

City Council Minutes February 22, 2022

Pursuant to due call and notice thereof, the City Council of the City of Buffalo, Minnesota, held a regular meeting in the City Center on the 22nd day of February 2022 at 7:00 p.m. Present were Council Members: Nick O'Rourke, Scott Enter, Teri Lachermeier, Steve Downer and Jameson Wakefield. Staff: Administrator Laureen Bodin (remote), Assistant Administrator Taylor Gronau (remote), Chief of Police Pat Budke, Fire Chief John Harnois, City Clerk Susan Johnson, Community Planning and Economic Development Director David Kelly (remote), Finance Director Kelly Horn, Utilities Director Jason Meusbarger, Parks and Rec Director Lee Ryan, Student Liaison/Videographer Matthew Scherber.

CALL TO ORDER

Mayor Lachermeier called the meeting to order at 7:00 p.m.

ANNOUNCEMENTS

Mayor Lachermeier thanked the Community Center open house attendees and encouraged people to check out the Community Center and what they offer. She thanked the Chamber and sponsors for the Kites on Ice Festival which had a great turnout even without the wind.

Mayor noted that the Buffalo Strong event was very well attended with approximately 600 people and 20 vendors. Buffalo Strong will continue to work on mental health issues in our community.

Mayor announced that the Street Department has plowed the center of all city owned roads this afternoon. Due to high winds and amount of traffic on the streets now, the snowplow crew will take a break and then resume plowing the rest of the city streets starting at 2:00 a.m. on February 23.

Council Member Downer received an email from the president of BYHA regarding regional tournaments March 4-6 which will likely bring approximately 450-600 people in town for it. He noted the impact BYHA can have on our economy.

Council Member Downer reported that there will be a Career Exploration and Job Fair at the Buffalo High School gym on February 28 from 2:00-3:30 p.m. for students and then from 5:00-7:00 p.m. which is open to the public. He encouraged people to investigate the trades as they are offering very good wages.

OPEN FORUM

There was no one in attendance for the open forum portion of the meeting.

AGENDA ADDITIONS OR DELETIONS

ADDITIONS

1. Item #6E MnDOT Agency Airport Resolution and Rescue Grant Agreement
2. Item #6F Airport Master Plan RFQ Selection Committee
3. Item #10D Rate Increase for Sludge Receiving

COUNCIL REPORTS AND RECOGNITION

Student Liaison Scherber also reported that the Buffalo Strong event was a great success. He updated the Council on upcoming school sports activities, knowledge bowl and Career Fair.

Council Member Downer recognized the utility departments for the teamwork at getting Lift Station 4, a very important piece of our infrastructure, connected to fiber for a firm communication link for monitoring and control.

Council Member Enter said the Airport Advisory Board is working on developing a master plan to utilize the rescue funds available.

CONSENT AGENDA

- A. Approval of February 7, 2022 Minutes
- B. Approval of Claims and Payrolls
- C. HR Update – Hiring of Erika Elfstrand for Meter Reader
- ~~D. BRB Golf Management Purchase Agreement~~
- E. MnDOT Agency Airport Resolution and Rescue Grant Agreement
- F. Airport Master Plan RFQ Selection Committee

Mayor Lachermeier removed the BRB Golf Management Purchase Agreement from the Consent Agenda.

Council Meeting ~ 02/22/2022

Payroll Dates		Paid Date		
01/23/2022 - 02/05/2022		2/10/2022	Payroll =	\$287,909.16
A/P Check Runs	EFT/DRAFTS	Checks	Total	Check Numbers
2/10/2022	\$125,572.82	\$16,165.88	\$ 141,738.70	126345-126362
2/16/2022	\$890,691.20		\$ 890,691.20	
2/16/2022	\$258,699.57	\$643,703.47	\$ 902,403.04	126363-126459
Grand Total			1,934,832.94	

Upon motion by Council Member Enter, motion seconded by Council Member O'Rourke to approve of the Consent Agenda.

VOTE	Wakefield	Downer	Enter	Lachermeier	O'Rourke
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-0.

