

Minutes
Silver Lake City Council
Regular Meeting
6:30pm, November 20, 2023
Silver Lake Auditorium

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

Members present: Mayor Bruce Bebo, Councilor Sandie Adams-Bruins, Councilor Joanna Jacobs, Councilor Josh Mason

Members Absent: Councilor Chris Penaz

Staff present: Diane Pedersen, Dale Kosek, Ashley Ardolf-Mason

Others present: Jarrett Whitney, Sam Fink, Kyle Wawryzniak, Aaron Rasmussen

Motion by Councilor Mason second by Councilor Jacobs to approve the agenda. Vote for: Unanimous. Motion carried.

Consent Agenda:

1. Approve minutes from October 16, 2023 Regular Meeting – Attachment #1
2. Approve Payroll #21, #22, & 23 and October Ambulance
3. Approve Claims

Motion by Councilor Adams-Bruins second by Councilor Jacobs to approve the Consent Agenda. Vote for: Unanimous. Motion carried.

Public Comment - None

New Business:

1. Cookie Lab
 - a. Inspection results – Attachment #2
 - i. Inspection resulted in kitchen lighting changes, either shatter proof bulbs or light guards, and stove and hood cleaning. Public Works took care of the lighting. Still trying to find someone to come and clean the oven and hood.

Motion by Councilor Jacobs second by Councilor Adams-Bruins to approve the hiring of a contractor to clean the auditorium ovens and hood at a cost not to exceed \$750. Vote for: Unanimous. Motion carried.

- b. Contract - Attachment #3
 - i. The contract has been signed and is valid for six months. At that time, it will be reviewed to determine if we continue to move forward with future contracts.

2. SEH infrastructure design updates

I. Meeting with Shannon Sweeney recap

A. Affordability

1. Project as proposed is “affordable” in comparison with other communities’ experiences.
2. Many factors will not be expected to recur in the future.
 - a. Very low interest rate on long-term loans is locked in.
 - b. Silver Lake’s median household income from 2010’s census was used by RD.
 - c. “Build America Buy America” requirements were waived, reducing construction costs.

B. Financing

1. Assessments
 - a. Assessments are proposed to be implemented the year after final construction.
 - b. Preliminary assessments were around 10% of the total construction cost.
 - c. Length of assessment payback should be reviewed (10–20 years potential).

- d. Assessment policies to be reviewed and amended as necessary.
 - 2. Utility Rates
 - a. Sanitary Sewer and Water Rates are on track to meet financial Targets.
 - b. Storm Sewer Rates: currently \$7/month with a Target of \$23.56/month by 2028.
 - c. Could finance using bonds or other means and reduce storm sewer rate, but total proposed sanitary/water/storm Target Rate of \$134/month is low in comparison to other communities.
- II. Importance of residents fixing issues with existing services
- A. The limits of this project are only in the City's Right-of-Way (ROW). The project won't solve I/I issues without support from residents.
 - B. Silver Lake's Ordinance Code requires the owner to install suitable service connections to the public sewer in accordance with the provisions of Chapter 15, Sections 4 & 5 (see Section 5, Subd. 2. D).
 - C. It may be beneficial for City Staff to prepare a list of contractors who have repaired inadequate service connections in Silver Lake.
 - D. SEH can provide example drawing of potential connections, example inspection punch list, etc.
- III. Potential for accelerated project schedule – the council does not want to accelerate the project schedule. Under the current schedule, bidding will begin in November 2024 with construction beginning in the Spring of 2025.
- A. Considering accelerating the design to allow for construction to start Fall 2024.
 - B. This would allow for more time for the contractor for finish construction within RD's 5-year window.
 - C. General thoughts on constructing utilities through November and not paving (having gravel roads through the winter months).
 - D. Recent projects of similar scope had a construction period of 2.5 years. If construction were to begin Spring of 2025, the project should be finished by Fall 2027 (assuming a similar construction period).
 - E. City Council and Staff agreed that accelerating the project schedule is *not* in the best interest of the project due to the following reasons:
 - 1. The contractor would only gain a few months of construction.
 - 2. City Staff and residents would not appreciate graveled roads over the winter months. This may also cause construction issues in Spring of 2025.
 - 3. Accelerating the design may lead to issues during construction for aspects of the project that would have otherwise been caught.
- V. Design Review
- A. City-wide existing and proposed street width review (see Handout 1)
 - B. Reconstruction of Merrill Street
 - 1. Sanitary sewer is unable to be repaired by means of cured-in-place pipelining due to the poor quality of the pipe and excessive sagging.
 - 2. Scope options and associated costs (see Handout 2).
 - a. The City Council agreed that a sidewalk would be in the best interest of the community. Mayor Bebo was curious why a six-foot-wide sidewalk was proposed rather than five feet. This width is proposed due to the expected student foot traffic between the school and football field during peak seasons. SEH to compare costs between five-foot and six-foot sidewalk.
 - C. Sidewalk on Frank Street
 - 1. Proposed layout:
 - a. North of Frank Street between Lane Avenue and Oliver Avenue
 - b. South of Frank Street between Oliver Avenue and Lake Avenue
 - 2. Reasoning
 - a. Better alignment to match crossing Oliver (less turns in sidewalk).
 - b. ROW limitations on Oliver Avenue, and north side of Frank Street near Lake Avenue.
 - c. Proximity to garages for vehicle parking.
 - d. Less driveways in sidewalk.
 - 3. Mayor Bebo is receiving questions from residents about space on the south side of Frank Street between Oliver Avenue and Lake Avenue.

