

Motley, MN

March 8th, 2021

Pursuant to due call and notice thereof Mayor Al Yoder called the meeting to order at 6:30 p.m. with the following Council Members present: Pat O'Regan, Steve Johnson, Amy Hutchison, Jace Carlson and Mayor Al Yoder. The meeting was held at Motley City Hall.

The following persons were present at City Hall for all or part of the meeting: Public Works Staff member Bryan Stevens, Police Chief Jason Borash, Fire Chief Brad Olson, Clerk/Treasurer Curt Bryniarski. Other interested individuals were present.

The Pledge of Allegiance was recited.

Mayor Al Yoder called for additions or deletions to the agenda.

No additions or deletions.

Hutchison moved with a second by Carlson to approve the consent agenda as follows:

- A. Claims
 - i. Check #32282 – 32315; EFT #30447 – 30454; Payroll EFT #1000813- 1000829
- B. WEX fuel/mileage report – February
- C. Minutes of the Regular February 8th, 2021, Council Meeting
- D. February Employee Hours Report
- E. February Employee Leave Report

All aye, none nay. Mayor Yoder declared the Motion carried.

Agenda Requests/Presentations

Long Prairie Sanitation represented by its owner, Terry Lanoue. Lanoue updated the Council on price increases regarding city-wide cleanup day and recommended adjusting our pricing.

The City of Motley's contract with Long Prairie Sanitation is up at the end of this year. Lanoue requested a 5-year renewal, without increasing the prices, rather than letting the contract extend for one year. A 5-year contract makes it easier for Long Prairie Sanitation to borrow money for new trucks, etc.

The Council is very happy with Long Prairie Sanitation's services. The Council decided to table the decision until they know if they needs to reach out for bids from other companies.

Wayne Barros was present to support his reasons for requesting the removal of the American Flag that was donated by the American Legion. This flag includes special colored striping to represent the emergency departments. He presented research to

support his claims that these additional colored stripes are violating the Minnesota State Statute and the United States American Flag Code.

Mayor Al Yoder explained that the City Council is waiting for counsel regarding this from the City Attorney. He explained that when this was originally presented to the City from the American Legion, they accepted it with the best intentions of supporting all the different municipality departments. Especially with the recent pandemic, when they have had to put their lives on the line when responding to calls.

It was decided by all Council members to wait for advice from the City Attorney before making any further decisions.

Public Hearing opened at 6:48 p.m. for Proposed Project & Issuance of Private Activity Bonds. There was no one from the public present to discuss the issues. Public Hearing was closed.

Hutchison moved with a second by Carlson to approve Resolution 2021-14: Approving a Project by Horizon Health, Inc. (DBA: Harmony House) & Consenting to the Issuance of Bonds by the City of Pierz. All aye, none nay. Mayor Yoder declared the Motion carried.

Carlson moved with a second by O'Regan to approve the Closed Certificate. All aye, none nay. Mayor Yoder declared the Motion carried.

Planning & Zoning Department/Committee Business

No report.

Fire Department

February 2021 fire report was given by Fire Chief Brad Olson.

Fire Chief Olson reported that February calls were 12 medical calls, 2 good intent, 3 fires for a total of 17.

Chief Olson explained that there have been some problems with the batteries in their portable radios. They have surpassed their life expectancy of 5 years. He presented a quote for new batteries totaling \$660 for 12 of them. By using the Police Department account, they can purchase them from Motorola.

Johnson moved with a second by O'Regan to approve the purchase of the new batteries. All aye, none nay. Mayor Yoder declared the Motion carried.

Brad Olson reported there is another fire truck in need of repairs, with an estimate of \$1,000.

Carlson moved with a second by Hutchison to approve the repairs needed. All aye, none nay. Mayor Yoder declared the Motion carried.

Police Department

February 2021 police report was given by Police Chief Jason Borash.

Total calls for the month of February were 91, making a year-to-date total of 297.

Public Works Department

February 2021 report was given by Public Works Maintenance Worker Bryan Stevens.

Council member Amy Hutchison remarked that she has heard comments that the ice-skating rink is very nice this year and appears to be getting used.

