

COUNCIL MEETING – October 19, 2022

CALL TO ORDER: 7:00 PM

MEMBERS PRESENT: Mayor Kerry Taylor, Council Robert Smestad Jr., Terrill Anderson, Tom Schufman, Carolyn Brooks

MEMBERS ABSENT:

STAFF PRESENT: Administrator/Clerk/Treasurer Brenda Fisk

OTHERS PRESENT: John Henry III, Tom Thurk, Kim Thurk

ADOPT MINUTES:

Motion was made by Mayor Taylor and seconded by Brooks to approve the minutes for the 10/05/2022 Council Meeting. All aye 5/0

DAMAGE CLAIM RESULTING FROM ST. BONI SAINTS BALL TEAM HITTING SHOWROOM WINDOW AT 3932 MAIN STREET, THURK BROS.

Tom Thurk was present and reported the Saints have not paid him for the damage and since they did not have General Liability insurance, and the city did not enforce the requirement, their insurance only covering spectators and members medical, it falls back on the city.

Council packet included the Saints insurance through the ball team league, city insurance agent response to Thurk stating the claim is between the Saints and Thurk Bros. and prior claim history where the city is not liable for damages to vehicles hit by balls as a claim occurred in 2019 where a ball hit a vehicle on the county road.

Council reviewed the Saints approved application for use of Missile Park. Application includes the requirement for insurance and requirement to submit a certificate of insurance showing the city as an additional insured prior to their event. Smestad suggested city pay for the damages since the city did not collect the certificate.

Adm/Clk/Trs reported the Assistant Clerk did request the insurance document from the Saints several times.

Motion made by Smestad and seconded by Brooks to pay \$925 to Thurk Brothers for restoration of their front window due to a ball breaking the window. Aye 3/2 nay Taylor and Anderson

Taylor and Anderson favored contacting the city insurance agent to ask if city is legally responsible for the damage due to city not collecting the insurance.

STATE STORAGE WEST:

Council acknowledged the following:

- Resolution 2020-10; Conditional Use Permit/Developer's Agreement
- City Planner 09-21-2022 State Storage Site Inspection revealing in completion of black wrought iron fence between buildings to secure site
- City Engineer 10-11-2022 Construction Status – Final Report

John Henry III was present. The council packet included the updated reports from the city planner and city engineer reporting completion of the fence between the buildings and developer's engineer signature as all inspected and in compliance to plans as required in the Developers Agreement. Resolution includes the requirement for a two-year warranty bond in exchange for the letter of credit at the city office.

RESOLUTION 2022-32; A RESOLUTION APPROVING STATE STORAGE WEST DEVELOPMENT IMPROVEMENTS:

Motion made by Mayor Taylor and seconded by Smestad to approve Resolution 2022-32; a resolution approving State Storage West Development Improvements. All aye 5/0

CORRESPONDENCE/REPORTS/COMMISSION MINUTES:

MET COUNCIL 2022 SYSTEM STATEMENTS: FYI

MISSILE PARK BALLFIELD COMMITTEE 10/04/2022 NOTES: FYI

HOLIDAY DECORATING COMMITTEE AND PLANNING COMMISSION 10-11-2022 DRAFT MINUTES:

Schufman commented that he and his wife were working with the St. Boni Motorsports to use their pallets for a 4-H project to make pallet Christmas trees in the next 6-9 months to give to businesses for decorating the 2023 Christmas season.

Brooks confirmed that the electrical system has been installed in the gazebo and the ground lights were removed by the city sign at Memorial Park.

BUSINESS ITEMS:

SEPTEMBER 2022 FINANCIAL REPORT:

Motion made by Mayor Taylor and seconded by Schufman to accept the September 2022 Financial Report. All aye 5/0

3RD QUARTER 2022 FINANCIAL REPORT:

Motion made by Mayor Taylor and seconded by Anderson to accept the 3rd Quarter Financial Report. All aye 5/0

RESOLUTION 2022-33; PAYMENT OF BILLS:

Motion made by Mayor Taylor and seconded by Brooks to approve Resolution 2022-33; payment of bills. All aye 5/0

ORDINANCE AMENDMENT 2022-02:

Motion made by Smestad and seconded by Brooks to approve Ordinance Amendment 2022-02; an ordinance amending certain provisions to Chapter 91-Drones. All aye 5/0

RESOLUTION 2022-34; A RESOLUTION AUTHORIZING THE FILING OF THE HENNEPIN COUNTY SPORTS PROGRAM FACILITY 2022 GRANT APPLICATION AND PLEDGES EXECUTION OF FINAL AGREEMENTS WITH HENNEPIN COUNTY IF GRANT IS AWARDED:
Council reviewed the grant request to match the city's potential expense of \$175,500 for lights at the Missile Park ballfield.

