

January 6, 2014

The City Council met in the Council Room on January 6, 2014 with the following members present: Richard Novotny, George Belmore, Mayor Ron Buse, Peter Mounts, and Melissa Englund and the following absent: NONE

Others Present: Terry Aasness, Brian Hiles-Ulteig, Tyler & Kellie Anderson, Gary Behrens, Darrell Lindberg, Gary Quinn, Chuck Steffenson, Dave Bedore, Roger Bukkila, Shane Englund, Jerry Buse and Diana K. Olson

The meeting was called to order at 7:00 PM by Mayor Buse.

All present stood to say the pledge of allegiance.

A motion was made by Belmore, seconded by Novotny and carried to approve the January 6th agenda.

A motion was made by Englund, seconded by Mounts and carried to approve the December 9th Council Minutes.

A motion was made by Novotny, seconded by Mounts and carried to appoint Melissa Englund as Acting Mayor.

A motion was made by Mounts, seconded by Novotny and carried to retain First Security Bank, Evansville as the official depository and Viking Savings Association, Alexandria as a back up and for investments.

A motion was made by Novotny, seconded by Englund and carried to retain The Record as the official newspaper and the Fergus Falls Daily Journal as backup.

A motion was made by Novotny, seconded by Englund and carried to appoint Terry Aasness to the board of health for a 3-year term. Others on are 2012-Kristi Mounts, 2013-Jamie Englund.

A motion was made by Novotny, seconded by Englund and carried to retain Mike Dolan from Thornton, Reif, Dolan, Bowen & Klecker Law Office as the City Attorney.

A motion was made by Mounts, seconded by Englund and carried to appoint Terry Aasness as the NIMS Coordinator.

A motion was made by Englund, seconded by Mounts and carried to appoint Melissa & Pete to the employee committee.

A motion was made by Novotny, seconded by Mounts and carried to set the Council meeting dates for the first Monday of every month at 7:00 PM at City Hall.

Council Member Melissa Englund introduced the following resolution and moved its adoption:

RESOLUTION NO. 2014-001

Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for the 2014 Utility Improvement Project

WHEREAS, The city engineer has prepared plans and specifications for the 2014 Utility Improvement Project on 1st Ave West, Woodside Street, State Street, Second Avenue, First Street, Various Alleys, Kron Street, Douglas Street, Meeker Street, Johnson Street, Gran Street,

Main Street, Alexandria Street, Various Alleys, Lake Street and all other benefiting properties and has presented such plans and specifications to the council for approval;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EVANSVILLE, MINNESOTA:

1. Such plans and specifications kept on file, are hereby approved,
2. The city clerk shall prepare and cause to be inserted in the official paper and in the QuestCDN web site an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published 21 days prior to deadline and shall specify the work to be done, shall state that bids will be received by the clerk This date shall be established prior to publication at which time they will be publicly opened in the council chambers of the city hall by the city clerk and engineer, will then be tabulated, and will be considered by the council at a meeting established for this purpose in the council chambers of the city hall. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the council on the issue of responsibility.

No bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City for five percent of the amount of such bid

The motion for the adoption of the foregoing resolution was duly seconded by Council Member Peter Mounts and upon a vote being taken thereon, the following voted in favor thereof: Peter Mounts, Richard Novotny, Ron Buse, George Belmore & Melissa Englund

And the following voted against the same: NONE

WHEREUPON said resolution was declared duly passed and adopted this 6th day of January 2014.

Council Member Melissa Englund introduced the following resolution and moved its adoption:
Resolution 14-002

Resolution Receiving Preliminary Engineering Report and Calling Public Hearing on the proposed construction of 1st Ave West, Woodside Street, State Street, Second Avenue, First Street, Various Alleys, Kron Street, Douglas Street, Meeker Street, Johnson Street, Gran Street, Main Street, Alexandria Street, Various Alleys, Lake Street and all other benefiting properties.

WHEREAS, the City Council deems it necessary and expedient that the City of Evansville, Minnesota, reconstruct 1st Ave West, Woodside Street, State Street, Second Avenue, First Street, Various Alleys, Kron Street, Douglas Street, Meeker Street, Johnson Street, Gran Street, Main Street, Alexandria Street, Various Alleys, Lake Street and all other benefiting properties, in the City as described in and in accordance with the preliminary plans and report prepared by Ulteig for the 2014 Street and Utility Improvement Project;

WHEREAS, the Council has been advised by the consulting engineer that said and all 1st Ave West, Woodside Street, State Street, Second Avenue, First Street, Various Alleys, Kron Street, Douglas Street, Meeker Street, Johnson Street, Gran Street, Main Street, Alexandria Street, Various Alleys, Lake Street and all other benefiting properties are necessary, cost-effective, and feasible and should best be made as proposed, and the consulting engineers' report to this effect has heretofore been received by the Council, and filed with the City Clerk-Treasurer; and

WHEREAS, the statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof, and the area proposed to be assessed, and that a reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels (the "Impact of Assessments") has been made available at the hearing, all in accordance with law; and

WHEREAS, this City Council has heretofore discussed and made determinations about the Impact of Assessments:

