

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 Mayor Harold Hansen, Mike Heck, Neil Madison, Ken Warren, and Tony Miller. Also in attendance were Brenda Reed, Dale Dobbs, Mark Goehring, Mike Jacobson, Doug Haecherl, Tina Erickson, Tracey Urben, Bernice Piechowski, Tony Serocki, Matt Franzese, and Tom Schmitz. The meeting was called to order at 5:30pm by Mayor Hansen.

Administrator Schmitz asked if the council objects to moving the visitors up on the agenda due to the length of their drive time.

Doug Haecherl, sales person for Structural Buildings of Becker, Minnesota, was asked to attend the meeting to propose his idea of Structural Buildings providing professional services for the project management of the 9,240 square foot shop building and answer questions from the council. Duties of project management include, but are not limited to, engineering and architectural plans, create bid specs, advertising, bid opening, and project oversight. Haecherl provided an example and explained the project management process that Structural Building provided for Linwood Town Hall in Stacey, Minnesota. He stated that his company charges 10% of the completed project as the fee for providing the services listed above.

Goehring addressed the council regarding water standing in the ditch North of his property. He has concerns it regarding being a mosquito habitat. Later in the meeting, Serocki used this ditch as an example for the ditch along 3rd Street. Even when ditches are level, will retain water until it dissipates into the ground. If there are sump pumps or a spring upstream from the ditch, there may always be water standing in the ditch. This is occurring since the installation of new sewer pipes throughout town. The old piping allowed ground water to infiltrate into the system and then the water was pumped into the sediment ponds.

Consent Agenda

The approval of the minutes of the August 13th meeting was not approved as it did not reflect well what was said during that meeting. Schmitz will review the tape recording to ensure accuracy of the record. The minutes of the August 13, 2018 meeting will be reviewed and approved during the September 10th meeting.

Revenues by Department

Madison asked about the interest earnings located in the General Fund. Schmitz replied that this interest is from the money sitting in the City's checking account.

Motion by Heck with second by Madison, council unanimously approved July, 2018 Revenues by Department report.

Financial Statement

A question was asked about a deposit credited to the EDA. Schmitz thought that it was a pass thru payment of funds relating to the Coulee project. Schmitz will verify this deposit and get back to the council.

Motion by Madison with second by Miller, council unanimously approved the financial statement of August 27, 2018.

Schmitz requested that should a council member have a question regarding any part of the agenda, to contact him over the weekend or the day of the meeting so that he can give them an accurate answer instead of waiting until the night of the meeting.

Bills

Following presentation and discussion of prepaid claim, claims to be paid, and employee wages, upon motion by Warren and a second by Heck, that 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: \$32,839.00 Payroll: \$21,581.61

Building permits

Motion by Heck with second by Madison, council denied 4-0 to Wayne Hoffart to build or move in a 12' X 24' storage shed.

Memorials / Donations

i. In memory of/From	Department for Donation	Amount donated
Darlene Schaunaman	Ambulance	\$5.00
BV Celebrate/craft fair	Ambulance	\$285.00

Motion made by Miller with second by Heck, council unanimously approved the generous donations to the ambulance service

Building Permit

Motion made by Miller with second by Heck, council unanimously approved a building permit for Norm Fryer to install a new roof onto his house and to install two (2) windows into the same size openings.

Correspondence

- Library Board minutes from July 16, 2018

Motion by Warren with second by Madison, council unanimously approved the West Central Initiative’s report of the Browns Valley Growth Fund. The Growth Fund has no outstanding loans.

Unfinished Business

Schmitz stated that during the last meeting the council voted to build a new shop. Dombrowski is working out of state and unable to attend this meeting. He stated that he was hopeful that Dombrowski would be able to attend this meeting to answer questions from the council regarding separating the existing maintenance shop’s roof and the roof of the Laundromat. Schmitz reported that Dombrowski hasn’t furnished a copy of his initial bid. Schmitz has contacted the other two bidders to inform them that the job would entail removing the asphalt and backing from the steel located on the North half of the shop roof, covering on the valley and shingles from the west roof line of the Laundromat. Schmitz stated that the only bid that the City currently has is the foam product sprayed on top of the existing coverings. The front wall would still need to be secured to the rafters using anchors and plates. This would at least provide a dry building to work with until a new shop can be built.

