

Minutes
Silver Lake City Council
Regular Meeting
September 16, 2019

Mayor Butler called the meeting to order at 6:30pm.

Members present: Mayor Dorothy Butler, Councilors Josh Winfrey, Brenda Fogarty, Chris Penaz and Nolan Johnson

Staff present: Jon Jerabek, Clerk/Treasurer; RJ Cripps, Police Chief; Dale Kosek, Public Works Supervisor (PWS)

Others present: Karin Ramige, McLeod Publishing; Bruce Bebo, Brad Paulsen, Connie Schultz, Ty Turnquist, MNSPECT; Duane Yurek, John Rodeberg, SEH

Motion by Councilor Fogarty seconded by Councilor Johnson to approve the agenda.

Vote for: Unanimous

Motion carried.

Consent Agenda

1. Approve minutes from August 19, 2019 Regular Meeting
2. Approve minutes from September 5, 2019 Workshop Meeting
3. Approve payroll #18, 19 and August Ambulance
4. Claims to be paid: \$29,106.39 (August EFT)
 \$47,419.85 (8-30-19)
 \$28,816.14 (9-13-19)

Motion by Councilor Fogarty seconded by Councilor Penaz to approve the Consent Agenda with the September 5, 2019 Workshop minutes removed.

Vote for: Unanimous

Motion carried.

Public Comment

1. Connie Schultz discussed issues with a neighbor.
2. Bruce Bebo informed the Council about Winterfest being scheduled for December 21, 2019.
3. Duane Yurek notified the Council he was in attendance for the Sportsmen's Club Temporary Liquor License application.

Old Business

1. Capital Improvement Project Preliminary Engineer Report. Council reviewed proposal from SEH for a Preliminary Engineer Report (PER) and Environmental Report (ER) which would look at infrastructure improvements to wastewater collection, wastewater treatment and lift stations, water distribution, water supply, water treatment and storage, stormwater management, and street replacement and/or rehabilitation. The cost of the PER and ER is \$100,000 and would be necessary if the City chooses to apply for a USDA Rural Development loan and grant.

Motion by Councilor Winfrey seconded by Councilor Penaz to approve Resolution 19-16: A Resolution Approving Preliminary Engineering Report and Environmental Report.

Vote for: Unanimous

Motion carried.

2. 2020 Preliminary Budget. Council reviewed budgets for all departments and funds. The preliminary budget resulted in a total tax levy of \$549,903 and 5.9% increase from the 2019 Levy.
3. Yard Waste/Recycling. Council discussed options and expressed urgency in getting started on cleaning up the yard waste site.

New Business

1. Building Inspection Services Review. Ty Turnquist, MNSPECT, discussed the plan review process, addressed concerns from the Council on the length of time for permit approval and explained the State Building Code requirements.
2. First Reading Ordinance 96: An Ordinance Amending Section 22.0 Subd. 51 of the Silver Lake Municipal Zoning Code Regarding Definitions. The amendment would change the definition of a motel within the City Zoning Ordinance by limiting stay to 29 days out of 60 consecutive days.

3. Applications for 1-Day Temporary On-Sale Liquor Licenses and 1-Day Gambling.

Motion by Councilor Winfrey seconded by Councilor Fogarty to approve the 1-Day Temporary Liquor License for the Silver Lake Sportsmen's Club on October 25, 2019.

Vote for: Unanimous

Motion carried.

Motion by Councilor Johnson seconded by Councilor Fogarty to approve the 1-Day Temporary Liquor License and 1-Day Gambling License for Holy Family Catholic Church on October 6, 2019.

Vote for: Unanimous

Motion carried.

4. Resolution 19-13: Resolution Approving Limited Parking on Thomas Ave. Resolution would allow public parking along the west side of Thomas Ave from 30 feet north of the intersection of Cleveland St and Thomas Ave continuing 70 feet north.

Motion by Councilor Johnson seconded by Councilor Penaz to approve Resolution 19-13.

Vote for: Councilors Winfrey, Penaz and Johnson and Mayor Butler

Vote against: Councilor Fogarty

5. Resolution 19-14: Resolution Adopting 2020 Preliminary City Budget and Preliminary Tax Levy for Taxes Collectible in 2020. The General Fund Levy was \$525,522 and the GO Bond Fund 2013A Levy was \$24,381.

Motion by Councilor Fogarty seconded by Councilor Johnson to approve Resolution 19-14.

Vote for: Unanimous

Motion carried.

Department Business

1. Public Works
 - a. Discussed welding and painting of plow truck and sale of old plow truck.
 - b. Request for approval for catch basin replacement at Lake Ave and Frank St for estimates of \$6,300 or \$6,485. Council discussed option of repairing instead of replacing.

Motion by Councilor Winfrey seconded by Councilor Penaz to approve repairing and patching catch basin at Lake Ave and Frank St not to exceed \$3,000.

Vote for: Unanimous

Motion carried.

