

Minutes
Silver Lake City Council
Regular Meeting
6:30pm, January 18, 2022
Silver Lake Auditorium

Mayor Bebo called the Regular Meeting to Order at 6:30pm.

Members Present: Mayor Bruce Bebo, Councilor Chris Penaz, Councilor Sandie Adams-Bruins, Councilor Michelle Schneider

Members Absent: Councilor Josh Winfrey

Staff Present: Diane Pedersen, Owen Klinker, Dale Kosek, Jerrod Weckman, Steve Hackbarth, Angie Donwen, Betty Wraspir

Other Present: Karin Ramige, Jordan Van Oort

Motion by Penaz second by Adams-Bruins to approve the agenda. Vote for: Unanimous. Motion carried.

Consent Agenda:

1. Approve minutes from January 3, 2022 Annual Meeting
2. Approve Payroll 2 and December Ambulance

Motion by Penaz second by Schneider to approve the consent agenda. Vote for: Unanimous. Motion carried.

Public Comment - none

Department Business:

1. Public Works
 - a. Supervisor's Report
 - i. Snow plowing is going well. The new equipment is paying for itself.
 - ii. Going to send a letter to commercial snow plowing contractors regarding plowing of snow onto plowed and windrowed streets causing public works to come back and clean up afterwards.
 - iii. Provided City/State codes regarding snow. Will work on an ordinance regarding snow.
 - iv. East shop furnace installed.
 - v. Auditorium furnaces and AC units have been delivered and should be installed in the next two weeks.
 - vi. Sent out sidewalk notices for non-shoveled walks.
 - b. PeopleService Report
 - i. Keeping in contact with Lee regarding Cleveland lift station pumps.
2. Public Safety
 - a. Fire Department
 - i. Chief's Report
 1. Completed emergency vehicle operations driving course thru SASCS on 12/13/2021.
 2. Six firefighters are doing their initial EMR course thru Ridgeview. The course is suspended due to instructors having covid. It is tentatively scheduled to resume 1/25/2022.

3. Covid has hit members of the fire department. Fire department policy is 10-day quarantine.
 4. Fire dept training officers have contacted ambulance training officers on doing inter-departmental training quarterly.
- ii. Request for Action
 1. Use west garage stall in front of city hall to house a Life Safety trailer assembled by the McLeod County Fire Chiefs Association for use by McLeod County fire departments. Silver Lake is a central location within McLeod County for housing the trailer.

Motion by Penaz second by Schneider to grant permission to Fire Chiefs Association to store the Life Safety Trailer in the west bay of the City Hall garage. Vote for: Unanimous. Motion carried.

- b. Sheriff's Report
 - i. Event type report
 - ii. Police Hours for December
- c. Ambulance Report
 - i. Supervisor's Report
 - ii. Requests for Action
 1. EMS Parking
 - a. Meeting held with ambulance personnel, public works personnel, council liaison, and town citizens. It has been agreed to make two parking spots on the west side of the city offices (EMS personnel must park close to the building and NOT at an angle), one spot in front of the Fire Dept doors (driver's keys must be left in the key drop so fire can move the vehicle if needed) and two overflow parking spots on the northwest end of the building.
 - i. Move the Emergency Personnel Parking Only signs to the west side of the city offices
 - ii. Add a movable sign for the overflow parking so it can be moved for snowplowing.
 - iii. A light was added on the north side of the building to illuminate the rear parking spots.
 - iv. When weather permits, paint lines to indicate the EMS parking spots.

Motion by Penaz second by Adams-Bruins to move signs for EMS/Fire Safety parking to the new locations as presented on the Request for Action map. Vote for: Unanimous. Motion carried.

2. New Officer
 - a. Request to approve the nomination of Angie Donwen as Assistant Chief as unanimously voted for at the December 9, 2021, ambulance meeting. Additionally, the position of Secretary will also be assumed by Angie Donwen.

Motion by Penaz second by Adams-Bruins to approve Angie Donwen as Assistant Chief and Secretary for the Ambulance Department. Vote for: Unanimous. Motion carried.

3. New applicant
 - a. Request to approve the application of Julie Tuominen as an EMT pending completion of schooling at Crown College and NREMT exam.

Motion by Penaz second by Schneider to approve the hire of Julie Tuominen pending completion of schooling and NREMT exam. Vote for: Unanimous. Motion carried.

4. Increase run rate
 - a. Request to increase run rate from \$1,000 to \$1,300. Silver Lake is a BLS (Basic Life Service) Ambulance Service. Allina is ALS (Advanced Life Service). In 2021 Allina's BLS rate was \$1896.

Motion by Penaz second by Adams-Bruins to approve an increase in the run rate to \$1300. Vote for: Unanimous. Motion carried.

5. Doorway addition
 - a. Add a doorway between the ambulance office and the call room. This addition of the door will help the heating and airflow issue as this room has not heat or airflow.

Motion by Penaz second by Adams-Bruins to allow the door between the on-call room and the ambulance office to be installed per MNSPECT permit and inspections. Vote for: Unanimous. Motion carried.

