

Motley, MN

September 13th, 2021

Pursuant to due call and notice thereof Acting Mayor Amy Hutchison called the meeting to order at 6:30 p.m. with the following Council Members present: Pat O'Regan, Steve Johnson, and Amy Hutchison. Council Member Jace Carlson and Mayor Al Yoder were absent. 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 Director Bruce Brotherton, Police Chief Jason Borash, Clerk/Treasurer Curt Bryniarski, Fire Chief Brad Olson. Other interested individuals were present.

The Pledge of Allegiance was recited.

Acting Mayor Amy Hutchison called for additions or deletions to the agenda.

Fire Chief Brad Olson requested to add "Disposal of old air compressor" to the fire department section.

O'Regan moved with a second by Johnson to approve the consent agenda as follows:

- A. Claims
 - i. Check #32533 – 32562; EFT #30492 – 30499; Payroll EFT #1000918- 1000935
- B. WEX fuel/mileage report – August
- C. Minutes of the Regular August 9th, 2021, Council Meeting
- D. August Employee Hours Report
- E. August Employee Leave Report
- F. MN Mayor's Association renewal: \$30
- G. League of MN Cities Membership renewal: \$900

All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Acting Mayor Amy Hutchison corrected the agenda for item #6 to state that it is the summary of the August 9th, 2021 closed meeting.

Acting Mayor Hutchison summarized the closed meeting to state that the council did the annual performance review for Police Chief Jason Borash. Performance was determined to be highly satisfactory receiving a 50.2 out of 56 points.

Agenda Requests/Presentations

Christmas in Motley information was presented by Sherry Frisk. She explained December 4th is scheduled to be "Santa Day" and she would like to expand this to include more events this year. She also mentioned that October 31st is going to be the

annual "Trunk or Treat" event as well. She will be providing more information as the events draw closer.

Dale Czechowicz was present to request permission to keep his dog that is considered potentially dangerous in the City. His dogs got out one day and Police Chief Borash impounded them. One of the dogs bit the officer and then later bit the vet as well. Dale Czechowicz received a citation for this incident and was ordered to get rid of the dog that bit the officer as it was deemed potentially dangerous.

Police Chief Jason Borash reported to the Council the chain of events that day and he explained the ordinance that states that when a dog is deemed potentially dangerous, it is necessary to remove it from City limits.

There was discussion by the Council that if they choose not to enforce this, it could bring liability against the City if there are future incidences involving this dog.

After careful consideration regarding the safety of the other city residents, it was decided by the Council to deny the request by Dale Czechowicz to be allowed to keep his dog in City limits.

Konrad Alexander has requested the council to dismiss the ordinance violation citation that was issued against him. He was not present so the council decided to table the discussion to see if he appears later in the meeting.

Planning & Zoning Department/Committee Business

Nothing to report.

Fire Department

August 2021 report was given by Fire Chief Brad Olson. There were 12 medicals, 1 good intent, 5 MVA and 3 fire calls for a total of 21 calls in August.

Clerk Curt Bryniarski reported that the City received \$53,167.52 for the Oregon Fire that the fire department assisted with last fall. He stated his recommendations on where the funds should be placed within the City accounts.

O'Regan moved with a second by Johnson to approve placing the funds as recommended by to clerk, \$13,149.39 to the fire fund and \$40,018.13 to the truck fund. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Fire Chief Brad Olson mentioned to the Council that the old air compressor should be placed on the City website for sealed bids. It was decided that it would be on the website for 30 days.

Johnson moved with a second by O'Regan to approve placing the old air compressor on the City website for 30 days with sealed bids. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Agenda Request

Council decided to move back to agenda item 7-C as Konrad Alexander entered the meeting. Konrad passed out copies of the citation he received. Konrad was requesting clarification of some of the items on the citation. Police Chief Jason Borash provided clarification and read the ordinance. Konrad argued that he is a business and a good share of the items in question are part of that business. He argued that his property is zoned dual use and he can have a business there. Clerk Bryniarski explained that according to Beacon – Morrison County, his property is residential and he pays residential property taxes. The City has it zoned as downtown mixed use. Chief Borash explained that the ordinance applies to both residential and commercial property. The Council recommended Konrad go to the Planning & Zoning commission to discuss options regarding a fence to conceal the items.

Johnson moved with a second by O'Regan to dismiss one of the citations pending removal of the two non-running tractors by the shed and the pile of scrap iron within 14 days. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Police Department

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

Total calls for the month of August were 171, making a year-to-date total of 802.

Chief Borash reported to the Council that the POST board has mandated an update to the policy titled "Allegations of Misconduct."