- c. Plan to advertise for snow hauling and truck loading.
 - d. Discussed storm line collapsed on Main Street W.
 - e. Reviewed PeopleService report for July.
2. Public Safety
- a. Fire Department
 - i. Reviewed run report.
 - ii. Officer class has 12 attendees.
 - iii. Captain and Lieutenant 2 promotions for Cory Behrendt and Brandon Mathews respectively.
Motion by Councilor Fogarty seconded by Councilor Winfrey to approve Cory Behrendt as Captain.
Vote for: Unanimous
Motion carried.
Motion by Councilor Fogarty seconded by Councilor Winfrey to approve Brandon Mathews as Lieutenant 2.
Vote for: Unanimous
Motion carried.
 - iv. Car and Bike show set for Saturday, September 21.
 - v. Chief Kosek to attend Chiefs Convention from October 17-19.
 - b. Ambulance
 - i. Reviewed run report.
 - ii. Trained with Fire Department on September 9.
 - iii. Discussed recruitment process and formal denial letter sent to applicants if not approved.
 - c. Police Department
 - i. Reviewed arrests and call log.
 - ii. Reviewed Toward Zero Death results for two campaigns.
3. Municipal Liquor Store
- a. Reviewed Andy Auld's responsibilities while Manager Darrell Kaczmarek is on leave.
Motion by Councilor Johnson seconded by Councilor Winfrey to approve a wage increase of \$3 per hour for Andy Auld retroactive to Manager Kaczmarek's leave date and to be reviewed at each Council meeting.
Vote for: Councilors Johnson, Winfrey and Penaz, Mayor Butler
Vote against: Councilor Fogarty
Motion carried.
 - b. Request to amend Minor Policy to remove the provision where designated drivers between 18-20 years old could remain in the bar after 9pm.
Motion by Councilor Penaz seconded by Councilor Winfrey to approve the amended Minor Policy removing the provision of 18-20 year old designated drivers remaining in the bar after 9pm.

Vote for: Unanimous

Motion carried.

- c. Sales for the month of August were \$62,148.87 with a net profit of \$16,307.84 and year to date sales were \$357,564.18 with a net profit of \$29,063.88.
- d. Employee Evaluation for Travis Rohling.

Meeting closed for employee evaluation (pursuant to MN State Statute 13D.05) at 9:07pm.

Meeting re-opened at 9:25pm.

Motion by Councilor Winfrey seconded by Councilor Fogarty to terminate employment with Travis Rohling based on the City Attorney's recommendation.

Vote for: Unanimous

Motion carried.

4. Community Development

- a. Planning Commission met on August 22. Joe Yates discussed permits and his plans for a gym and coffee shop.
- b. Parties interested in building homes in Silver Edge Estates.
- c. Request from Southwest Initiative Foundation (SWIF) for City support in the amount of \$350.

Motion by Councilor Johnson to approve donating \$350 to SWIF.

No second.

Motion failed.

- d. Swimming pool report to be given at future meeting.

5. Administration

- a. August Treasurer's Report reviewed.
- b. PeopleService contract from October 1, 2019 through September 30, 2022 reviewed. Costs set at \$3,250/month for 2019-2020, \$3,325/month for 2020-2021, and \$3,400/month for 2021-2022.

Motion by Councilor Fogarty seconded by Councilor Johnson to approve the contract with PeopleService from October 1, 2019 through September 30, 2022.

Vote for: Unanimous

Motion carried.

- c. Reviewed motion from August 19, 2019 meeting regarding annual reviews for employees at or above the maximum payroll step.

Motion by Councilor Fogarty seconded by Councilor Winfrey to amend the August 19, 2019 minutes to state only full-time employees are eligible for the optional 1% annual review increase for employees at or above the maximum payroll step for their position.

Vote for: Unanimous

Motion carried.

- d. Discussed administrative fines for ordinance violations.
- e. Reviewed audit proposals for 2019-2021. The City received seven proposals ranging from \$9,625/year to \$21,500/year. Clerk Jerabek recommended Oberloh & Oberloh, LTD at \$9,800/year after receiving client reviews and meeting with Sara Oberloh.

Motion by Councilor Fogarty seconded by Councilor Winfrey to approve Resolution 19-15: Resolution Approving Audit Proposal for 2019, 2020 and 2021.

Vote for: Unanimous

Motion carried.

- f. Reviewed Computer Use Policy.

Motion by Councilor Johnson seconded by Councilor Fogarty to approve the Computer Use Policy.

Vote for: Unanimous

Motion carried.

Mayor Butler called for a recess at 10:13pm.

Mayor Butler re-opened the meeting at 10:16pm.

- g. Reviewed Social Media Policy.

Motion by Councilor Fogarty seconded by Councilor Penaz to approve the Social Media Policy with adding a section for employee signature.

Vote for: Councilors Fogarty, Penaz and Johnson, Mayor Butler

Vote against: Councilor Winfrey

Motion carried.

- h. Reviewed Internal Accounting Controls Policy.

Motion by Councilor Fogarty seconded by Councilor Johnson to approve the Internal Accounting Controls Policy.

Vote for: Unanimous

Motion carried.

Open Discussion

1. Discussed options for selling old plow truck.
2. Discussed barricades at Public Works shop and yard.

Motion by Councilor Fogarty seconded by Councilor Penaz to adjourn this regular meeting of the Silver Lake City Council.