6. Complaint Policies and Forms
 - a. Ambulance Service Complaint Policies and Forms
 - i. Employee
 - ii. patient care & transport
 - iii. general
 1. City policies and forms will be reviewed to make sure they apply to the ambulance department.
 - iii. Discussion was held on whether the ambulance department is voluntary or city employees. According to the MN Dept of Revenue, Fact Sheet 3: An ambulance service is "volunteer" if both of the following conditions are met:
 1. None of its attendants earn \$6000 or more in annual run-time income from the service; and
 2. None of its attendants rely solely on total compensation from the service for their livelihood.
 - a. The Silver Lake Ambulance Service is volunteer, and the volunteers are employees of the city.
 - iv. Discussion regarding verbiage in Ambulance Policies. Suggested changes are to be brought to the council to review.

3. Municipal Liquor

- a. Financials were not available this month.
- b. Department Manager Report
 - i. Continue working on inventory.
 - ii. Year-end audit went well. Still correcting errors in the system.
 - iii. Christmas Eve closed early. We served food to the guests.
 - iv. Posted job for lead bartender. Three resumes were received but only one application.
 - v. Three employees have been out sick over the past month. Due to this, the Muni was closed on New Year's Day. It is generally a slow day, and it gave employees a day off.
 - vi. New Year's Eve there was a band at the Muni, and it went well.
 - vii. Looking at 2am liquor license for next year.
 1. City code would need to be adjusted to allow for 2am closing.
 - viii. Deep fryer is working better but still having issues. Most likely will not meet our needs over the next year.
 - ix. More issues with receiving product, both food and liquor.
 - x. Beer prices may have to go up as vendors raise their prices.
- c. Request for Council Action to Hire Tanya Olson as lead with beginning wage at Grade 15 Step 3 \$16.65/hour.

Motion by Penaz second by Schneider to approve Tanya Olson as lead bartender pending background check and drug test at Grade 15 Step 3 \$16.65/hour. Vote for: Unanimous. Motion carried.

4. Community Development
 - a. MNTAP program was discussed. An area of consideration is where or current snow pile is placed in the winter.
 - b. Discussed Silver Edge Estates and that the annexation process for the four lots is being investigated by the City Clerk.
 - c. American Rescue Plan Act (ARPA) Funds suggestions:
 - i. Public WIFI at the pool
 - ii. Tornado warning sirens if needed in any part of town
 - iii. Generator in auditorium
 - d. LED sign. Engineered drawing required by MNSPECT may prove to be a hinderance to the project due to the cost. One of the Commissioners is checking if someone he knows would be able to do the drawings for a more reasonable cost.
 - e. Meeting dates were discussed.
5. Administration
 - a. Clerk's report
 - i. Treasurer's report
 - ii. Summary of department head meeting.
 1. Check into posting AWAIR manual on-line for city employees.
 2. Safety Committee recommendation by the mayor should be made up of department heads with one acting as chairman.
 - iii. Working on submitting budget information for State Auditor.
 - iv. Working with a grant writer for the fire department who is working on a FEMA grant.
 - v. ARPA final rule was published and states that recipients may elect a "standard allowance" of \$10 million (not to exceed the award amount) to fund "government services".
 1. The city does not have plans to distribute funds to businesses within the city.
 - vi. MNSPECT update on the Villager Apt permits.
 - vii. Two questions regarding driving personal vehicles to fire/ambulance calls:
 1. If a fire fighter/ambulance volunteer drives their personal vehicle to a scene, are they covered under the city's insurance?
 - a. Personal vehicles are covered for primary liability, but they are not covered for physical damage.
 2. If a fire fighter/ambulance volunteer drives their personal vehicle to a fire/ambulance call and another volunteer drives that personal vehicle back to the city building from the scene, whose insurance is responsible for coverage?
 - a. Third party coverage is still being researched.
 - viii. Request for Action to require a higher minimum liquor liability for special event coverage for Pola-Czesky Days. This requirement of the city council allows the insurance agent to sell a policy to the provider at an amount over the state pool requirement amount.

*Motion by Schneider second by Penaz to allow our insurance agent to increase the liability coverage limit from \$50,000 to a \$1 million minimum coverage for the provider of liquor for Pola-Czesky Days which is an amount over the state pool requirement amount as requested by the Pola-Czesky Days committee.
Vote for: Unanimous. Motion carried*

Old Business:

1. Amend Resolution 22-04: Resolution Classifying Fund Balances for Financial Reporting Purposes.
 - a. This Resolution was passed on January 3, 2022, with the removal of Fund 407 Police Squad Fund. At the time it was believed that the fund had a zero balance. However, the fund has a current balance of \$59,759.95. Resolution 22-04 shall be amended to include Fund 407 Police Squad Fund.

Motion by Adams-Bruins second by Schneider to approve the amendment to Resolution 22-04 reinstating Fund 407 Police Squad Fund. Vote for: Unanimous. Motion carried.

