

MINUTES
BUHL CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
1/21/2025

Tuesday, January 21, 2025

6:30 P.M.

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

2. ROLL CALL:

Councilors: X Kealy Loeffler X Teska-Erickson X Towner
Mayor: X Matthews

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

3. APPROVAL OF AGENDA/COUNCIL ADDITIONS TO AGENDA:

Motion by Towner to approve the agenda as presented.

Supported by Kealy.

Discussion. Approve/Reject/Table.

Teska-Erickson requested to discuss the Ambulance Hall mold issue; this item will be added as Item 7.G.1.

Motion carried unanimously.

4. REPORTS FROM DEPARTMENT HEADS:

City Engineer John Jamnick:

Noted that:

The city was not awarded a St. Louis County CDBG (Community Development Block Grant) for the water tower project; feedback was that although the Advisory Committee liked the project and found merit in it, they were aware that other sources of funding have previously been

secured for this project and determined that their funding pool was better served on other projects -

A meeting between the City of Buhl, JPJ Engineering, and the United States Department of Agriculture, Rural Development (USDA RD) was held at the USDA RD offices in Virginia. This was in essence a kickoff and next-steps meeting for the Congressionally Directed Spending funding allocation which was awarded to the City in 2024, and includes water tower improvement funding as a portion of this award.

Administrator Jeffries:

1. Summarized the results of CDBG Grant Application awards from St. Louis County – including there were 38 applications under consideration, requesting \$5.76 million, while St Louis County had an available funding pool of \$1.61 million. Of the 28 projects which ultimately were awarded a funding allocation, only 14 of those were funded at a level greater than 50% of what was requested.

Indicated the USDA RD meeting went quite well, as experienced staff was at the table for USDA RD.

2. Provided an update on refuse collection services – noting that blue bags are no longer required in Buhl and that there are none available any longer. WM Minnesota Wisconsin (the refuse collection contractor) will not charge for extra refuse bags placed outside the regular refuse collection container until April 1, 2025. After that date, any bag placed outside of the refuse collection container will have a \$5.00 per bag handling fee assessed.

It was also noted that bags placed outside of a collection container will be limited to a maximum size of 30 gallons.

3. Noted that St. Louis County is offering for sale a parcel of land which has fallen into tax forfeiture – located at 216 Sharon St., and that this parcel is available to receive bids for its sale on the County website (stlouiscountymn.gov/landsales) for anyone interested in making a bid on this property, from February 6 through February 20, 2025 -
4. Reminded all city councilors that LBAE (Local Board of Appeal and Equalization) training is available at no charge but that it has to be completed by February 1, 2025 to be certified for the 2025 year -

5. CITIZENS FORUM:

None.

6. CONSENT AGENDA

A. Minutes:

- i. Regular City Council Meeting – January 7, 2025

B. Claims:

- i. Payroll #1 \$ 13,761.54

- ii. A/P #1 \$ 156,409.20

TOTAL \$ 170,170.74

Motion by Kealy to approve the consent agenda as presented.

Supported by Teska-Erickson.

Discussion. Approve/Reject/Table.

Motion carried unanimously.

7. BUSINESS:

- A. Consider Proposal from Sterle & Co., LTD, for City of Buhl 2024 Financial Audit Preparation Services.

The City has enjoyed a relationship with Sterle & Company, LTD, to serve as the City’s Independent Auditor for a number of years.

This relationship is renewed on an annual basis through an engagement agreement between the parties.

Sterle & Company, LTD is interested in continuing this relationship and providing these services for 2025 (fiscal year 2024), and has forwarded an engagement agreement for 2025 to the City for its consideration.

City staff supports continuing engaging Sterle & Company, LTD, to provide these services.

A portion of this agreement is to complete an independent audit of the financial statements of the City of Buhl for the fiscal year period ending December 31, 2024.

Recommendation is for the City to continue with Sterle & Company, LTD as the City of Buhl’s Independent Financial Auditor for 2025 and to approve the engagement agreement for this period.

