

City Council
2021 August Council Meeting Agenda
Vergas Event Center and Zoom Id number 267-094-2170 (password 56587)
6:30 PM on Tuesday, August 10, 2021

1. Public Hearing - Townline Road
2. Call to Order
3. Citizens' Concerns
4. Agenda Additions and Deletions
5. Approval of Consent Agenda
 - a. Council Minutes of the July 13 and 22, 2021
 - b. Liquor Store bills for July 2021
 - c. Bills paid between Council meetings and Council bills
 - d. Late water/sewer bills
 - e. General Fund/Special Revenue Money Market Account Report
 - f. 2021 Investment Schedule/Bond Schedule
 - h. Certified bills to property taxes
6. City Attorney
 - A. Thank you to retiring Attorney Steve Peloquin
 - B. Welcome to new Attorney Firm: Ramstad, Skoyles & Winters, P.A.
7. 1156 Frazee Ave
8. Mayor's Update
9. Committee Reports
 - a. EDA/HRA
 - b. Park Advisory Board
 - c. Planning Commission
 - d. Event Center Advisory Board
10. 88 Park View Drive - Berm
11. 105 Main Street
 - a. Community Growth Partnership Grant
 - b. Tax Abatement
12. Construction Permits
 - a. 151 1st Ave N, siding and replace current signs (to be mounted on building- same size and current signs)
 - b. 401 W Lake St., fence, rock moving, gate, planting trees
 - c. 100 S Townline Road, shed
13. LMC-Liability Coverage -Waiver
14. Ottertail County Property - 140 E Linden St
15. Ole's Ride
16. Attic Shoppe Lease
17. Otter Tail Lakes Country Association
18. Fiscal Agent

- a. Pickleball
 - b. Veteran's Memorial
19. Veterans Memorial
- A. Assignment of City Representative
 - B. Phase 1
20. Staff Reports
- a. Utilities Superintendent Report
 - b. Liquor Store Manager Report
21. Information & Announcements
- a. MN Rural Water Conference-Aug 24-26, 2021 (DFrane) St Cloud
 - b. Clerks Advanced Academy- Sept. 23-24, 2021 (Lammers) St Cloud
 - c. MN Beverage Association (MMBA)-Sept. 25-28, 2021 (Kaplan) Alexandria
22. Adjournment

CITY OF VERGAS
PUBLIC HEARING
VERGAS EVENTS CENTER & ZOOM
Tuesday, August 10, 2021

The City Council of Vergas met at 6:30 pm, on Tuesday, August 10, 2021, at the Vergas Event Center and in a Zoom hybrid meeting for a public hearing on Townline Road Dedication with the following members present: Mayor Julie Bruhn, Council Members: Bruce Albright, Paul Pinke, Logan Dahlgren and Natalie Fischer. Absent: none. Also present: Clerk/Treasurer Julie Lammers, Utilities Superintendent Mike DuFrane, Steve Peloquin, Chuck Boehn, Vanessa Boehn, Sherri Hanson, Maria Sontag, Carol Albright, Keith Bunkowske, Shelley Bunkowske, Samuel Brown, Marie Schultz, Shari K Brown, Christen A Brown, Larry Golkowski, Terry Engel, James Sandau, Rosemary Sandau, Jessica Sonnenberg, David Schultz, Jill Shipman, Bryan Buhr and Patrick Bakken.

Bruhn opened public hearing regarding Townline Road.

Albright reviewed the need for dedication of Townline Road. Property owners asked the following questions: What is the next step? What does the city want to do with Townline Road? Is the City going to maintain the road as it is not currently maintaining Scharf Avenue?

Attorney Steve Peloquin reviewed information on dedication of the road.

Keith Bunkowske asked about maintenance of road as in the past the city has pushed brush over to the side of the road and never cleaned it up. They have even broken fence line and not repaired.

Rosemary Sandau questioned if road would have dust control if City maintained the road.

Bruhn closed the public hearing at 7:15 pm.

