

Ashby City Council Meeting and Board of Appeals and Equalization-April 8, 2010

The Ashby City Council met on Wednesday, April 8, 2010 for the Board of Review and Appeals process at Ashby City Hall. Mayor Grover called the meeting to order at 5:30 p.m. with council members Ronnie Jaenisch, George Jordan and, Carl Ulrich present. Absent was Lynn Jensen. Also present was Val Martin, Clerk/Treasurer. Visitors were Susan Lohse, County Assessor; and Debbie Thormodson, assessor for the city.

Susie Lohse explained which council members will be needing training. She is trying to get something set up in June and will let them know. She also discussed some farmland in the City and that it will no longer be getting homestead exemptions because the owner or family does not farm the land. Values overall were lowered approximately 6%. No residents were in attendance to discuss their property. Jordan moved to adjourn at 6:00 p.m. Jaenisch seconded. MCU

Mayor Grover called the regular meeting to order at 6:00 p.m. with council members George Jordan, Carl Ulrich and Ronnie Jaenisch present. Absent was Lynn Jensen. Also present were Val Martin, Clerk/Treasurer; Richard Walton, City Attorney, Thor Tollefson, Chief of Police; and Dennis and Judy Helle. Visitors were Heather Johnson, Carlson-Highland, Morgan Turner, and Maxine Adams from Lake Region Arts Council.

The pledge of Allegiance was recited.

Jaenisch moved to approve the agenda with additions. Ulrich seconded. MCU

Visitors

Consent Agenda

Ulrich moved to approve the Consent Agenda as follows:

- Approval of minutes from the previous month.
- Approval of bills: Prepaid: \$55,078.56 and Claims for Approval: \$56,367.53 for a total of \$111,446.09. Grover went through the bills prior to council and gave pre-approval.

Jaenisch seconded. MCU

There were no outstanding utility bills this month.

Mayor's Report

The mayor reported on the following:

- Attended regional Mayors' meeting. The area mayors went to the capital on March 24th to meet with state legislators.

Administration

The Clerk/Treasurer's Report was accepted. The report details work done by the Clerk/Treasurer for the previous month such as:

- Central Lakes Trail meeting and preparation of financials.
- Safety meeting in Fergus Falls.
- Several items related to Public Works position.
- Hiring committee meeting.
- Fire Contract signing.
- MN Clerks Conference and Training.
- 2010 assessment information to county auditor.
- Review audit report – clarification on a few items with the auditors.
- 2009 Financial report published.
- Application for squad and storage building complete.
- 2010 web-site renewals to businesses.
- Loss Control Workshop
- Radio user meeting in Elbow Lake.
- Monthly bills and reports.
- Utility bills and receiving payments.
- Waiting on customers, all financials including deposits, checks, reports; posting and publishing notices; payroll; minutes; policies, compiling and delivering agenda packets to council members and more.

Ulrich moved to approve the report as presented. Jaenisch seconded. MCU

Ulrich reported on the Loss Control Workshop that he, Tollefson, Linder, and Martin attended in Fergus Falls.

Housing Rehab Update:

The status of the applicant households:

Ashby Households:

- 3 jobs have been completed
- 5 construction jobs are in progress.
- 1 additional home has been inspected. The job is out for bids and will be awarded shortly.
- 6 households: we are waiting for complete applications, or more information on income and/or property verifications.
- 8 applicants have been found to be over-income, ineligible, or have withdrawn their applications
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Wendell Households:

- 4 jobs have been completed

- 1 construction job is in progress.
- 6 additional households are on the waiting list
- 1 applicant withdrew her application
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We received funding to repair 15 homes, but it looks like we will have enough money to repair 17 homes, since many of the jobs have come in under budget. Our grant states that if we don't have an adequate number of applicants for the 3:1 split between Ashby and Wendell, we can serve additional applicants from the other city after the grant has been open for a year. The date of the grant agreement with DEED is June 1, 2009. So, if we don't get any more eligible Ashby applicants by June 1st, we could spend out the grant funds on Wendell homes. Jaenisch made a motion to approve more Wendell applications, if we do not get any more eligible applications in Ashby by June 1, 2010. Ulrich seconded. MCU

Public Safety

Police Report:

The Police Report was as follows:

- Education/DARE – 4
- Open Door – 1
- Assist Other Agency – 1
- Welfare Checks – 1
- Traffic Direction – 1
- Driving After Revocation – 1
- Public Assist – 3
- Animal Complaints – 2
- Alarm Call – 1

The council discussed the noise enforcement signs that were brought up last month. Tollefson presented them with prices. After discussion, the council decided that it was not a great need in the community at this time. The police department will keep an eye on the situation.

