

CITY OF VERGAS  
COUNCIL MINUTES  
Vergas Event Center and Zoom  
Tuesday, May 9, 2023

The City Council of Vergas met at 6:30 pm, on Tuesday, May 9, 2023, at the Vergas Event Center for a hybrid regular council meeting with the following members present: Mayor Julie Bruhn, Council Members: Bruce Albright, Paul Pinke, Dean Haarstick and Natalie Fischer. Absent: none. Also present: Clerk/Treasurer Julie Lammers, Utilities Superintendent Mike DuFrane, Blaine Green, Tom Winters, Robert Williams of the Frazee-Vergas Forum, Terry Bennett, Maria Shomento, Shannon Carpenter, Bob Hager, Shane Poss, Jeff Hattlewick, Joy Summers, Jill Shipman and Sherri Hanson.

**Call to Order**

Mayor Julie Bruhn called the meeting to order.

**Citizens' Concerns**

Terry Bennett requested an easement across City property for a driveway, to access his property from County Hwy 17. The Council asked Attorney Tom Winters and Clerk-Treasurer Julie Lammers to review the easement location, cost and procedure.

**Agenda Additions and Deletions**

Motion by Pinke, seconded by Haarstick to approve the agenda with the following addition: Event Center Advisory Board Report, Looney Days, 88 Parkview Drive and Lawrence Lake Acres. Motion passed unanimously.

**Approval of Consent Agenda**

Motion by Pinke, seconded by Albright to approve the following consent agenda:

- A. Council Minutes of the April 11 & 24, 2023 and Board of Review
- B. Bills paid between Council meetings and Council bills
- C. Liquor Store bills for April 2023
- D. Late water/sewer bills
- E. 2023 Investment Schedule/Bond Schedule
- F. General Fund Special Revenue Money Market Account
- G. 2023 Statement of Receipts, Disbursements and Balances
- H. American Rescue Plan Funding 2021-2026
- I. 2023 General Fund Budget - March 31, 2023
- J. 2023 Water Fund Budget - March 31, 2023
- K. 2023 Sewer Fund Budget - March 31, 2023
- L. Committee Reports - requiring no Council Action
  - 1. Personnel
  - 2. Planning Commission

Motion passed unanimously.

**Music/Food Truck on Main Street**

Otter Coffee has requested to have music on Main Street as their business has done in the past. This will begin in the middle of June and go through August. Motion by Albright, seconded by Pinke to approve. Motion passed unanimously.

**Looney Days**

Otter Tail County has approved the parade route for Looney Days parade. Motion by Pinke, seconded by Albright to approve closing streets for the Looney Days parade. Motion passed unanimously.

### **2023 Pickleball Project**

Shannon Carpenter reviewed the plans for the pickle ball courts. Requested permission to add an area around the pickle ball courts with gravel and a sitting area (including a monument sign). They have multiple bids for this project. Phase 1 is getting rid of sand and then making a sitting area. The fund for this project is already secured. Bruhn asked DuFrane if he had any concerns. He questioned if the plan was ADA Compliant. Carpenter stated they are considering this when making the plans. Motion by Albright, seconded by Pinke to approve the second phase of the pickleball project. They will also be adding signs to this area: no skateboards and names of donors. Motion passed unanimously. Motion by Pinke, seconded by Fischer for Bruce Albright to be the Council Liaison for the pickle ball project. Motion passed unanimously.

### **88 Park View Easement Area**

Bob Hager stated he has received a proposal from East Otter Tail Soil and Water Conservation District. Bruhn stated he needed to discuss this with the park board. Hanson explained the park board has previously stated they would like Hager to work with East Otter Tail Soil and Water Conservation District for work to be done in the easement area. Albright stated this was discussed at the planning commission meeting held on April 24, 2023, and they stated Council has requested the trees be removed and council should continue this discussion regarding the planting of trees in the trail easement. On October 11, 2022 the Council stated that 6 trees should be moved. Willows have been cleared off in the trail easement area for snowmobile traffic by the City utility employees. Hager removed the roots and now there is an area that is exposed. Hanson stated the park board has maintained they do not have funds for any planting.

Hager stated the following:

- The property is owned by his daughter and son-in-law. The property is all theirs but there is 3 easements along their property.

- He has already planted some plants in this easement area and has moved 4 of the 6 trees the Council asked him to move.

- Hager stated he is not asking for any money.

- He did not remove any roots – just cut off stumps.

- He seeded the ditch and the grass.

- He has planted plants at the bottom of the slope. He has been advised by park board members to have a formal plan and he went to the soil conservation to get a formal plan.

- He just wants to have more inviting property for the city. There are 2 trees by the bench in the trail easement area that will bring shade to the bench and the trail.