Warren asked for the thoughts of the City’s building inspector. Mike Jacobson, “Since the council has decided to build a new shop. I would fix the area what needs to be done to make her building dry and I wouldn’t mess with the rest of the building. The shop walls were covered for a reason. I’m guessing that the cinder block underneath is failing.” “The bottom board is loose along the whole way. I would not touch the other side of that building” Hansen stated, “That bottom board is only holding the steel when they put that over the top.” Jacobson continued, “In my world it’s like, that aint right, it should have never been

allowed to go, but it is” He also stated, “ If you take the steel off, I’m guessing that the cinder block underneath it is pretty tough, and now you have a roof that is pretty shot and now you’ve got issues on the inside. I’d spray foam that thing enough to make sure that her building doesn’t leak, and I wouldn’t spend any other money on it, and then I’d get serious about putting up a shop, because you’re going to be doing one down the road anyway. Get yourself into next year and figure out a new shop, and then tear it down.” Jacobson talking about the roof on the old shop, “I wouldn’t do [patch] the whole roof. I’d do just do the part of it that just needs to be done to stabilize her.”

Heck stated, “I still think that we need to get Tina’s contractor here to find out what he’s going to do before we make any issues.”

Erickson and Tracey Urban started to talk over each other. Schmitz warned Erickson and Urban that they need to keep it orderly or they would be asked to leave the meeting.

Tina Erickson addressed the council regarding an abatement notice that she received from the City. She started with, “if this is how you guys want to resolute what’s going on with my Laundromat, good luck to ya. Stating that a City inspector came and inspected my property three different times. She stated that, “First of all, I wasn’t notified of even one inspection. Second of all, I want to see your licensed inspector that inspected it. Thirdly, if I was asked before ‘assuming’ things weren’t done, you would have been told that I had a gas company there. I’ve had a lot of inspectors on my property taking care of a lot of other issues I had. She continued, “Was I asked any of this? No! I was told my place was inspected and that there were concerns of strong odors of sewer gas smell, which doesn’t exist, and I have that in a letter and a failure in the drain and vent plumbing system. Isn’t that something, I had a plumber in there that had to redo my water lines. So, to me when I receive a letter like this, and I’m not notified of an inspection, and I’d like to know how that got to the back half of my building to inspect anything. The only thing the City could see when they walked in was where the washers and dryers are, period. My drain and stuff is in the center of that building. To me, this is a ploy to try to shut my laudromat down so you don’t have to mess with my roof. Good luck cause Wednesday I’m meeten with my lawyer and I need the name of the lawyer for your City. You do what you wanna boys, I’ll be suing you, I’ve had it.”

Schmitz responded that the building inspector was attending this meeting. Madison stated that the lawyer was also in attendance. Erickson asked Jacobson if he has a license, to which Jacobson responded, “Absolutely.”

Jacobson explained, “That he was standing in front of the building, the doors are open all of the time, fans are running all of the time. I was in there about a month ago and the smell of sewer gas almost made me sick.

Tracey Urban stated, “Are you sure it’s not the mold from these people not fixing stuff? There’s mold in there.”

Jacobson stated, “All I’m asking is have a plumber look at the system and see if there is an issue with the drain of the building. And, today it wasn’t too bad, there’s a pretty good breeze out there, but you know what, the door’s always open all the time and the fans running all the time, because obviously there’s an issue with the building.

Erickson and Urban, in an argumentative voice, began to talk loudly over each other in response to Jacobson’s remark about the fans being in the building.

Schmitz told Urban she could leave the meeting, right now. Urban did leave the meeting.

