

**MINUTES**  
**BUHL CITY COUNCIL MEETING**  
**BUHL CITY HALL**  
**10/1/2024**

Tuesday, October 1, 2024

6:30 P.M.

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

**2. ROLL CALL:**

Councilors:     Hadrava     Kealy     Loeffler     Towner  
Mayor:         Carter

Administrator:         Jeffries  
Public Works Foreman:     Pink  
Attorney:                 Kearney  
Engineer:                 Jamnick  
Fire Chief:                Lehman  
Police Chief:              Manner

**3. PLEDGE OF ALLEGIANCE:**

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

Add Item to Schedule Water Tower Public Meetings under Other Business as Item 8.J.A.

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

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

**Motion carried unanimously.**

**5. REPORTS FROM DEPARTMENT HEADS:**

**City Engineer John Jamnick of JPJ Engineering, Inc.:**

Gave an update on a number of items, including:

The punch list restorative work for the CIP project has not been going as well as expected lately; and a punch list for the Damian III project is being compiled;

There is a plan for the curling club to attempt to resolve the water intrusion into the main body of the structure issue –

This would be a combination of utilizing certain sealing material as well as other considerations -

It was indicated that representatives of the curling club do not want to pursue the bentonite seal addition methodology -

**Administrator Jeffries:**

Noted a number of items, including:

1. Recognizing that Cornerstone Villa recently celebrated their 20<sup>th</sup> anniversary of operations in Buhl, and mentioned what an asset that facility is to the community;
2. Noted that flags were ordered to fly at half-staff on September 29<sup>th</sup> to recognize Fallen Firefighters Memorial Day and to recognize the individuals involved in this crucial and critical public service work;
3. Noted that Minnesota Power will be offering Electric Vehicle Safety Training for First Responders (and others) on Monday, October 7, 2024 from 12:00 to 4:00 p.m. and again at 5:00 to 9:00 p.m. at the Virginia Fire Hall, located at 115 N 4<sup>th</sup> Ave in Virginia;
4. Reminded all that a Buhl Candidate Forum and Candidate Meet-n-Greet will be held at the Buhl/Kinney Senior Center on Monday, October 14, 2024, beginning 6:30 p.m.; and
5. Disappointingly commented on recent vandalism and theft of political campaign signs that have plagued Buhl recently, and urged residents to report any suspicious activity to the city and to Public Safety, and to cease this unwarranted behavior immediately.

**6. CITIZENS FORUM:**

Taunya Teska-Erickson, 339 Culver Avenue, Buhl, Mn;

Commented on a number of items, including:

Questioned what has happened to the expansion of the Fire Department garage and the status of a consolidated and combined community facilities building – while noting

- Funding for a combined facility had at least 60% committed to it;
- Black mold exists in the basement of the current facility;
- Fire Hall is undersized and things are crammed in there;
- Many City buildings are falling apart;
- Need to concentrate on Buhl’s emergency services;
- Having a hard time finding members to join the Fire Department, and concerned about losing the department;
- There are frustrated firefighters on staff presently;
- There are standing water issues in the (EMS) building; and
- Noted that a new combined/consolidated building was promised in the past.

Questioned what has happened to reported grant funding -

Noted that it needs to be known and communicated that these departments need help.

James Matthews, 600 Klinx Way, Buhl, Mn;

Rescinded public forum comments on laundromat building after reviewing the agenda and learning that this item is already included there.

## 7. CONSENT AGENDA

### A. Minutes:

- i. Regular City Council Meeting – September 17, 2024
- ii. City Council Working Session – August 8, 2024

### B. Claims:

- i. Payroll #19 \$ 14,827.87
- ii. Payroll 9 (September 2024) \$ 2,350.00
  
- iii. A/P \$ 34,431.73

**TOTAL \$ 51,609.60**

**Motion by Towner to approve the consent agenda as presented, with the exception of removing item 7.A.ii. from this consent agenda.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

Item 7.A.ii. will be placed on the October 15, 2024 agenda for consideration.

**Motion carried unanimously.**

**8. BUSINESS:**

- A. Consider Applying for Mn Department of Iron Range Resources and Rehabilitation (IRRR) Public Works Grant for Upgrades and Improvements to the City of Buhl Wastewater Conveyance Facilities for the Central Iron Range Sanitary Sewer District (CIRSSD).

