

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF BACKUS, CASS COUNTY, MN. JANUARY 9, 2012 7:00 PM

CALL TO ORDER: The meeting was called to order by Mayor-Pro Tem Steve Braker at 7:03 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL: Council members present: Braker, Thomas, Kriesel, Borst. Absent: Mayor Dean Engen

CONSENT AGENDA:

MOTION: A motion was made by Borst and seconded by Thomas to approve the consent agenda. All in favor. Motion carried.

MAYOR'S REPORT: Mayor Pro-Tem Braker opened for discussion the following 2012 City Appointments.

Mayor Pro-Tem	Steve Braker
Airport Commissioner	Denny Williams
Finance and Parks Commissioner	Steve Braker
Fire and Police Department Commissioner	James Thomas
Water and Sewer Commissioner	Dean Engen (Mayor)
Street Commissioner	Wanda Kriesel
Weeds Commissioner	Dean Engen (Mayor)
Health Commissioner	Rae Borst
Personnel Liason	Rae Borst
Official Newspaper	Pine River Journal
City Attorney	Gammello, Qualley, Person & Mallak
Official Depository	First National Bank of Walker (Backus)
City Engineers	Widseth Smith Nolting & Assoc.
Council Meeting Dates	First Monday of each month (unless legal holiday falls on first Monday – then following Monday – 7:00 p.m.

MOTION: A motion was made by Kriesel and seconded by Thomas to approve the 2012 Appointments. All in favor. Motion carried.

WATER/WASTEWATER REPORT: Lee Bundy, city water/wastewater operator was not present so the City Clerk read details of the operator's written report.

Matt Reid of SEH was present to update the council on the following matters. Reid mentioned the abandonment of the old drain field and the options available to the council including leaving it in the ground and options for removal. The council decided to bid the removal of the drainfield pipe as an alternate bid. He also mentioned that Mike Nethercutt of the Sewer Committee is checking with the board chair of the Pine River

Chamber of Commerce to see if they will grant Backus an easement for the wastewater project. The council was also asked about the type of fence they wanted around the new lift station. They were presented with a maintenance free option and asked for a chain-link option. USDA Rural Development is reviewing the Preliminary Engineering Report for the wastewater project and comments are expected in the next couple weeks. Lastly, Reid requested the council authorize SEH to submit necessary DNR and MPCA permit applications and associated fees.

MOTION: A motion was made by Borst and seconded by Thomas to approve submitting the necessary DNR and MPCA permits and associated fees for the wastewater project. All in favor. Motion carried.

City Clerk Jeff Turk asked the council to rescind the motion made at the December 5, 2011 council meeting passing a Service Connection Fee onto water consumers. Turk explained that this is not a new fee and is already being passed on to the consumers.

MOTION: A motion was made by Thomas and seconded by Borst to rescind the motion passing a \$6.36 connection fee onto water consumers. All in favor. Motion carried.

PUBLIC FORUM: There was no public comment at the meeting.

POLICE REPORT: Sgt. Chad Bouc was present and reported that there were calls in December that included traffic issues, citations, warnings, a theft, medical calls, predatory offender calls, probation violation, and property damage. Bouc introduced a recently hired patrol officer, Nathan Gainey. Bouc also mentioned that the new department radios were up and running and that they were definitely an asset to the police department.

FIRST RESPONSE: The city clerk reported that there was a resignation from the First Responders.

FIRE DEPARTMENT: The city clerk reported that there was a resignation from the Fire Department.

STREETS AND PARKS: There was discussion regarding the status of the proposed closing of a portion of Lyllian Blvd. The city clerk explained to the council the former city attorney informed the clerk that in order to close a city street by petition there needed to be the requisite number of signatures on the petition. The petitioner, Phil Casperson only has two signatures on the presented position which is not enough therefore making the petition invalid. Also, if the council was going to close the portion of the street by council motion, they would need a 4-1 vote in order to do so. It was also pointed out that there is no formal commitment from Casperson to pay the associated legal fees and street removal costs. Therefore the following action was taken:

MOTION: A motion was made by Borst and seconded by Thomas that the city clerk is instructed to draft a letter to Phil Casperson stating that the petition he has presented the council is invalid and that he needs to resubmit a valid petition with the requisite number of signatures within 60 days of the date of the letter before anymore action is taken

regarding the closing of a portion of Lyllian Blvd or the issue will be closed. All in favor. Motion carried.

