

VERGAS COUNCIL  
MEETING MINUTES  
VERGAS EVENT CENTER & ZOOM  
Tuesday, July 12, 2022

The City Council of Vergas met at 6:30 pm, on Tuesday, July 12, 2022, at the Vergas Event Center and on a Zoom for a hybrid regular council meeting with the following members present: Mayor Julie Bruhn, Council Members: Natalie Fischer, Paul Pinke, Bruce Albright (Hybrid) and Logan Dahlgren. Absent: none. Also present: Clerk/Treasurer Julie Lammers, Liquor Store Manager Kyle Theisen, Robert Williams of the Frazee-Vergas Forum, Engineers Jeff Kuhn and Blaine Green, Dean Haarstick, Sherri Hanson, Keith Bunkowske, Jim Sandau, Rosemary Sandau, Anthony Boyd, Kyle Theisen, Colleen Hoffman and Tom Winters.

### **Call to Order**

Mayor Julie Bruhn called the City Council meeting to order. All voting at this meeting will be taken by a roll call vote as Bruce Albright attending by zoom located at the Long Lake Park.

### **Citizens' Concerns**

None.

### **Agenda Additions and Deletions**

Motion by Pinke, seconded by Fischer to approve the agenda with the addition of a 1-4-day permit and the removal of the Utilities Superintendent report. Voting yes: Fischer, Pinke and Albright. Voting No: none. Abstain: Dahlgren. Motion carried.

### **Approval of Consent Agenda**

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

- a. Council Minutes of the June 14, 2022 and June 29, 2022
- b. Bills paid between Council meetings for a total of \$78,746.66
- c. Liquor Store bills for May 2022 for a total of \$95,206.36
- d. General Fund/Special Revenue Money Market Account Report
- e. 2022 Investment Schedule/Bond Schedule
- f. Late water/sewer bills
- g. Certifying dog owners without a licenses to property taxes

Motion passed unanimously.

Bruhn asked to remove American Rescue Plan Funding 2021-2026 from the agenda to inform Council the funding needs to be spent by December 31, 2024 and if boards would like to use funding, please include in committee budget proposals.

### **August Meeting Date**

Due to primary election being on August 9, 2022 City Council meeting needs to be rescheduled. Motion by Pinke, seconded by Dahlgren to move the August Council meeting to August 2, 2022. Motion passed unanimously.

### **Vergas Comprehensive Plan**

Bruhn informed Council the plan has been modified after receiving information from the public hearing and will be provided to the Council for final approval at the August 2, 2022 Council meeting.

### **2021 Audit Report**

Colleen Hoffman, Hoffman, Phillip & Knutson, PLLC presented the 2021 audit. Hoffman thanked the current employees for their work and stated they worked hard to keep accurate records and provide information to her. Hoffman encouraged Council members to call her with any questions

they may have regarding the audit. Motion by Pinke, seconded by Fischer to move \$26,227.12 from general fund to the Long Lake Trail Extension Project Fund. Motion passed unanimously. Hoffman asked Council to call her if they have questions in the future.

### **1<sup>st</sup> Avenue South**

Lammers reviewed the 1<sup>st</sup> Ave S parking concern regarding diagonal parking which has been approved by both the County and the City on February 8, 2022. County has discussed this with Kuhn and the turning lanes were not reviewed before approving the plan. Kuhn will continue to work with the County Engineer on this project. Dean Haarstick stated 1<sup>st</sup> Ave and parking and driving along the road is difficult. In front of 160 S 1<sup>st</sup> Avenue the snow removal was not done due to the construction causing his property to flood. During the 1993 Street project they were 19 feet off causing flooding into his shop when snow is not removed. Requested a written agreement to have the snow removed from the corner of Linden and 1<sup>st</sup> Avenue. Haarstad stated the City's new phone system is difficult to use and it is a long-distance call for Vergas resident landlines. Haarstick stated the city needs to calibrate with working citizens on small tasks and should not require construction permits for repairs. Council stated the streets, sidewalks and yard waste committee will look into a policy regarding snow removal. Pinke stated we may need to look at changing the truck route off of Main Street and have them stay on Linden Avenue.