CITY OF VERGAS
COUNCIL MINUTES
VERGAS EVENTS CENTER & ZOOM
Tuesday, August 10, 2021

The City Council of Vergas met at 7:15 pm, on Tuesday, June 8, 2021, at the Vergas Event Center and in a Zoom hybrid meeting for a council meeting with the following members present: Mayor Julie Bruhn, Council Members: Bruce Albright, Paul Pinke, Logan Dahlgren and Natalie Fischer. Absent: none. Also present: Clerk/Treasurer Julie Lammers, Utilities Superintendent Mike DuFrane, Steve Peloquin, Chuck Boehn, Vanessa Boehn, Sherri Hanson, Maria Sontag, Carol Albright, Keith Bunkowske, Shelley Bunkowske, Samuel Brown, Marie Schultz, Shari K Brown, Christen A Brown, Larry Golkowski, Terry Engel, James Sandau, Rosemary Sandau, Jessica Sonnenberg, David Schultz, Jill Shipman, Bryan Buhr, Nathan Kunde and Patrick Bakken.

Mayor Julie Bruhn called the meeting to order.

No citizens' concerns were discussed.

Motion by Pinke, seconded by Fischer to accept agenda with the addition of construction permit, Otter Tail Power Franchise agreement and personnel committee report. Motion passed unanimously.

Motion by Albright, seconded by Fischer to approve the following consent agenda items with the removal of the council minutes of July 13 and 22, 2021, General Fund/Special Revenue Money Market Account Report, 2021 Investment Schedule/Bond Schedule and certified bills to property taxes.

- a. Liquor Store bills for July 2021 for \$119,385.94.
- b. Bills paid between Council meetings and Council bills for \$70,157.76.
- c. Late water/sewer bills

Motion passed unanimously.

Pickleball phase 1 will consist of dirt work, concrete and movable nets. Committee has decided to only build 4 courts and they have 100% of funding for phase 1. Motion by Dahlgren, seconded by Pinke to approve pickleball to move forward with phase 1. Motion passed unanimously.

Nathan Kunde of Otter Tail Power Company presented Franchise Agreement to the Council, a 20-year renewable agreement to use public right-of-ways, once it is updated the city may add a franchise fee. Otter Tail Power would administer the fee to our residents and provide payment to the city. Currently Otter Tail Power has 6 communities collecting these fees. The steps in completing this include: approval of ordinance, public notification and final approval. The franchise fee can be activated at any time during the next 20 years. Motion by Albright, seconded by Pinke to approve Otter Tail Power Franchise Agreement. Motion passed unanimously.

Mayor Bruhn thanked retiring Attorney Steve Peloquin for serving Vergas these past 20+ years. Council welcomed new attorney firm Ramstad, Skoyles & Winters, PA. Motion by Albright, seconded by Pinke to approve the resolution approving State of Minnesota Joint powers agreement with the city of Vergas on behalf of its City Attorney (complete copy of resolution located at the city office). Motion passed unanimously. Motion by Dahlgren, seconded by Fischer to approve contract for Legal Services with Ramstad, Skoyles & Winters with update of hourly and monthly amounts. Motion passed unanimously.

Bryan Buhr representing property owners of 1156 Frazee Avenue questioned the direction of his requests from last month. Attorney Steve Peloquin advised Council and employees to have all communication in writing. Letter from Steve Peloquin to Ryan Weibye (property owner) was presented to the Council. Peloquin stated with the current threat of litigation the city needs to find out what the intentions of Buhr's and residents he represents are. Peloquin advised Council to have a closed session to give responses. The city will wait for questions in written form and then the city will respond. Buhr requested a special meeting and Peloquin advised to arrange a closed meeting by both parties.

Mayor Bruhn reviewed the roles of individual versus Council Authority.

Albright reviewed EDA/HRA meeting held on August 4, 2021 (minutes available at the Vergas City Office). Council discussed tax abatement of \$5,000 per housing unit and/or per commercial building or 5 years whichever is less per parcel. Council requested EDA give a more detailed explanation of reasons for abatement amounts.

Carol Albright reviewed the Park Board meeting held on July 22 and August 3, 2021 (minutes available at the Vergas City Office).

Albright reviewed Planning Commission meeting minutes of July 26, 2021 (minutes available at the Vergas City Office).

Lammers reviewed the Vergas Event Center meeting held on July 14, 2021 (minutes available at the Vergas City Office).

Personnel committee discussed Lammers PTO hours. Motion by Albright, seconded by Pinke to allow Julie Lammers to go above 200 hours of PTO until September 30, 2021. Motion passed unanimously.

Discussed the berm put in at 88 Park View Drive. City has received invoice for the berm, but work has not been reviewed by Engineer. Motion by Albright, seconded by Pinke to not pay invoice until berm is inspected by KLJ Engineer. Motion passed unanimously.