Jaenisch and Ulrich reported on police commission meeting. They discussed the need to regulate liquor permits issued by the state called a caterer's permit as the rules and regulations of the issuing city apply to that type of license and they can serve food and alcohol anywhere in Minnesota. This would mean that someone could come in with a caterer's permit and sell alcohol without any of Ashby's rules applying to them. They also discussed adding another outdoor permit called a Festival Permit. This would allow licensed establishments to hold activities on City property with prior police and council approval. It would have the same rules and regulations as other outdoor liquor permits.

Jordan moved to make the following changes to **Ordinance 112 – Liquor Regulations** and Ulrich seconded – MCU:

112.05 CONSUMPTION IN PUBLIC PLACES.

No person shall consume intoxicating liquor or 3.2 percent malt liquor in a public park, on any public street, sidewalk, parking lot or alley, or in any public place other than on the premises of an establishment licensed under this Ordinance, or where the consumption and display of liquor is lawfully permitted **unless a Festival/Event Permit has been approved by the Ashby City Council. All other rules and regulations set forth in this ordinance will apply to this type of permit.**

Penalty, see Section 112.99

122.24 COUNCIL DISCRETION TO GRANT OR DENY A LICENSE OR PERMIT

~~The Council in its sound discretion may either grant or deny the application for any license or for the transfer or renewal of any license. No applicant has a right to a license under this Ordinance.~~ **The Council in its sound discretion may either grant or deny the application for any license, for the transfer or renewal of any license or the request for any permit. No applicant has a right to a license under this Ordinance and anyone selling alcohol within the boundaries of the City must have a license or permit to do so and must have prior council approval.**

Jaenisch moved to amend **Ordinance 2 – Fee Ordinance** to add the following fees and Ulrich seconded – MCU:

City Festival/Event Fee (Applies to Events Happening on City Property with Prior Police and Council Approval – 60 Days in Advance of the Event) -- \$50

Caterer's Permit Fee - \$25

Jaenisch moved to approve the new contract with the Grant County Humane Society. Jordan seconded. MCU

Jaenisch moved to approve the resignation of Walt Linder, part-time police officer. Ulrich seconded. MCU

Jaenisch moved to amend the Personnel Policy to state that police officers will need to reimburse the City for expenses related to their hiring if they leave within one year. Ulrich seconded. MCU

Ulrich moved to hire another part-time police officer. Jaenisch seconded. MCU

Jaenisch moved to approve the EMT pay for the 2009 flood as presented. Jordan seconded. MCU

Fire Department Report

- 15 Ambulance calls – 3 in the City.
- 0 Fire calls

Maxine Adams from Lake Region Arts Council was present to discuss an application for an arts legacy grant. The grant would bring some sort of arts to the community – hopefully on an ongoing basis. A committee is needed to pursue the grant and come up with some ideas. Tom Otte from the school was present to hear the discussion and said the school would be interested in participating. Ulrich moved to form a committee and move forward with the process. Jordan seconded. MCU Mr. Otte will find someone from the school for the committee, Grover and Martin will find other members. A mixture of school, city government, senior citizens and other community members should comprise the group. We are looking at a September deadline for the grant application. Lake Region Arts Council will continue to work with us as we move forward.

Heather Johnson from Carlson-Highland presented the 2009 audit report. Jordan moved to approve the audit. Jaenisch seconded. MCU

Mayor Grover presented a plaque to Morgan Turner, recipient of Prudential Spirit of Community Award. A proclamation was made designating April 8, 2010 as Morgan Turner/Prudential Spirit of Community Recognition Day in Ashby.

Public Works

Tollefson presented the Public Works report:

- Several issues at the lift station on Highway 78 with one of the pumps and the alarms. Things are getting fixed.
- The backup power supply was bad at the plant – we may need to purchase another one. We will need to check that we have the right size first.
- Chlorine feed tubes were replaced because we haven't had a constant feed of chlorine. The problem should be taken care of.
- There was a fluoride leak after a vendor replaced a pump. Jerry fixed the issue and payments will be held to the vendor after the issue has been discussed with them.
- Dennis has been doing some pothole repairs.
- Some valve boxes need to be repaired and lowered.