New Business:

1. SEH – Jordan Van Oort
 - a. Supplemental Letter Agreement (SLA) for additional work requested by USDA-Rural Development and the State Historic Preservation Office (SHPO).
 - i. USDA-Rural Development and the State Historic Preservation Office (SHPO) would like additional study and review of issues related to impacts on the Silver Lake Auditorium due to the proposed infrastructure improvements. The expectation is that the WPA-er Auditorium could be eligible for the Historic Registry. The additional work requested includes:
 1. Complete formal SHPO Inventory Forms on structures with the Area of Potential Effects (APE) near the proposed improvements. Wight structures were identified in the original report, and it included a discussion of how the visual issues/concerns would be mitigated. Duluth Archeology Center completed the original archaeological work for the city and is proposing to complete this work at a cost of approximately \$1910.
 2. Develop 3D renderings of what the tower and other improvements would look like north of the auditorium. SEH's graphics staff would complete this work, which is estimated at approximately \$4700.
 - a. Other potential considerations discussed:
 - i. SHPO notes that the City must determine if the Auditorium is eligible. The City can complete a study on the historic eligibility of the Auditorium, but it is almost a certainty that the structure would be found eligible due to its history. It would likely be wise to just agree that the WPA structure is eligible to save the effort and cost.
 - ii. However, if the structure is officially listed as eligible on the historic Registry future improvements would be expected to be completed to maintain the character of the building.
 3. If the city chooses not to complete these requests, RD will never approve the project and we would not receive funding.
 4. The \$6610 that it will cost to complete these requests will allow the city to continue with our request to receive millions of dollars in grant funds for the infrastructure project.

Motion by Penaz second by Schneider to accept the Supplemental Letter of Agreement with SEH authorizing the work of completing the formal SHPO inventory forms and develop 3D renderings in the amount of \$6610 which indicates agreement that the Auditorium will be on the National Historic Registry. Vote for: Unanimous. Motion carried

2. Resolution 22-05: Resolution Authorizing Transfers for Infrastructure Improvement Project
 - a. The city previously authorized a Preliminary Engineering Report (PER) and Environmental Review (ER) to be conducted for the United States Department of Agriculture Rural Development (USDA-RD) loan and grant money with a not-to-exceed amount \$148,000. Due to the increased scope of the project, the not-to-exceed limit needs to be raised to \$155,000 with a transfer of \$6610 being made to the Infrastructure Improvement Fund with half of the funds coming from the General fund and half of the funds coming from the Water Fund.

Motion by Penaz second by Schneider to approve the Resolution 22-05 Authorizing Transfer for Infrastructure Improvement Project. Vote for: Unanimous. Motion carried.

3. MMBA Quarterly Report from Deputy Clerk
 - a. There were no meetings held in the fourth quarter.
 - b. Request for Action – Karissa – MMBA Director hours
 - i. Request for compensation when attending MMBA board meetings, legislative day, annual conference, and regional meetings for 2022.

Motion by Schneider second by Penaz to approve Request for compensation for Karissa to receive pay while attending MMBA functions. Vote for: Unanimous. Motion carried.

4. Fee Schedule
 - a. Request to add a Utility Finalization Fee of \$50 to be charged to the seller of a home scheduled to close but the closing date falls through and the city office is not notified, and the account is finalized with an incorrect closing date causing the account to be reopened with the original homeowner's information. This creates extra work as the account has been closed and finalized for the current owner and a new account has been set up for whom we were told would be the new owner. When the closing didn't happen, that new account now needs to be closed and finalized and set up again for the original owner.
 - i. Create a letter that is to be sent to homeowners when they call and schedule a closing date that informs them that a \$50 fee will be charged to their account if the closing date changes, and the city office is not notified.
5. Policy regarding water leaks
 - a. We currently have a household that has informed city hall that they have a faulty water softener that is causing excessive water usage. Even though they are aware of the problem, they have not corrected it. Public Works has spoken with the homeowner, and they do not want their assistance in correcting the issue.
 - i. The current City Ordinance does not address this issue:
 1. Chapter 15 Regulation of Public Works and Improvement Section 4 Regulation of Water and Sewer Systems Subd. 6 Water Systems a. General water regulations iv. Repair of Leaks: The consumer or owner shall be responsible for the installation and maintenance of the service pipe from the main into the building served. Such service pipes shall be all reasonable times subject to inspection by duly authorized officials of the City, and if repairs are ordered by the City, they must be made within twenty-four (24) hours of such notice, and if said repairs are not made, within said period, the City may turn the water off.
 2. First reading of Proposed Water and Sewer Leak Policy.

Open Discussion

1. Councilor Penaz stated that the Public Works department has been praised on social media for the work they have done clearing snow.

Motion by Adams-Bruins second by Schneider to adjourn this regular meeting of the Silver Lake City Council. Vote for: Unanimous. Motion carried.

Meeting adjourned at 8:50pm.

Diane E. Pedersen, Clerk/Treasurer

Seal of the City: