

The Battle Lake City Council met in regular session on Tuesday, December 12, 2017 at 7:00 p.m. at the Battle Lake City Hall. Mayor Gene Kelm called the meeting to order at 7:00 p.m. with Council members Don Maslow, Marjorie Quammen, Ryan Christensen and John A. Salvevold present. Also present were City Attorney, JJ Cline; Clerk/Treasurer, Val Martin; Police Chief, Kent Kortlever; Liquor Store Manager, Adam Freyholtz; and Public Works Superintendent, Steve Seufert. Additional visitors were also in attendance.

The Pledge of Allegiance was recited.

Christensen made a motion to approve the agenda. Maslow seconded. MCU

Visitors

Jade Berube, Apex Engineering was in attendance to present the preliminary engineering report for the future water and sewer main replacement and extension. He provided a PowerPoint presentation that gave overall details for the project. This report is what gets submitted for the Project Priority List. It can be scaled back when the City decides to move forward with a project.

**Preliminary
Engineering
Report**

Maslow made a motion to **approve Resolution 2017-12-12H Resolution Approving Preliminary Report and Calling for a Public Hearing.** Salvevold seconded. Roll call vote – those voting for: Quammen, Maslow, Kelm, Christensen and Salvevold. Those voting against: none. MCU The public hearing will be held on January 9th at 7:00 p.m. at City Hall. There is no requirement for publishing the meeting; it just needs to be posted at City Hall.

Randy Dorn representing the Childcare Center presented a petition requesting a vacation of the street just north of the property where the childcare center will be located. Dorn stated the street vacation will assist the childcare center in the following ways:

**Petition for
Street
Vacation**

- Set-backs for the building
- Impervious surface calculations
- Parking needs

Dorn also stated that if the City needs to keep a utility easement that would be workable. They will also grant an easement to the Paulson's, if there is a need to access their property. City engineer, Jade Berube, stated that a 30 foot utility easement for sewer will be sufficient for possible future sewer main installation. Attorney Cline stated that the petition they presented was not legal as it follows the regulations for townships and requirements for the City are different. Martin, with the help of Attorney Cline, will draft a legal petition for them to use and which will need to be signed by the majority of the property owners. They will need to present the new petition at the next council meeting at which time a hearing will be set for February 13, 2018. Council was in agreement that they will move forward with the process once the appropriate petition is presented.

Barry Fabian was in attendance and stated he was there only to observe.

Christensen made a motion to approve the consent agenda:

**Consent
Agenda**

- *Treasurer's Report*
- *Minutes*
- *Claims List totaling \$137,059.46*
- *Extra Hours Report*

Salvevold seconded. MCU

Liquor Store Report: Freyholtz reported on the Liquor Store. Monthly sales for November were up 5.2% over last year with yearly sales up 4.2% over last year. Freyholtz noted that gross profit is down a small amount due to lowered pricing for beer, in order to remain competitive. There is a need to replace the flooring at the liquor store. Council directed Freyholtz to get estimates for the project and bring back for approval.

**Liquor Store
Report**

<p>Police Report: Kortlever reported on Police Department activities and calls for November. Kortlever made a request for the City to pay for MN Police and Peace Officers Association Legal Defense Fund for himself and Officer Sweazey. The program provides access to police officers for defense related to calls/service that officers report to on behalf of the City. You might compare it to bond coverage for the clerk. Kortlever has always paid this himself in the past. The cost is \$96/year per officer. Christensen made a motion to pay for all four officers. Maslow seconded. MCU</p>	<p>Police Report</p>
<p>A Solicitor/Peddler Application was received from Mitch Koep/A Better Wireless. His request is to distribute flyers for internet service provided by A Better Wireless. Quammen made a motion to approve contingent on background check. Salvevold seconded. MCU</p>	<p>Peddler Application</p>
<p>Rescue Squad Report: Report received.</p>	<p>Rescue Report</p>
<p>Fire Department Report: No report. The council discussed the Fire Chief's resignation. There are rumors he wants to continue as Fire Chief but the City has not been notified of this. He will need to submit a request to rescind his letter of resignation.</p>	<p>Fire Dept.</p>
<p>The council reviewed the amended Joint Powers Agreement for BLAFRA and directed Attorney Cline to draft a letter with the changes they wish to have made to the agreement. In this letter, he will address the need for the Fire Chief to rescind his resignation in order to remain as Fire Chief.</p>	<p>BLAFRA JPA</p>
<p>Public Works Report: Seufert reported that the agreement with MnDOT for payment of the tractor to remove snow is listed at \$125/hour for man and machine. This is the maximum they will pay for this equipment even though our fee schedule is listed at \$175/hour for man and machine. Salvevold made a motion to approve \$125/hour for tractor man/machine for the MnDOT contract. Christensen seconded. MCU Council directed Seufert to make sure all time is accounted for and he bills accordingly.</p>	<p>Public Works MnDOT contract – snow removal</p>
<p>The MPCA Permit paperwork has been completed by the public works department and council has received a draft of the new plan which will run for 10 years rather than 5 years. After the public comment period, we will receive notice of the final plan.</p>	<p>MPCA Permit</p>
<p>Project List: The Safe Routes to School Project should be finalized very soon. Jeremy Anderson is working with the County on the completion of the paperwork.</p>	<p>SRTS</p>
<p>Battle Lake Motor Patrol: Christensen was not at the meeting.</p>	<p>Motor Patrol</p>
<p>BLAFRA: Everything has already been covered.</p>	<p>BLAFRA</p>
<p>LACC: Bethel Church has renewed contract. There was good attendance at Santa Days. No minutes.</p>	<p>LACC</p>
<p>Tri-City Housing: Martin and Kelm reported.</p>	<p>Tri-City</p>
<p>Economic Development Authority: Minutes and financials.</p>	<p>EDA</p>
<p>Safe Routes to School: Minutes received – Martin reported.</p>	<p>SRTS</p>
<p>Wellhead Protection: Martin, Seufert and Quammen presented the yearly report.</p>	<p>Wellhead Protection</p>
<p><u>Unfinished Business:</u></p>	
<p>NIMS Training – a reminder that several still need to take this.</p>	<p>NIMS</p>
<p>Zoning Officer Martin report that West by Northwest (Barry Fabian) is appealing the council's decision for denial of the variance he requested. An attorney from the League of MN Cities will represent the City and insurance covers 85% of the cost after the deductible has been paid.</p>	<p>Variance Appeal</p>

Council reviewed proposed Ordinance 37 – Right of Way Regulations and an Amendment to Ordinance 94 – Streets and Sidewalks. The final version will be posted at City Hall and on the City’s web-site and will be considered for approval at the January council meeting.	Right of Way Ordinance
 <u>New Business:</u>	
Maslow made a motion to approve Resolution 2017-12-12A Approving Precinct and Polling Place for 2018 . Quammen seconded. Roll call vote – those voting for: Quammen, Maslow, Kelm, Christensen and Salveold. Those voting against: none. MCU	Polling Place for 2018
Martin reviewed the final budgets for 2018 with the council. Tax rates for 2018 were discussed. The increase to the tax rate is under 1% over last year. The finance committee reported they reviewed the General Fund and they recommend the levy stay the same as the preliminary levy. Mayor Kelm called for public comment with none made.	2018 Budgets
Water and sewer budgets were reviewed with a proposed increase of 25 cents/1000 gallons used.	Increase to W/S
The Capital Improvement Plan was reviewed with Maslow making a motion to approve. Christensen seconded. MCU	CIP
Maslow made a motion to approve Resolution 2017-12-12B Approval of Final Levy and Final Budgets for 2018 . Christensen seconded. Roll call vote – those voting for: Quammen, Maslow, Kelm, Christensen and Salveold. Those voting against: none. MCU	Final Levy/Budget
Christensen made a motion to approve the Appendices to Ordinance Chapter 50 and 54 along with the summary publication. Salveold seconded. MCU	Appendices to 50/54
Salveold made a motion to approve Resolution 2017-12-12C Business Licenses for 2018 . Christensen seconded. Roll call vote – those voting for: Quammen, Maslow, Kelm, Christensen and Salveold. Those voting against: none. MCU	2018 Business Licenses
Christensen made a motion to approve the Legal Service Agreement with Cline Jensen P.A. Quammen seconded. MCU	Legal Service Agreement
Quammen made a motion to approve Resolution 2017-12-12D Authorizing Payment of End-of-Year Claims . Salveold seconded. Roll call vote – those voting for: Quammen, Maslow, Kelm, Christensen and Salveold. Those voting against: none. MCU	Year-end Payments
Christensen made a motion to approve Resolution 2017-12-12F Certifying Delinquent Water/Sewer/Natural Gas bills to the County for Collection . Quammen seconded. Roll call vote – those voting for: Quammen, Maslow, Kelm, Christensen and Salveold. Those voting against: none. MCU	Certifying Delinquent Accounts
The Employee Relations Committee reported that they have conducted reviews on the Department Heads and have also received reports of reviews done on each department’s staff. They thanked the staff for doing a great job this year.	Employee Reviews
Salveold made a motion to approve Resolution 2017-12-12I Approving Donations for Security Cameras . Maslow seconded. Roll call vote – those voting for: Quammen, Maslow, Kelm, Christensen and Salveold. Those voting against: none. MCU	Donations
Maslow made a motion to approve the 2018 EDA Commissioners as presented. Quammen seconded. MCU	2018 EDA Commissioners

Correspondence and Announcements

Council received a copy of the snow removal policy and letter sent to downtown businesses.

The holiday party was set for January 5th at Shoreline with everyone paying their own way.

Henning Fire Department has invited council to the Firemen’s Feed on January 3rd.

The League of MN Cities training for elected officials is January 26 and 27 in Brooklyn Park.

A letter was received from MAHUBE-OTWA Community Action to inform the City of an effort to help homeless individuals in the area.

Next meeting is December 9, 2018.

Adjourn at 10:25 p.m.

_____ Valerie J. Martin, Clerk/Treasurer