### **Engineering**

#### GIS Report

Lammers reviewed a proposal for GIS mapping for the City of Vergas. This would be a program owned by the city and information regarding, streets, sidewalks, water and sewer lines, street signs etc. would be logged into. Program will be used by Council and Boards for planning, City Employees will use it to make their jobs more productive. Motion by Pinke, seconded by Dahlgren to approve spending \$4,600 from the American Rescue Plan Funding. Motion passed unanimously.

#### Keilley Shores 3<sup>rd</sup> Addition

Kuhn reviewed plans and stated they look good. Concerns regarding draining with the current cul-de-sac and metal culverts. We may want to consider a concrete culvert instead of a metal culvert as they will last longer. There is 2-foot ditch depths and Kuhn would like to see 2 ½ to 3 foot for entrance culverts to get adequate cover over the top of the pipes. On the South end of the property the sanitary sewer is running tight as well as the grading. Testing looks to be covered and paid for by the developer. Would like clarification of which engineer is overseeing – is this being overseen by Moore Engineering or the City Engineer, this can be discussed at a pre-construction conference. Albright stated the permit was approved by the planning commission with Kuhn comments incorporated. We can look at updating our culvert ordinance for future projects but should allow this culvert for this project. Kuhn asked for a construction meeting at least one week before construction begins. Bunkowske stated he cannot start this project until this permit is approved. Hough Construction will be doing the construction for this project and when they are able to get together for a construction meeting it will be scheduled. Bunkowske stated this project has been a nightmare due to communication within the City. Bunkowske has not heard anything back since the planning commission meeting and he has been waiting for communication from either the city office or engineer. Planning Commission approved with comments from the Engineer. Engineer provided comments at tonight's meeting. Albright stated that as the planning commission chair all criteria of the permit has been met with the holding of a pre-construction meeting. Bunkowske was told to proceed as permit is approved.

### **Easements - Townline Road**

Attorney Winters stated he has sent property owners along Townline Road letters regarding easements, and they have been returned to him. Albright stated the street committee has requested a meeting with property owners in August to finish negotiations with the landowners. A meeting will be set up when convenient for the property owners at Winters office located in the Vergas State Bank.

## **1-4 Day Permit**

Outstate Brewing has applied for a 1-4-day permit selling their beer. Motion by Pinke, seconded by Fischer to approve the 1-4-day permit over Looney Days. Motion passed unanimously.

## **Committee Reports**

### Park Board

Sherri Hanson reviewed the Park Board meeting held on June 22, 2022, (minutes available at the Vergas City Office). Swimming lessons are going well. Park Board will ask for park donations by a collection hat on the Friday night of Looney Days. Questions openly carrying weapons ordinance during the parade.

Current Vergas Ordinance:

#### **' 130.02 DISCHARGING FIREARMS.**

(A) *Shooting upon, over or near a cemetery.* Except as provided by M.S. ' 97A.137, for wildlife management areas that are 40 acres or greater, no person shall, without permission from the proper officials, discharge a firearm upon or over a cemetery or within 100 yards thereof, unless the person is upon his or her own land.

(B) *Hunting near a city park.* Except as provided by M.S. ' 97A.137, for wildlife management areas that are 40 acres or greater, no person shall hunt, shoot, or kill game within 2 mile of a city park unless the City Council has granted permission to kill game not desired within the limits prohibited by this division.

(C) *Discharge of firearms prohibited in certain places.* No person shall discharge a firearm on a lawn, park, playground, orchard, or other ground appurtenant to a school, church, or an inhabited dwelling, the property of another, or a charitable institution. This section does not prevent or prohibit the owner thereof from discharging firearms upon his or her own land.

(D) *Discharging firearms on highways prohibited.* No person shall discharge a firearm upon or over a public road or highway.