The City is a participating member of the Central Iron Range Sanitary Sewer District (CIRSSD).

As such, the City relies and is dependent on the CIRSSD for the lawful and conforming treatment and discharge of its municipal sanitary sewage delivered to CIRSSD facilities under provisions applicable to it as a Member of the CIRSSD.

The City has been made aware of CIRSSD plans to upgrade and improve its wastewater conveyance facilities, including those which service the City of Buhl. In part, these initiatives include upgrading the City of Buhl's (CIRSSD) lift station capabilities to better manage instantaneous peak wastewater flows as well as to provide for additional capacity to serve future development needs.

Staff has been working with the IRRR, who has suggested that it may be more appropriate for the City of Buhl to apply for potential grant funding for these facilities, especially with regard to the portion of the planned upgrades which will directly impact Buhl. Staff concurs insofar as it will not negatively reflect on Buhl in any way.

**Recommendation is to authorize the Administrator to apply for this potential funding.**

**Motion by Towner to authorize the administrator to apply for a Mn Department of Iron Range Resources and Rehabilitation (IRRR) Public Works Grant for Upgrades and Improvements to the City of Buhl Wastewater Conveyance Facilities for the Central Iron Range Sanitary Sewer District.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

Mayor Carter questioned that if there would be matching funds required, how would that be handled since this is a CIRSSD initiative more than a Buhl project; the Administrator indicated that it would be reasonable that any matching funds would fall to the CIRSSD -

**Motion carried unanimously.**

- B. Consider Approving Resolution 24-23 Authorizing the City of Buhl to Make Application to and Accept Funds Through the State of Minnesota Department of Iron Range Resources & Rehabilitation Public Works Grant Program.

The City is a participating member of the Central Iron Range Sanitary Sewer District (CIRSSD).

The City supports the CIRSSD and its facilities, and has approved authorizing the Administrator of the City of Buhl to apply for and accept funding from the Minnesota Department of Iron Range Resources and Rehabilitation Public Works Grant Program for improvements and upgrades to its wastewater conveyance facilities.

These improvements and upgrades are anticipated to aide and assist the City of Buhl, as well as the CIRSSD, address their present and future wastewater conveyance needs.

**Recommendation is to approve Resolution 24-23.**

**Motion by Kealy to approve Resolution 24-23 Authorizing the City of Buhl to Make Application to and Accept Funds Through the State of Minnesota Department of Iron Range Resources & Rehabilitation Public Works Grant Program for upgrades and improvements to the City of Buhl/CIRSSD wastewater conveyance system(s), and to gratefully acknowledge receipt and thanks should this application prove successful in obtaining needed funding.**

**Supported by Towner.**

Discussion. Approve/Reject/Table.

**Roll Call Vote: Hadrava - Absent, Kealy - Aye, Loeffler - Aye, Towner - Aye; Carter - Aye.**

**Motion carried unanimously.**

- C. Consider Undertaking Sanitary Sewer Smoke Testing Activities as a Portion of the City of Buhl Inflow and Infiltration (I & I) Mitigation Study Initiatives.

The City has been diligently working with the Central Iron Range Sanitary Sewer District (CIRSSD), the City's wastewater treatment facility operator, to address the impacts the City of Buhl has, or may have, on this facility.

Earlier in 2024, Norm Miranda, the Executive Director of the CIRSSD, addressed the City Council and presented pertinent information regarding these impacts, with a focus toward Inflow and Infiltration (I & I) impacts CIRSSD has been noticing from Buhl's participation in this facility, both pre- and post- infrastructure improvement.

These items are extremely important, and worthy of further study.

A major integral element of these studies has been identified as conducting smoke testing of sanitary and select storm sewers in the city to evaluate the overall condition of these wastewater collection system(s). Autumn is a choice time to conduct these activities, as the ground is typically drier than earlier times in the year.

The Minnesota Rural Water Association (MRWA), of which Buhl is a member, offers technical assistance with many waste/water issues, including smoke testing studies.

MWRA staff have indicated their availability of equipment and personal technical assistance to assist in carrying out these studies for the week beginning October 21, 2024 – staff believes this opportunity should be undertaken at this time.

