

**MENAHGA CITY COUNCIL MEETING
DECEMBER 14, 2009 / 6:00 P.M.**

The regular meeting of the Menahga City Council was held in the Council Chambers on Monday, December 14, 2009. The meeting was called to order at 6:01 p.m. by Mayor Tom Larson.

Members present: Kim Rasmussen, Maxine Norman, Dennis Komulainen. Absent: Joel Mickelson.

Council reviewed the 2010 budget figures.

MOTION BY RASMUSSEN TO APPROVE THE LEVY RESOLUTION ADOPTING THE 2009 (PAYABLE 2010) TOTAL TAX LEVY OF \$332,364.00. LARSON SECONDED. AYES: RASMUSSEN, LARSON, KOMULAINEN. NAY: NORMAN. MOTION CARRIED.

MOTION BY RASMUSSEN TO APPROVE THE NOVEMBER 9, 2009, MEETING MINUTES WITH THE FOLLOWING CORRECTIONS:

- **ADD LARSON'S NAME TO AYES ON MOTION TO ACCEPT OCTOBER 19 SPECIAL MEETING MINUTES.**
- **ADD TO PUBLIC INPUT PARAGRAPH THAT JENSINE KURTTI, IN ADDITION TO PRESENTING REQUESTS FOR VARIANCES, ASKED FOR CONSIDERATION OF ALLOWING RESIDENTIAL IN THE CENTRAL BUSINESS DISTRICT.**

NORMAN SECONDED. ALL AYES, MOTION CARRIED.

Councilmember Maxine Norman had received a phone call from Dean Swanson asking that the Council address an appeal he sent in regarding the water/sewer special assessment recently assigned to his property on CSAH 21. Norman asked that it be noted that the Council looked at his appeal and understands that Swanson is eligible to appeal to the District Court and that the City Council acknowledges that fact.

MOTION BY RASMUSSEN TO ACCEPT THE NOVEMBER 30 SPECIAL ASSESSMENT HEARING MINUTES WITH THE CORRECTION OF THE NAME MICHELLE SAMUELSON INSTEAD OF SHARON SAMUELSON. LARSON SECONDED. AYES: LARSON, RASMUSSEN, KOMULAINEN. ABSTAIN: NORMAN.

NORMAN MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 30 SPECIAL COUNCIL MEETING. KOMULAINEN SECONDED. ALL AYES, MOTION CARRIED.

MOTION BY NORMAN TO APPROVE THE MINUTES OF THE SPECIAL JOINT NURSING HOME BOARD MEETING ON DECEMBER 8 AS PRESENTED. RASMUSSEN SECONDED. ALL AYES, MOTION CARRIED.

In the absence of Chief Scott Koennicke, Officer Jason Hofer presented the monthly police report.

Liquor Store Manager Tom Gerszewski gave an update on liquor store matters, and informed the Council that inventory would be taken on Friday, January 1, 2010, at 8 a.m. Liquor Store Committee members Komulainen and Mickelson were asked to help with the count.

Street Department Head Ron Neisess updated the Council on the general policy for plowing snow.

Clair Erickson gave the Greenwood Connections report.

Clerk Osterman had spoken to the City Attorney regarding the physical therapy contract. He needs specific questions from the Council regarding the contract. He passed on an opinion from the Attorney General that the authority to enter into, and also pay, the contract cannot be passed on, so City Ordinance may conflict with State Statute. There was also a need to clarify whether the physical rehabilitation contract needs to be quoted or not.

NORMAN MOVED TO ACCEPT THE GREENWOOD CONNECTIONS BOARD MEETING MINUTES OF DECEMBER 8, WITH THE ADDITION OF "AS PER THE POLICY MANUAL" IN THE PARAGRAPH REGARDING ALLOWING ERICKSON TO APPROVE EMPLOYEES' LEAVES OF ABSENCES FOR LESS THAN THREE MONTHS. KOMULAINEN SECONDED. ALL AYES, MOTION CARRIED.

MOTION BY RASMUSSEN TO APPROVE THE 2010/2011 FIRE CONTRACTS FOR BLUEBERRY, HUNTERSVILLE, AND SHELL RIVER TOWNSHIPS AS PRESENTED. NORMAN SECONDED. ALL AYES, MOTION CARRIED.

