

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

CALL TO ORDER: The meeting was called to order by Mayor Dwight Heim at 7:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL: Council members present: Mayor Heim, Braker, Thomas, Borst.

CONSENT AGENDA:

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

MAYOR'S REPORT:

Mayor Heim reported that Council Member Wanda Kriesel resigned her position on the council and the EDA board effective April 4, 2012.

MOTION: A motion was made by Thomas and seconded by Borst to accept Wanda Kriesel's resignation effective April 4, 2012. All in favor. Motion carried.

The Mayor then presented a letter from him to former city attorney James McGill requesting a \$221 credit. The council had no objection to the letter and the clerk was instructed to mail it.

WATER/WASTEWATER REPORT: Lee Bundy, city water/wastewater operator was present and reported that the monthly water usage report. Bundy informed the council of a party that was interested in purchasing the city's drain field upon completion of the waste water project. The party will be using the existing tanks as a winter storage vessel and would destroy the drainpipe at the field as per the MPCA. Steve Braker will work with Bundy and meet the potential purchaser. Also reported was the upcoming flushing of hydrants and the need for the pump house roof to be painted.

SEH engineer Greg Kimman informed the council that he met with the DNR regarding the requirements for sewer line boring along the Paul Bunyan Trail. He suggested that the city negotiate 5 years of responsibility for controlling invasive species along the trail as opposed to the 50 years proposed by the DNR. The council authorized SEH to draft a letter to the DNR requesting these changes.

The council was asked about allowing citizens to hook up seasonal yard hydrants for the spring/summer watering months and disconnect them at the end of the season without having to pay for them for a year after disconnection.

MOTION: A motion was made by Braker and seconded by Thomas to approve the hook up of seasonal watering hydrants for the spring/summer watering months and disconnection at the end of the season without having to pay for water service for one

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year following disconnection. Minimum rate of \$24.50 plus overage. All in favor.
Motion carried.

PUBLIC FORUM: A citizen expressed concern about the cardboard in the dumpsters across from city hall blowing into yards. Maintenance employees, on several occasions, have picked up the debris but it is the responsibility of the dumpster owners.

POLICE REPORT: Police Chief Chad Bouc was present and reported that there were 13 calls for service in April that included intoxicated individuals, property damage, welfare check, medical calls, and traffic citations. He said it has been quiet.

FIRST RESPONSE: Jason Smith reported that the First Responder's received \$9,000 in donations in April and that things have been quiet.

FIRE DEPARTMENT: Chief Karl Flier reported a good turn out for the Smelt Fry and that 695 people attended. He also reported the addition of Elizabeth Steffan and asked for the council's approval.

MOTION: A motion was made by Borst and seconded by Thomas to approve the hiring of Elizabeth Steffan to the Backus Fire Department. All in favor. Motion carried.

Flier also reported a the resignation of Jacob Dwier from the department.

MOTION: A motion was made by Braker and seconded by Borst to accept the resignation of Jacob Dwire from the Backus Fire Department. All in favor. Motion carried.

STREETS AND PARKS: The need for grading was presented to the council. Areas included were the Rocky Dock Lot, Point Road, Alley behind the post office, and 2nd Avenue. Maintenance employee Dale Vredenburg suggested that Schrupp Excavating once again be called to complete the task.

MOTION: A motion was made by Braker and seconded by Thomas to grade the needed roads and alleys as discussed. All in favor. Motion carried.

It was suggested that the city forego street sweeping this year as there was not a lot of snow in the winter and there wasn't call for the streets to be sanded this last winter.

MOTION: A motion was made by Borst and seconded by Thomas to forego sweeping the streets this year. All in favor. Motion carried.

Two quotes were presented for crack filling on Wood Street. Anderson Brothers was the lowest cost.

MOTION: A motion was made by Borst and seconded by Braker to authorize Anderson Brothers to do the crack filling on Wood Street. All in favor. Motion carried.

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Rich Kenly, an attorney for King Street resident Kurt Sawyer was present to discuss the road restrictions on King Street and Hazel Street that the council voted to keep on all year at last months meeting. He asked for the City Attorney's name and telephone number. Mayor Heim stated that the city will also look further into the restrictions and would work to resolve any concerns.

AIRPORT: No report.

CITY CLERK'S REPORT:

The Cornfest Committee asked if they could sell Cornfest Post Cards in City Hall as a fundraiser.