**Recommendation is to authorize smoke testing beginning October 21, 2024.**

**Motion by Kealy to authorize city-wide smoke testing activities on the wastewater collection system(s), with the grateful assistance of the Minnesota Rural Water Association, beginning October 21, 2024.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

The Administrator requested that utilizing additional individuals to serve as smoke testing observers be authorized.

Councilor Kealy indicated that as many homeowners as possible should be notified and informed that these activities will be taking place.

**Motion carried unanimously.**

D. Consider Approving Resolution 24-24 to Appoint a City of Buhl Representative to the Central Iron Range Sanitary Sewer District (CIRSSD) Board of Directors for a 3-Year Term Beginning on January 1, 2025.

The City is a participating member of the Central Iron Range Sanitary Sewer District (CIRSSD). As such, the City is currently entitled to representation on the Board of the CIRSSD with two (2) representative individuals.

A current board member term expires on December 31, 2024, and at such time a vacancy will be created which the City will be entitled, if not expected, to fill.

It has been the City Council's practice, for transparency, to notify the public with regard to vacancies or upcoming vacancies on commissions, boards, committees, and similar bodies, and to receive solicitations from interested parties and/or individuals prior to filling a vacancy.

The public is hereby notified of this vacancy.

Anyone interested in serving in this capacity for a three-year (3-year) term should contact City Hall before December 6, 2024, for potential consideration.

It should be noted that that the city has received an expression of interest in this vacancy by one (1) interested party at this time.

**Recommendation is to fill this upcoming vacancy on the board of the CIRSSD prior to January 1, 2025.**

**Motion by Towner to fill an upcoming vacancy on the CIRSSD board prior to January 1, 2025, and to provide notice to the public regarding the same.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

**Roll Call Vote: Hadrava - Absent, Kealy - Aye, Loeffler - Aye, Towner - Aye; Carter - Aye.**

**Motion carried unanimously.**

E. Consider Approval of JPJ Partial Pay Estimate No. 4 for Construction Services for the Damian Addition Phase III Project (No. 22-059) in the Amount of \$197,441.34 to 2 EZ, Inc., dba Jola & Sopp Excavating,

The City has received a Partial Payment Estimate for construction services performed by 2 EZ., Inc. dba Jola & Sopp Excavating, related to the Damian Addition Phase III project (JPJ Project #22-059).

This Partial Payment Estimate is related to services rendered for the Period of Estimate from October 30, 2023, through August 23, 2024, and includes services related to the Base Bid – Franklin/Burnett, as well as for the Add Alternate – Seville/Jefferson/Woodbridge construction activities.

Specifically, these charges are identified in the “Amount This Period” columns contained on Pay Estimate No. 4, attached to this memorandum.

Summarily, on the Base Bid, the work is for installing curb & gutter and paving of roadways in the Damian III addition; on the Add Alternate, it is for similar activities and required preparation work on Woodbridge Avenue and Klinx Way.

City Engineer John Jamnick, P.E., of JPJ Engineering, Inc., was in attendance and available to answer any questions that may have arisen with regard to these services and the associated invoicing.

**Recommendation is to pay 2 EZ., Inc. dba Jola & Sopp Excavating Pay Estimate No. 4 for construction services related to Project No. 22-059 in the amount of \$ 197,441.34 upon validation of the services performed.**

**Motion by Kealy to approve payment of Partial Payment Estimate No. 4 for Project No. 22-059 to 2 EZ., Inc. dba Jola & Sopp Excavating, in the amount of \$ 197,441.34.**

**Supported by Towner.**

Discussion. Approve/Reject/Table.

Discussion regarding remaining work activities ensued.

**Motion carried unanimously.**

- F. Consider Approving JPJ Engineering Invoice 22-059 #5 for Damian Addition Phase III Professional Engineering Services in the Amount of \$4,068.37.

**PLEASE NOTE – this item was initially placed on the agenda for this meeting (October 1, 2024), however was moved up, attended to, and acted on at the September 17, 2024 regular City Council meeting as Item 8.C., where it was approved and carried.**

**Subsequently, this item inadvertently was not removed from this October 1, 2024 meeting agenda – no further action is required by the City Council at this meeting. The narrative of this item is included below for information only.**

The City has been invoiced for professional engineering services and other professional activities performed by JPJ Engineering, Inc., for services related to the Damian Addition Phase III project (JPJ Project No. 22-059).



This invoice is related to services rendered for the Invoice Period of July 2024, and includes services related to the above-referenced project.