O'Regan moved with a second by Johnson to approve the updated policy. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Chief Borash presented a new policy that he drafted regarding Narcan, an opioid overdose medication and the annual training required for the handling and use of this medication.

Johnson moved with a second by O'Regan to approve the new policy. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Chief Borash requested approval to attend the MN Chiefs of Police Executive Training Institute Conference/Hotel stay. October 31st – November 3rd. The cost is \$510 plus hotel and travel expenses. There is room in the budget for this.

O'Regan moved with a second by Johnson to approve Chief Borash to go to the MN Chiefs of Police Executive Training Institute Conference. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Police Chief Borash asked the council for advice on maintaining the part-time police officer position that is currently held by Officer Pesta. Officer Pesta stepped down from the full-time position and moved into a part-time position at least until the full-time

position was filled. The full-time position has been filled and Chief Borash is looking for the formal recommendation from the Council. After some discussion it was decided that two full-time officer positions will be sufficient. There is no need for another part-time position.

The council members asked Chief Borash to extend their appreciation to Officer Pesta for his dedicated service to the City.

Johnson moved with a second by O'Regan to eliminate the part-time officer position effective immediately. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Chief Borash updated the council on the ordinance violation at 396 Main St. W. The nuisance violation is past the due date. They have had numerous extensions. Chief Borash is looking for direction from the council when he should start the abatement process. There was discussion regarding the best way to proceed.

Johnson moved with a second by O'Regan to approve sending a letter tomorrow and allowing them one additional week from the date of the letter to comply and then begin the abatement process. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Public Works Department

August 2021 report was given by Public Works Director Bruce Brotherton.

Bruce Brotherton reported to the Council that the price of wastewater chemicals will be increasing in price. He plans on buying ahead in order to save some money in the future. Purchasing now will save the City roughly \$4,300. Council agreed that it is a good idea to purchase.

Administrative Department

August 2021 water usage report was given by Clerk/Treasurer Curt Bryniarski. The August usage was very good, having only 1% unaccounted for.

Clerk/Treasurer Bryniarski presented to the council information on the new utility billing and fund accounting software that he is recommending. UB Max for utility billing and CTAS for fund accounting. These two options will be a considerable cost savings. Currently we use Banyon software which costs \$2,915 per year. UB Max will cost \$865 for the setup and then \$445 annually moving forward. CTAS is \$300 as a one-time fee.

O'Regan moved with a second by Johnson to approve changing the utility billing and fund accounting software to UB Max and CTAS. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Curt Bryniarski requested approval to attend the LMC's Clerks Academy – October 7-8, 2021. Cost is \$249 registration plus travel and hotel expense. There is plenty of room in the budget for this as he has been completing some training and conferences online.

Johnson moved with a second by O'Regan to approve the attendance of the LMC's Clerks Academy. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Old Business

No unfinished business to discuss.

New Business

Johnson moved with a second by O'Regan to approve the use and waive the fee for the Meeting Room for Fall Firearm Safety Class, put on by Bob Koenig. Classes will be held September 20, 21, 23, 27, 28 and 30. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

O'Regan moved with a second by Johnson to approve Bingo permit request by St. Michael's Catholic Church for November 21, 2021. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

Johnson moved with a second by O'Regan to approve Resolution 2021-23, a Resolution approving the preliminary 2022 tax levy – Morrison County for \$407,994.00. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

O'Regan moved with a second by Johnson to approve Resolution 2021-24, a Resolution approving the preliminary 2022 tax levy – Cass County for \$407,994.00. All aye, none nay. Acting Mayor Hutchison declared the Motion carried.

The council discussed scheduling the budget workshop. It was decided to wait to schedule this until the next meeting when all Council members are present.

Public Forum

No members of the public spoke.

Council Forum

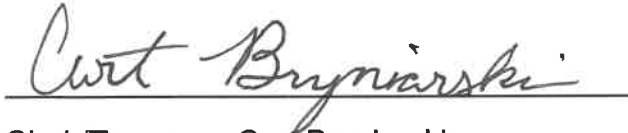
Council member Steve Johnson stated that the decisions that were made tonight were very difficult to make and he hopes for understanding by those individuals.

Upcoming Meetings/Important Dates

Planning and Zoning Meeting: Tuesday, September 28th, 2021, 6:30 p.m. – City Hall
Regular City Council Meeting, Monday, October 11th, 2021, 6:30 p.m. – City Hall

Council

O'Regan moved with a second by Hutchison to adjourn the regular meeting. All aye, none nay. Acting Mayor Amy Hutchison declared the Motion carried. The meeting was duly adjourned at 7:51 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.

Clerk/Treasurer Curt Bryniarski