Motion by Teska-Erickson to approve the engagement agreement between the City of Buhl and Sterle & Company, LTD for 2025, including preparation of the fiscal 2024 independent financial audit, for a cost not to exceed \$ 10,400.

Supported by Towner.

Discussion. Approve/Reject/Table.

Motion carried unanimously.

B. Consider 2025 Membership in the Minnesota Mayors Association.

The Minnesota Mayors Association exists to provide current mayors access to a large network of experienced mayors that can support them in dealing with unique issues they face in their role.

In addition, it provides access to the Minnesota Mayors Handbook, which is produced in cooperation with the League of Minnesota Cities (LMC).

Membership in this organization is on an annual basis with annual membership dues set at \$30.00.

The City has been a member of this association in the recent past.

Recommendation is for the City to continue this membership for 2025.

Motion by Towner to approve renewing membership in the Minnesota Mayors Association, and to remit 2025 annual membership dues in the amount of \$30.00.

Supported by Kealy.

Discussion. Approve/Reject/Table.

Motion carried unanimously.

C. Consider Filling BEDA Board Member Vacancies.

As a result of the 2024 local elections, there are presently two (2) vacancies on the Buhl Economic Development Authority (BEDA).

These existing vacancies are to be filled with members of the City of Buhl City Council (and/or Mayor). The term of these vacancies will coincide with the term(s) of office as members of the City Council.

Additionally, the City has received a letter of resignation from current BEDA Commissioner Tom Hewett effective immediately, which creates an additional (at large) vacancy on BEDA.

Buhl resident John Klarich has expressed an interest in serving in this capacity on BEDA.

Recommendation is for the City to appoint up to two (2) members of the City Council, excluding current BEDA Commissioner Randy Towner, to these positions, and to fill the remaining (at large) vacancy with a member of the community.

Motion by Teska-Erickson to accept the resignation of Tom Hewett and to thank him for his valuable contributions to the City as a commissioner on the Buhl Economic Development Authority (BEDA), to appoint City Council member (mayor) Jim Matthews to serve as a Commissioner on BEDA with a term that coincides with his term of office as a member of the City Council, and to appoint John Klarich to serve as a Commissioner on BEDA with a term that expires December 31, 2030.

Supported by Towner.

Discussion. Approve/Reject/Table.

It was requested to separate the elements of this motion to include accepting Tom Hewett's resignation only.

It was also noted that Mr. Matthews may, in fact, have been approved to serve on the BEDA at the last (January 7, 2025) City Council meeting.

Further research indicated this to be the case.

Original motion and support for the above was rescinded.

Motion by Teska-Erickson to accept the resignation of Tom Hewett and to thank him for his valuable contributions to the City as a commissioner on the Buhl Economic Development Authority (BEDA).

Supported by Towner.

Motion carried unanimously.

Motion by Matthews to accept the nomination of and appoint John Klarich to serve as a Commissioner on BEDA with a term that expires December 31, 2030.

Supported by Teska-Erickson.

Discussion. Approve/Reject/Table.

It was noted that although the motion calls for a term that expires on December 31, 2030, past practice has been that, when filling vacated (rather than expired) seats on BEDA, it would be for the remainder of the vacated member's term and not a full six-year (6-year) term.

In this instance, Tom Hewett's existing term expires December 31, 2026.

Additionally, it was noted that traditionally these vacancies have been posted to the general public.

Although posting of this does not appear to be a requirement, it has been the past practice of the City to post the opening to the general public.

It was requested that this opening be posted to the general public for their consideration.

The mayor commented that in matters related to positions which are to be appointed by the mayor, there does not appear to be any requirements to advertise these opportunities in any way – the mayor may appoint whomever, and the City Council may either approve or disapprove these appointments.

RESTATED Motion by Matthews to accept the nomination of and appoint John Klarich to serve as a Commissioner on BEDA with a term that expires December 31, 2026.