Specifically, these charges are identified as professional engineering services rendered under "Construction Management/RPR" (\$1,197.87) and "Staking" (\$2,872.50).

**Recommendation is to remit to JPJ Engineering, Inc. invoice No. 5 for professional services related to Project No. 22-059 in the amount of \$ 4,068.37 upon validation of the services performed.**

**Motion by Kealy to approve payment of Invoice No. 5 for Project No. 22-059 to JPJ Engineering, Inc., in the amount of \$ 4,068.37.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

**Motion carried unanimously.**

**F.1. Consider Approving JPJ Engineering Invoice 23-207 #2 for Buhl Business Block Professional Engineering Services in the Amount of \$ 2,000.00.**

The City has been invoiced for professional engineering services and other professional activities performed by JPJ Engineering, Inc., for services related to the Buhl Business Block redevelopment project (JPJ Project No. 23-207).

This invoice is related to services rendered for the Invoice Period of July 2024, and includes services related to the above-referenced project.

Specifically, these charges are identified as professional engineering services rendered under "Plat" (\$2,000.00).

City Engineer John Jamnick, P.E., of JPJ Engineering, Inc., was in attendance and available to answer any questions that may have arisen with regard to these services and the associated invoicing.

**Recommendation is to remit to JPJ Engineering, Inc. invoice No. 2 for professional services related to Project No. 23-207 in the amount of \$2,000.00 upon validation of the services performed.**

**Motion by Kealy to approve payment of Invoice No. 2 for Project No. 23-207 to JPJ Engineering, Inc., in the amount of \$2,000.00.**

**Supported by Towner.**

Discussion. Approve/Reject/Table.

Question was raised regarding if BEDA changed the scope of these activities again, would there be additional charges for additional plat work – the indication was that yes, there would be -

It was mentioned that the City Council does not necessarily know what is going on with BEDA at any point in time –

The Administrator indicated that Buhl Economic Development Authority (BEDA) periodic reports will be put on regular council agendas for the 1<sup>st</sup> meeting of the month under Reports from Department Heads.

**Motion carried unanimously.**

**G. Consider Letter of Support for Iron Range Brownfields Program EPA FY25 Brownfields Community-Wide Assessment Grant Application.**

The City recently received a request to support an Iron Range Brownfields application for an EPA FY25 Brownfields Community-Wide Assessment grant.

Brownfields are abandoned, idled, or underused industrial and commercial properties where financing expansion or redevelopment is complicated by actual or suspected environmental contamination as a result of past uses.

Iron Range Brownfields is comprised of the cities Aurora, Babbitt, Biwabik, Buhl, Chisholm, Cook, Ely, Eveleth, Gilbert, Hoyt Lakes, and Virginia. The city of Virginia will submit the application on behalf of these communities, and if awarded, funding will be utilized for assessment, investigation, and planning for brownfield properties within the geographical area of these cities.

A draft Letter Of Support is included with this item.

**Recommendation is to support the initiatives of Iron Ranger Brownfields and to offer a Letter Of Support for US EPA FZY25 grant funding regarding the same.**

**Motion by Loeffler for the City of Buhl to participate as a member of the Iron Range Brownfields Program, and to offer a Letter Of Support to the City of Virginia regarding application for a Community-Wide Assessment Grant to the US Environmental Protection Agency for FY25 assessment funding.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

The Administrator indicated that, to his knowledge, there are no known problematic brownfield sites identified in Buhl at the present time.

This grant was not awarded to Iron Range Brownfields for FY2024.

**Motion carried unanimously.**

H. Update on Building Demolition Plans and Activities for 206 State St.

The former laundromat building located at 206 State Street has been the topic of demolition conversation for some time.

This building was announced for demolition by its owner(s), Buhl Apartments, LLC, and Managing Agent, Zenith Property Management, LLC, in mid-2023 or earlier.

Permitting and registration initiatives were undertaken and pursued by the owner(s)' contractor, and by late August 2024 all impediments were overcome and the green light was issued by the Minnesota Pollution Control Agency (MPCA) to allow demolition activities to begin.

This work was to have commenced on Monday, August 26, 2024; then September 9, 2024; then September 23, 2024 - as of this date, no demolition activities were observed to have begun.

Staff has very recently been informed by the owner(s)' contractor that the owner(s) have now rescinded and cancelled the contract for demolition, for financial considerations, and released the contractor from any further activities.

