway to Union State Bank in the amount of \$2,385.00.

Heaney provided an update with planning for the upcoming Pow Wow in 2019. He has reached out to the Indian community and they have offered assistance with planning. He stated that he has been in contact with Long Hollow District Council. They offered to assist in contacting the other District Councils. He reported that he has called the Minnesota Historical Society, and their contact person stated that they would like to meet with members of the Browns Valley Historical Society in order to identify how they can assist with the Pow Wow. The State Historical Society would like to create a documentary of the history of Browns Valley and its Indian population. Heaney also stated that the Minneapolis Star and Tribune are planning to send out a reporter for the event.

Jacobson spoke of options that can be done to repair the roof of the laundromat and shop. He stated that if the goal is to separate the two buildings, then the City should make it happen so that the roof of the

laundromat can be repaired. He also stated that if the intent is to build a new shop, then he wants to see a definitive action being done in the short term with the old building instead of taking five years to tear it down. Heck and Jacobson discussed the possibility of placing a short-term weight bearing wall inside of the shop's East wall to support the rafters so that there can be a separation of the two buildings.

Schmitz asked Erickson if she would object to spray foam being applied to her roof until 2019 when it will be able to be shingled once the shop is removed. Erickson stated that she would need to ask the contractor to make sure that it's not going to add pressure to her wall, or cause other issues and lead to more costs when she replaces her roof.

Heck asked Schmitz to find someone that would be able to build a support wall and open up the roof on the shop. He also requested that a cost be obtained to foam from the area that will be opened, through the valley and up Erickson's roof.

Consent Agenda

Upon a motion from Miller and second by Warren, the Council approved 4-0 the minutes of the Regular Council meetings of September 10 and Special Meeting minutes of September 17, 2018.

Revenues by Department

Upon a motion by Warren with second by Miller, the Council approved 4-0 the Revenues by Department for August 2018.

Financial Statement

Upon a motion by Warren with second by Heck, the Council approved 4-0 the Financial Statement with changes to August 15, 2018 wages.

Bills

Following presentation and discussion of prepaid claim, claims to be paid, and employee wages, upon a motion by Madison and a second by Warren, the Council unanimously passed the following resolution:

BE IT AND IT IS HEREBY RESOLVED by the Council of the City of Browns Valley that the payment of the following city bills and payroll be and is approved as presented.

Prepaid claims: \$0.00 Claims for approval: \$14,139.55 Wages: \$20,227.65

Building permits

Upon a motion by Warren with second by Miller, the Council approved 4-0 the building permit for Edward Stallcop to install a steel roof on the detached garage on his property.

Correspondence

- The Council reviewed the minutes of the August 20, 2018, Library Board of Trustees monthly meeting.
- The Council reviewed several training options given through Lakes Country Service Cooperative.
- The Council reviewed the September 17, 2018, Minnesota Association of Small Cities State Newsletter

Unfinished Business

On September 17, 2018, the Council had a special meeting with David Dombrowski of Noble Roofing. During the meeting, Dombrowski was asked if he would give the Council various options of installing his product onto the City Shop. During the meeting, Dombrowski stated that he would be able to do that. Schmitz called Dombrowski the morning of this meeting and left a message to return his call. Dombrowski

hadn't returned Schmitz's call by meeting time.

Upon a motion by Madison with second by Miller, the Council approved 4-0 to table the discussion until Noble Roofing has contacted City Hall with estimates.

New Business

Schmitz reported that in the future they will see a claim from Swanston Equipment for the annual exchange of the Bobcat skid loader.

Upon a motion by Warren with second by Miller, the Council approved 4-0 a job description for a City Councilmember. The job description will be used for Council training or given to residents when filling out Affidavits for City Council.

Upon a motion by Miller with second by Madison, the Council approved 4-0 RinkeNoonan's Invoice Number 288036 in the amount of \$5,516.50.

The Council reviewed the levy worksheet and last year's resolution adopting the preliminary budget for 2018. In 2017, the preliminary budget was ratified in September for the amount of \$285,000.00 and then reduced \$276,522.00 in November.

Upon a motion by Miller with second by Warren, council approved 4-0 Resolution 18-11, A Resolution Ratifying The Adoption Of The Fiscal Year 2019 Preliminary Budget.

Department Reports

Library

Piechowski reported that during the Library's last Saturday program, Chet Bigelow and Arlene Reinart presented several turtles. Bigelow brought in 12 box turtles that were hatched this fall. The turtle that Reinart brought in was an older turtle. Bigelow had pictures of the newborn turtles hatching from their shells. He was going to release them after the program.

Fire Department

Bartz reported that he has contacted the SWO Tribe regarding mutual aid coverage for fire response. He stated that the contract should be ready to be signed by the end of October.

Bartz reported that he is making progress on the overhead door of the Fire Hall.