- a. In general, space will be generated on the south side of the street for a five-foot grass boulevard and six-foot-wide sidewalk by narrowing the street from about 42' to 36' and shifting the north curb to the north about two feet (varies).
 - b. Therefore, the south side of the new sidewalk will generally be about three to four feet south of the southern existing back-of-curb (distance varies).
 - 4. Trees within the boulevard will be removed due to street and utility excavations.
 - 5. Remove sidewalk on Oliver Avenue, north of Frank Street
 - a. Savings of ~\$2,000 (City Cost)
- D. Narrowing Center Street between Queen Avenue and Rice Avenue to avoid tiedowns in street.
 - 1. The street would be narrowed from 36' to 30' through that section (See Handout 3).
 - 2. No parking would be allowed on the south side of the street anyways, therefore, driving lanes ultimately wouldn't be impacted.
 - 3. City Council agreed with the approach of narrowing the street to 30' to keep the tiedowns out of the street and in the parking lot.
 - 4. Mayor Bebo was curious if the tent could be rotated 90 degrees in the parking lot.
 - a. After reviewing the dimensions of the existing tiedowns, the tent could potentially be rotated, but it would need to go into the Uptown Apartments parking lot. There is also an existing overhead power line between the city and apartment parking lots that would need to be moved to make room for the tent.
- E. Alleyway on Tower Avenue (area south of Jerabek's Market) is considered city right-of-way. Should we include a 15-foot alley apron? (See Handout 4)
 - 1. Cost of ~\$4,000 (City Cost)
 - 2. City Council agreed with including the alley apron in the project as the apron would improve gravel washouts and lead to less maintenance.
- F. Sanitary sewer on Center Street from Summit Avenue heading east has capped services heading south to Faith Church's parking lot. Potential options:
 - 1. Line the sanitary sewer as originally planned.
 - 2. Properly abandon (fill with sand) - Savings of ~\$10,500 (Wastewater Eligible)
 - 3. Do nothing and leave for a potential future project - Savings of ~\$11,000 (Wastewater Eligible)
 - 4. City Council agreed to properly abandon the sanitary sewer as there is also no water main in the street, making future development impractical without installing water main.
- G. Sanitary sewer on Center Street between Oliver Avenue and Park Avenue has capped services heading to Village Park. Potential options:
 - 1. Replace the sanitary sewer as originally planned.
 - 2. Remove and don't replace - Savings of ~\$14,000 (Wastewater Eligible)
 - 3. City Council agreed to remove and not replace this stretch of sanitary sewer. Water and sanitary services will be stubbed in the northeast quadrant of Village Park from Park Avenue to allow a future building (bathroom, shelter, etc.).
- H. The sanitary sewer west of the Tennis Court has conflicts with the tennis court lights (see Handout 5). Potential options:
 - 1. Reconstruct with the same configuration.
 - 2. Reconstruct with direct configuration - Savings of ~\$8,000 (Wastewater Eligible)
 - 3. City Council agreed to reconfigure the sanitary sewer as they do not foresee any future building construction in this area.
- I. Ponding has been observed in the back yards of residents between Lake Avenue and Grove Avenue, north of the cemetery. We can't construct storm sewers to collect water in these yards due to easement issues. We can provide a stub at the intersection of Lake Avenue and Howard Street for residents to construct a drain tile system for negligible costs.
 - 1. City Council agreed with this approach.
- J. There is a gap in the existing hydrant spacing at Howard Street and Lake Avenue (see Handout 6). Potential options:
 - 1. Do not incorporate new hydrants.
 - 2. Install new hydrant - Cost of ~\$27,000 (Water Eligible)

