

**MINUTES**  
**BUHL CITY COUNCIL MEETING**  
**BUHL CITY HALL**  
**7/9/2024**

Tuesday, July 9, 2024

6:30 P.M.

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

2. **ROLL CALL:**

Councilors:      X   Hadrava      X   Kealy          X   Loeffler    \_\_\_ Towner  
Mayor:           X   Carter

Administrator:              X   Jeffries  
Public Works Foreman:    \_\_\_ Pink  
Attorney:                   X   Kearney  
Engineer:                 \_\_\_ Jamnick  
Fire Chief:                \_\_\_ Lehman  
Police Chief:              \_\_\_ Manner

3. **PLEDGE OF ALLEGIANCE:**

4. **APPROVAL OF AGENDA/COUNCIL ADDITIONS TO AGENDA**

None.

**Motion by Hadrava to approve the agenda as presented.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

**Motion carried unanimously.**

5. **REPORTS FROM DEPARTMENT HEADS:**

**Administrator Jeffries:**

Noted that the rain in June has substantially impacted the construction schedule at Damian 2<sup>nd</sup> Addition, Whiteside, Woodbridge, and Seville Avenues – every project is behind now – however, the curb & gutter at Damian 2<sup>nd</sup> Addition has

been placed and will be backfilled soon – and that “blue-top” staking for final grade is anticipated in 1-2 weeks – and paving to follow...;

Presented and distributed a preliminary schedule for the water tower project outlining the process to get to physical construction activities by April-May 2025;

Reported that the City was selected to receive a grant from the Blandin Foundation, which will be utilized to update the City’s Comprehensive Plan (with details to follow);

Noted that there was a significant impact from the June 2024 severe weather event, which resulted in storm culverts at Whiteside Road being eroded and the road being washed out; these culverts were removed and replaced, and the Administrator will be seeking emergency funding to capture and reimburse these costs;

Noted that preliminary engineering estimates for activities at the Buhl Business Block have been requested to be received by July 25; and

Indicated that further meetings with St. Louis County regarding a potential new County/State Aid road will be held in mid-late July.

## 6. CITIZENS FORUM:

Shari Swanson, 10172 Whiteside Road, Buhl

Commented on several items, including;

- 1) Noted that the last addendum with the contract between the City and the Buhl Water Company has now sunsetted, and it is due for renegotiation;
  - a. The last term of 20 years may wish to be reduced;
  - b. The exclusion for selling Buhl Water may not be in the City’s best interest;
  - c. Inquired whether the old Short Stop facility should be (is to be?) torn down since there has been no redevelopment activity in over one year; and
  - d. Inquired as to whether the Buhl Water Company has any liability since it sells water from the City’s facilities.
- 2) Noted that the existing lease agreement with Ziegler (to cross BEDA property) expires at the end of the year, and that negotiations will resume soon; and
- 3) Noted that Health Care Facility voting processes need to be done properly, and

4) Thanked all for serving on the City Council.

## 7. CONSENT AGENDA

### A. Minutes:

i. Regular City Council Meeting – June 11, 2024

### B. Claims:

i. Payroll #11	\$ 16,851.65
Payroll #13	\$ 17,364.87
Payroll #6 (June 2024)	\$ 2,350.00
ii. A/P #1	\$ 65,167.11
A/P #2	\$ 35,613.74
A/P #3	\$ <u>1,102.48</u>
<b>TOTAL</b>	<b>\$ 138,449.85</b>

**Motion by Hadrava to approve the consent agenda as presented.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

**Motion carried unanimously.**

## 8. BUSINESS:

A. Resolution 24-19 for the City to Accept a Donation from Ziegler Companies for Independence Day Advertising and Activities.

Ziegler Companies, dba Ziegler, Inc., offered a donation of \$200.00 to the City as a financial contribution to help offset costs related to City of Buhl Independence Day Advertising and activities/events.

