

**MINUTES**  
**BUHL CITY COUNCIL MEETING**  
**BUHL CITY HALL**  
**11/06/2023**

Monday, November 6, 2023

6:30 P.M.

1. **CALL TO ORDER** by Mayor Carter at 6:30 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:**

Councilors:      X   Hadrava      X   Kealy          X   Loeffler      X   Towner  
Mayor:           X   Carter

Administrator:                  X   Jeffries  
Public Works Foreman:             Pink  
Attorney:                             Kearney  
Engineer:                          X   Jamnick

4. **APPROVAL OF AGENDA/COUNCIL ADDITIONS TO AGENDA**

ADD additional claim for Mn Energy in the amount of \$765.86 to claims list.

**Motion by Kealy to approve the agenda as amended.**

**Supported by Towner.**

Discussion. Approve/Reject/Table.

**Motion carried unanimously.**

5. **REPORTS FROM DEPARTMENT HEADS:**

City Engineer John Jamnick:

Gave an update on the status on Damian 2<sup>nd</sup> Addition and the Punch List restorative work for the City Infrastructure Project –

Alley F work has been completed; seems like it is working good; no reports as of yet as to how it is working out -

Received additional punch list update from contractor Casper Construction -

Damian 2<sup>nd</sup> Addition – curb, gutter and street paving will not be able to be completed in 2023 -

Still trying to complete paving on Woodbridge Avenue east in 2023 -

Administrator Jeffries:

Indicated that Halloween activities were great!

Reminded everyone that calendar parking is now on effect until May 2024, and that warning notices have been issued, however noted that the warning grace period has sunsetted, and tickets will be issued moving forward;

Indicated that there is a single-family home is actively being constructed in Damian 2<sup>nd</sup> Addition -

**6. CITIZENS FORUM:**

1) Cheryl Kivi; 612 Woodbridge Avenue

Commented on the lack of paving on Woodbridge Avenue east -

Mentioned that assessments have already been put in place for this project even though the work has not been completed -

Had questions on the May 25, 2023 Special City Council meeting regarding the Damian 2<sup>nd</sup> Addition, specifically regarding information suggesting that installation of service of sewer/water were only to only 8 of the 10 lots – wants to know why more funding was being looked into for that project -

Mentioned a construction worker had noted that it wasn't the Contractor's fault that things were late, but that the Mayor, City Council, and City Administrator stopped their work from proceeding further; it was indicated that the work would've been done by June 15 if they weren't stopped -

Wondered what was the \$160k in funding applied for (believed it was for the new addition work) -

Discussion ensued as to whether the project was fully funded as was previously mentioned (no more funding needed for completing Damian 2<sup>nd</sup> Addition, completing Woodbridge Ave. resurfacing, and completing road corrections between Roberts St. and Damian Addition) -

Mayor clarified that funding received was for the Damian 2<sup>nd</sup> Addition project only -

Engineer indicated it was for final paving, curb & gutter, and other miscellaneous items -

Commented that notice should have been sent out to affected residents regarding a delay was going to occur –

Commented that blacktop (asphalt) will not cure properly at this time of the year if it was placed now -

Conversation ensued that the City Council would not have authorized the schedule modification if it would have been known that the project would not be completed this year -

Discussed the All-Class Reunion and how construction activities may have affected it -

Suggested that more things could have been applied (for) to that area down the road...

Mayor clarified that the project was not fully funded (the Phase III construction activities) -

Questioned whether the city was placed “first on the list” after the scheduling amendment (modification) -

Asked why the city did not put in for the additional funding sooner;  
Administrator clarified that the city learned of the potential opportunity in May 2023 and applied for it at that time, and further clarified that no work can occur while a funding determination was being considered -

Administrator commented that additional funding of ~\$160k was ultimately realized as a result of these efforts; comment received that the city got more money but the (roads) project didn't get finished, so what good is that?