3. City Council agreed that a new hydrant is in the best interest of the community.

V. Timeline Review

- A. Open House No. 1 was held on October 19th.
- B. 60% Plan Development in mid-January -> there will be a city staff meeting in mid-December with a council workshop to follow in January.
- C. Preparation of assessments in February
- D. Open House No. 2 in Spring 2024

3. Curb cut agreement – **Attachment #4**

- a. Aaron submitted his response to the curb cut agreement. After discussion, the council decided to table the agreement as they do not accept the changes presented by Mr. Rasmussen.

4. Resolution 23-25: Resolution Approving Various Assessments

- a. Assessments include delinquent water and sewer as well as sidewalk repairs completed this summer.

Motion by Councilor Jacobs second by Councilor Mason to approve Resolution 23-25 approving various assessments. Vote for: Unanimous. Motion carried.

Department Business

1. Public Works Liaison Report

- a. Creekside has removed brush for the year. Compost will be removed after snowfall, at which time the chain will be locked, and the area will not be accessible.
- b. The pool is winterized, and heaters have been ordered.
- c. City hall insulation quotes from Holly Insulation, Retro Green Energy, and Ricky's Insulation.
 - i. Dale is to meet with Scott Qualle from MNSPECT along with Holly Insulation and Ricky's Insulation to determine what is needed and develop specs for them to follow. Will also get references.
- d. Public Works was waiting on specs on electrical panel for warning siren to get estimates, but learned they bring their own electricians for the project. The equipment shipped the week of November 6-10, and installation will be done at the same time as Lester Prairie, November 30th.
- e. Request for Action to hire reserve plow and snow removal personnel to assist Jerrod, under his direction, during medical leave.
 - i. Dale will research company options to provide help with snow removal.
- f. Outdoor facilities are shut down and winterized.
- g. Requested Sheriff deputies to watch for illegal dumping in the city dumpster at city park.
- h. Leaf sweeping will continue on a need-be basis until the weather no longer permits.
- i. Winter equipment has been serviced and is ready.
- j. Public Works job descriptions were reviewed and updated - **Attachments #5-9**

Motion by Councilor Adams-Bruins second by Councilor Mason to approve updated public works job descriptions with recommended changes. Vote for: Unanimous. Motion carried.

k. Medical Leave

- i. *Portion of the meeting may be closed for discussion regarding medical leave (Pursuant to MN State Statute 13D.05 Subd. 2-3)
- ii. Medical leave beginning December 19, 2023, duration yet to be determined.

l. PeopleService Reports

- i. SEH will be out next week to walk through the wastewater treatment plant to review what has been put into the infrastructure project.

2. Public Safety Liaison Report

a. Fire Department Report

- i. Reviewed fire calls.
- ii. Request for Action: Fire Department Officers
 - 1. Chief 3 - Corey Behrendt

Motion by Councilor Jacobs second by Councilor Adams-Bruins to approve the request for Corey Behrendt to be appointed Chief 3 for a three-year term from January 1, 2024, to December 31, 2026. Vote for: Unanimous. Motion carried.