Jacobson reiterated that, "All I ask is that you have a plumber look at the waste and see if it's broken and let's figure out how." Erickson interjected that she had a licensed plumber in there. Jacobson stated, "Let's just get a report from him, that's all I'm asking."

Erickson replied, "I will be dealing with my lawyer because this is a ploy to shut that laudromat down by this City. This letter came from the City which holds the City liable. You guys have had since May to do something with this roof. You sat there and did nothing." Schmitz thanked Erickson and wished her a good night. Erickson stated as she was leaving, "That's exactly what you did and your gonna know, now you know."

Motion made by Madison with second by Miller, council unanimously approved to wait until Erickson's contractor is able to attend the meeting.

Schmitz stated that during the last meeting the council voted to build a new shop. He stated that the total project costs need to be known up front prior to making the decision to build. He asked WidsethSmithNolting (WSN) to provide a proposal for professional services for the project management of the 9,240 square foot shop building. Franzese stated that since we received quotes between \$25,000.00 and \$100,000.00 the City can use direct negotiation between the two entities to see if we can get a better deal. Franzese initially had concerns that there may be a way for the building contractor to manipulate between the bid to be awarded the job of project management and the building of the shop. After hearing Haecherl's presentation, Franzese feels that there wouldn't be a conflict of interest should Structural Buildings happens to be awarded the project management and later be awarded the job. Schmitz stated that WSN wasn't asked what the cost of the building project might be, but were asked for a proposal for professional services to provide project management and oversight of building the shop.

Council discussed possible locations that a new shop could be located. There are only three locations that are currently out of the flood plain to where a shop can be built. They are the lots on either side of the Methodist Presbyterian Church and location of the old sewer plant. It was mentioned that even if a lot has been elevated, until FEMA changes its mapping, the lot is still in the flood plain.

Motion by Miler with second by Madison, council voted 3-0 that Heck and Warren will be act as the negotiation team to address the cost for professional services for project management and oversight of the new maintenance building. Warren and Heck abstained from voting.

The mitigation of water along Second Avenue from Third Street to Fourth Street. Minnesota Rural Water Association recommended that the area be tiled to direct the water to the manhole along Fourth Street. Serocki Excavating, Inc has provided a bid for Option 1: Install 400 feet of four (4) inch drain tile with sock, backfill tile with sand, replace existing gravel on trench for the cost of \$4,840.25. Option 2: Pave asphalt back in street, shape gravel for pavement process, pave four (4) inch asphalt mat in two (2) lifts and apply tack oil as needed for the cost of \$14,920.14.

Motion by Warren with second by Miller, council voted 4-0-1 approving Options 1 and Options 2. Hansen abstained from voting.

A quote from Dakota Pump & Control, Inc. was provided for the 50 foot pump cord assembly, mileage, travel time, on-site labor, expenses, and freight to replace the pump cord that was damaged during the sewer construction project. The lift pump cord was damaged during the construction of the wastewater project and wasn't corrected by the contractor.

Motion by Miller with second by Heck, council unanimously approved the purchase and installation of the lift pump cord in the amount of \$7,000.00.

This spring it was found that the irrigator was no longer on the insurance schedule. In 2014, the old irrigator was valued at \$167,000.00. The next year the irrigator was removed from the schedule to be insured. It was identified that in 2015 the value of the irrigator was listed as \$167.00. Under LMCIT 's policy equipment or vehicles listed under a certain value are not listed on the schedule. The mistake was found when the damage to the new irrigator was reported. The reduced coverage of the irrigator was an oversight not realized when registering in 2015 and was not meant to be dropped by the City. The cost of the new irrigator was \$200,922.27. LMCIT has agreed to pay for damages to the new irrigator, but has asked to be informed the amount the City wants it insured for and that it be placed on the proper equipment schedule.

Motion by Heck with second by Warren, council unanimously approved placing the value of the irrigator system at \$200,000.00. Schmitz will contact LMCIT with this information.

Schmitz stated that he had asked the insurance adjuster if other cities insure their sediment ponds. The adjuster stated that most cities don't insure their ponds, but those that do may only insure them for \$200,000.00.

