

Whalan City Council
Regular Meeting
Monday, November 9, 2020
Meeting held at the Whalan Town Hall and via Zoom

Present: Marlys Tuftin, Tanya Cook, Kim Berekvam, Thore E. Johnson, and Owen Lewis

Absent: None

Visitors: Dave Ruberg, Ben Ruberg, Diane Snyder, Barb Jeffers, Scott Kerl, Melanie Murphy, Ernie Johnson, Johny Halvorson, and Randy Berekvam.

Public Hearing: Mayor Tuftin called the Public Hearing to order at 5:02 p.m. Mayor Tuftin provided an overview of the petition to vacate a portion of 2nd Avenue. Additional information was shared noting that the family has offered \$10,000 for the vacated land, as well would pay for the relocation of the electrical line, including if possible burying them if possible. Several comments were received:

1. Benjamin Ruberg: Happy to answer any questions. History has proven that it is not needed as a street for the last 152 years. He supports an easement for utility purposes.
2. Ernie Johnson: Against the vacation request, concern for setting a precedent for future vacation petitions.
3. Johny Halvorson: Does not support the petition to vacate. Halvorson did not feel that the platted street was hurting anything, as it was laid out originally.
4. Scott Kerl: Noted he was against the petition, he felt the public right of way should remain the same. Kerl also mentioned concern for a previous situation regarding a well and a septic system installation.
5. Malanie Murphy: Addressed the concern for the septic system installation, noting that Fillmore County had approved the design, she apologized for the error, noting the well was not recorded.
6. Mayor Tuftin: Noted that she had received three phone calls from residents that were also not in favor of the vacation request. Also noting that there are several areas in town that have a similar situation.

Mayor Tuftin closed the Public Hearing at 5:21 p.m.

Regular Meeting:

Mayor Tuftin called the Regular Meeting to order at 5:21 p.m.

- A. **Agenda:** Member Cook motioned to approve the agenda with the additions of Moratorium for Short Term Rentals, December Meeting, and Internet to Miscellaneous. Member Berekvam seconded the motion. Motion carried with all in favor.
- B. **Approval of Minutes:**
 1. Mayor Tuftin read the minutes of the Regular Meeting, October 13, 2020: Member Johnson motioned to approve the minutes as submitted. Member Lewis seconded the motion. Motion carried with all in favor.

C. **Treasurer's Report:** Clerk Peterson provided the treasurer's report: The CD has a value of \$27,067.46, General Fund \$29,530.79, Ballfield Fund \$850.00, Beautification Fund \$187.00, Electric Fund \$7,409.62. Member Cook motioned to approve the treasurer's report:

Check_Date	Check_#	Vendor_Name	Description	Check_Total
11/9/2020 12:00:00 AM	5780	MiEnergy	Purchased Power	\$ 2,769.48
11/9/2020 12:00:00 AM	5781	City of Lanesboro	Nov Rent	\$ 225.00
11/9/2020 12:00:00 AM	5782	Acentek	11716444	\$ 40.69
11/9/2020 12:00:00 AM	5783	Plunkett's Pest Control	6846826	\$ 40.00
11/9/2020 12:00:00 AM	5784	Fillmore County Journal	115264	\$ 63.20
11/9/2020 12:00:00 AM	5785	MiEnergy	Monthly Charge	\$ 172.00
11/9/2020 12:00:00 AM	5786	Lanesboro Rural Fire Department	Semi Annual Payment for Fire and Ambulance	\$ 2,110.55
11/9/2020 12:00:00 AM	5787	Payroll Period Ending 10/31/2020	October Payroll	\$ 429.25
11/9/2020 12:00:00 AM	5788	Payroll Period Ending 10/31/2020	October Payroll	\$ 630.29

Member Berekvam seconded the motion. Motion carried with all in favor.

D. **Welcome to Visitors and Visitor Comments:** No comments.

E. **Continued Business:**

1. **Ballfield Pole Removal:** Clerk Peterson reviewed the estimate received from Haakenson Electric. Member Lewis motioned to table until Spring of 2021. Member Berekvam seconded the motion. Motion carried with all in favor. Member Johnson will also reach out to Norby Tree Service about removing the light poles.
2. **Ordinances:** Members will review the draft copy submitted by Clerk Peterson for the December meeting. Based on the review members will then consider the appropriate timing to call for a Public Hearing.
3. **Banners:** Member Cook motioned to approve the purchase of 6 banners, the four already designed, along with two more - ideally with a train, museum, or more bikes. Member Lewis seconded the motion. Motion carried all in favor. Members also discussed the possibility of changing the top of the banner to "Welcome to" rather than "City of".
4. **Burning Permit Application:** Clerk Peterson reviewed the approved burning permit for 2020, noting that the site will need to be moved in the future. The need for a sign to direct residents on the new site location was discussed. Discussion to be continued.
5. **2021 Budget:** Clerk Peterson noted that the \$11,500 for road repairs was included in the 2020 budget. Member Lewis motioned to approve the estimate from J.C. Nerstad for the work to be

completed in the Spring of 2021. Member Johnson seconded the motion. Motion carried with all in favor.

6. **Petition to Vacate a portion of 2nd Avenue:** Member Lewis noted the desire to go with the voice of the community. Member Cook also noted that there appeared to be too many unknowns to move forward. Member Lewis motioned to deny the petition to vacate. Member Cook seconded the motion. Motion carried with all in favor.
7. **Violations:** Clerk Peterson will follow up with Deputy Rasmussen for properties that remain not in compliance with the ordinance.

F. **New Business:**

1. **RFP for Audit Services:** Member Lewis motioned to approve the RFP for services from Smith Schafer and Associates. Member Berekvam seconded the motion. Motion carried with all in favor.
2. **RFP for Attorney Services:** Council Members reviewed the one RFP received, and requested an inquiry be made about accessibility, location, and mileage expense. Members requested that Clerk Peterson reach out to three local attorneys as well: Chiglo, Nethercut, and Manion. Discussion to be continued.

G. **Miscellaneous:**

1. **Moratorium on Short Term Rentals:** Member Berekvam shared the recommendation from the Planning and Zoning Board to extend the moratorium on short term rentals, noting that work is proceeding on an ordinance to regulate this option. Member Lewis motioned to approve the extension until December 2021. Member Johnson seconded the motion. Motion carried with all in favor.
2. **December Meeting:** Member Lewis motioned to move all Public meetings for December through March to Zoom only, no in person meetings. Member Cook seconded the motion. Motion carried with all in favor.
3. **Internet:** Member Cook motioned to reimburse the museum for the cost of the November charges in the amount of \$109.47 for internet and phone charges. Member Lewis seconded the motion. Motion carried with all in favor. Discussion will be continued for the spring to form a cooperative agreement for internet services.

Next Meeting: Monday, December 14, 2020 at 5:00 p.m.

ADJOURN: Member Lewis moved to adjourn at 6:30 p.m. Motion seconded by Member Johnson. Motion Carried all in favor.

Respectfully Submitted,

Michele Peterson
City Clerk/Treasurer