Offered technical information regarding placement of asphalt and weather conditions affecting the same -

This conversation was deferred to the City Engineer, who explained base course vs. wear course and the timing of placement of these courses -

Questioned as how many layers of asphalt were intended to be placed this year -

Commented that the road conditions “underneath” Woodbridge Ave. east are not proper for laying down asphalt, and that the whole thing (the street) was not put down correctly when the original placement of asphalt occurred –

Suggested there never was a base put down when the original paving of this road occurred –

City Engineer indicated that it is fairly common to attempt to place new pavement within approximately a week of milling a (paved) surface; the east Woodbridge Ave. pavement milling occurred approximately one month ago -

Further discussion regarding what are acceptable weather conditions effecting the placement of asphalt -

That said, question was raised as to why the road was milled, and to why these improvements were combined into one project and not broken up into separate “projects” -

Questions were raised regarding potential recourse against the project contractor for not achieving completion in 2023 -

Question as to why wasn't the contract(s) renegotiated and/or why wasn't the contractor penalized for not achieving completion as previously indicated -

Question regarding as to whether a new contract can be obtained for spring 2024 work, with guarantees, timelines, and/or penalties (original contract is still in effect) -

Commented that it appears that nobody seems to care about projects like these getting completed – (Mayor and council refuted this -) -

Again questioned whether or not the Woodbridge work could have been done separately (city council response included referencing contractor mobilization(s) and the desire to minimize these events) -

Comments regarding Klinx Way and its present condition(s) were received -

Administrator revisited and attempted to re-clarify the project(s) scope(s) for all activities being discussed -

Question received as to the status of the project(s) budget currently, and how much short it may still be – (Administrator estimated at least \$60 – 70k short) -

Question raised as to whether these amounts could be assessed on owners who bought properties in the Damian 2<sup>nd</sup> Addition – Administrator and council reminded all that when this project started there were no private property owners, and clarified that property transfers from the City to private ownership(s) had only been able to be accomplished after final platting was completed and recorded, which was in June of 2023 -

Commented she does not want any asphalt laid down (on Woodbridge Ave. east) at this point – it is too cold -

Commented that the city public works crew should not be held responsible (when they plow) for further damage to the road or existing curbing due to its present condition -

Commented that the road (Woodbridge Ave. east), which was already difficult to plow, in its present condition, is worse than it was before work (pavement milling) was conducted -

Commented again regarding the lack of notice provided residents about the schedule amendment -

Council commented that other cities put out project updates – suggested that Buhl could consider a similar approach in the future -

Mayor reminded that construction updates are regularly given at City Council meetings -

## 2) Melody Staffaroni; 321 Culver Avenue

Commented that the City Website did not include several items, such as

No special meeting notice of January 26 -

No minutes for February 21 -

No minutes for August 1 regular meeting OR working session (no minutes as to what the Accountant said to the City Council) -

No minutes for Sept 19 working session -

No minutes for (employment) private session – indicated the city needs to report exactly what they talked about -

Commented that you have to report what (the city council did) at a budget working session -

Questioned how far the city council has gotten regarding reducing the preliminary levy – no agenda and no minutes -

Suggested that the League of Mn Cities says you have to tell what you are doing as far as lowering the preliminary levy (until final levy approved in December) -

Administrator clarified that at a working session no business can be transacted and that no decisions can be made -

Comment and question as to who gave (the City) that information -

Questioned how far (council) has gotten with levy in an attempt to lower it -

Mayor attempted to respond to several of the above items -

Comment and question regarding the current Administration budget, what it includes, and where it is to date – hopefully it will be within budget at the end of the year (\$192,253) -

Brought up: Admin – will present budget be met – hopefully not going over  
Brought up travel overages on budget (presently over by \$863) -

Library – they are asking for additional monies but there is \$71k cash in the bank  
Noted there is nothing on the website regarding department budgets  
Commented on lack of information available on the website -

Electric (Enterprise) Account – commented on uncertainty as to what the fund balance is in the account -

Commented that transparency must be transparent -

Commented on the website again – and that recordings are not included here -

Commented that Administrator should have known the exact amount of Electric Fund prior to recommending that the electrical services installation for Damian 2<sup>nd</sup> Addition should appropriately be funded from this fund -

Hinted that there have been and are meetings and discussions occurring that are less than open – secretive, so to speak –

Questioned whether there have been any decisions rendered with regard to the 2024 budget at the Working Sessions – (there are not) –

Suggested that budget discussions have been less than transparent to date -

Questioned the transparency of the previous city council vs. the current city council and the approach(es) each has taken toward this -

Questioned whether the Administrator was “hired” or is still on probation.

## 7. CONSENT AGENDA

### A. Minutes:

- i. Regular City Council Meeting – October 17, 2023
- ii. City Council Workshop Meeting – October 19, 2023

B. Claims:

i. Payroll #10	\$ 2,475.00
Payroll #21	\$ 14,673.67
Payroll #22	\$ 14,086.63
ii. A/P (#1)	\$ 38,817.14
A/P (#2)	\$ 660.62
A/P (#3)	\$ 4.98
A/P (ADD Mn Energy)	\$ 765.86
<b>TOTAL</b>	<b><u>\$ 71,483.90</u></b>

Motion by Towner to approve the consent agenda.

