

Minutes
Silver Lake City Council
Regular Meeting
6:30pm, November 21, 2022
Silver Lake Auditorium

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

Members present: Mayor Bruce Bebo, Councilor Josh Winfrey, Councilor Joanna Jacobs, Councilor Chris Penaz, Councilor Sandie Adams-Bruins

Members absent:

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

Others present: Karin Ramige, John Rodeberg, Sam Fink, Rich Westlund, Larry Lhotka, Corey Behrendt, Kyle Wawrzyniak, Keith Anderson, Nathan Brook, Tony Schauer

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

Consent Agenda:

1. Approve minutes from October 17, 2022, Regular Meeting
2. Approve minutes from November 14, 2022, Canvassing Board Meeting
 - a. Congratulations to Councilor Penaz and Councilor Jacobs on their re-elections for four-year terms.
 - b. Congratulations to Josh Mason for his new election with his term beginning January 2023.
3. Approve Payroll #22 and #23, October Ambulance and Annual Dire Department
4. Approve Claims
 - a. Mini Biffs have been picked up; dumpsters will be soon.

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

Public Comment

1. PTO donation than you received.
2. Larry Lhotka requested that something be done next spring to help with the ice problem in front of his driveway due to the curb settling. Public Works will work with the homeowner to keep the icy area salted.

Department Business

1. Public Works
 - a. Liaison report
 - i. Jerrod Weckman will begin his class in Iowa on December 15th.
 - ii. Fall sweeping is complete.
 - iii. Creekside ground brush and compost have yet to be removed. They come after the good first snowfall of the year.
 - iv. Pool and outbuildings are winterized.
 - v. M&M have completed the attic insulation of the East shop.
 - vi. Pola-Czesky parade unit is in storage in the West life station garage.
 - vii. The department has received requests from residents on curbside leaf collection. Public Works has contacted vendors regarding the purchase and/or rental programs available. This information will be provided as it is received.
 - viii. Review of invoice from Maguire Excavating & Paving Co. for asphalt repair work completed.

Motion by Councilor Adams-Bruins second by Councilor Jacobs to approve invoice from Maguire Excavating & Paving Co. in the amount of \$10,400. Vote for: Unanimous. Motion carried.

- b. Request by Jeremy Pearson to purchase 250,000 gallons of bulk water, represented by Nathan Brook.
 - i. Discussion was held regarding the purchase of bulk water from the city for making snow. Inquiring what the rate would be that the city would charge and what would the process be to obtain that water. Possibly taking around 20,000 gallons per day and PeopleService did not feel this would be an issue. Public Works feels it is best to get the water from the hook-up on the side of the fire hall rather than from a fire hydrant. The council wants it to be done during the day with a Public Works employee present.

Motion by Councilor Winfrey second by Councilor Adams-Bruins to approve the request by Jeremy Pearson to purchase bulk water from the city during the current winter months at a rate of \$12.00 per 1,000 gallons to be capped at 250,000 gallons. A Public Works employee must always be present when the water is being obtained. Vote for: Unanimous. Motion carried.

- c. John Rodeberg provided an update on infrastructure funding.
 - i. Federal money has become available for the State of MN to request, and Silver Lake is at the top of the list. Rural Development is moving forward with the underwriting process for the Preliminary Engineering Report and would like to proceed with the process for Phases 1-3 of the improvement by the end of 2022 so the money can be obligated in calendar year 2022.
 - 1. By obligating by the end of 2022, we lock in the lower interest rate as they will be rising in 2023.
 - 2. As of February 1, 2023, there will be a Build America/Buy America program that will require all materials to be American made. This would greatly increase the cost of the project for the items that are needed but are not currently American made.
 - 3. The funding for the project is based on the median household income. They are currently using the 2010 rate. The 2020 rate went up dramatically which would cause the city's grant eligibility to drop from 45% down to around 30%.
 - ii. There are several items that need to be addressed in the short-term in preparation, so individual and Team meetings will need to be setup over the next few weeks so the funding obligation portion of the work can be completed by December 31.
 - 1. Completion of the underwriting
 - 2. Completion of the obligation documents that layout the project funding and process by Rural Development.
 - 3. Signing the Letter of Condition and a Request for Funding by the Mayor.
 - a. These documents are expected to be ready for consideration at the city council meeting scheduled for Monday, December 19.
 - b. Signing of the documents does not obligate either USDA-RD or the City to proceed with the project, but it helps lock in interest rates as well as the lower Median Household Income (MHI) and avoids the Build America/Buy American requirement.
 - 4. Financial questions and issues will need to be addressed the following elected officials should be included in the upcoming meetings, so the Open Meeting law issues are appropriately addressed:
 - 5. If the project is funded and approval to proceed is received by late winter/early spring, the design and design approval would take up all of 2023, and construction would likely commence in mid-summer of 2024 at the earliest. Based on the proposed size of the Phase 1 project, it is proposed to be completed over two (2) construction seasons.
 - 6. It is still assumed that a large Bonding Bill is probable prior to next spring, however we would still need to complete this work with RD and be prepared if funding for this phase is not included in the expected Bill.
- d. PeopleService Reports
 - i. MNPCA paperwork has been completed.
 - ii. PeopleService tests the city's water weekly and does not exceed primary standards.
 - iii. A fire truck filling from a fire hydrant caused a low tower alarm. Public Works will check with PeopleService on this to make sure that the bulk water sales will not cause this issue.
 - iv. Work Order Maintenance reports from August, September, and October
 - v. O&M Reports from September and October.

