

MINUTES
BUHL CITY COUNCIL MEETING
BUHL CITY HALL
05/02/2023

Tuesday, May 2, 2023

6:30 P.M.

1. CALL TO ORDER by Mayor Carter at 6:30 p.m.

2. ROLL CALL:

Councilors: X Kealy X Hadrava X Loeffler X Towner

Mayor: X Carter

Administrator: X Jeffries

Public Works Foreman: X Pink

Attorney: ___ Kearney

3. APPROVAL OF AGENDA/COUNCIL ADDITIONS TO AGENDA

Motion by Kealy to approve the agenda as presented.

Supported by Hadrava.

Motion carried unanimously.

4. REPORTS FROM DEPARTMENT HEADS:

Foreman Pink:

Commented to residents that sod in their boulevards which may have been pulled up or displaced by winter snow removal and management activities will be repaired if people let us know of that damage.

Administrator Jeffries:

Reminded everyone that June 17 is the deadline for items which should be included on the punch list for the capital Improvements project; get comments to City Hall before then so they may be placed on the corrective action list.

5. CITIZENS FORUM:

Kelly Bergan (sp?) requested the City Council give consideration to creating a community garden; positive discussions ensued. Administrator and staff will try and locate available City land for flowers, or vegetables, or both; discussed the need to formalize liability minimization provisions. The corner of Pennsylvania Avenue and

Forest Street was brought up as a possible location; high visibility would be a plus. Snow storage needs and fencing will be items to consider. The Recreation Board will also take this under consideration at their 6:00 p.m. meeting of May 8, 2023.

6. CONSENT AGENDA

A. Minutes:

- i. Regular City Council Meeting – April 18, 2023 - Approved

B. Claims:

i. Payroll #4	\$ 2,475.00
Payroll #8	\$ 14,444.34
ii. A/P	\$ <u>26,521.89</u>
TOTAL	\$ <u>43,441.23</u>

Motion by Towner to approve the consent agenda.

Supported by Hadrava.

Motion carried unanimously.

7. BUSINESS:

- A. Resolutions 23-18 and 23-19 for Final Disposition of Parcel No. 115-0045-00140.

The City had previously undertaken efforts to record a warranty deed to convey certain property, namely PIN No. 115-0045-00140 (S½ of Lot 2, Block 3, Plat of Stubler Pit), from the City of Buhl to a private individual.

St. Louis County has informed the City that said deed needs to be accompanied by a resolution granting the City the ability to sign its land over to a private individual, and that this resolution needs to be filed alongside the warranty deed.

Discussion was to separate this item into separate motions.

Motion by Towner to approve Resolution 23-18 authorizing the City to convey property Parcel No. 115-0045-00140 to a private individual and to direct the Administrator and the Mayor to execute any other such required documentation which may be required to effect such conveyance.

Supported by Loeffler.

Discussion. Approve/Reject.

Roll call vote: Hadrava – Aye; Kealy – Aye; Loeffler – Aye; Towner – Aye; Carter – Aye.

Motion carried unanimously.

Motion by Kealy to approve Resolution 23-19 for the Administrator to certify the actions contained in Resolution 23-18 to effect the Final Disposition of Parcel No. 115-0045-00140.

Supported by Towner.

Discussion. Approve/Reject.

Roll call vote: Hadrava – Aye; Kealy – Aye; Loeffler – Aye; Towner – Aye; Carter – Aye. Motion carried unanimously.

- B. Resolutions 23-20 and 23-21 for Final Disposition of Parcels No. 115-0045-00040 and 115-0045-00051.

The City had previously undertaken efforts to convey certain property, namely PIN No. 115-0045-00040 (Lot 4, Block 1, Plat of Stubler Pit) and PIN No. 115-0045-00051 (W½ of Lot 5, Block 1, Plat of Stubler Pit), from the City of Buhl to a private individual.

St. Louis County has informed the City that filing of this conveyance needs to be accompanied by a resolution granting the City the ability to sign its land over to a private individual, and that this resolution needs to be filed alongside any other recordable documents.

Discussion was to separate this item into separate motions.

Motion by Kealy to approve Resolution 23-20 authorizing the City to convey property Parcel No. 115-0045-00040 and Parcel No. 115-0040-00051 to a private individual and to direct the Administrator and the Mayor to execute any other such required documentation which may be required to effect such conveyance.

Supported by Hadrava.

Discussion. Approve/Reject.

Roll call vote: Hadrava – Aye; Kealy – Aye; Loeffler – Aye; Towner – Aye; Carter – Aye. Motion carried unanimously.

Motion by Loeffler to approve Resolution 23-21 for the Administrator to certify the actions contained in Resolution 23-20 to effect the Final Disposition of Parcel No. 115-0045-00140 and Parcel No. 115-0045-00051.