**Recommendation is for the City to accept this donation.**

**Motion by Loeffler to authorize the City to accept a donation from Ziegler Companies, dba Ziegler, Inc., to the City as a financial contribution to help offset costs related to City of Buhl Independence Day Advertising and activities/events in the amount of \$200.00, to execute Resolution 24-19 concerning the same, and to acknowledge this donation with appreciation.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

The City Council collectively thanked Ziegler for their generous donation.

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

**Motion carried unanimously.**

B. Consider Approving Renewing Minnesota Rural Water Association (MRWA) Membership Subscription for 2024 – 2025.

The Minnesota Rural Water Association (MRWA) exists “to provide the latest information, education, and technical assistance to protect our public waters and improve the quality of life in Minnesota.”

Buhl has been a member of the MRWA for quite some time, and receives substantial benefit and value out of its membership.

Of particular note is the assistance provided by the MRWA for the development, implementation, and ongoing maintenance of Buhl’s Wellhead Protection Plan.

In 2024, the MWRA is also being instrumental in assisting the City conduct smoke testing as a portion of its I & I (Inflow and Infiltration) studies regarding the performance of the City’s municipal wastewater collection system.

Additionally, the MRWA offers continuing education and technical assistance programs for water professionals, which include Buhl’s public works personnel.

Furthermore, the MRWA has been a valuable partner in assisting with identifying and seeking potential grant opportunities for eligible water related initiatives.

**Recommendation is for the City to renew its membership in the MRWA for 2024-2025 as an Associate Member in the amount of \$400.00.**

**Motion by Kealy to authorize the City to renew its Associate Membership in the Minnesota Rural Water Association (MRWA) for August 2024 – July 2025 in the amount of \$400.00.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

Question was raised as to whether MRWA was going to assist the City in conducting smoke testing; the Administrator indicated that is the case and testing was now being aimed for late August – early September.

**Motion carried unanimously.**

C. Consider Approving Renewing Iron Range Economic Alliance (IREA) Membership Subscription for 2024.

The Iron Range Economic Alliance (IREA) exists “to create a collaborative environment for economic prosperity in Northeast Minnesota by providing leadership, fostering partnerships and employing professional economic development strategies.”

Buhl has been a member of the IREA for some time, and receives benefit and value out of its membership.

The IREA partners closely with the Minnesota Department of Iron Range Resources and Rehabilitation (IRRR), meets quarterly, and strives to focus on identifying economic and development trends and initiatives in the taconite tax relief area.

The organization plays a notable role in identifying and devising strategies for economic growth and development throughout the region.

**Recommendation is for the City to renew its membership in the IREA for 2024 as a Member in the amount of \$75.00.**

**Motion by Kealy to authorize the City to renew its Membership in the Iron Range Economic Alliance (IREA) for 2024 in the amount of \$75.00.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

Question raised whether the City utilized this organization in the last year; the Administrator indicated that he has been on its Board of Directors for approximately 6 years, so – yes.

**Motion carried unanimously.**

D. Consider Approving League of Minnesota Cities Insurance Trust (LMCIT) Liability Coverage Waiver Form.

The City receives insurance coverage, including liability coverage, from the League of Minnesota Cities Insurance Trust (LMCIT).

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body.

If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000.

If the member waives the statutory tort limits, a single claimant could recover up to \$2,000,000 for a single occurrence or an amount up to the limit of the coverage purchased.

It is in the best interests of the City NOT TO WAIVE the statutory tort limits.

**Recommendation is that the City not waive the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.**

**Motion by Loeffler that the City of Buhl not waive the monetary limits on municipal tort liability for LMCIT Liability Coverage for 2024-2025 as established by Minn. Stat. § 466.04.**

**Supported by Hadrava.**

Discussion. Approve/Reject/Table.

The City Attorney indicated that this has been Buhl's past practice for some time now -

**Motion carried unanimously.**

E. Approve Hiring of Summer Help.

The City has previously publicly posted and published advertisements for 2024 City of Buhl Public Beach at Stubler Pit Attendants.