Vote for: Unanimous

Motion carried.

Meeting adjourned at 10:32pm.

Jon Jerabek, Clerk/Treasurer

Seal of the City:

**CITY COUNCIL
CITY OF SILVER LAKE**

**RESOLUTION 19-13: RESOLUTION APPROVING LIMITED PARKING ON
THOMAS AVE**

WHEREAS, The City of Silver Lake has the authority to designate specific areas as limited parking for convenience of the public or to minimize traffic hazards and preserve the free flow of traffic, and

WHEREAS, The City of Silver Lake has deemed a section of Thomas Ave as an area suitable for public parking, and

WHEREAS, The City of Silver Lake has determined that allowing public parking on a section of the west side of Thomas Ave would benefit residents in the area, and

THEREFORE BE IT RESOLVED, by the City Council of the City of Silver Lake that along the west side of Thomas Ave from 30 feet north of the intersection of Cleveland St and Thomas Ave continuing 70 feet north shall be designated as public parking.

Adopted by the Council this 16th day of September, 2019.

Dorothy Butler, Mayor

Seal of The City:

Jon Jerabek, Clerk/Treasurer

**CITY COUNCIL
CITY OF SILVER LAKE**

**RESOLUTION 19-14: RESOLUTION ADOPTING 2020 PRELIMINARY CITY
BUDGET AND PRELIMINARY TAX LEVY FOR TAXES COLLECTIBLE IN
2020.**

WHEREAS, the City of Silver Lake has complied with the State of Minnesota's budget and tax levy requirements; and

WHEREAS, the City has determined its projected revenues & expenditures for the year 2020 for the following funds:

- General Fund
- Special Revenue Funds
- Capital Improvement Funds
- Enterprise Funds

WHEREAS, the City has also determined its needs for tax revenues through these procedures.

THEREFORE BE IT RESOLVED, by the Council of the City of Silver Lake, McLeod County, Minnesota, that the 2020 Preliminary City Budget be adopted as presented and the following sum of money be levied for the current year, collectible in 2020, upon the taxable property in the City of Silver Lake:

General Fund	\$ 525,522
GO Bond Fund 2013A	<u>\$ 24,381</u>
Total Preliminary Tax Levy	\$ 549,903

BE IT FURTHER RESOLVED, that the City Clerk/Treasurer is hereby instructed to transmit a copy of this resolution to the County Auditor of McLeod County, Minnesota.

Adopted by the Council this 16th day of September, 2019.

Dorothy Butler, Mayor

Seal of The City:

Jon Jerabek, City Clerk

**CITY COUNCIL
CITY OF SILVER LAKE**

**RESOLUTION 19-15: RESOLUTION APPROVING AUDIT PROPOSAL FOR
2019, 2020 AND 2021**

WHEREAS, The City of Silver Lake has determined it necessary to conduct a request for proposals for financial audit services for 2019, 2020, and 2021, and

WHEREAS, The City of Silver Lake has received seven proposals from various firms, and

WHEREAS, The City of Silver Lake has determined that price of proposals would be a factor in the selection of a firm; however, price would not be the sole determining factor in the selection process as outlined in the request for proposals, and

WHEREAS, The City of Silver Lake has determined that performance evaluations and client reviews would be considered in the selection process, and

THEREFORE BE IT RESOLVED, by the City Council of the City of Silver Lake to accept the financial audit proposal from Oberloh & Oberloh, LTD. for the cost of \$9,800 per year for 2019, 2020, and 2021.

Adopted by the Council this 16th day of September, 2019.

Dorothy Butler, Mayor

Seal of The City:

Jon Jerabek, Clerk/Treasurer

**CITY COUNCIL
CITY OF SILVER LAKE**

**RESOLUTION 19-16: RESOLUTION APPROVING PRELIMINARY
ENGINEERING REPORT AND ENVIRONMENTAL REPORT**

WHEREAS, The City of Silver Lake reviews the needs to improve infrastructure on a yearly basis, and

WHEREAS, The City of Silver Lake has determined that infrastructure improvements may be necessary in the areas of wastewater treatment, lift stations, water facilities (wells, treatment, storage), sanitary collection, water distribution and storm sewer systems, and

WHEREAS, The City of Silver Lake has the ability to apply for federal grant and loan opportunities with the United States Department of Agriculture Rural Development (USDA-RD) program, and

WHEREAS, The City of Silver Lake must perform a Preliminary Engineering Report (PER) and Environmental Report (ER) as a part of the USDA-RD application process, and

WHEREAS, The City of Silver Lake has received a proposal from Short Elliot Hendrickson, Inc. (SEH) for \$100,000 to complete the PER and ER, and

THEREFORE BE IT RESOLVED, by the City Council of the City of Silver Lake to accept the proposal agreement with SEH to perform the PER and ER for \$100,000, and

BE IT FURTHER RESOLVED, by the City Council of the City of Silver Lake to pay for the proposal agreement with half of the funds coming from the General Fund and half of the funds coming from the Water Fund.

Adopted by the Council this 16th day of September, 2019.

Dorothy Butler, Mayor

Seal of The City:

Jon Jerabek, Clerk/Treasurer