Supported by Teska-Erickson.

Discussion. Approve/Reject/Table.

Motion failed.

Motion by Towner to post public notice of a currently available seat on the Buhl Economic Development Authority (BEDA) board of commissioners with a term that expires December 31, 2026 and to accept expressions of interest for this vacancy at City Hall until February 28, 2025.

Supported by Kealy.

Discussion. Approve/Reject/Table.

Question was raised as to what would happen if the City Council could not come to agreement to approve any nominated or interested individual –

Response was that this is unlikely to happen – but that it should be posted to be open with the public on the availability of a seat –

Discussion ensued regarding whether or not this opening was posted previously (November 4, 2024, which noted two (2) vacancies which would be created as a result of the 2024 election) -

The City Attorney commented that past practice has had these openings publicly posted when available -

Motion failed.

D. Consider Amending City of Buhl Ordinance § 31.04 Regarding the Makeup of the Buhl Economic Development Authority (BEDA).

Sections § 31.01 through § 31.05 of the Buhl, Minnesota, Code of Ordinances sets forth certain provisions guiding the establishment and operation of the Buhl Economic Development Authority (BEDA).

Included in Section § 31.04 is the overall makeup of BEDA, as well as the terms and appointments authorized therein.

The current ordinance calls for a 7-commissioner (BEDA) board, with three (3) of these commissioners being members of the City Council.

A consideration has been initiated to review these provisions, and to potentially alter the current 3-commissioner City Council requirement.

A legal opinion is forthcoming regarding this consideration.

In order to alter these provisions, an amendment to Section § 31.04 would be necessary.

Recommendation is for the staff to City to begin the process of amending this ordinance, in conformance with the findings of the anticipated legal opinion and the direction of the City Council.

Motion by Towner to direct the Administrator to begin the process of amending the City of Buhl Code of Ordinances Section § 31.04 requiring that two (2) commissioners of the Buhl Economic Development Authority (BEDA) be members of the City Council.

Supported by Kealy.

Discussion. Approve/Reject/Table.

Discussion related to the current city ordinance as it relates to the composition of the BEDA board of commissioners ensued –

As a reminder, the current city ordinance specifies that BEDA shall consist of seven (7) commissioners, three (3) of whom shall be members of the City council.

The item of note here is that those three (3) commissioners comprise a quorum (and majority) of the City Council, therefore these commissioners could effectively influence a BEDA action without directly involving the entire City Council (by effectively representing a majority of the City Council) -

Various philosophies regarding individual interpretations of these provisions ensued and were heard -

The City Attorney noted that the (entire) City Council itself could statutorily serve as the (entire) EDA board.

The mayor iterated he is asking for this to protect the integrity of the City Council so that there is no question about unscrupulous behavior that may happen as a result of having a majority of the (City) Council sitting on any (board or) commission –

The mayor does not believe that there should be a quorum of the (City) Council on any board or commission, as it gives the appearance that an item could possibly get “railroaded through” by the board or commission, and effectively rendering the remainder of the City Council (those not (a) member(s) of that board or commission) basically voiceless, or confused -

Additional individual opinions were offered and heard –

Councilor Kealy expressed a desire for (the City Council) to have more of a say as to who is on any board or commission – and that it may in fact be safer (for the City) to have three (3) councilors on BEDA rather than two (2) -

Motion failed.

E. Consider Planning and Zoning Commission Appointment.

The City presently has one (1) current vacancy on its Long-Range Planning and Zoning Commission.

Notice of this vacancy was previously posted, and the public was notified and requested that anyone interested in serving in this capacity should contact City Hall for potential consideration.

An Expression of Interest to serve in this capacity has been received from one (1) individual – Brian Kealy.

The term of this position will expire on December 31, 2027.

Recommendation is for the City to appoint this individual to this position.

Motion by Teska-Erickson to appoint Brian Kealy to serve on the Buhl Long-Range Planning and Zoning Commission, with a term that expires on December 31, 2027.