Posting and eligibility for these positions will remain open until sufficient personnel are sourced to cover the needs of the City.

One (1) additional application has been received to date for "beach attendant", and this applicant has fulfilled pre-employment paperwork requirements.

This applicant has previously been employed by the City as summer help, most recently in 2023.

**Recommendation is to approve the hiring of this applicant as a 2024 Beach Attendant.**

**Motion by Hadrava to approve the hiring of Jaeden Loeffler as a 2024 Beach Attendant contingent upon the successful completion of all employment and pre-employment requirements.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

The City Council extended its thanks to Mr. Loeffler for his interest.

**Motion carried unanimously; Loeffler Abstaining.**

F. Consider Buhl Knights of Columbus Council 5612 Request to Conduct (Exempt) Bingo Events on 11/23/24 and 4/12/25.

The Buhl Knights of Columbus Council 5612 (“Knights of Columbus”) is applying for an Exempt Permit with the State of Minnesota to conduct (Exempt) bingo events on 11/23/24 and 4/12/25 at the Buhl/Kinney Senior Center.

These bingo events will be aligned with Thanksgiving and Easter, respectively, and have been commonly known as “Turkey Bingo” and/or “Ham Bingo”.

Because the Knights of Columbus is a nonprofit organization, conducts lawful gambling on five or fewer days, and awards less than \$50,000 in prizes during a calendar year, these events are eligible to be administered under an exempt permit.

City approval is required as a prerequisite for submitting this application.

The Knights of Columbus has offered these events in the city for a number of years; this request is a continuation of established past practices.

**Recommendation is to approve the request of the Buhl Knights of Columbus Council 5612 to conduct (exempt) bingo events at the Buhl/Kinney Senior Center on 11/23/24 and 4/12/25.**

**Motion by Hadrava to approve the request of the Buhl Knights of Columbus Council 5612 to conduct (exempt) bingo events at the Buhl/Kinney Senior Center on 11/23/24 and 4/12/25, and to acknowledge that application as approved with no waiting period.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

**Motion carried unanimously.**

G. Consider Approval of and Authorization to Apply for a Cultural Expression Grant from the Minnesota State Arts Board.

The Minnesota State Arts Board has currently made available application materials for their Cultural Expression grant program.

This pilot program supports activities that share, explore, pass on, express, or celebrate culture through the arts. Culture may be defined by a common ethnicity, tribal affiliation, geographic or regional identity, occupation, language, or recreation. Traditional and contemporary forms of cultural expression may be funded in this program.

Funds could be used to support practicing a cultural art form; presenting cultural festivals, community celebrations, performances, media or exhibitions; offering demonstrations, etc. Funds could also be used to deepen or pass on cultural traditions through apprenticeships or documentation.

Staff has considered that the Recreation Board may be able to focus on community celebrations, and offering demonstrations could be provided through the City's current Department of Public Transformation/Youth Center initiatives.

**Recommendation is to authorize the Administrator to work with the Recreation Board to determine applicability and eligibility for this program, and to submit a full application for a Cultural Expression Grant from the Minnesota State Arts Board if determined to be eligible.**

**Motion by Loeffler to authorize the Administrator to submit a full application for a for a Cultural Expression Grant from the Minnesota State Arts Board if determined to be eligible, and to accept and expend said funds for these eligible and specific purposes if awarded.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

**Motion carried unanimously.**

H. Consider Commencing Legal Compliance Actions Regarding Property Located at the Intersection of Forest Street and Culver Avenue.

DonLee Pulford is the title holder of two (2) parcels of land located at the northeast corner of Forest St. and Culver Ave. formerly housing a large commercial structure, which collapsed and is non-repairable. Demolition of



this structure and removal of the building materials and its contents is the only plausible remedy to this situation.

City staff has explored and pursued a number of avenues of potential remediation for some time now without effectuating acceptable progress.

Mr. Pulford has on several occasions acknowledged he is aware of and understands the issues, and also indicated his intention to remedy this by June 20, 2024.