Supported by Kealy.

Discussion. Approve/Reject/Table.

Motion carried unanimously.

8. BUSINESS:

A. Accept Minnesota Department of Health (MDH) Lead/Copper Tap Water Monitoring Report and Approve Distribution of the Lead/Copper Results to Persons Served at the Sites That Were Tested.

The City recently completed lead/copper monitoring of its municipal drinking water supply at several independent water tap sites throughout the city, as required by the Safe Drinking Water Act.

The results of this monitoring revealed that the City of Buhl public water system has not exceeded the action levels for both lead and copper.

Ten (10) independent water tap sources were sampled in the city, and the samples analyzed for lead and copper concentrations, especially with regard to action levels for these water constituents (or contaminants).

None of the samples collected approached the action levels for either lead or copper.

By Federal Rule (40 CFR 141.85) the City is required to provide these results to persons served at the sites where the samples were collected, as well as other pertinent information regarding the presence and health effects of both lead and copper in drinking water.

**Recommendation is to distribute this information to persons served at the sites that were tested, and to make this information available city-wide.**

**Motion by Kealy to accept the Minnesota Department of Health (MDH) Lead/Copper Tap Water Monitoring Report, to Approve Distribution of the Lead/Copper Results to Persons Served at the Sites That Were Tested, and to Make this Information Available to all Residents of the City.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

Administrator discussed the statistical analysis approach leading to determination of action levels for these contaminants, and highlighted that the City's results, in ALL cases, are far below any action levels.

Administrator also indicated that the results will be available at City Hall, and that they may be posted in the website in the future.

**Motion carried unanimously.**

- B. Close Sharon Street Fund #424 and Transfer Present and Future Balances to the Infrastructure-Street Improvements Account in Capital Improvement Fund #401.

During the annual financial review and compilation process undertaken by the City Auditor in 2023 for fiscal year 2022, it was noted that certain capital project funds which no longer will have any activity should be candidates for closure.

The Sharon Street Fund (#424) is a capital project fund for which activities have been completed, and for which no further activities are contemplated. As such, it is a candidate for closure as noted above.

Please refer to the attached memorandum from Dianna Thronson, Finance Manager, referencing this fund and a potential action which the City Council may want to consider regarding this fund.

An associated motion is also presented for consideration in this memo.

Recommendation is for the City to close this fund and transfer balance(s).

**Motion by Towner to authorize closure of the Sharon Street Fund #424 with a balance of \$19,891.21 and Designate the Balance and any Delinquent Payments Received in the Future go to the Capital Designated Street Infrastructure Account in Fund #401.**

**Supported by Hadrava.**

Discussion. Approve/Reject/Table.

**Motion carried unanimously.**



C. Resolution 23-65 for the City to Accept a Donation to the Buhl Public Library.

The City has received an offer of donation related to operations at the Buhl Public Library.

The library has collected various and sundry funds from fines and other miscellaneous contributions, and has offered a donation of \$51.25 to the City as a financial contribution toward the Buhl Public Library's operational needs for 2023.

**Recommendation is for the City to accept this donation.**

**Motion by Kealy to authorize the City to accept a donation from fines and other miscellaneous contributions collected by the Library in the amount of \$51.25 for 2023 Buhl Public Library program initiatives and operational needs, to execute Resolution 23-65 concerning the same, and to acknowledge these donations with appreciation.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

**Roll call vote: Hadrava – Aye, Kealy – Aye, Loeffler – Aye, Towner – Aye;  
Carter – Aye.**

**Motion carried unanimously.**

D. Resolution 23-66 for the City to Accept a Donation to the Buhl Recreation Commission.

Kelly Girgan, Billy's Pit Stop Pub 'N Grub, and an Anonymous donor, have offered donations totaling \$370.00 to the City's Recreation Board (Commission) as a financial contribution to help offset costs related to City of Buhl sponsored recreational activities and events.

**Recommendation is for the City to accept this donation.**

**Motion by Loeffler to authorize the City to accept a donation from Kelly Girgan, Billy's Pit Stop Pub 'N Grub, and an Anonymous donor, to the City's Recreation Commission as a financial contribution to help offset costs related to City of Buhl sponsored recreational activities and events in the amount of \$370.00, to execute Resolution 23-66 concerning the same, and to acknowledge this donation with appreciation.**

**Supported by Hadrava.**

Discussion. Approve/Reject/Table.