Motion by Madison with second by Heck, council unanimously approve to not insure the sediment ponds

New Business

Motion by Heck with second by Madison, council unanimously approved Invoice Number 286941 Rinke Noonan Attorneys at Law for services rendered through 07/31/18. This invoice will be paid out of the funds from the coulee project.

Motion b Heck with second by Miller, council approved Invoice Number 004016 Houston Engineering for services provided in July 2018. Motion approved 4-0-1 with Warren abstaining. This invoice will be paid out of the funds from the coulee project.

RIDEMN1.ORG raises monies for cancer by riding bicycles annually across Minnesota. This year they will begin their ride at the South Dakota Border near Browns Valley to Taylors Falls, MN. The organizer has called and asked if the City would waive the camping fee for their riders and volunteers the night of September 8.\

Motion by Warren with second by Miller, council unanimously approved to waive the camping fee for the night of September 8 for the volunteers and riders of RIDEMN1.ORG

Hansen spoke of the water sitting in the ditch along 2nd St. W. between Blaine Ave. No. and the Piechowski's bus garage. He stated that the ditch was made to shed water from the garage to the drainage ditch on the elevator property.

It was stated earlier in the meeting that Schmitz had asked WSN to provide a bid of what they would charge to manage the bidding process and oversight of building a new shop. The council was given a copy of their proposal. Going forward, Warren and Heck will negotiate a fee for this service between WSN and Structural Builders.

Attorney's Report

Franzese provided an update of his actions during the month. Wayne Hoffart sent a response to the summary judgment motion of his property at 302 W Broadway. A hearing is scheduled for September 12 in Wheaton regarding this matter.

There is a judgment against Heather Sullivan for not reimbursing the City for the ambulance training that she was signed up for.

Fire Department

Bartz reported that football books are being sold for the department's football fundraiser. Firefighter 1 and 2 are scheduled. The training is changing to internet-based with the students reporting to the training site every two weeks to practice the practical application of the training. There are a few new people being recruited onto the service. The turnout gear is 14 years old. Turnout gear should be replaced every 10 years. The gear costs about \$2,000.00 per firefighter. Bartz stated that the department was awarded a \$5,000.00 matching grant from the DNR. They will be placing the purchase of turnout gear on a five year schedule. He will be applying for funding assistance at that time. Bartz reported that the garage door is mounted. He will be adding steel to the front and back, as well as, adding spray foam to the door cavity.

Library

Piechowski reported that the after school and Saturday programs in the upcoming weeks. She added that attendance during the summer programs was 15 to 20 children as well as parents attending. She is hoping to line up a regional program through the Legacy fund for October.

Public Works

Serocki reported that he isn't having much luck finding a contractor to patch the concrete curb in front of the liquor store. Being the curb is on the State highway, he is unable to do it himself. He stated that a different storage place will need to be found for the garage doors that were removed from the Fire Hall as he will need the space in the shop.

Administrator's Report

Schmitz reported that he attended a health insurance meeting in Fergus Falls at Lakes Country Service Cooperative. The fact that the City is a small group is hurting us with the cost of the premiums. Even though the City was grandfathered in with the policy that we are currently on, the insurance premium will be increasing an additional 22%. The single premium currently is \$814.00 and increasing to \$993.00. The family premium currently is \$1,632.00 and increasing to \$1,991.00. The overall increase of insurance coverage over the next year, should everyone stay on the City's policy, will be \$12,900.00 or \$71,556.00 for the year. Schmitz stated that the health insurance premiums can be reduced by going with a policy with a health savings account. Schmitz will be looking at other options.

Schmitz reported that it is unknown who owns the strip of land between Renville Street and the Little Minnesota River. A title search will need to be done prior to any mitigation being done along the riverbank.

Moved by Heck to adjourn the meeting at 7:23pm.

Minutes submitted by:

Approved by:

Thomas A Schmitz, Clerk

Mike Heck, Acting Mayor