Despite these assurances, these properties have failed to be remediated to an acceptable condition, and little progress has been observed in 2024 to date.

It has unfortunately and regrettably now become apparent that additional remedies available to the City need to be accessed to further effectuate alleviating these conditions. It appears that the most effective approach at this time would be to direct the City Attorney to commence formal compliance actions in order to immediately remedy these properties into a safe and presentable condition.

**Recommendation is to direct the City Attorney to commence legal compliance actions regarding remediating the property owned by DonLee Pulford located on the northeast corner of the intersection of Forest Street and Culver Avenue.**

**Motion by Loeffler to direct the City Attorney to commence legal compliance actions regarding remediating the property owned by DonLee Pulford located on the northeast corner of the intersection of Forest Street and Culver Avenue.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

A reference to IRRR Commercial Redevelopment Grants was brought up, and a question as to whether this project (and other(s?)) may be eligible?

The Administrator's understanding is that the eligibility is either somewhat, if not entirely, conditional on re-establishing a commercial use of the property-

One avenue to approach this is to pursue this matter under blight provisions.

The City Attorney advised that the process could go either a criminal or civil route; the cost factor here is the biggest issue with regard to achieving compliance – and that the criminal route is usually quicker and at lower cost than a civil proceeding -

**Motion carried unanimously.**

I. Consider Appointing Various Individuals as 2024 Election Judges.

The City continues to assemble a panel of community members to serve as election judges for the 2024 election cycle.

To date, several individuals have indicated a willingness to serve; more are anticipated in the future.

Individuals not previously identified for these roles at present include:

Jeff Jarrett.

It should be noted that Mr. Jarrett has also indicated a willingness to serve as a head election judge.

**Recommendation is to approve and appoint the above individuals as election judges for the 2024 election cycle, and to appoint an individual as head election judge.**

**Motion by Loeffler to appoint Jeff Jarrett as an Election Judge for the City of Buhl for the 2024 election cycle, and to additionally appoint Jeff Jarrett as a Head Election Judge.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

It was noted that the City needs another head judge to cover the election day split-shift that Buhl employs -

**Motion carried unanimously.**

J. Consider Naming Certain Individuals as 2024 (Absentee) Ballot Board Member(s).

The City established its Ballot Board for the 2024 election cycle on February 6, 2024.

Mn Statutes § 203B.121, Subd. 2. establishes duties of the ballot board, which includes administration of absentee ballots received prior to the election date.

All individuals appointed as Election Judges are eligible to serve on the Ballot Board.

Election Judges appointed to date include:

Kathleen Anderson;  
Anthony Jeffries;  
Jeff Jarrett;

Dean Johnson;  
Cheryl Kivi;  
Sharon Marks;  
Donna Pospeck;  
Judith Rae;  
Ann Simonson;  
Stefanie G. Spicer;  
Melody Staffaroni; and  
Dianna Thronson.

**Recommendation is to name Jeff Jarrett and Dean Johnson as members of the (Absentee) Ballot Board for the 2024 election cycle.**

**Motion by Hadrava to name Jeff Jarrett and Dean Johnson as members of the Ballot Board for the City of Buhl for the 2024 election cycle.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

Discussion ensued regarding the eligibility of City (Hall) staff to serve on the Ballot Board – or their ineligibility to serve – and as a result -

Motion and support rescinded -

**Amended motion by Hadrava to name all appointed Election Judges with the exception of Anthony Jeffries and Dianna Thronson as members of the Ballot Board for the City of Buhl for the 2024 election cycle.**

**Amended support by Loeffler.**

**Motion carried unanimously.**

K. Consider Billy's Pit Stop Pub 'n Grub Street Closing Request for July 20, 2024.

Billy's Pit Stop Pub 'n Grub has scheduled their 3<sup>rd</sup> Annual Car Show on Saturday, July 20, 2024. The event will be held on State Street on the 100 block of State Street which fronts Billy's.

Carla Dombrowski of Billy's has requested to have that block of State Street closed from 12:00 p.m. to about 6:00 p.m.