As of this time it now appears that there are no further or future plans by the owner(s) to undertake this building demolition.

**Informational only.**

Question was raised as to where does the City go from here at this time –

The Administrator indicated that the estimated cost of this demolition was \$70,000, and that the Administrator should begin new discussions with the IRRR regarding potential Commercial Redevelopment Program possibilities –

In the interim, the City should be prepared to absorb demolition costs should it desire and decide to move forward with demolition of the current structure at this time –

Additionally, the Administrator suggested that the City consider whether it wants to get involved with future redevelopment at this site, as potential funding may be more available to the City rather than to private ownership interests -

I. Schedule Working Sessions for 2025 Budget Initiatives.

The preliminary City budget for fiscal year 2025 was introduced at the September 26, 2024 City Council Special meeting.

A dedicated fiscal year 2025 budget working session was held on September 26, 2024 by the City Council, with substantial headway made in reviewing and evaluating the proposed 2025 budget.

The final budget, and associated tax levy, will need to be prepared and completed by the end of December 2024.

Staff believes additional dedicated time for further evaluation and review is warranted in order to achieve a workable fiscal year 2025 budget that is acceptable to the City Council.

As such, staff originally proposed the following dates for additional dedicated fiscal year 2025 budget working sessions, at 6:30 p.m., in the City Council chambers in City Hall.

Thursday, October 14, 2024;

Thursday, October 31, 2024;

Wednesday November 20, 2024; and

Thursday, December 12, 2024 (if needed).

**Recommendation is to schedule these tentative dates.**

**Motion by Kealy to schedule dedicated fiscal year 2025 budget working sessions at 6:30 p.m. in the Council Chambers at City Hall on Thursday - October 17, Wednesday - October 30, Wednesday - November 20, and Thursday - December 12, 2024.**

**Supported by Loeffler.**

Discussion. Approve/Reject/Table.

The schedule was **modified** to accommodate the Halloween holiday, as well as other potentially conflicting dates –

The rescheduled dates are reflected in the motion for this item.

**Motion carried unanimously.**

J. Other Business.

A. Schedule Dates for Water Tower Project Public Meetings.

The City needs to schedule informational meetings with the public to move the water tower project further forward.

As such, meeting dates should begin to be scheduled at this time.

**Motion by Towner to set Water Tower Project Public Meeting dates for Monday, October 21, 2024, and Monday, October 28, 2024, at 6:00 p.m. at a location to be determined.**

**Supported by Kealy.**

Discussion. Approve/Reject/Table.

**Motion carried unanimously.**

K. Councilor's Comments.

Councilor Loeffler:

Reminded all that a free Activate Rural working session seminar will be held on October 8 from 9 a.m. to 4 p.m. at the Buhl/Kinney Senior Center –

Noted that the Halloween event, including a parade, a party, and a dance, will occur on October 26 -

Mentioned that the City of Kinney's Halloween events will occur on October 27 -

Councilor Kealy:

Summarized the extended voting hours available at City Hall for 2024 absentee voting as follows:

October 26; Saturday – City Hall open 9 a.m. to 3 p.m.  
October 29; Tuesday – City Hall open until 7 p.m.  
November 2; Saturday – City Hall open 9 a.m. to 3 p.m.  
November 3; Sunday – City Hall open 9 a.m. to 3 p.m.  
November 4; Monday – City Hall open until 5 p.m.  
November 5; Tuesday – City Hall open until 8 p.m.

Councilor Towner:

Noted that the Recreation Board is super excited about the upcoming Halloween parade, party, dance, etc. slated for October 27 –

Noted that there are a lot of people helping out this year, and THANKED ALL for their assistance!

L. Mayor's Comments.

Stressed that the activities surrounding damage to political campaign signs and associated gaslighting is unacceptable - and urged folks to speak up if they see something – and to stop this behavior!

We need to be able to work together! If we all move forward together, the city will be a much better place to live!

The weather is still quite nice; GO FISHING! It makes memories!

9. **ADJOURN:**

**Motion by Kealy to adjourn.**

**Supported by Towner.**

**Motion carried unanimously and the meeting was adjourned at 8:15 p.m.**

  
Brandin Carter, Mayor

**ATTEST:**

  
Tony Jeffries, City Clerk