

**PERHAM CITY COUNCIL
REGULAR MEETING MINUTES
November 8, 2010**

The regular meeting of the Perham City Council was called to order by Mayor Meehl at 5:15 pm in the Council Chambers of the City Administration Building at 125 Second Avenue NE, Perham, Minnesota, all members of the Council having been duly notified of the meeting and the business to be transacted. Council Members present were Johnson, Lehmkuhl, Mattfeld and Mayor Meehl. City Attorney Happel was present.

Staff present: City Manager Klemm, Public Works Director Meece, Finance Officer McCall, EDA Director Johnson, Police Chief Hoaby and Administrative Assistant Nundahl.

Others present: Building Official Neisen, City Engineer Berube

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Meehl requested all in attendance to rise for the Pledge of Allegiance.

OATH OF OFFICE

Mayor Meehl stated Council may wish to appoint Eric Spencer to fill the open Council position vacated by Anita Mycke. It was noted, Mr. Spencer was elected to fill the two-year open Council seat and will be sworn in to complete that term in January with the rest of the Council members and Mayor.

On a motion by Council Member Lehmkuhl, seconded by Council Member Mattfeld and carried without a dissenting vote, the Council appointed Eric Spencer to fill the open Council position.

City Manager Klemm administered the oath of office to Eric Spencer.

Mayor Meehl acknowledged Anita Mycke for her six years of service with a plaque.

CITIZENS CONCERNS

Mayor Meehl stated audience members may address the Council at this time. No one approached the Council.

APPROVAL OF AGENDA

Mayor Meehl stated Council Members and Staff may add items to the Agenda which requires Council action.

On a motion by Council Member Johnson, seconded by Council Member Lehmkuhl and carried without a dissenting vote, the Council approved the agenda as presented.

CONSENT AGENDA

Mayor Meehl stated all items listed with an asterisk (*) will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event, the item will be removed from the general order of business and considered separately in its normal sequence on the agenda.

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved the consent agenda as presented.

***APPROVAL OF MINUTES**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved the minutes of the Regular Meeting of the Council held on October 11 and Special Minutes of October 27.

APPROVAL FOR PAYMENT OF CITY CLAIMS

Finance Officer McCall requested the following additions be considered for payment: Dick Duffney in the amount of \$931.60, JP Cooke Co. in the amount of \$43.71, Marco in the amount of \$953.00, Otter Tail Power in the amount of \$67.52, Carol Peeters in the total amount of \$606.73, Titan Machinery in the total amount of \$1096.02 and Viking Gas in the amount of \$37,445.93. It was noted, Herzog Roofing will have a reduction in their bill of \$601.56. A discussion ensued.

On a motion by Council Member Johnson, seconded by council Member Lehmkuhl and carried without a dissenting vote, the Council approved City Claims in the amount of \$1,434,356.63

CANVASS VOTES FOR CITY ELECTION

Mayor Meehl stated Council may wish to consider canvassing the votes for the City Election and declare results.

City Manager Klemm stated a total of 1,196 ballots were cast for the City. Tim Meehl received the highest votes for Mayor, Fred Lehmkuhl and Harriet Mattfeld received the highest votes for the two four-year Council seats and Eric Spencer received the highest votes for the two-year Council seat. City Manager Klemm stated these Council representatives will be sworn in at the first Council meeting in 2011. A short discussion ensued.

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved Resolution No. 2010 – 51 entitled “Resolution Certifying Results Of The 2010 General Election”. City Manager Klemm congratulated each of the Council Members and gave them a Certificate of Election.

***POLICY REGARDING RECORD RETENTION**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved a policy regarding destruction of records.

***SPECIAL COUNCIL MEETING**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council scheduled a Special Council Meeting and the Committee of the Whole for Tuesday, November 23 at 5:15. It was noted, the agenda for the Special Council Meeting will include the submittal of a grant application for the Highway 10 and County Road 34 interchange and further discussion regarding railroad

crossings.

***ACCEPTANCE OF PERHAM LAKESIDE GOLF CLUB INCOME STATEMENT**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council accepted the PLGC's Income Statement for September 2010.

***ACCEPTANCE OF PERHAM AREA COMMUNITY CENTER'S FINANCIAL REPORTS**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council accepted the PACC's Financial Reports for September, 2010.