The use of barricades has also been requested.

It is in the best interests of the City to demonstrate goodwill and partnership with its residents and business community and to support economic development events in the city.

Recommendation is that the City grant the request of Carla Dombrowski and Billy's Pit Stop Pub 'n Grub.

Motion by Loeffler that the City grant the request of Carla Dombrowski and Billy's Pit Stop Pub 'n Grub to close the 100 block of State Street from 12:00 p.m. to 6:00 p.m. on July 20, 2024, and to assist with traffic control by allowing the use of barricades.

Supported by Kealy.

Discussion. Approve/Reject/Table.

Motion carried unanimously.

L. Notice of League of Minnesota Cities (LMC) Preliminary Dues Increase for 2025.

The League of Minnesota Cities (LMC) recently provided its members information to keep them informed and engaged.

With that in mind, LMC provided information to make its members aware of some upcoming changes that will "further shape our collective efforts and continue to drive progress".

Among these is a notice of the preliminary maximum dues increase for 2025.

At its May (2024) meeting, the LMC Board of Directors approved a preliminary maximum dues schedule increase of 6% for a 16-month budget period that runs from Sept. 1, 2024 through Dec. 31, 2025.

In 2024, the City's dues to LMC was \$1,299.00; in 2025 this will become a maximum of \$1,377.00.

Additionally, in this informational notice the LMC also:

- 1) Proposed fiscal year changes and timing of dues notices; and
- 2) Proposed additional changes to the LMC Constitution and bylaws.

**Informational only.**

M. Summary of League of Minnesota Cities Annual Conference 2024.

The League of Minnesota Cities (LMC) held their 2023 Annual Conference at the (Rochester, MN) Mayo Civic Center on June 26-28, 2024. The theme of the conference was "Building a Better City".

Administrator Jeffries attended the conference.

The conference agenda was attached.

The Administrator provided several highlights of the conference's proceedings, events, and keynote speakers.

**Informational only.**

N. Other Business.

None.

O. Councilor's Comments.

Councilor Kealy –

Noted a number of items with regard to the Curling Club, including:

- 1) Potential new lighting for the facility; and
- 2) The need to repair a garage door.

The Administrator will inquire as to IRRR Culture & Tourism grant eligibility, as well as investigate other potential funding opportunities.

Noted that no tickets were issued for blight in June by law enforcement in Buhl – but more activity may occur after the Chisholm Police Department settles into their new headquarters -

Noted that the Chisholm Police Department's Community Service Officers (CSOs), which have been utilized in Buhl for enforcement purposes, is possibly not that active at the moment – and may not be utilized for these purposes in the future.

Requested that the Chisholm Police Department be given a heads-up regarding commercial vehicle parking and potential issues related to this –

The Administrator indicated that this will ramp up again after construction activities related to Paul Bunyan Communications' fiber optic installation work is completed in late July/early August.

Councilor Loeffler –

Noted that the Independence Day parade was great!

And that the Recreation Board deserves lots of credit!

Reminded all of a city-wide BBQ event planned for Tuesday, July 16 at Burton Park, from 5:30 – 7:30, and noted folks can bring their own games –

Announced the Northern Lights Music Festival concert at the Library on Tuesday, July 16 -

Noted that on Sunday, August 4, there will be a “porch sign” creation event at a location to-be-determined -

P. Mayor’s Comments.

Get out and enjoy the outdoors! Go play in the beautiful weather!

Noted that Jackie Fallon will be giving a presentation on raptors - with live Peregrine Falcons - on Monday July 22, at 3:30 p.m., at the Public Library -

The Administrator gave a summary of the impacts realized in Buhl by the later June severe weather events – and that in general things held up pretty well –

**9. ADJOURN:**

**Motion by Kealy to adjourn.**

**Supported by Loeffler.**

**Motion carried Unanimously and the meeting was adjourned at 7:56 p.m.**



Brandin Carter, Mayor

ATTEST:



Tony Jeffries, City Clerk