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Evansville, Minnesota, as follows:

1. A public hearing will be held at the time and place set forth in the Notice Hearing attached hereto as Exhibit A to consider said proposed improvements.
2. The nature of the improvements, the estimated cost of each major portion hereof, and the areas proposed to be assessed therefore are described in the form of Notice of Hearing hereto attached.
3. The notice of said public hearing shall be in substantially the form contained in the notice hereto attached.
4. The City Clerk-Treasurer is hereby authorized and directed to cause notice of said hearing to be given two publications in the official newspaper. Said publications shall be one week apart, and at least three days shall elapse between the last publication and the hearing. Not less than ten days before the hearing the Clerk-Treasurer shall mail notice of the hearing to the owner of each parcel of land within the area proposed to be assessed as described in the notice. For the purpose of giving such mailed notice, owners shall be those shown to be such on the records of the County Auditor or, if the tax statements in the County are mailed by the County Treasurer, on the records of the County Treasurer. As to properties not listed on the records of the County Auditor or the County Treasurer, the Clerk-Treasurer shall ascertain such ownership by any practicable means and give mailed notice to such owners.
5. The City Clerk-Treasurer is hereby authorized and directed to cause to be prepared the Impact of Assessments, which may be in the form attached hereto as Exhibit B, consistent with the determinations of this City Council on and prior to the date hereof.
6. The consulting engineers are hereby directed to prepare final plans and specifications for said improvements.

The motion for the adoption of the foregoing resolution was duly seconded by member Peter Mounts and upon a vote being taken thereon, the following voted in favor thereof: Peter Mounts, Richard Novotny, Ron Buse, George Belmore & Melissa Englund

And the following voted against the same: NONE
WHEREUPON said resolution was declared duly passed and adopted this 6th day of January 2014.

Exhibit A Legal Notice

NOTICE OF PUBLIC HEARING ON IMPROVEMENTS

To Whom It May Concern:

Time and Place: Notice is hereby given that the City Council of the City of Evansville, Minnesota, will meet at the Evansville School West Lobby at 123 2nd Avenue in the City of Evansville, Minnesota, at 6:00 o'clock P.M. on Monday, January 27, 2014, to consider the construction of 1st Ave West, Woodside Street, State Street, Second Avenue, First Street, Various Alleys, Kron Street, Douglas Street, Meeker Street, Johnson Street, Gran Street, Main Street, Alexandria Street, Various Alleys, Lake Street and all other benefiting properties.

Nature of Improvements: Reconstruct sewer, water, street, curb & gutter, storm sewer & sidewalk

Estimated Cost: The total estimated cost of the said improvements is \$4,695,000.

Area Proposed to be Assessed: The area's proposed to be assessed for such improvements include all the benefiting properties of 1st Ave West, Woodside Street, State Street, Second Avenue, First Street, Various Alleys, Kron Street, Douglas Street, Meeker Street, Johnson Street, Gran Street, Main Street, Alexandria Street, Various Alleys, Lake Street and all other benefiting properties.

Authority: The Council proposes to proceed under the authority granted by Chapter 429 M.S.A.

Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting. Written or oral objections will be considered. A reasonable estimate of the impact of the assessments will be available at this meeting.

Diana will set up a meeting with the permanent sewer easement people to discuss the location of the sewer line. There have been lots of complaints about the blanket easements. We are working on getting some of them defined. Pete & Richard are available to meet with the permanent easement people.

A motion was made by Mounts, seconded by Englund and carried to present 20% special assessments with 100% assessment for services at the public hearing on January 27th.

A motion was made by Mounts, seconded by Novotny and carried to set the mileage rate at \$0.56 per mile based off the IRS mileage rate.

A motion was made by Mounts, seconded by Englund and carried to hire Carlson-Highland to do our 2013 audit in the amount of \$6,000.

A motion was made by Englund, seconded by Novotny and carried to approve the LG220 from the Evansville Sportsmen's Club and waive the 30-day waiting period and 10% to the City to have a raffle on February 15th at the Railroad and 2nd Event Center.

A motion was made by Mounts, seconded by Novotny and carried to allow employees to attend conferences in March.

Pete and Missy met with Teresa about the East Side lots. They looked at adjusting the price and removing the special assessments to try and sell the lots.

A motion was made by Novonty, seconded by Englund and carried to remove the special assessments from the East Side Phase 2 lots that are still vacant and reduce the prices.

A motion was made by Mounts, seconded by Novonty and carried to hire Teresa Thoennes as the realtor for the East Side Lots for one year.

A motion was made by Novotny, seconded by Englund and carried to refund the water and sewer bill from January – June 2014 if the trailer in the trailer court is removed by June 2014. Brad has requested the Rocholl trailer to be removed from water and sewer billing due to the trailer being in a condition nobody could live in.

Last Tuesday a leak appeared about 10 feet up on the water tower. Crews were called in to fix the leak.

A motion was made by Novonty, seconded by Mounts and carried to approve the January bills and authorize payment. (List Attached)

A motion was made by Englund, seconded by Buse and carried to adjourn the meeting at 8:27 PM.

Diana K. Olson