Bartz reported that he received notification of a \$5,000.00 matching grant from MN DNR to purchase turnout gear. He asked if the City would be planning to pay the matching portion of the grant. The Fire Department is planning to put \$10,000 toward turnout gear, which would give them 12 new sets. Schmitz stated that he has asked Bartz to add to their meeting agenda to ask if the crew would allow the City to use \$5,000.00 from the vehicle contribution to be put towards the match. In the Preliminary Budget the City has tentatively budgeted \$20,000.00 toward the purchase of turnout gear. Bartz stated that he plans to purchase gear for one half of the crew as they are the responders that are directly near or in fires while trying to extinguish them. He stated that the average cost for turnout gear is \$2,000.00 per person.

Bartz reported that he was going to be contacting the County's Director of Emergency Management and ask if she would contact the other city fire departments to get of list of what their needs are. He is hoping that she would be able to assist with writing a Federal Assistance to Firefighters Grant to help with the purchase of some of this needed equipment.

He reported that the crew will be conducting a car extrication class during their next meeting.

Bartz stated that Terry Eastman will be donating two semi-trailers that can be used as a sheltered stage area for fire department events.

Bartz reported that Mike Piechowski is schooling to become a Fire Fighter I and II trainer. He will be able to train Browns Valley's as well as neighboring departments. He will be working through one of the State Technical Colleges as an adjunct instructor.

He reported that they used the tanker truck on a mutual aid field fire by Beardsley. He stated that they were able to drive the truck into the field to get near the fire. He said that the truck was able to give them another 6,000 gallons of water to assist in extinguishing the fire.

Heck asked if by purchasing turnout gear prior to applying for a grant it will reduce the chance to be chosen for it. He was wondering if we would be able to be reimbursed for the costs should a grant be awarded. Bartz stated that the federal grant is so competitive, and just because we apply for it, we're not guaranteed that we would be chosen for the award. Bartz stated that their pagers are old enough that in the future they will be unserviceable, so he would like to be proactive in purchasing new equipment. Schmitz added that when the County and other cities purchased new radios and pagers, they were able to make that purchase due to the Fire Assistance Grant.

Public Works

Serocki reported that the intersection along Second Avenue South will be tiled within the next few weeks. He stated that an abandoned water line was found during the demolition of the elevator silos. He said that he will need to find where it attaches to the main line and cap it by the road right-of-way, so it doesn't become an issue in later years.

He reported that the garage doors haven't been advertised for sale. He asked if the Council wanted to sell the two pickups at the landfill.

Upon a motion by Madison with second by Warren, the Council approved 4-0 the sale of the pickup trucks stored at the landfill.

Administrator's Report

Schmitz reported that Steve Rudney will be out again on September 26th to finish rental inspections that he wasn't able to complete in August.

Schmitz reported that Amber Metz was hired as Ambulance Manager. She has been in the office regularly going through files, and sending reports to Indian Health Services and our billing agent. Schmitz also reported that he will have the job description ready for Council approval at the next meeting.

Schmitz reported that he will be concentrating on reducing the employee health insurance costs.

Council

Madison stated that he's been asked why there wasn't a community garden this year. Schmitz responded by saying that there was a change in administration oversight of the 21st Century Grant this year. By the time the new person was in that position, it was too late in the year to plant the garden.

Miller asked about abatements not being completed. Miller also had concerns regarding buildings being built in the flood plain and not being required to be elevated or have flood gates installed. Heck recommended that the land use permit applications be reviewed to ensure that it addresses properties in the flood plain.

Upon a motion by Warren with second by Madison, the Council approved 4-0 to void the agreement with Goodhart Sand and Gravel to demolish the building located at 329 West Broadway. Schmitz will notify Bob Goodhart that the agreement has been voided.

Attorney

Upon a motion by Warren with second by Heck, the Council approved 4-0 to close the meeting pursuant to M.S.A. §13D.05, Subd. 3(b) in order to discuss litigation strategy in the City's legal action to abate the real property located at 302 West Broadway.

Upon a motion by Warren with second by Miller, the Council approved 4-0 to open the meeting.

Franzese reported that the City is being sued by Reiner Construction over the sewer project. He stated the City's engineer has reported that Reiner hasn't completed the work on the punch list. Franzese said, "That he's exchanged two letters with them and they haven't given us a colorable claim as to why the work shouldn't have to be done." Additionally, Reiner Construction cut a cord on the electric motor on Number 3 lift station that needed to be replaced, and they were refusing to pay for the new cord. Franzese reported the steps that will need to be taken going forward with this case.

The law enforcement committee met, agreeing to a contract that should be agreeable to both the County and City. Sheriff Wright will be presenting the proposal during the County Board meeting on October 2.

Franzese will be meeting with Warren and Madison to identify items that should be included in a purchase agreement with Union State Bank regarding the sale of 329 West Broadway.

Meeting was adjourned by Heck at 7:12 p. m.

Minutes submitted by:

Approved by:

Thomas A Schmitz, Clerk

Mike Heck, Acting Mayor