AIRPORT: Maintenance employee Dale Vredenburg presented a request to the council to hire Sawyer Timber Company to remove brush at the airport. The removal is a requirement from the MN Department of Transportation.

MOTION: A motion was made by Borst and seconded by Kriesel to approve quote from Sawyer Timber Company (not to exceed \$500) to remove brush at the airport. All in favor. Motion carried.

CITY CLERK'S REPORT: The city clerk made a request for upcoming training. The Clerk's Conference is March 20-23 in St. Cloud. Approximate cost will total \$550 which will cover 3 nights lodging, meals, mileage, and the conference fee. The MCFOA Certification Training is April 23-27. Approximate cost to the city would be \$450.00. The clerk informed the council that he has a place to stay in the Minneapolis area and therefore there would be no lodging cost to the city. The only cost would be the training fee, meals and mileage totaling approximately \$450.00. There are funds in the 2012 budget available. Councilmember Kriesel mentioned that she would be willing to fill in at the city office during the clerk's absence.

MOTION: A motion was made by Thomas and seconded by Borst to approve the requested training for the city clerk. All in favor. Motion carried.

The clerk also made a recommendation to close the debit card account and tie the city's debit cards to the General Fund. This recommendation was due to the time it takes to reconcile the debit card account and account for the transactions. The debit cards will still have a \$500 per day spending limit.

MOTION: A motion was made by Kriesel and seconded by Borst to tie the debit cards to the General Fund and close the debit card account. All in favor. Motion carried.

The clerk presented the audit engagement letter from Mayer, Porter & Nelson, Ltd. The 2011 audit will cost \$6,750.

MOTION: A motion was made by Kriesel and seconded by Thomas to authorize the city clerk to sign the audit engagement letter with Mayer, Porter & Nelson. All in favor. Motion carried.

Lastly, the clerk presented a quote from American Legal Publishing stating that it would cost the city \$850 or less to update the city code book.

MOTION: A motion was made by Thomas and seconded by Kriesel to use American Legal Publishing to update the city code book not to exceed a cost of \$850. All in favor. Motion carried.

MAINTENANCE REPORT: Dale Vredenburg informed the council that that there has been no snow plowing due to the lack of snow. He has been using vacation time and he has also been trimming branches to widen streets.

ZONING: The clerk read a letter from Jennifer Person regarding her proposed wellness clinic at 206 Carpenter. The letter informed the council that the purchase of the house fell through and therefore there was no need for a conditional use permit.

MOTION: A motion was made by Kriesel and seconded by Thomas to rescind the motion from the December 5, 2011 meeting granting Jennifer Person a conditional use permit to operate a wellness clinic at 206 Carpenter provided she present the city with her credentials. All in favor. Motion carried.

EDA: The city clerk informed the council that the listing for the townhomes was up December 31, 2011. The clerk recommended not relisting the property and instead refinancing the property to lighten the annual cash requirements. The clerk was instructed to look into the refinancing. The next EDA meeting will be Tuesday, January 17, 2012.

GENERAL GOVERNMENT:

The clerk presented to the council a bid from Outdoor Solar Store.com for a solar powered light for the city's flag pole in the amount of \$155 plus shipping.

MOTION: A motion was made by Thomas and seconded by Borst to authorize the clerk to purchase solar lighting for the city flag pole not to exceed \$175. All in favor. Motion carried.

The 2012 personnel policy was presented to the council. The council decided to have a workshop to review the policy and instructed the clerk to contact the League of Minnesota Cities to learn the correct procedure for having a workshop.

The city clerk explained that by lowering the 2012 levy at the last meeting that the approved budget needed to be amended.

MOTION: A motion was made by Thomas and seconded by Borst to authorize the clerk to amend the budget in the necessary areas to reflect the lowered levy. All in favor. Motion carried.

There being no other business to come before the council, a motion was made by Thomas and seconded by Borst to adjourn the meeting at 9:46 p.m. All in favor. Motion carried.

Signed: _____
Jeff Turk, City Clerk/Treasurer

Signed: _____
Steve Braker, Mayor Pro-Tem