2. Public Safety Liaison Report

- a. Fire Department Liaison Report
 - i. September stats provided.

7:50 Mayor Bebo called a five (5) minutes break

7:55 meeting resumed

- ii. Fire Dept Halloween at the fire hall was a great success. Safety and fire prevention information and candy were passed out. Also had door prizes of CO detectors and Fire Extinguishers.
- iii. Chief Kosek thanked the council for the opportunity to attend the MN Fire Chief's Conference.
- iv. Request for Action – Hire Stephen Bennett as a probationary firefighter. He has completed and passed his physical, drug screen and background check.

Motion by Councilor Penaz second by Councilor Jacobs to approve the hiring of Stephen Bennett as a probationary firefighter. Vote for: Unanimous. Motion carried

- v. Request for Action – approval of officer positions for three-year terms from January 1, 2023-December 31, 2025.
 1. Kyle Wawrzyniak – Chief 2

Motion by Councilor Penaz second by Councilor Winfrey to approve the hiring of Kyle Wawrzyniak as Chief 2 for the term of January 1, 2023, through December 31, 2025. Vote for: Unanimous. Motion carried

2. Keith Anderson – Captain 3

Motion by Councilor Penaz second by Councilor Winfrey to approve the hiring of Keith Anderson as Captain 3 for the term of January 1, 2023, through December 31, 2025. Vote for: Unanimous. Motion carried

3. Cory Behrendt – Captain 4

Motion by Councilor Penaz second by Councilor Winfrey to approve the hiring of Cory Behrendt as Captain 4 for the term of January 1, 2023, through December 31, 2025. Vote for: Unanimous. Motion carried

- vi. Three new hires have started their fire fighter one training. They are attending classes in the auditorium two nights a week through March.
- vii. Possibly looking at hiring a four-year veteran yet.
- b. Sheriff's Department Report
 - i. Event type report
 - ii. Police Hours for October
- c. Ambulance Report
 - i. Current enrollment is 6 EMT and 6 EMR's with 3 EMR's currently testing for their EMT licensure.
 - ii. Meeting held with Allina to go over protocols.
 - iii. Working on the fuel reimbursement program where the state will reimburse fuel for the previous year up to a certain percentage.
 - iv. Shifts continue to be covered.
 - v. Budget slightly revised.
 - vi. An annual meeting will be held in December with all officer positions up for nominations.
 - vii. Discussion was held regarding whether to change the contract with Allina back to the previous coverage times of 0600-1800 Monday-Friday as all shifts in PM and weekends have been covered.
 1. Request for Action to change the current 24-hour dual coverage with Allina back to the previous coverage of 0600-1800 Monday-Friday. The 24-hour coverage started in March with the unpredicted resignations. Since April all PM weekday shifts and weekend have been covered as well as more AM shifts than have ever been covered before.
 - a. Eliminating the dual coverage frees Allina to better respond to other calls as they will no longer have to wait to be called off.

Motion by Councilor Penaz second by Councilor Jacobs to approve the request to drop the 24/7 dual coverage with Allina return to Dual coverage from 0600-1800 Monday-Friday. Vote for: Unanimous. Motion carried.

- viii. YTD calls in 2021 were 131; 2022 147.

3. Administrative

- a. Rich Westlund presented health insurance options for the city staff.
 - i. PEIP current employer cost per month \$5262.60; renewal cost would be \$7893.90 per month.
 - ii. Two BCBS plans were presented, one with a 8.65% increase and one with a 13.10% increase. The council chose to go with the 8.65% plan increase with an increase for family HSA to \$2500.