The public works superintendent applications are due back on the 15th. The committee will go through the apps, score them and do the interviews.

There is nothing to report on the sewer project. Jeff Kuhn will be at the next meeting.

Ulrich moved to hire part-time summer help to paint, stain and other items needed. They will need to be 16 years old and the total pay cannot exceed \$1000. Jaenisch seconded. MCU

We are still in need of meter reading equipment sometime this year. Martin will bring back more details.

Jordan moved to approve additional lights for the Otter Tail Power rebate program in the City shop. Ulrich seconded. MCU

Old Business

Commercial Rehab Application

As of April 1st, we have received surveys back from 13 businesses. Ten are definitely interested, one was not interested, and two said "maybe." The Small Cities pre-application will probably be due around September 1st, with the full application due in mid January. The actual due dates and application materials are usually available from DEED in June.

Next steps:

- Sometime between now and September 1st, the city council will need to adopt a resolution declaring a portion of the city an "area of slum and blight." At least 25% of the buildings in that area must be considered substandard. All of the businesses to be assisted must be within that designated area. Kathy Sletto will prepare a map of the potential slum and blight district and will make a recommendation for council consideration.
- In the coming months Sletto will work with interested property owners to get preliminary bids and to identify sources of matching funds.
- Sletto will request SHPO (State Historic Preservation Office) clearance on potential participants. This should be done prior to Sept. 1st.
- Sletto is communicating with Pat Conroy, who is writing the grant application for the sewer project. They will continue to work together, since the Small Cities application will be classified and reviewed as "comprehensive," which means that each of the components (commercial rehab, sewer, etc.) needs to complement the other. We must also make sure we don't exceed the budget maximum for a combined application.

General Information on Small Cities (SCDP) Commercial Rehabilitation Funding

SCDP funding may only be used for exterior improvements and to correct code violations. Businesses can make other improvements, but they must use their own funds for those improvements. Typical improvements include roofing, siding, signage, electrical, plumbing work.

Davis Bacon (federal prevailing wage limits) will apply.

Maximum amount of SCDP grant assistance per building is \$40,000. The maximum percentage of SCDP assistance is 66% of total project costs. Minimum term for deferred loans is 7 years.

Typical commercial rehab financing terms for a **competitive** application:

- 10 year SCDP deferred loan (grant) to fund 33% of the project
- SCDP installment loan to fund 33% of the project
- Owner financing/contribution to fund 34% of the project
- Maximum of \$30,000 in SCDP funding

The council decided to look at other options for the public works/police storage building. We may get \$50,000 in grant money but the balance was more than the council wanted to finance at this time.

Martin and Tollefson gave an update on the radio users committee. Grant money and county money will pay for 80% of the police and public works radios. The fire and ambulance radios were 100% grant/county money.

Local Government Aids cuts to the City will be: 2010 -\$9457 and 2011-\$7589.

The council discussed the City-wide clean-up and possibly hiring a shredding truck for private documents as part of the clean-up. Several City documents were also in need of shredding. After discussion, the council felt that there probably would not be a great need for this and approved the purchase of a bigger shredder for the City office - not to exceed \$500.

Martin and Ulrich presented material that was gathered at the Loss control workshop for formal council by-laws and rules of order. The council did not feel the need to adopt this type of policy at this time.

Jaenisch moved to give authority to the Clerk/Treasurer to sign the state gambling form LG220 with no council approval. Ulrich seconded.

A request for proof of liability insurance for city events such as Appreciation Days should be obtained from the event coordinators. Criteria will need to be determined. Tabled until next meeting.

Ulrich moved to allow Martin to start a City of Ashby Facebook fan page. Jaenisch seconded. MCU this is a great and free opportunity to get information out to interested persons.

First quarter financials were distributed to the council.

Martin informed that council that Jim Borgrud is not happy with the assessments that have now been added to his taxes. He signed a petition back in 2006 that was presented to him by the engineer. The petition was a request to extend water and sewer to his property and to the property that the new clinic is on. He felt he was misinformed and thought the deferral would last until he sold it or until it was developed. Martin also explained to the council that he did receive notice of the assessment with the amount and when the public hearing would be. He did not attend the public hearing. The resolution that was passed at that hearing detailed the deferral time period (3 years or until developed). This property is approximately 5 acres and the council has discussed purchasing the property over the last few years. The council directed Martin and Grover to meeting with him to find out what his bottom dollar price would be.

Adjourn 8:00 p.m.

Valerie Martin, Clerk/Treasurer