

Minutes
Silver Lake City Council
Regular Meeting
October 19, 2020
Silver Lake Auditorium

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

Members present: Mayor Dorothy Butler, Councilor Josh Winfrey, Councilor Chris Penaz

Members absent: Councilor Nolan Johnson, Councilor Brenda Fogarty

Staff present: Jon Jerabek, Dale Kosek, Steve Hackbarth

Others present: Bruce Bebo, Karin Ramige, Amy Penaz

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

Consent Agenda

1. Approve minutes from October 5, 2020 Regular Meeting
2. Approve Payroll 21 and September Ambulance
3. Claims to be paid: \$46,400.62 (10/9/20)
 \$22,825.38 (September EFT)

Motion by Butler second by Penaz to approve the Consent Agenda. Vote for: Unanimous. Motion carried.

Public Comment – No comment.

Department Business

1. Public Works
 - a. PeopleService August 2020 report reviewed.
 - b. The Council reviewed the updated AquaLogic pool repair estimate for \$67,375 with one-year workmanship warranty and completion date of May 31, 2021. *Motion by Winfrey second by Penaz to approve the estimate from AquaLogic for \$67,375. Vote for: Unanimous. Motion carried.*
 - c. 2013 RAM 2500 truck being purchased for \$23,445 from CARES funds.
 - d. Hydrant flushing to be performed end of October.
 - e. Brush grinding expected during first week of November.
2. Public Safety
 - a. Police Services
 - i. Reviewed September calls provided by McLeod County Sheriff's Office.
 - b. Fire Department
 - i. Run report reviewed.
 - ii. Officer interview process to be conducted October 21, 2020.
 - iii. Continue to work on budget and turnout gear acquisition.
 - c. Ambulance
 - i. Reviewed run report.

- ii. Request to terminate Anne LeClaire due to expiration of EMT license. LeClaire has not worked since November 2019 and has not communicated intentions with City. *Motion by Butler second by Winfrey to approve termination of EMT Anne LeClaire effective October 19, 2020. Vote for: Unanimous. Motion carried.*
 - iii. Working on 2021 budget, Shop with Script, and Ambulance room.
- 3. Municipal Liquor Store
 - a. Sales for September were \$48,194.27 with a loss of \$1,019.27. Year-to-date sales were \$424,050.79 with a loss of \$414.33.
 - b. Request to approve annual review for part-time Bartender Bonnie Dahl. *Motion by Penaz second by Butler to approve annual review for Bonnie Dahl and to retain with no wage increase due to being at top of scale for position. Vote for: Unanimous. Motion carried.*
 - c. Request to approve hire of part-time Bartender Brittany Kneer. Kneer was approved by Personnel Committee on September 10, 2020. *Motion by Penaz second by Winfrey to approve hire of part-time Bartender Brittany Kneer at \$10.53 per hour. Vote for: Unanimous. Motion carried.*
 - d. Pool leagues are starting in October, Monday Night Poker Draws being held, and patio to be taken down October 20, 2020.
- 4. Recreation
 - a. No report.
- 5. Community Development
 - a. Planning Commission met on October 13, 2020. Member Connie Kratzke submitted a letter of resignation but will continue to serve until a replacement is appointed. Planning Commission reviewed McLeod County Local Hazard Mitigation Survey. Survey was also reviewed by Deputy Emergency Manager Dale Kosek, Clerk Jerabek, and EMT Duane Wawrzyniak.
- 6. Administration
 - a. September Treasurer's Report.
 - b. Discussed current drug and alcohol testing procedure for non-DOT personnel.
 - c. Peddler's Permit issued for Gregory Green from October 19, 2020 – November 19, 2020 for solar farm subscriptions through US Solar. Discussed posting permits issued for public to verify.
 - d. Request to approve 2013 Ford Explorer squad to be used for general City use by all departments. Expenses would be based on usage by departments. Council discussed waiting on action until full Council present. *Motion by Winfrey second by Penaz to approve utilizing the 2013 Ford Explorer as a general City vehicle to be used by all departments. Vote for: Winfrey, Penaz. Abstained: Butler (Allow absent Councilors to vote). Motion carried.*
 - e. Request to approve Vehicle Use Policy for City owned vehicles. The Council discussed how an employee is defined and whether volunteers should be allowed to use vehicles. Clerk Jerabek to add more information to policy and review at next meeting.

Old Business

1. Preliminary Engineering Report Update. SEH is working on finalizing PER and Duluth Archeology Center is working to complete the Architectural Review.
2. Local State of Emergency. The Council discussed keeping the Local State of Emergency in place to follow Governor Walz' extension of the Peacetime Emergency.
3. Coronavirus Relief Fund Allocation. The Council reviewed multiple requests for items to purchase with the CARES fund money received by the City.
Motion by Butler second by Penaz to approve \$3,100 of the CARES funds for five iPads for the City Council for remote meeting access. Vote for: Butler, Penaz. Vote against: Winfrey. Motion carried.
Motion by Penaz second by Butler to approve \$3,770 plus tax of the CARES funds for an automatic glasswasher at the MLS to ensure complete sanitization of glassware between uses. Vote for: Unanimous. Motion carried.
Motion by Butler second by Penaz to approve \$7,500 of the CARES funds for two ZOE 740 Select Vital Sign Units with carrying cases for the Fire Department. Vote for: Unanimous. Motion carried.
Motion by Penaz second by Butler to approve \$4,700 of the CARES funds for two UV air purifier systems and one furnace to operate one purifier system for the MLS. Vote for: Unanimous. Motion carried.
Motion by Butler second by Penaz to approve \$3,430 of the CARES funds for installing five automatic handwashing sinks at the MLS. Vote for: Unanimous. Motion carried.
Motion by Butler second by Penaz to approve \$1,970 of the CARES funds for installing an automatic flushing toilet and an automatic handwashing sink at the Public Works building. Vote for: Unanimous. Motion carried.
4. Farmland Lease. Public Works Supervisor Dale Kosek and Mayor Butler presented the high bid of \$212 per acre received by Chad Bandas for renting the 37.65 acres of farmland owned by the City. Three bids were received. *Motion by Winfrey second by Penaz to approve "Resolution 20-21: Resolution Approving Land Lease Agreement" outlining a 3-year lease of 37.65 acres of farmland by Chad Bandas from January 1, 2021 through December 31, 2023 in the amount of \$212 per acre. Vote for: Unanimous. Motion carried.*
5. 2021 Budget. The Council reviewed the current proposed budget for 2021 with a General Fund Levy increase of 0.86% over the 2020 levy amount. Department Heads will continue to review expenses and revenues.