REMOVED CONSENT AGENDA ITEMS

BRB Golf Management Purchase Agreement

City Attorney Dege reported that this was brought back to the Council because of issues with financing due to how the agreement was structured and relative to golf season approaching. I'm coming back with a slightly revised purchase agreement and a short-term rental agreement that allows BRB to have access to the golf course while preparing for the season before closing. The proposed resolution addresses the purchase agreement and a short-term rental agreement.

The short-term lease would not charge rent but allows BRB access to the property. It holds the City harmless for any expenses or damages they would cause.

The City wanted a 10-year commitment to keep the property as a golf course. This is not allowed under SBA funding. The attorneys have come to a workaround ancillary agreement that gives the City the same benefits as the previous purchase agreement.

Council Member Downer asked how long the short-term lease is envisioned to be? Attorney said this would be through due diligence period which is typically approximately 90 days. Council Member Downer asked about 10-year commitment to keep it a golf course and if that is the subject of the ancillary agreement. Attorney Dege said yes.

Upon motion by Council Member Downer, motion seconded by Council Member Enter to approve of Resolution 2022-6 Authorizing the Sale and Short-Term Rental of Real Property.

Council Member Downer thanked Council Member Enter, Eric Kolkind, the Golf Advisory Board Members and Staff for their work on this.

VOTE	Wakefield	Downer	Enter	Lachermeier	O'Rourke
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-0.

PUBLIC HEARINGS

Public Hearing – Past Due Accounts

Mayor Lachermeier opened the public hearing. No comments were made. Mayor closed the hearing.

Public Hearing Past Due Accounts February 22, 2022

PROPERTY ID	ADDRESS	AMOUNT*	DESCRIPTION
103-011-001062	206 2nd Avenue NW	\$287.03	Utilities
103-038-001020	410 1st Street S	\$479.00	Utilities
103-046-001080	607 Schubert Dr	\$585.77	Utilities
103-142-001010	315 Creekside Dr	\$520.70	Utilities
103-163-002010	1800 11th Street NE	\$162.46	Utilities
103-171-005040	606 Buffalo Hills St	\$227.29	Utilities
103-010-060040	151 5th Street NE	\$395.84	Utilities
103-500-304109	506 2nd Street S	\$863.98	Utilities
103-062-001060	304 Leksand Ln	\$777.11	Utilities

*Amount plus interest at 6%. A \$40 filing fee has been included in the above amounts in the event they are not paid in full by November 30, 2022.

Upon motion by Council Member Downer, motion seconded by Council Member Wakefield to certify the above past due accounts to the tax rolls.

VOTE	Wakefield	Downer	Enter	Lachermeier	O'Rourke
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-0.

OLD BUSINESS

A. Advisory Board Appointment

Assistant Administrator Gronau reported that an application from Susan Mattson has been received for the Library Advisory Board. Staff recommends the appointment of Susan Mattson to the Library Advisory Board.

Upon motion by Council Member Downer, motion seconded by Council member O'Rourke to appoint Susan Mattson to the Library Advisory Board.

VOTE	Wakefield	Downer	Enter	Lachermeier	O'Rourke
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-0.

NEW BUSINESS

A. Planning Commission Matters

Council Member Wakefield reported that the Planning Commission elected George Fantauzza as chair and Derek Hudyma as vice chair for 2022.

Charter School Capital/Jane Goodall Environmental Sciences Academy-Conditional Use Permit, 1705 State Hwy 25 N, PID 103-500-184402
 Council Member Wakefield reported on the application from Charter School Capital and the Planning Commission's recommendation.

Community Planning and Economic Development Director David Kelly noted that he received an email just prior to tonight's meeting from the applicant Charter School Capital. They have rescinded their application to move forward on this request. No Council action is required.

B. 2022 State Aid – Bradshaw Avenue Turn Back

Consulting Engineer Justin Kannas of Bolton and Menk addressed the Council. He said that as part of the construction of Settlers parkway an agreement was in place with Wright County to turn back the portion of Bradshaw Avenue from approximately 280 feet north of Settlers parkway to 10th Street South. The City has been maintaining Bradshaw Avenue, but records indicate the formal action for the turn back didn't occur.