- 2. Captain 1 – John Marvan

Motion by Councilor Jacobs second by Councilor Adams-Bruins to approve the request for John Marvan to be appointed Captain 1 for a three-year term from January 1, 2024, to December 31, 2026. Vote for: Unanimous. Motion carried.

3. Captain 4 – Tim Grenke

Motion by Councilor Jacobs second by Councilor Adams-Bruins to approve the request for Tim Grenke to be appointed Captain 4 for a three-year term from January 1, 2024, to December 31, 2026. Vote for: Unanimous. Motion carried.

4. Lieutenant – Ryan Kaczmarck

Motion by Councilor Jacobs second by Councilor Adams-Bruins to approve the request for Ryan Kaczmarck to be appointed Lieutenant for a three-year term from January 1, 2024, to December 31, 2026. Vote for: Unanimous. Motion carried.

5. Safety Officer – Jay Hoese

Motion by Councilor Jacobs second by Councilor Adams-Bruins to approve the request for Jay Hoese to be appointed Safety Officer for a three-year term from January 1, 2024, to December 31, 2026. Vote for: Unanimous. Motion carried.

- iii. Request for Action: quotes for purchase of 10 sets of turn outs. It is mandated that they are replaced every ten (10) years. The fire department's schedule is ten units this year, ten units in 2024, five units in 2025, and five units in 2026.

- 1. Heiman Fire Department \$39,480
- 2. Dinges Fire Company \$42,449.40

Motion by Councilor Jacobs second by Councilor Mason to approve the request to purchase ten (10) sets of turn outs from Heiman Fire Department at a cost of \$39,480. Vote for: Unanimous. Motion carried.

- iv. Fire and ambulance received joint training on active shooter.
- v. SCBA vendor demos. The committee is evaluating the information.
- vi. Chief Kosek will be on medical leave beginning December 19, 2023, duration yet to be determined.
- vii. Working on setting up grain bin training for farmers and haulers sometime next spring. This type of training has never been done in this area.
- viii. Debriefing to be held tomorrow night for double fatal accident last Saturday.

b. Sheriff's Report

- i. Event type report
- ii. Police Hours for October

c. Ambulance Report

- i. Staffing reviewed.
- ii. Calls reviewed.
- iii. Working with Hutchinson Area Christmas for Kids to "fill the rig".
- iv. Annual elections of officers in December. The offices up for election are Assistant Chief and Training Officer. The Personnel Committee will attend the meeting.
- v. Privacy film was put on rear windows of ambulance.
- vi. Donation letters mailed 11/11/2023.

3. Municipal Liquor Liaison Report

- a. MLS Manager is an Official Certified Food Protection Manager.
- b. Taste of Holidays event on November 4th went well. Lots of people who participated in the Holiday sampling proceeded to purchase off sale that day.
- c. Saturday meat raffles will begin November 18th at 5:30pm.
- d. Trivia attendance declined when meat raffles stopped. Will begin again in the spring.
- e. Turkey Bowling and DJ at 6:45pm on Wednesday, November 22nd.
- f. Football bingo on November 27th for Monday Night Football.
- g. Monday night Texas Hold 'Em going well.
- h. Request for Action to rehire Sarah Hlavka as a part-time bartender.

Motion by Councilor Jacobs second by Councilor Mason to approve the rehire of Sarah Hlavka as a part-time bartender at Grade 11 Step 0 \$13.72. Vote for: Unanimous. Motion carried.

- i. Financials reviewed.

4. Community Development

a. Commissioner's Report

- i. LED sign update
 - 1. LED Sign Policy and Request Form.
 - 2. Committee to be formed, this will be discussed at the next Planning Commission meeting.
- ii. Main Street Lots update – proposal withdrawn
- iii. Mural grant submitted.
- iv. Highway Business

- v. Airbnb – Planning Commission will review Bed & Breakfast Inns Ordinance and incorporate all short-term rentals.
- vi. New mural grant submission deadline March 14, 2024.

5. Administration

a. Clerk’s Report

i. October’s Treasurer’s Report

- 1. Clerk will be reviewing all accounts as year-end approaches to balance between checking, savings and investments.
- 2. December utility billing will be completed four days early, December 21st, due to the Holiday.
- 3. Request for action to purchase a new computer for Deputy Clerk due to the age of the computer and the corrupt operating system.