Motion by Councilor Penaz second by Councilor Jacobs to elect the Blue Access \$5,550 – 0% HSA (Silver) 640 Plan and maintaining the city's matching contribution for single HSA at \$1500 while increasing the city's matching family HSA contribution to \$2500 with the HSA contribution to be reviewed annually. Vote for: Unanimous. Motion carried.³

4. Municipal Liquor Liaison Report

- a. New cash control procedures have been implemented as of November 1st.
- b. The Holiday Tasting event on November 5th was successful.
- c. There are four (4) doors left in the beer cooler that need to be priced with labels on the shelf.
- d. A new menu has been implemented.
- e. Year-end inventory counting has begun and will continue through the month of December to get ready for the auditor.
- f. Advertising for a liquor store manager will begin this week. A copy of the advertisement was included in the packet for review. Will be posted in the surrounding area newspapers, Facebook, and on the website.
- g. A new office computer is in the 2022 budget and has been ordered. The current computer is running on an old version of Windows and was purchased in 2011.
- h. FLWA wrestling will be held at the Auditorium on December 3rd at 6pm. Advanced tickets are available now at the Liquor Store and will also be available at the door the night of the event.
- i. Financials were reviewed:
 - i. October revenues were in line with 2021. Expenses were slightly higher and resulted in a net loss of \$345.82 for the month.
 - ii. Year-to-Date revenues are \$16,000 behind last year's. YTD Net Income last year was \$18,259 and this year is \$956.
- j. Request for Action – Request to approve the hire of Rebekah Patterson as a new bartender at the rate of \$13.33 per hour. She passed her background check and drug test and started working at the end of October.

Motion by Councilor Winfrey second by Councilor Penaz to approve the hire of Rebekah Patterson as a part-time bartender at the rate of \$13.33 per hour. Vote for: Unanimous. Motion carried.

1. Community Development

- a. Commissioner's Report
 - i. The Planning Commission did not meet in November due to the General Election being held on November 8th.

3. Administration

- a. Clerk's Report
 - i. October treasurer's report
 1. Still working on getting the investment balances for the CDs to reflect the correct balances. These will be properly reflected once the September numbers are finalized. We are still working on a \$400 discrepancy in September.
 - ii. Request from the City Attorney to increase the hourly rate from \$125 that has been effective since 2019, to \$145. There is currently a \$25,000 cap on prosecution charges per year.

Motion by Councilor Jacobs second by Councilor Penaz to approve the request by the City Attorney to increase the hourly rate from \$125 to \$145 effective January 1, 2023. Vote for: Unanimous. Motion carried.

iii. 2023 Budget review

1. Budget as presented reflects various step increases by grade, 2% COLA increase, and the 13.10% BCBS plan with a \$9,700 deductible and an increase to the HSA contribution from \$1500 to \$1925 which is half of the individual contribution limit. This puts the Total Tax Levy at 5.35%.

New Business:

1. Resolution 22-26: Resolution Approving Assessments for Delinquent Utility Accounts and Other Work Performed by the City as Directed by City Code.

Motion by Councilor Winfrey second by Councilor Jacobs to approve Resolution 22-26 approving assessments for delinquent utility accounts. Vote for: Unanimous. Motion carried.

2. Set 2023 annual meeting date for Tuesday, January 3rd at 6:30pm.

3. Request for Action to approve liquor license renewals:

- a. 2023 Club License for American Legion Post 141.

Motion by Councilor Winfrey second by Councilor Jacobs to approve the request for the 2023 Club License for the America Legion Post 141. Vote for: Unanimous. Motion carried.

b. 2023 On-Sale Wine and Strong Beer Liquor License for BFK Management DBA Molly's Café.

Motion by Councilor Winfrey second by Councilor Penaz to approve the request for the 2023 On-Sale Liquor License for BFK Management DBA Molly's Cafe. Vote for: Unanimous. Motion carried.

c. 2023 On/Off-Sale Liquor License for Silver Lake Municipal Liquor Store.

Motion by Councilor Winfrey second by Councilor Jacobs to approve the request for the 2023 On/Off-Sale Liquor License for Silver Lake Municipal Liquor Store. Vote for: Unanimous. Motion carried.

Old Business:

1. Second reading of the Right-of-Way Ordinance #101 and #102.

- a. Page 107 – Utility Coordination Committee -> Planning Commission but possibly include Public Works as well.
- b. Page 111 – does it need to be approved by the city engineer every time? If yes, the permit fee needs to include Engineer costs. The Utility Coordination Committee or the Public Works Director would be the one to decide if it needs to be reviewed by the city engineer.
- c. Anything, such as sprinklers, put in the city ROW needs a permit and must be locatable.
- d. Page 118 – Remove Subd. 3, covered under Subd. 2.
- e. Ordinance #102 – make sure it is up to date with Statutes.
- f. Page 126 – Application
 - i. Add Curb Cut under Disturbed Surfaces
 - ii. Under Permit Fees, only have a Permit Fee and an Engineering Fee, remove the rest.
- g. Page 127 – Permit
 - i. Change Gravel Cut to Engineering Fee and remove asphalt cut, boring fee and trenching fee.

Open Discussion - None

Adjourn

Motion by Councilor Penaz second by Councilor Jacobs to adjourn the meeting at 9:38pm. Vote for: Unanimous. Motion carried

Diane E. Pedersen, City Clerk/Treasurer

Seal of the City