Discussed 105 Main Avenue project. Motion by Albright, seconded by Dahlgren to approve Resolution stating the development within the City of Vergas meets the Otter Tail County Community Development Agenda Community Growth Partnership Grant program's purpose and criteria (complete copy of resolution located at the city office). Motion passed unanimously. Council asked EDA/HRA to review and bring back recommendation to Council. Motion by Dahlgren, seconded by Pinke to allow Albright to contact other cities regarding their procedure on tax abatement. Motion passed unanimously.

Motion by Pinke, seconded by Fischer to approve construction permits: 151 1st Ave N for siding and signs, 401 W Lake Street for fence, rock moving, planting trees and gate, 100 Townline Road for shed, 375 Railway Ave for shed and 520 S Pelican Avenue for deck, stone wall and siding. Motion passed unanimously.

Motion by Albright, seconded by Pinke for the City of Vergas to waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.06 accepting liability coverage limits of \$1,000,000 on a single occurrence from the League of Minnesota Cities Insurance Trust. Motion passed unanimously.

Motion by Albright, seconded by Pinke to send memo of interest to Otter Tail County regarding their property at 140 E Linden in Vergas Mn. Motion passed unanimously.

Jessica Sonnenberg representing Billy's and Ole's Ride requested Main Street be closed from 2 pm to 2 am on Aug. 21-22, 221 and Railway Avenue closed Friday, August 20 from 4 pm to 9 pm and Saturday, August 21 from 7 am to 12 pm. Motion by Pinke, seconded by Dahlgren to allow street closings for Ole's Ride. Motion passed unanimously.

Lammers questioned Council regarding the continuation of the Attic Shoppe Lease. Owner Bonnie Anderson has requested a month-to-month lease until business is sold and would like to know if rent will be the same when sold. Attic Shoppe will still be required to give 30 days' notice to end the current lease. Motion by Albright, seconded by Pinke to approve a 1-year lease on the space above liquor store allowing Anderson to not hold an annual lease but a month-to-month lease. Motion passed unanimously. Motion by Albright, seconded by Pinke to amend the motion to make valid for one year (until July 2022). Motion passed unanimously.

Dean Haarstick, Vergas Representative for Otter Tail Lakes Country Association provided agenda and notes from their meeting on August 2, 2021. They will have their next meeting on November 22, 2021, in the Vergas Event Center Smart Room.

Both Pickleball and Veteran's Memorial have asked the city to be their Fiscal Agent. Lammers spoke with auditor Colleen Hoffman who stated the city cannot legally be the fiscal agent for private fundraising groups as stated in MN State Statute 469.25, but the Vergas EDA/HRA could. Council stated topic should be put on next EDA/HRA meeting agenda.

Veteran's Memorial provided plans for phase 1 of project. Motion by Albright, seconded by Pinke to assigned Julie Bruhn as representative of the Veteran's Memorial project. Motion passed unanimously. Motion by Dahlgren, seconded by Pinke to approve phase 1 of Veteran's Memorial with quotes and proof of matching funds and Engineer Scott Kolbinger signing off on project. Motion passed unanimously.

Utilities Superintendent Mike DuFrane provided the following:

Parks

1. Isaac Ratz has finished landscaping around planter on tin can alley.
2. Picnic table on doobie beach was installed by Loren and Diane Menz. Matt and I put black dirt down and planted grass. Bench was moved to a more appealing spot.

Water

1. Inspection was done on the inside of water tower. I will report findings to the water sewer committee at a meeting on a later date.

Wastewater

2. No discharge in July.

Streets

1. Patching was done on Railway, Alley behind Liquor store, Scharf Ave and Franklin Fence. City farm
2. Mackner excavating is waiting on part for Backhoe to clean burn pile up.

Lammers reviewed Liquor Store activities.

The following City meetings were mentioned:

- a. MN Rural Water Conference – Aug.24-26, 2021 (DuFrane) St Cloud
- b. Clerks Advanced Academy-September 23-24, 2021 (Lammers)
- c. Municipal Beverage Association (MMBA), September 25-28, 2021 (Lammers) Arrowwood

The business for which the meeting was called having been completed, the meeting was adjourned at 9:32 p.m.

Clerk-Treasurer Julie Lammers, CMC