Administrative Department

February 2021 report was given by Clerk/Treasurer Curt Bryniarski.

Bryniarski reported that the water usage report is showing 2% loss which is very low and acceptable.

Mayor Yoder remarked that the annual fire department/township meeting was held recently and only one member from all the township boards attended.

Old Business

No unfinished business to discuss.

New Business

Carlson moved with a second by O'Regan to accept the Morrison County grant funds for Clean-up Day and Recycling. All aye, none nay. Mayor Yoder declared the motion carried.

Hutchison moved with a second by Johnson to approve the Township Fire Contracts, pending receipt of signed contracts with no changes. All aye, none nay. Mayor Yoder declared the motion carried

Johnson moved with a second by Carlson to approve the Faith in Action donation request at \$500. All aye, none nay. Mayor Yoder declared the motion carried.

O'Regan moved with a second by Hutchison to approve the transfer of funds to Capital Projects Fund. All aye, none nay. Mayor Yoder declared the motion carried.

Mayor Al Yoder remarked that he has received feedback regarding the dates of the city-wide garage sales. There is concern that having it advertised as Saturday/Sunday does not work for many. There was some discussion that people will be disappointed to find that there is nothing left on Sunday as most people will open on Thursday or Friday. It was decided to have it Saturday/Sunday this year since the Friday/Saturday is a split-month and new signage would be necessary. After some discussion it was decided to

change the dates to Friday April 30th and Saturday, May 1st as is the normal for this event.

Public Forum

Members of the American Legion were present to respond to the claims of Wayne Barros regarding removal of the American Flag with colored stripes.

They explained that this is not an American Flag, it is a Support Flag. There has been a court case in another state regarding this and it was decided that by not allowing these flags to be displayed it violates the public's freedom of speech rights. According to the flag code, it is allowable to fly this flag if it is equal or smaller in size than the American Flag that flies above it.

John Brichacek was present to support the freedom of flying this flag. He agrees with Wayne that altering the American Flag is not acceptable. His opinion is that this is a different flag, it is not an original American flag and it should be allowed to be displayed as a sign of appreciation for all that these departments do for our community. He feels that by demanding the flag to be removed, we are showing disrespect to all the departments represented by the colored stripes on the flag in question.

Council Forum

Mayor Al Yoder remarked that they will be waiting to hear from the City Attorney and this will assist them in making their decision regarding the flying of the flag donated by the American Legion.

Steve Johnson remarked that he supports the display of the flag, but is concerned if this will open problems with other groups and organizations demanding the City display their flags as well. A member from the American Legion said this should not be a problem since the flag represents the departments of our municipality.

Upcoming Meetings/Important Dates

Planning and Zoning Meeting: Tuesday, March 30th, 2021, 6:30 p.m. – City Hall

Regular City Council Meeting, Monday, April 12th, 2021, 6:30 p.m. – City Hall

Board of Appeal and Equalization Meeting, Friday, April 16th, 2021, 11:00 a.m. – City Hall

City-Wide Garage Sales: Friday and Saturday, April 30th – May 1st, 2021

City-Wide Cleanup Day: Saturday, May 15th, 2021, 7:45 a.m. – 10:45 a.m.

Council

O'Regan moved with a second by Hutchison to move the meeting into a closed session for the Clerk-Treasurer's annual performance evaluation. All aye, none nay. Mayor Yoder declared the Motion carried. Meeting moved to a closed session at 7:14 p.m.

MINUTES OF THE REGULAR MARCH 8TH, 2020 COUNCIL MEETING

Carlson moved with a second by Johnson to adjourn the closed session of the meeting. All aye, none nay. Mayor Yoder declared the Motion carried. Closed session ended at 7:36 p.m.

O'Regan moved with a second by Carlson to adjourn the meeting. All aye, none nay. Mayor Yoder declared the Motion carried. The meeting was duly adjourned at 7:37 p.m.

A handwritten signature in cursive script that reads "Curt Bryniarski". The signature is written in black ink and is positioned above a horizontal line.

Curt Bryniarski – Clerk/Treasurer