***ACCEPTANCE OF THE CITY'S FINANCIAL REPORTS**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council accepted the following reports for October 2010: Cash Balance and Investment Summary, Budget Summary – Revenue and Expense, Enterprise Financials and the Utility Aging Report.

***FIRE DEPARTMENT/ TRANSFERRING FUNDS TO RELIEF ASSOCIATION**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved transferring fire donations from the City Fire Fund to the Relief Association and Resolution No. 2010 – 52 entitled "Resolution Transferring Fire Department Donation Funds To The Perham Fire Relief Association".

***ACCEPTANCE OF THE BUILDING PERMIT REPORT**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council accepted the Building Permit Report for October 2010.

CITY ENGINEER MONTHLY UPDATE

Mayor Meehl stated City Engineer Berube will give an update on various projects.

Clearwater First Addition

City Engineer Berube stated the only item remaining is the submittal of an updated televising report of the sanitary sewer lines, all other items have been completed. The final monthly estimate will have to be revised because an additional concrete apron was placed in Krauss Park. The prime contractor is waiting for the final paperwork from the subcontractors and will be sending the information to the City to allow for final payment this month.

First Avenue South

City Engineer Berube stated First Avenue South is complete with the exception of some minor punch list items. The punch list was sent to the contractor in September and one half of the items have been completed. We are waiting for a response to the remaining items and the timeline for completion. Final quantities have been submitted to the contractor for approval to expedite the closeout process.

Third Street Northwest/Sixth Avenue Northwest/Pinewood Circle

City Engineer Berube stated the concrete subcontractor has not made it back to the site. The prime contractor has indicated that he will be completing the work that the concrete subcontractor was to complete so the project can be closed out.

New Creation Lutheran Church

City Engineer Berube state all underground utilities have been constructed to the new facility. Turf and minor touchup work remain at the site.

Runway 12/20 Reconstruction

City Engineer Berube stated the final monthly estimate has been sent to the contractor for approval. All work has been completed on the site, and the paperwork for the final payment is in the process of being completed.

5:30 PUBLIC HEARING

ASSESSMENT HEARING FOR 2010 UTILITY IMPROVEMENTSNEW CREATION LUTHERAN CHURCH

Mayor Meehl stated the purpose of this hearing is for the 2010 Utility Improvements for the New Creation Lutheran Church Project. The Public Hearing for the Project was held on May 10, 2010. The purpose of this assessment hearing is to correct any errors or inequities in the assessments, such as multiplication errors or wrong owner listed. Also, any concern an owner has relating to the assessment procedure should be discussed. The hearing is required under Chapter 429 of the Minnesota Statutes.

Mayor Meehl stated this assessment hearing is not to discuss whether or not the project should have been constructed or how it was accomplished. At the initial hearing on the proposed improvement, a general description of the work, along with the estimated assessment rates were presented, and all affected property owners were given an opportunity to be heard. A subsequent decision was made by the Council to proceed with the improvements. Complaints should be made to the City Manager's office. Any concern which cannot be satisfied by the City Manager's office shall be forwarded to the Contractor, Engineer or City Council, whichever may be the most appropriate.

Mayor Meehl stated property owners will be handled on an individual basis and in order of the sign-in sheet. If you have any questions on your assessments, sign in on the sheet. The Engineer will review your assessment with you following the Hearing. Jade Berube, the Engineer will give a presentation on the project improvements and costs. The City will answer questions regarding the payment procedures for the assessments, the term, interest rate and other applicable information.

City Engineer Berube stated the improvements for the Project consisted of watermain and sanitary sewer extensions. These extensions were necessary to provide services to the new church and the surrounding area. Final cleanup of the project area will be verified in the spring. Minor touchup of the seeding is anticipated as well as other minor cleanup items.

City Engineer Berube stated after the May Public Hearing regarding the utility improvements for the Project, the City Council reviewed the figures for the improvements and approved a procedure for assessing a portion of the costs for the

improvements to the benefiting abutting property owners. The improvements that would be assessed for the project included watermain and sanitary sewer construction. Select properties also received assessments for prior improvements.