Supported by Towner.

Discussion. Approve/Reject.

Roll call vote: Hadrava – Aye; Kealy – Aye; Loeffler – Aye; Towner – Aye; Carter – Aye. Motion carried unanimously.

- C. Resolution 23-22 for the City to Accept a Donation from the Buhl All Class Reunion for the 2023 Fireworks Display.

The Buhl All Class Reunion has offered a donation of \$6,000.00 to the City as a financial contribution to the 2023 Fireworks display, scheduled for Saturday, July 1 at 10:00 p.m.

Motion by Loeffler to authorize for the City to Accept a Donation from the Buhl All Class Reunion for the 2023 Fireworks Display in the amount of \$6,000.00, to execute Resolution 23-22 concerning the same, and to acknowledge this donation with appreciation.

Supported by Towner.

Discussion. Approve/Reject.

Roll call vote: Hadrava – Aye; Kealy – Aye; Loeffler – Aye; Towner – Aye; Carter – Aye. Motion carried unanimously.

- D. Grant Application to Iron Range Trails Task Force for Upgrades to Stubler Pit Municipal Recreational Trails and Fishing Piers.

The Iron Range Tourism Bureau (IRTB), of which the City is a member, is the fiscal agent for the Northern St. Louis County Trails Task Force (“Trails Task Force”) Grant program.

This grant program provides funding for projects that foster the development and long-term sustainability of quality recreational trails and facilities in Northern St. Louis County.

Eligible projects include, but are not limited to, “...heavy trail repairs, planning, restoration, rehabilitation and rerouting...”, and “...activities that connect people to the outdoors...”.

Staff proposes to apply for a grant to the Trails Task Force for the restoration and rehabilitation of the fishing piers located on the west shore of Stubler Pit, and the associated trails and trail structures to these amenities.

Motion by Kealy to authorize the Administrator to prepare a grant application for a Northern St. Louis County Trails Task Force Grant and to submit it to the Iron Range Tourism Bureau for funding consideration.

Supported by Hadrava.

Discussion. Approve/Reject.

Administrator indicated that an application for this grant has in fact been prepared, and that this motion could be amended to now reflect accepting the grant application and to submit it to the Trails Task Force.

Original motion and support rescinded.

Motion by Kealy to authorize the Administrator to prepare and submit a grant application for a Northern St. Louis County Trails Task Force Grant to the Iron Range Tourism Bureau for funding consideration.

Supported by Hadrava.

Discussion. Approve/Reject.

Motion carried unanimously.

E. Proposal/Quotes for Replacement of Water Supply Well #1 Equipment.

The City has previously reported that certain equipment utilized in municipal water supply well #1 is failing or has failed, and is in need of replacement to insure the continued performance of this infrastructure.

Public Works staff recommends replacing all elements of the well and its operating system, since these will all be exposed and readily accessible when the well is opened up to accommodate these needed repairs

Motion by Hadrava to authorize the Administrator to receive proposals and/or quotes for the replacement of all elements of the operating system of municipal water supply well #1.

Supported By Kealy.

Discussion. Approve/Reject.

Administrator indicated that quotes have now been received, and that this motion could be amended to now reflect awarding a selected vendor for these services.

Administrator further indicated that quotes were received from two (2) qualified vendors, and that the quotes are to replace all internal well equipment and/or materials.

Foreman Pink indicated either vendor is acceptable, that the recommendation is to replace all equipment and material in the well, and that there is a potential cost savings if there is well pipe in place which does not need to be replaced.

Administrator and Public Works recommended that this equipment replacement be placed on a 10-year schedule into the future.

Original motion and support rescinded.

Motion by Hadrava to accept the quote from Bergerson-Caswell for the replacement of all elements of the operating system of municipal water supply well #1 in the amount of \$45,042.75 and move forward with the desired repairs.

Supported By Kealy.

Discussion. Approve/Reject.

Discussion regarding Their Equipment being \$645.00 less expensive, and as to whether this company should be selected. It was noted that this is a variable, as it is not known how much actual well pipe will need to be replaced.

Motion carried unanimously.

- F. Request from North St. Louis County Habitat for Humanity (NSLCHFH) to approve splitting of Property on Parcel No. 115-0010-00320 to Accommodate NSLCHFH Property Recording Efforts.

North St. Louis County Habitat for Humanity (NSLCHFH) is finalizing the construction of two (2) single-family residences on property located on the east side of State Street between Jones Avenue and Culver Avenue.

NSLCHFH is intending to modify the property boundaries of the existing properties donated by the City to accommodate these residences (PIN No. 115-0010-00290 and PIN No. 115-0010-00320).