Motion by Councilor Jacobs second by Councilor Mason to approve the request to purchase a new computer for the Deputy Clerk at a cost of \$1,295.00. Vote for: Unanimous. Motion carried.

- 4. Resolution 23-24: Resolution authorizing City clerk and MLS Manager to use city credit cards.

Motion by Councilor Admas-Bruins second by Councilor Mason to approve Resolution 23-24 authorizing the City Clerk and MLS Manager to use city credit cards. Vote for: Unanimous. Motion carried.

- 5. Request for Action: Request to approve liquor license applications. All applications have been reviewed and approved by the McLeod County Sheriff’s Office.
 - a. American Legion

Motion by Councilor Jacobs second by Councilor Adams-Bruins to approve the 2024 request to renew the Club License application for the American Legion. Vote for: Unanimous. Motion carried.

b. BFK Management

Motion by Councilor Jacobs second by Councilor Adams-Bruins to approve the 2024 request to renew the on-sale liquor license application for the BFK Management. Vote for: Unanimous. Motion carried.

c. Silver Lake Municipal Liquor Store

Motion by Councilor Jacobs second by Councilor Adams-Bruins to approve the 2024 request to renew the on/off sale liquor license application for the Silver Lake Municipal Liquor Store. Vote for: Unanimous. Motion carried.

- 6. Review of social medial policy.
- 7. Request from the school (Josh Otto-Fisher) for the city to donate the projector screen that was taken down in the auditorium.
 - a. The city council would like the projector screen put back up in the auditorium.
- 8. Discussed the Thanksgiving Day dinner that has not been held since 2018. Hopefully this is something that can come back in the future.

Old Business:

1. 2024 Final Budget Review - **Attachment #11**

- a. Wages were calculated with a 2.50% COLA increase.
- b. Municipal Building Account #520 Capital Buildings – decreased from \$56,000 to \$16,000 -> \$10,000 to add second door and \$6,000 to resurface the parking lot.
- c. Public Works wages increased adding for new Public Works Supervisor to begin in April. Health insurance decreased due to personnel and health coverage changes.
- d. Swimming pool wages increased to account for ESST leave that begins January 1, 2024.
- e. 2024 pool expenses total \$24,300. The cost for the heaters is \$20,000. The Lions donated \$5,000, so the outstanding balance included in the current 2024 budget is \$15,000. Other organizations have verbally pledged, but no funds have been received.
- f. Total decrease of \$39,341 from Preliminary Budget to Final. Last year’s total tax levy was 3.92%, proposed final budget total tax levy increase is currently 4.39%,

2. Personnel Policy Updates

a. Earned Sick and Safe Time – **Attachment #12**

- i. City Attorney is still researching deducting ESST from sick leave and tying the ESST leave to the HSA conversion.

ii. ESST Employee Notice – **Attachment #13**

- 1. This notice is to be given to all employees by January 1, 2024.

- b. Drug Alcohol and Cannabis testing – **Attachment #14**
 - i. Reviewed by the City Attorney, no changes recommended.
- c. DOT Drug and Alcohol testing policy – **Attachment #15**
 - i. Reviewed by the City Attorney, no changes recommended. He does feel this is important to have in the personnel policy.
- 3. Playground update – **Attachment #16**
 - i. Preliminary grant request – due January 2, 2024
 - ii. Community volunteer labor

Open Discussion

- 1. Christmas lights
- 2. Aaron Rasmussen came to the meeting to discuss the curb cut agreement. Two items agreed by the city council to present to the city attorney to be removed:
 - a. Item #7 – remove \$200 initial cost.
 - b. Item #10 – remove \$50 daily fee.
 - After review by the city attorney, the agreement will be reviewed by council at the December meeting.

Adjourn

Motion by Councilor Jacobs second by Councilor Adams-Bruins to adjourn the meeting at 9:42pm. Vote for: Unanimous. Motion carried.

Diane E. Pedersen, City Clerk/Treasurer

Seal of the City