MOTION BY LARSON TO FORGIVE 9 MONTHS DELINQUENT UTILITY BILLS FOR LILLIE RIEMANN, AND TO REMOVE HER NAME FROM THE DELINQUENT LIST TO BE CERTIFIED TO WADENA COUNTY. NORMAN SECONDED. ALL AYES, MOTION CARRIED.

RASMUSSEN MOVED TO CERTIFY DELINQUENT UTILITY BILLS TO WADENA COUNTY TO BE PLACED ON THE OWNERS' PROPERTY TAX STATEMENTS, WITH THE EXCEPTION OF LILLIE RIEMANN. NORMAN SECONDED. ALL AYES, MOTION CARRIED.

MOTION BY NORMAN TO ACCEPT THE RESOLUTION ACCEPTING DONATIONS FROM FIRST NATIONAL BANK OF \$900, AND IN-KIND DONATION FROM SPIRIT LAKE LUMBER. KOMULAINEN SECONDED. ALL AYES, MOTION CARRIED.

NORMAN MOVED TO MAIL REQUESTS FOR QUOTES FOR CITY GARBAGE PICKUP TO G&T SANITATION, CITY SANITATION, AND WASTE MANAGEMENT. KOMULAINEN SECONDED. ALL AYES, MOTION CARRIED.

MOTION BY NORMAN TO APPROVE A RESOLUTION FOR A POLICY WHICH WOULD ALLOW THE DEFERRAL OF SPECIAL ASSESSMENT PAYMENTS FOR SENIOR CITIZENS WHEN THOSE PAYMENTS WOULD CONSTITUTE A FINANCIAL HARDSHIP. RASMUSSEN SECONDED. ALL AYES, MOTION CARRIED.

RASMUSSEN MOVED TO APPROVE THE SENIOR HEALTH SCREENING AND EDUCATION CLINIC FACILITY AGREEMENT RENEWAL BETWEEN WADENA COUNTY PUBLIC HEALTH AND THE CITY OF MENA HGA. NORMAN SECONDED. ALL AYES, MOTION CARRIED.

In Public Input, Jensine Kurtti approached the Council to ask that the request of Donna Anderson last month to consider repealing the State Building Code. Mayor Larson stated that the matter would be brought to the Planning Commission after the first of the year. Kurtti also presented Council with a letter requesting an ordinance change to allow residential in the Central Business District. She would like to see the matter revisited and the present ordinance language clarified. Kurtti also questioned if the current fee schedule was adopted as per Minnesota Statutes.

MOTION BY RASMUSSEN TO APPOINT LIZ OLSON TO THE PLANNING & ZONING COMMISSION. OLSON WAS THE LONE APPLICANT FOR THE POSITION. NORMAN SECONDED. ALL AYES, MOTION CARRIED.

MOTION BY NORMAN THAT THE ISSUE OF THE BUILDING CODE REPEAL GO TO THE PLANNING COMMISSION IN JANUARY. KOMULAINEN SECONDED. ALL AYES, MOTION CARRIED.

Evaluations of the City Administrator and Nursing Home Administrator will be put on the January agenda.

KOMULAINEN MOVED TO GET AN OPINION FROM THE CITY ATTORNEY ON THE CONFLICT OF INTEREST ON THE COUNTY 21 PROJECT. NORMAN SECONDED. AYES: NORMAN, KOMULAINEN. NAY: LARSON. ABSTAIN: RASMUSSEN.

Councilmember Komulainen requested that policy be changed so that any council member (other than the city administrator and mayor) can speak to the City Attorney, as he had a matter he would like to address with the attorney. Komulainen did not want to share the matter with the entire council. Rasmussen stated that the proper procedure should be followed, as per policy, and that the matter should be shared with either the administrator or the mayor and then brought to the attorney. Mayor Larson suggested that Komulainen talk to him and he would bring the matter to the attorney. Komulainen declined.

MOTION BY KOMULAINEN TO ACCEPT AND APPROVE THE BILLS AS PRESENTED. NORMAN SECONDED. ALL AYES, MOTION CARRIED.

LARSON MOVED TO START THE COUNCIL MEETINGS AT 6:00 P.M. COME JANUARY. RASMUSSEN SECONDED. ALL AYES, MOTION CARRIED.

MOTION BY RASMUSSEN TO ADJOURN. MEETING ADJOURNED AT 9:09 P.M.

City Clerk/Treasurer/Administrator

Mayor