New Business

1. Data Practices Policies. Request to approve "Resolution 20-19: Resolution Approving Data Practices Policies" regarding data requests by the public and the data subject as required by MN Statute 13.025 and 13.03. The policies outline the process for requests as well as a fee structure. *Motion by Butler second by Penaz to approve Resolution 20-19. Vote for: Unanimous. Motion carried.* Request to approve "Resolution 20-20: Resolution Appointing A Responsible Authority and Assigning Duties" assigning Clerk Jon Jerabek as the Responsible Authority of data policies as required by MN Statute 13.02. *Motion by Butler second by Winfrey to approve Resolution 20-20. Vote for: Unanimous. Motion carried.*

2. 2021 Fee Schedule. The Council reviewed the current Fee Schedule and possible changes for 2021 including increasing the Stormwater Utility Fee Basic System Rate from 4 to 6 and setting the water meter fee at City cost plus 5%. Clerk Jerabek to work with Ambulance Chief Steve Hackbarth on service charges review and MLS Manager Darrell Kaczmarek on Auditorium rent fees.

Open Discussion

1. Discussed delinquent utility bills and if payments have been made.

Motion by Butler second by Winfrey to adjourn this regular meeting of the Silver Lake City Council. Vote for: Unanimous. Motion carried.

Meeting adjourned at 7:54pm.

Jon Jerabek, Clerk/Treasurer

Seal of the City:

CITY COUNCIL
CITY OF SILVER LAKE

**RESOLUTION 20-19: RESOLUTION APPROVING DATA PRACTICES
POLICIES**

WHEREAS, Minnesota Statutes, section 13.025 subdivision 2 and subdivision 3 and section 13.03 requires government entities to adopt a Data Practices Policy for the Public and a Data Practices Policy for the Data Subject, and

WHEREAS, the policies developed have been obtained from sample policies provided by the MN Department of Administration Data Practices office,

THEREFORE BE IT RESOLVED, by the City Council of the City of Silver Lake, McLeod County, Minnesota that the City approves the Data Practices Policy for the Public and the Data Practices Policy for the Data Subject.

Adopted by the Council this 19th day of October, 2020.

Dorothy Butler, Mayor

Seal of The City:

Jon Jerabek, City Clerk

CITY COUNCIL
CITY OF SILVER LAKE

**RESOLUTION 20-20: RESOLUTION APPOINTING A RESPONSIBLE
AUTHORITY AND ASSIGING DUTIES**

WHEREAS, Minnesota Statutes, section 13.02, subdivision 16, as amended, requires that the City of Silver Lake appoint one person as the Responsible Authority to administer the requirements for collection, storage, use, and dissemination of data on individuals within the City and,

WHEREAS, the Silver Lake City Council shares concern expressed by the Legislature on the responsible use of all City data and wishes to satisfy this concern by immediately appointing an administratively qualified Responsible Authority as required under the statute

THEREFORE BE IT RESOLVED, by the City Council of the City of Silver Lake, McLeod County, Minnesota that the City appoints Jon Jerabek, Clerk/Treasurer, as the Responsible Authority for the purposes of meeting all requirements of Minnesota Statutes, chapter 13 as amended, and with rules as lawfully promulgated by the commissioner of Administration.

BE IT FURTHER RESOLVED, the Responsible Authority shall require the requesting party to pay the actual cost of making, certifying, and compiling copies and of preparing summary data, as allowed by Minnesota Statutes, chapter 13 and by Minnesota Rules, chapter 1205, as amended.

Adopted by the Council this 19th day of October, 2020.

Dorothy Butler, Mayor

Seal of The City:

Jon Jerabek, City Clerk

CITY COUNCIL
CITY OF SILVER LAKE

**RESOLUTION 20-21: RESOLUTION APPROVING LAND LEASE
AGREEMENT**

WHEREAS, the City of Silver Lake owns 37.65 acres of land suitable for farming, and

WHEREAS, the City has the authority to lease the land for agricultural use, and

WHEREAS, the City has advertised for leasing the land for a term of three years beginning January 1, 2021 and ending December 31, 2023, and

WHEREAS, the City has received sealed bids and may award the lease to the highest bidder,

THEREFORE BE IT RESOLVED, by the City Council of the City of Silver Lake, McLeod County, Minnesota that the City approves the attached Land Lease Agreement between the City of Silver Lake and Chad Bandas.

Adopted by the Council this 19th day of October, 2020.

Dorothy Butler, Mayor

Seal of The City:

Jon Jerabek, City Clerk