**Roll call vote: Hadrava – Aye, Kealy – Aye, Loeffler – Aye, Towner – Aye;  
Carter – Aye.**

**Motion carried unanimously.**

E. Resolution 23-67 for the City to Accept a Donation for Buhl Halloween Events.

C & B Warehouse Distributing, Inc., has offered a donation of \$250.00 to the City's Recreation Board (Commission) as a financial contribution to help offset costs related to the City of Buhl Halloween events and other related recreational activities.

Recommendation is for the City to accept this donation.

Motion by Towner to authorize the City to accept a donation from C & B Warehouse Distributing, Inc., to the City's Recreation Commission as a financial contribution to help offset costs related to the City of Buhl Halloween events and other recreation related activities in the amount of \$250.00, to execute Resolution 23-67 concerning the same, and to acknowledge this donation with appreciation.

Supported by Kealy.

Discussion. Approve/Reject/Table.

Roll call vote: Hadrava – Aye, Kealy – Aye, Loeffler – Aye, Towner – Aye;  
Carter – Aye.

Motion carried unanimously.

F. Consider Sponsoring a Page in the MI-B Yearbook *The Laurentian*.

The Mountain Iron-Buhl Public Schools memorialize each school year with a yearbook known as *The Laurentian*.

The City has received a solicitation to consider sponsoring a page or pages in *The Laurentian* to support the students and otherwise gain public exposure.

Sponsoring pages in the yearbook is a great way to show and demonstrate care for the community, the school district, and the students.

The cost of sponsorship is \$75.00 per page.

It is good and sound municipal policy for the City to support the community, including the school district and the students.

Recommendation is for the City to sponsor a page or pages in this yearbook.

Motion by Loeffler to authorize the City to support the Mountain Iron-Buhl Public Schools yearbook, *The Laurentian*, with a sponsorship in the amount of \$75.00 per page for ONE (1) page(s) in the 2023-2024 edition, and to congratulate the students of Mountain Iron-Buhl Public Schools on their achievements and accomplishments.

**Supported by Towner.**

Discussion. Approve/Reject/Table.

It was noted that the official school district for the community is the Mountain Iron-Buhl Public School District.

**Motion carried unanimously.**

G. Other Business.

None.

H. Councilor's Comments.

Councilor Kealy –

Thanked the public for their comments and input at this meeting -

Indicated Turkey Bingo will be held at the Seniors' Center November 18 -

Commented that Halloween was wonderful -

Commented on known Veterans Day festivities; noted that Billy's Pit Stop Pub 'N Grub is honoring veterans that day -

Councilor Loeffler –

Halloween parade, party, and dance were all wonderful and well-attended; thanks to the Recreation Board!

Painting event scheduled for November 11 (Saturday) at the Buhl Public Library; 15 people maximum; go to [buhlteencenter@gmail.com](mailto:buhlteencenter@gmail.com) for additional information -

Porch Pops creation event December 3 at the Community Center; email [buhlteencenter@gmail.com](mailto:buhlteencenter@gmail.com) to register -

Councilor Towner -

Commented that Halloween was great and dance went perfectly!

I. Mayor's Comments.

Apologized for not making it to the Halloween party or dance, as he was sick and could only make it to the parade (which was really good!) –

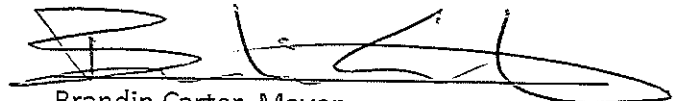
Thanked everyone for their participation –

Additional comments were received from the public, including:

- Other cities have working sessions of which recordings are available;
- Listing of checks (claims) are published in newspapers by other cities;
- Library is carrying a healthy cash budget in their accounts; and
- Water Tower project – still awaiting condition assessment report which will provide more information on its future. Administrator indicated this is anticipated to be received at any time.

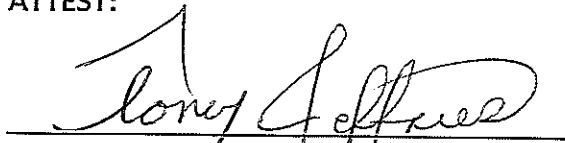
**9. ADJOURN:**

**Motion by Kealy to adjourn. Supported by Towner. Motion carried unanimously and the meeting was adjourned at 9:09 p.m.**



Brandin Carter, Mayor

**ATTEST:**



Tony Jeffries, City Clerk