Supported by Towner.

Discussion. Approve/Reject/Table.

Motion carried unanimously; Kealy abstaining.

F. Update on EMS Operations in the City of Buhl from Essentia Health.

The City continues to enjoy a relationship with Essentia Health EMS (“Essentia EMS”) for providing BLS (Basic Life Support) EMS services to the City, through an existing Ambulance Services Agreement.

This Ambulance Services Agreement currently in effect provides for an expiration date of April 21, 2027.

Simultaneously and concurrently, the City has also leased certain premises to Essentia EMS to conduct their ambulance service, namely the property located at 201 Forest Street (the old Buhl Fire Hall/Ambulance Hall). This Lease Agreement also provides for an expiration date of April 21, 2027.

Essentia EMS has recently provided an update to the City regarding these operations. It should be noted that Essential EMS has reported that things have been going well, and improving, for their Buhl operation.

Improvements to their staffing levels has helped Essentia EMS maintain staffing of the second ambulance regularly, and helped the overall success of the operation at this location.

Essentia EMS has provided data regarding the call volume for calendar 2024.

Please note that their average response time (time to arrive on scene from the time they are notified by 911) is below the national average not only for rural regions (Buhl average response time – 5 minutes; national average – 14 minutes), but for urban areas as well (5 minutes versus the national average of 7 minutes).

A continued dialogue between the City and Essentia EMS should be maintained in order to keep the City informed on Essentia EMS’ Buhl EMS operations.

Informational only.

Discussion.

Teska-Erickson commented that although the distributed materials indicates the service is a BLS (Basic Life Support) service, that in fact Essentia’s service is also an ALS (Advanced life Support) service, with paramedics on staff as well as EMTs -

G. Other Business.

1. Discussion of Mold Issues at Ambulance Hall.

Teska-Erickson noted that there have been mold issues existing in the basement of the ambulance hall for some time, and this needs to be made a priority by addressing the removal and remediation of this issue by a qualified contractor –

Motion by Towner to direct the Administrator to request RFPs (Requests for Proposals) from qualified remediation contractors for proper and professional clean-up and remediation of the mold issues which presently exist in the basement of the EMS Station (Ambulance Hall), located at 201 Forest Street in Buhl.

Supported by Teska-Erickson.

Discussion. Approve/Reject/Table.

Question was raised regarding whether there have been any updated costs or quotes available at this time (after an independent evaluation of the situation was conducted and reported on by an environmental consultant); the Administrator indicated that no cost or budgetary figures are presently available.

Motion carried unanimously.

H. Councilor's Comments.

Councilor Teska-Erickson -

Indicated there have been some inquiries as to why the Friday hours at City Hall are short and City Hall not being open in the afternoon – and wondered about extending Friday hours at city Hall.

It was indicated that Friday afternoons are one of the slower periods of the week, and it was suggested that there are no real impacts with maintaining the City Hall hours at its current level.

Councilor Towner -

Noted that the (internal) Audit Committee, presently composed of Councilors Kealy and Towner, was organized on a six-month rotating basis to have two (2) city councilors engaged in each six-month period – and this most recent six-month period expired on December 31, 2024 –

This item will be placed on the next meeting agenda for action.

I. Mayor's Comments.

Noted that complaints about stray cats have been increasing in the recent past – so anyone and all who may be feeding stray cats are strongly urged to STOP this activity – it actually harms the animals more than it helps them, and it certainly doesn't help the city -

Noted that he hopes that conversations regarding the structure of BEDA and its appointments will continue – and reminded all that presently two (2) vacancies exist, and it is looking like a very big year for BEDA and these (vacancies) should be filled soon -

8. ADJOURN:

Motion by Towner to adjourn.

Supported by Teska-Erickson.

Motion carried unanimously and the meeting was adjourned at 7:30 p.m.


James Matthews, Mayor

ATTEST:


Tony Jeffries, City Clerk