NSLCHFH is seeking assurance that the City of Buhl approves the splitting of one of these properties – PIN No. 115-0010-00320 – so that they can combine the residual property with PIN No. 115-0010-00290 and create two (2) new lots to accommodate their homes under construction and submit to St. Louis County for recording.

Motion by Towner to approve the request of North St. Louis County Habitat for Humanity to split Parcel No. 115-0010-00320 to allow the creation of two new residential properties for single-family residences.

Supported by Loeffler.

Discussion. Approve/Reject.

Motion carried unanimously.

- G. Request from North St. Louis County Habitat for Humanity (NSLCHFH) to approve splitting of Property on Parcel No. 115-0010-00420 to Accommodate NSLCHFH Site Development and Property Recording Efforts.

North St. Louis County Habitat for Humanity (NSLCHFH) plans to construct two (2) single-family residential homes on property located on the west side of State Street between Jones Avenue and Culver Avenue.

NSLCHFH has received a donation of property from B2 Bank to complement the properties donated by the City to accommodate these residences.

NSLCHFH is seeking assurance that the City of Buhl approves the splitting of this property – PIN No. 115-0010-00420 – so that they can create two (2) lots for their planned homes and submit to St. Louis County for recording.

Motion by Loeffler to approve the request of North St. Louis County Habitat for Humanity to allow the owner of record, 1st National Bank of Buhl, to split Parcel No. 115-0010-00420 to allow the creation of two new residential properties for future single-family residence construction.

Supported by Hadrava.

Discussion. Approve/Reject.

Motion carried unanimously.

- H. Proposal to Implement Summer Hours at City Hall.

The suggestion has been made to consider modifying the hours which City Hall will be open during the middle months of the year (“Summer Hours”).

Proposed Summer Hours at City Hall are Monday – Friday, 7:00 a.m. – 4:00 p.m., and Friday 7:00 a.m. – 11:00 a.m.

Motion by Towner to place into effect Summer Hours at City Hall, beginning on Memorial Day and ending on Labor Day.

Supported by Kealy.

Discussion. Approve/Reject.

This information will be placed in City Hall, the Senior Center, the post Office, and the Library; will be in the Library Newsletter; and placed on the City website.

Motion carried unanimously.

- I. Request from Carefree Living to Utilize Buhl Seniors Center as a Staging Point in the Event of an Emergency.

Carefree Living Buhl, located at 500 E. Monroe Drive, has approached the City and asked for consideration to be able to utilize the Buhl-Kinney Senior Center as a staging point in the event of an emergency at their facility.

Specifically, Carefree Living Buhl is interested and willing to enter into a Memorandum of Understanding (MOU) to be able to relocate their residents and/or patients, on a temporary basis, to the Buhl-Kinney Senior Center should an emergency (fire, flood, tornado, etc.) render their facility unsafe or unusable for a period of time.

The Administrator will work with Carefree Living Buhl administration to create a MOU which is acceptable to both parties.

**Motion by Kealy to allow Carefree Living Buhl to utilize the Buhl-Kinney Senior Center as a temporary staging facility in the event the Carefree Living Buhl facility is rendered unusable due to an emergency event, contingent upon executing an acceptable Memorandum of Understanding which has been approved by the City.
Supported by Towner.**

Discussion. Approve/Reject.

This will be similar to an existing arrangement which exists with Cornerstone Villa.

Motion carried unanimously.

J. Proposal to Conduct Comprehensive Water Tower and Storage and Distribution System Inspection.

In continuing efforts related to the city's future water and sewer system infrastructure needs, staff recommends undertaking a comprehensive water tower and storage and distribution system inspection to ascertain the current condition of the City's existing water storage and distribution system. Updating this information will be very valuable in evaluating alternatives for the future with regard to this system.

City staff intends to bring forward a proposal to conduct such a periodic inspection to the City Council for consideration yet this summer.

Administrator noted that quotes had now been received for these services and suggested that the City Council may wish to take action on this item at this meeting, since the City desires to conduct these services as soon as practicable.

Staff commented that the Minnesota Department of Health recommends inspecting tanks every 2-4 years; the last Buhl inspection was conducted in 2018.

Although Buhl has very good water quality, an inspection and assessment at this time is recommended to compare the results with those from the last inspection and maintenance assessment. Since this storage vessel may not come out of service anytime soon, this inspection, assessment and maintenance is strongly recommended.

**Motion by Towner to accept the quote from Utility Service Co., Inc. to conduct a Steel Tank Washout – Condition Assessment – Disinfection of the water tower and storage and distribution system, along with associated preventative maintenance, in the amount of \$2,000.00.
Supported by Loeffler.**

Discussion. Approve/Reject.