It is to the City's advantage to claim this mileage as a turnback for the State Aid Street System for future funding. Formal action is required for the turn back.

Upon motion by Council Member Wakefield, motion seconded by Council Member O'Rourke to accept the turn back of Bradshaw Avenue from approximately 280 feet north of Settlers Parkway to 10th Street South as a city roadway.

VOTE	Wakefield	Downer	Enter	Lachermeier	O'Rourke
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-0.

C. Human Resources Manager Shelby Pahl Resignation

Administrator Bodin reported that Human Resources Manager Shelby Pahl has accepted a position elsewhere.

Upon motion by Council Member Enter with regret, motion seconded by Council Member Downer to accept the resignation of Shelby Pahl.

VOTE	Wakefield	Downer	Enter	Lachermeier	O'Rourke
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-0.

D. Rate Increase for Sludge Receiving

Utilities Director Muesburger explained the process of receiving sludge. He stated that the rate had not been evaluated for a few years. Staff had the rate evaluated with two third-party engineers. The \$0.88 cent rate will allow us to have a little revenue to sustain the process.

Upon motion by Council Member Downer, motion seconded by Council Member Wakefield to increase the rate for sludge receiving to \$0.88.

VOTE	Wakefield	Downer	Enter	Lachermeier	O'Rourke
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-0.

Administrator Bodin brought Council back to the Human Resources matter and asked Council to act on appointing Carmen Merrill as the Interim Human Resources Manager.

Upon motion by Council Member Downer, motion seconded by Council Member Enter to appoint Carmen Merrill as the Interim Human Resources Manager.

VOTE	Wakefield	Downer	Enter	Lachermeier	O'Rourke
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-0.

STAFF UPDATES

Staff gave general updates to the Council.

Consulting Engineer Justin Kannas reported that there will be an open house on March 15 for the Highway 25 Project from 5:00-7:00 p.m. at the City Center. Notice will be sent to property and business owners adjacent the project. Information will be online with the website within the next week or so. Public is invited to attend as well.

Community Planning and Economic Development Director David Kelly reported that CMHP will be hosting a kickoff meeting on March 1 with applications available at that time. Notices have been sent to those who have shown interest. Owner occupied housing meeting will be from 5:30-6:30 p.m. followed by commercial meeting from 6:30-7:30 p.m.

OTHER-CLOSED SESSION

Mayor announced that the Council will be considering counteroffers regarding the purchase of Parcels 9, 14 and 16, City of Buffalo Road Right of Way Plat No. 2, for the Dague Avenue Project. This portion of the meeting will be closed under Minn. Stat. 13D.05, Subd. 3(c)(3).

Mayor closed the meeting at 7:38 p.m.

Mayor opened the meeting at 8:06 p.m.

Upon motion by Council Member Enter, motion seconded by Council Member Wakefield to accept the counteroffer regarding Parcel 9, City of Buffalo Road Right of Way Plat No. 2, for the Dague Avenue Project.

February 22, 2022

Buffalo City Council Minutes

VOTE	Wakefield	Downer	Enter	Lachermeier	O'Rourke
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-0.

Upon motion by Council Member Downer, motion seconded by Council Member Enter to accept the counteroffer regarding Parcel 14, City of Buffalo Road Right of Way Plat No. 2, for the Dague Avenue Project.

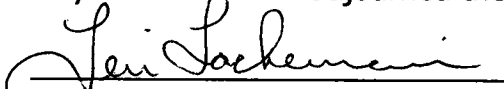
VOTE	Wakefield	Downer	Enter	Lachermeier	O'Rourke
Aye	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Nay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abstain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Absent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Motion passed 5-0.

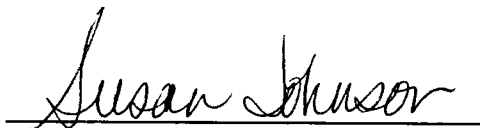
Council directed attorney and engineer to continue to work with the owners of Parcel 16.

ADJOURN

Mayor Lachermeier adjourned the meeting at 8:08 p.m.



Mayor



City Clerk