MOTION: A motion was made by Thomas and seconded by Braker to allow the Cornfest Committee to sell fundraising postcards in the City Hall. All in favor. Motion carried.

The clerk presented two requests for the city's membership. The clerk informed the council that there was no need to continue paying dues for organizations that the city doesn't benefit from.

MOTION: A motion was made by Thomas and seconded by Braker to decline memberships with Minnesota Association of Small Cities and Rural Water Association. All in favor. Motion carried.

The clerk presented a past due water and sewer bill in the amount of \$147.66 belonging to Heart-O-Lakes Realty. This amount was supposed to be included and paid by the seller of 340 Washburn Ave when the house was sold. A new owner presently owns the property and since this amount is still outstanding and was not settled during the sale, it technically is not the responsibility of the buyer.

MOTION: A motion was made by Borst and seconded by Braker to write off the \$147.66 from account 302 for the property located at 340 Washburn Avenue. All in favor. Motion carried.

MAINTENANCE REPORT:

The council was presented with financing options for the purchase of the new Ford F-350 4X4 maintenance vehicle. Using the Ford Credit Municipal Finance Program, the city can lease the vehicle for five years with a \$1 buy back. Several payment options and down payment options were presented to the council.

MOTION: A motion was made by Braker and seconded by Thomas to lease a 2012 Ford F-350 pickup with necessary options and accessories with the Ford Credit Municipal Finance Program for the amount of \$32,157 with \$10,000 down payment for five years with a \$1 buy back. All in favor. Motion carried.

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The Mayor reported that he and the City Clerk interviewed the qualified most qualified applicant for the part-time, summer maintenance position. Candidate's name is Justin Cook. Suggested starting rate of pay was \$12 per hour with a 30 day probation period.

MOTION: A motion was made by Braker and seconded by Borst to hire Justin Good for the part-time maintenance position at a rate of \$12 per hour immediately after a criminal background check and with a 30-day probation period. All in favor. Motion carried.

A request was made by a tenant of the Backus Senior Townhomes for reimbursement of maintenance supplies purchased by the tenant including batteries for smoke detectors, bug spray and dandelion spray. After much discussion, it was decided that only the maintenance department was to purchase and apply such items. Also, the city clerk was instructed to write the tenant a letter informing them of this policy.

MOTION: A motion was made by Thomas and seconded by Borst to dismiss the tenants request for reimbursement. In favor: Borst, Thomas. Opposed: Braker. Motion carried.

The issue of the boilers at the townhomes was brought up and it was suggested that before purchasing new boilers for the units, that Jason Smith would inspect and determine what needed to be done with the boilers.

MOTION: A motion was made by Borst and seconded by Thomas to have Jason Smith inspect and make recommendations on the repair or replacement of the Backus Senior Townhome boilers. In favor: Borst and Thomas. Opposed: Braker. Motion carried.

ZONING: A Public Hearing was held prior to the regular meeting on May 7, 2012 to discuss a request by Jennifer Person to obtain a conditional use permit to operate a wellness center at 340 Washburn Avenue in Backus. There was no objection from adjacent residents or citizens or zoning at the hearing.

EDA: The EDA did not meet in April but will be meeting but is planning to meet on Monday, May 14, 2012.

GENERAL GOVERNMENT:

The City Clerk presented the council with a letter from Cass County regarding five tax forfeited lots on Wood Street. The city has the option to review and hold the land before public auction should it wish to purchase it.

MOTION: A motion was made by Thomas and seconded by Braker to draft a letter to the Cass County Land Department informing them that the City of Backus would like the opportunity to review the land purchase option. All in favor. Motion carried.

The City Clerk presented Resolution 2012-12 acknowledging donations from the Town of Deerfield, Countryside Co-op, Powers and Ponto Lake Townships.

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MOTION: A motion was made by Braker and seconded by Borst to adopt **Resolution 2012-12 Acknowledging Donations from Town of Deerfield \$250, Countryside Co-op \$1,000, Powers Township \$2,000 and Ponto Lake Township \$6,000.** All in favor. Motion carried.

There being no other business to come before the council, Mayor Heim adjourned the meeting at 9:47 p.m.

Signed: _____
Jeff Turk, City Clerk/Treasurer

Signed: _____
Dwight Heim, Mayor