- The right of way is not feasible for snowmobiles.

- He is trying to make the shoreline more inviting. There are more willows and trees growing wild by the wall (below the foundation of the wall).

- The City has modified the ditch and he has cleaned this up.

- In the easement it states they cannot do anything to harm the City's rights and the City cannot do anything to harm their rights.

- There are rocks in both the easement area and outside the easement.

- Asked for 2 trees to remain along the trail (by the bench).

- The council can change the easement. (The attorney stated they would need to make an amendment).

Albright stated the easement was in place before the property was purchased and the city is not asking for anything that is not in the easement. People cannot go into the park and just plant trees. Hager stated the rock formations are off the easement and on their property and not in the easement area. Albright questioned the erosion area as we need constructive planning in the easement area. Hanson stated the park board has sent Hager to East Otter Tail Soil and Water Conservation District as they know more about trees and plants for the area.

Albright stated he does not question East Otter Tail Soil and Water Conservation District design. If this moves forward, we need to be done with this and stick to the easements. Tom Winters, the City Attorney reviewed the drainage easement and stated the City can plant the plants or give the property owner permission to plant. The trail easement states no planting can be done in the easement. Motion by Albright, seconded by Pinke the two trees can remain by the bench until they become a concern, implement the plan as provided by East Otter Tail Soil and Water Conservation District at his sole expense, immediately get a permit from the City on file which will be recognize he is planning so double permit fees are not enforced and no further work can be done in city easement

or city property without Council consent.

Fischer asked about the plan and if he is able to do part of the plan now and finish later. The motion does not state this, it must be done completely. Albright asked if he was not going to do the whole plan when will it be done. Hager stated he has already started some planting and will do others as he can afford. There is no time frame discussed. Voting yes: Albright: Voting no: Fischer, Haarstick and Pinke. No motion failed.

Motion by Fischer, seconded by Haarstick to allow plan to be implemented in phases with each phase being brought to Council for approval before more work is done, \$700.00 of the plan will be done this year and the two trees stay. Fischer amended motion to add the comment 1<sup>st</sup> phase done by May 31, 2023 and Haarstick seconded. Amendment motion passed unanimously. Motion passed unanimously. Albright stated he is on the East Otter Tail Soil & Water Conservation District committee. Hager stated the whole Council is doing a good job and this is a great community.

### **Lawrence Lake Acres**

Apex has stated there are 450 feet of culverts on the extension of Glenn Street. The Planning Commission has recommended RCP as engineer has stated. 15-inch diameter is ordinance they are putting 12-inch diameter. Engineering Blaine Green explained the standard engineering practices states the RC pipe for center line culverts. For driveways you can get by with if they degrade it will be at a cost for the city to repair the culverts. Standard engineering practices of crossing a road is RCP pipe. Albright asked if the sections are to be tied or gasketed joints. Winters stated we need to look at past. Bunkowske road has culverts which are 15 inches. The policy should be driven by actual calculations and 12 inch would be sufficient. Motion by Fischer, seconded by Pinke to approve polyurethane (HDPE) culvert on the extension of Glenn Street with a 15-inch pipe as ordinance states. Motion passed unanimously.

### **Committee Reports**

#### Parks

Sherri Hanson reviewed the Park Advisory Board meetings of May 5 and 24, 2023 (minutes available at the Vergas City Office). Discussed agreement with Pausch who was going to volunteer for bathhouse cleaning and now would like \$1,500 payment so it will go back to the park board for discussion. Motion by Pinke, seconded by Albright for resolution 2023-010 to place the basketball hoop. DuFrane stated he did not recommend putting a free-standing basketball hoop in the city as he is concerned with children being injured. Hanson stated insurance will cover any injuries and DuFrane stated it is not commercial grade. Voting Yes: none. Voting No: Albright, Pinke, Fisher. Absent: Haarstick. Motion failed. (Haarstick stepped out of the meeting for a couple minutes)

#### EDA/HRA

Albright reviewed the EDA/HRA committee meeting of May 2, 2023 (minutes available at the Vergas City Office). Discussed lots located on Diane Ave and Eva Street that have been tax-forfeited. Summers explained assessments are looked at in a negative connotation and would like to provide payment to the City out of the sale of the lot for payment of the water and sewer lines. Albright and Lammers attended a housing summit. Albright explained there has never been this kind of money for housing with the State of MN. These lots give us an unique opportunity to control the interest of these lots and the EDA/HRA is requesting ownership from Otter Tail County, a letter is being sent to Wayne Stein, County Auditor-Treasurer. The Council gave general support for the purchase of these lots.