City Engineer Berube state due to favorable bids for the project, the assessment figures that were presented at the May Public Hearing were reduced. The following is a summary of the final assessment rates and the assessment rates presented at the Public Hearing held on May 10, 2010:

	Public Hearing May 10, 2010	Assessment Hearing November 8, 2010
Watermain	\$15,800/L.S.	\$7,788.73/L.S.
Sanitary Sewer	\$16,500/L.S.	\$13,011.43/L.S.
Water Service	Not Available	\$3,790.07/L.S.
Previous Street Assessment		\$1,937.00/L.S.
Previous Lift Station Assessment		\$4,566.00/L.S.

Mayor Meehl opened the hearing for comments. No one appeared for or against. It was noted, no written or verbal comments were received prior to the hearing. City Manager Klemm stated both benefiting property owners signed "Agreement Of Assessment And Waiver Of Irregularity And Appeal, New Creation Lutheran Church Improvement Project" prior to the start of the project. The public hearing was closed. A short discussion ensued.

On a motion by Council Member Lehmkuhl, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved Resolution No. 2010 – 53 entitled "Resolution In The Matter Of Adopting The Assessment Roll For The New Creation Lutheran Church Project, Perham, Minnesota".

PRELIMINARY ENGINEERING REPORT

Mayor Meehl stated Council may wish to consider approving a resolution calling for a Preliminary Engineering Report for improvements on streets adjacent to Barrel O Fun. City Manager Klemm reviewed the streets that would be included in the proposed project.

City Manager Klemm stated when the Council receives the Preliminary Engineering Report, they will need to determine if the project is feasible. If the project is feasible, Council will call for an improvement hearing and staff will notify all of the benefiting property owners. City Manager Klemm recommended Council schedule the Assessment Hearing prior to making improvements because we may have some objection to the project.

City Engineer Berube stated that the streets in the area will be thicker due to the heavy truck traffic and noted the industries in this area will be assessed more for the additional costs. Discussion ensued regarding this project not being on the Five-Year Capital Improvement Plan. City Manager Klemm noted the Plan will need to be amended.

Discussion ensued.

On a motion by Council Member Lehmkuhl, seconded by Council Member Johnson and carried without a dissenting vote, the Council approved Resolution No. 2010 – entitled “Resolution In The Matter Of Ordering Preliminary Engineering Report For Improvements On Fourth Street NW From Lake Avenue To Sixth Avenue NW, Fifth Avenue NW From Third Street NW To Fifth Street NW And Lake Avenue From Third Street NW To Fifth Street NW, Perham, Minnesota”

***FEDERAL ECONOMIC DEVELOPMENT ADMINISTRATION APPLICATION FOR INVESTMENT ASSISTANCE**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council authorized the submittal of a grant application for expansion of the Wastewater Treatment Plant and Resolution No. 2010 – 55 entitled “Resolution In The Matter Of Approving Application To The Economic Development Administration For The Renovation And Construction Of Wastewater Treatment Pond”.

***PURCHASE PICK-UP**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council authorized the purchase of a pick-up from Nelson Auto Center of Fergus Falls who submitted the low quote for the Wastewater Department.

***SQUAD CAR LEASE AGREEMENT**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council authorized entering into a 2011 Lease Agreement for a squad car.

***ACCEPTANCE OF THE MONTHLY POLICE REPORT**

On a motion by Council Member Mattfeld, seconded by Council Member Johnson and carried without a dissenting vote, the Council accepted the Monthly Police Report for October 2010.

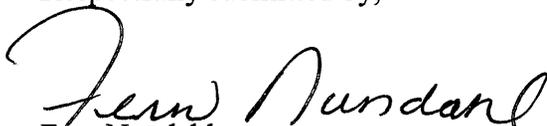
INFORMATION AND ANNOUNCEMENTS

The City Offices will be closed on the following days: Thursday, November 11, Veteran’s Day, Thursday, November 25, Thanksgiving Day and Friday, November 26
Parade of Lights is at 5:30 on Friday, November 26
The next regular Council Meeting is scheduled for December 13th at 5:15 pm
Pot Luck Dinner, Monday, December 21 @ 11:30

ADJOURNMENT

On a motion by Council Member Lehmkuhl, seconded by Council Member Mattfeld and carried without a dissenting vote, the meeting was adjourned at 5:50 p.m.

Respectfully submitted by,


Fern Nundahl
Administrative Assistant