Discussion included the city commitment of using up to \$100,000 from general fund reserves and planning on receiving \$75,500 in contributions. Bid procedures to follow upon grant approval and project completion required by 6/2024.

Motion made by Mayor Taylor and seconded by Anderson to approve the Hennepin County Facility and Equipment Matching grant application; Resolution 2022-34. All aye 5/0

MINNESOTA PUBLIC EMPLOYEE'S INSURANCE PROGRAM RENEWAL:

Premiums were increased by 5% in the two-year agreement renewal.

Motion made by Mayor Taylor and seconded by Brooks to approve the Minnesota Public Employee's Insurance program renewal. All aye 5/0

Made motion again.

Motion made by Mayor Taylor and seconded by Smestad to approve the Minnesota Public Employee's Insurance program renewal. All aye 5/0

EMBEDDED SYSTEMS, INC. RENEWAL OF OUTDOOR WARNING SIREN MAINTENANCE FOR 2023:

Motion made by Smestad and seconded by Schufman to approve the Embedded Systems, Inc. renewal of outdoor warning siren maintenance for 2023. All aye 5/0

DISH WIRELESS LEASE TO PLACE ANTENNAS ON WATER TOWER INCLUDING CITY ENGINEER REVIEW OF PLANS:

Consultant was present in September to fully describe the installation of six antennas on the water tower

including a ground cabinet enclosure. Lease income of \$24,000 per year with an annual increase of 5% for a 5-year term including three automatic extensions.

Motion made by Mayor Taylor and seconded by Brooks to approve the Dish Wireless lease to place antennas on water tower. All aye 5/0

SCHEDULING OF THE DELINQUENT WATER/SEWER AND MISCELLANEOUS BILLS ASSESSMENT TO TAXES PUBLIC HEARING:

Motion made by Schufman and seconded by Brooks to schedule the delinquent water/sewer and miscellaneous bills assessment to taxes public hearing for November 16, 2022 at 6:45 pm. All aye 5/0

SCHEDULING OF THE GENERAL ELECTION CITY CANVASS BOARD MEETING:

Motion made by Schufman and seconded by Brooks to schedule the General Election City Canvass Board Meeting for November 16, 2022 at 6:30 pm. All aye 5/0

HIRING OF SNOW REMOVAL SEASONAL PART-TIME ON-CALL SNOW REMOVAL EMPLOYEES:

Motion made by Mayor Taylor and seconded by Brooks to hire James Vanderlinde and Jason Menzel at \$18.00 per hour for seasonal part-time on-call snow removal. All aye 5/0

10/18/2022 COUNCIL/CONSULTANT/STAFF QUARTERLY WORKSHOP MOTIONS:

POND TESTING:

Motion made by Mayor Taylor and seconded by Schufman to request testing quotes for the pond inventory. All aye 5/0

DAMP PROOFING AT PUBLIC WORKS BUILDING QUOTES:

Council reviewed interior of building quotes from Safe Basements for \$10,394 and American Waterworks for \$21,184. Safe Basements also submitted a quote of \$25,830 for exterior damp proofing including tile and rubber membrane installation, however he does not recommend this. As of meeting, staff has not received a response to request for an explanation on why not do the exterior excavation as recommended by the city engineer.

Motion made by Mayor Taylor and seconded by Schufman to approve the estimate from Safe Basements of MN for \$36,224 at the Public Works building. All aye 5/0. Motion includes both the interior and exterior.

NEW BUSINESS:

BALLFIELD INSURANCE COVERAGE FROM TEAMS:

Council decided all applications will require the team's Certificate of Insurance attached to the applications prior to Council consideration. Current application requires the certificate prior to event.

City agent will be asked what amount and type of insurance should be required in all team applications.

ADJOURNMENT:

Motion was made by Brooks Taylor and seconded by Mayor Taylor to adjourn the meeting. All aye 5/0
8:15 pm

ATTEST:



Adm/Clerk/Treasurer Brenda Fisk