#### Streets/Sidewalks/Yard Waste

Albright reviewed the Streets/Sidewalk/Yard Waste committee meeting of April 18, 2023 (minutes available at the Vergas City Office). Sunset Strip proposal not available. Storm water proposal not to exceed \$4,000. This would be another layer added to our GIS tool. Motion by Albright, seconded by Pinke to approve storm drain proposal. Motion passed unanimously. Motion by Albright, seconded by Fischer to repair the current snowplow truck. Unless the truck is fixed, it basically has no value or is very minimal. Motion passed unanimously. Motion by Fischer, seconded by Haarstick to authorize 2023 seal coat projects if they are within budget. Motion passed unanimously. DuFrane is to bring the figures to the street committee. The Streets committee will review the numbers and if within budget they will move forward. Road repairs for miscellaneous street patching for \$4.80 a square foot, removal of North Railway Avenue-160 feet and make a gravel road (mill the road) and patch Scharf Avenue. Recommended to table area by Municipal Building and alley area and save for 2024. Great Plains made a large hole in the alley, and they will be repairing it by the Hardware Store. The street committee would like a permit for work on roadways. Motion by Fischer, seconded by Pinke to approve road repairs. Motion passed unanimously. The 1990 Ford truck and Chevrolet will be for sale when the new Ford comes in.

### Event Center

Lammers reviewed Event Center Advisory Board meeting of April 3, 2023 meeting (minutes will be at the Vergas City Office when available). Motion by Pinke, seconded by Fischer to approve the position for Event Center Coordinator for 520 hours a year (260 in 2023) with personnel committee approving the job description. Motion passed unanimously. Motion by Albright, seconded by Fischer to hire Jezmae Burkett for the Event Center Coordinator at step 1. Motion passed unanimously.

### Staff Reports

#### City Clerk-Treasurer

Lammers provided a plan for using her PTO hours over the 200 hours as personnel policy states. Motion by Pinke, seconded by Albright to approve Lammers plan for time off. Motion passed unanimously. Reviewed Auditor recommendation regarding American Rescue Plan Funding and reviewed fraud with the City of Vergas checking account. Lammers reviewed how Council Members can view shared documents on their iPad. Lammers informed the Council the City has received the Mn Department of Health Grant for \$10,000.00 for generator receptacles at the well house. The quote is \$21,000.00. Motion by Pinke, seconded by Haarstick to use American Rescue Funds for the remaining \$11,000.00. Motion passed unanimously.

#### Mike DuFrane, Utilities Superintendent

Mike DuFrane provided the following report to the Council for May 2023.

1. Wastewater
  - a. The ponds were at capacity. Discharge is taking place currently.
  - b. March's influent sample Total suspend solids was extremely high over 1400 m/l. The cause of this was fats oil and grease according to the laboratory. Minnesota Rural Water will be reviewing this on Monday and asked the water and sewer committee (Fischer and Haarstick) join him at the ponds. DuFrane will let them know when they are here.
2. Water
  - a. Hydrants were flushed last week.
3. Streets
  - a. Streets were swept on May 3, 2023
  - b. Patching, see street committee report.
  - c. 260 Bennett Rd had damage to tar due to snowplow truck and will be repaired. Albright explained the policy states the City of Vergas will cooperate with the property owner regarding repairs. DuFrane stated due to the way Bennett is designed this will keep happening, because we need to push the snow back. Motion by Albright, seconded by Pinke to repair the damage done to the driveway. Motion passed unanimously.

#### Liquor Store Manager

Lammers presented the Liquor Store Manager department. One employee has resigned. The POS system has been installed and they are waiting for 1 more piece of equipment. Customers are increasing.

### **Information & Announcements**

#### Trainings:

- a. IIMC Conference - May 14-17, 2023 (Lammers) Minneapolis
- b. League of MN Cities Annual Conference, June 21-23, 2023 (Bruhn, Haarstick, Albright)
- c. Clerks Advanced Academy- Sept 14-15, 2023, Bemidji, MN (Lammers)

#### Events:

- a. Thursday, May 18, 6-8 pm Frazee-Vergas Trail Plans- Open House, Vergas Event Center
  - b. Tuesday, May 23, 6-8 pm Frazee- Vergas Trail Plans-Open House Frazee Event Center
- Motion by Pinke, seconded by Albright to provide cookies for the trail open house at the Vergas Event Center with the cost coming from the grant. Motion passed unanimously.
- c. Otter Tail County Board of Review, June 14, 2023.
  - d. Household Hazardous Waste Day, Thursday, June 29, 2023 10:00 - 2:00 volunteers needed

### **Adjournment**

The business for which the meeting was called having been completed, the meeting was adjourned at 8:46 pm.

Vergas City Clerk-Treasurer