Extended discussion ensued regarding potential upgrade item for the existing water tower and the impacts of the same.

Motion carried unanimously.

K. Update on Draft Ordinance Relating to the Regulation of Lawful Gambling.

Staff has recommended adopting an ordinance to cover these activities.

Two (2) draft ordinances were previously issued to the City Council for their consideration.

The Council had chosen to move forward with the more developed and detailed of the two ordinances, and was requested to provide related input to the Administrator, who has reviewed and evaluated these comments.

The Administrator suggests a working session to finalize the development of this ordinance be scheduled, and offers for consideration the date of May 16, 2023 at 5:30 p.m.

Informational only.

It was decided that a working session is not needed and that discussion should occur at this meeting.

Administrator gave an overview of and highlighted specifics of the draft ordinance.

Several items contained in the draft ordinance were discussed in detail.

Staff was requested to look at setting lower fees than proposed for local permits, so that small organizations may not be deterred from conducting excluded or exempt charitable gambling activities.

Staff will bring a final revised draft to council for consideration at next meeting.

L. Update on Julia Joyal vs. City of Buhl Conciliation Court Hearing.

A St. Louis County Conciliation Court hearing was conducted beginning at 11:45 a.m. on Wednesday, April 26, 2023.

This hearing involved Buhl resident Julia Joyal and the City. A claim had been filed with the St. Louis County District Court against the City with regard to alleged damage to personal property related to flooding events which occurred in May/June 2022.

League of Minnesota Cities Claims Adjustment personnel appeared at this hearing on behalf of the City, along with City personnel.

This hearing has concluded, and the matter has been taken under advisement by the Court; a decision is anticipated in the near future.

Informational only.

M. Summary of Local Board of Appeal and Equalization Hearing April 25.

The Local Board of Appeal and Equalization (LBAE) Hearing was conducted at 10:00 a.m. on Tuesday, April 25, 2023, at the Buhl-Kinney Senior Center.

Representatives of the City and the St. Louis County Assessor's office were in attendance.

The hearing was conducted to address valuation and equalization matters on real property in the City.

This hearing was recessed to gather additional information and will reconvene at 10:00 a.m. on Monday, May 15, 2023, at the Buhl-Kinney Senior Center.

Informational only.

Administrator clarified that since the meeting was recessed, this will not be a new, separate meeting, but rather a continuation of the original meeting. Administrator also clarified that there will be no further extensions or recesses on this matter after May 15, 2023

N. St. Louis County Medical Assistance Renewal Process Update Information.

St Louis County has recently hosted townhall meetings for Medical Assistance recipients regarding the renewal process to maintain continuous insurance coverage.

Although these meetings have already taken place, it is important to inform residents that the renewal process has changed, and is not the same as it has been in the last three (3) years.

Namely, the normally-annual eligibility renewal process had been replaced with a pandemic-era rule established to ensure continuous insurance coverage for people.

However, this rule has now ended and the renewal requirement will again resume to its pre-pandemic state.

The St. Louis County Public Health and Human Services Department has additional information and can assist with navigating the renewal process.

For more information on renewal requirements, visit mn.gov/dhs/renewmycoverage

Alternatively, you can seek out information on the St. Louis County Facebook page.

Informational only.

This information will be placed in the four (4) standard City announcement locations (City Hall; Post Office; Library; Senior Center).

O. Councilor's Comments.

Councilor Kealy – Noted that posters are done for the All-Class Reunion and look good; this information will be placed on the website.

Noted that there is work still needed on the parade. Noted that the All-Class Reunion is still accepting donations – send them to B2 Bank (former 1st National Bank of Buhl).

Idea is that the parade and its Grand Marshall(s) will recognize outstanding Buhlies!

Reminded everyone of the June 17, 2023 deadline for submitting items which should be on the Capital Improvement Project punch list.

Councilor Loeffler – Will be going to Granite Falls for Department of Public Transformation Grant orientation with core team members; this information will be placed on Facebook as well as the City website

Councilor Towner – noted that the Recreation Board will conduct their Spring Clean-Up this Saturday, May 7, beginning at 1:00 p.m.; Reminded everyone that you need to get your float registered for the Independence Day Parade, and that you can do so by contacting Colleen or via the City website.

P. Mayor's Comments.

Noted that should you wish to donate to the Recreation Board you can do so at City Hall; Encouraged everybody to get out and enjoy the summer!

8. ADJOURN:

Motion by Hadrava to adjourn. Supported by Loeffler. Motion carried unanimously and the meeting was adjourned at 8:37 p.m.

Brandin Carter, Mayor

ATTEST:

Tony Jeffries, City Clerk