(E) *Exceptions.* This section shall not prohibit the firing of a military salute or the firing of weapons by persons of the nation's armed forces acting under military authority and shall not apply to law enforcement officials in the proper enforcement of the law, or to any person in the proper exercise of the right of self-defense, or to any person otherwise lawfully permitted by proper federal, state or local authorities to discharge a firearm in a manner contrary to the provisions of this section.

(F) If any of the above provisions are found to be in conflict with M.S. ' 624.717, as it may be amended from time to time, the provisions of that statute shall prevail.

Penalty, see ' 130.99

Park Board is discussing the issues regarding the accessibility of the bathrooms due to the pickle ball courts.

### Street Committee

Albright reviewed Street Committee meeting held on Thursday, June 30, 2022, (minutes available at the Vergas City Office). No Council actions required. Anthony Boyd questioned why we have dog licenses? Bruhn stated all cities have dog licenses and it is for public safety. Boyd questioned the handling of the manhole cover that was hit by the snowplow in May and the manhole did not get repaired until a few weeks ago with class 5 and it should have been repaired with black dirt. Questioned the ordinance on driveways being plowed out and wanted to see invoices of those charged, Lammers stated she needed proof of driveways being plowed before she is able to invoice.

### EDA/HRA

Albright reviewed EDA/HRA meeting minutes of July 6, 2022, (minutes available at the Vergas City Office). No council actions made.

### Event Center

Lammers reviewed the Vergas Event Center meeting held on July 6, 2022 (minutes available at the Vergas City Office). No Council actions were made.

### Liquor Store/Municipal Building/Licensing

Bruhn reviewed Liquor Store/Municipal Building/Licensing meeting minutes of June 29, 2022, (minutes

available at the Vergas City Office). No Council actions were made.

### Planning Commission

Lammers reviewed Planning Commission meeting minutes of June 20, 2022, and June 27, 2022 (minutes available at the Vergas City Office). Discussed issues with stairs in road right of way (Otter Tail County is pursuing the removal of). 88 Park View has added a plastic barrier under sand on their beach without getting a City permit. The City Attorney will need to review action regarding the beach sand issue. Developers notice procedure was discussed and Council asked that the procedure contain more detailed information and to add engineer review.

### Personnel Election Judges

Lammers stated Kari Dahlgren has expressed interest in being an election judge. Lammers stated she learned at election training the city office is required to be open 2 or more hours the Saturday before the close of filings. The city office will be open from 10-12 on Saturday, August, 13, 2022. Filings for Mayor and City Council will be open from August 2, 2022 until August 9, 2022. Motion by Pinke, seconded by Fisher to hire Kari Dahlgren as an election judge. Voting yes: Fischer, Pinke and Albright. Voting No: none. Abstain: Dahlgren. Motion carried.

### **Ole's Ride**

Lammers stated Vanessa Perry representing Billy's and Ole's Ride requested Main Street be closed from 2 pm to 2 am on Aug. 27-28, 2022 and Railway Avenue closed Friday, August 26 from 4 pm to 9 pm and Saturday, August 27 from 7 am to 12 pm. Motion by Pinke, seconded by Dahlgren to allow street closings for Ole's Ride. Motion passed unanimously.

### **2023 Budget**

Bruhn reviewed and asked committee chairs to provide Lammers with their recommendations as the preliminary budget needs to be approved in September.

### **Staff Report**

#### Liquor Store Manger

Theisen reviewed Liquor Store activities and stated he has a new Liquor Store site up on the web but due to purchasing disabilities he is not advertising the site until updates are made.

### **Information & Announcements**

MN Rural Water, (DuFrane & Engebretson) September 1, 2022, Waconia, MN  
Clerks Advanced Academy- (Lammers) September 15-16, 2022 New Ulm MN

### **Adjournment**

Meeting was adjourned at 7:54 pm.

Julie Lammers, CMC  
Vergas Clerk-Treasurer