

Minutes  
Silver Lake City Council  
Regular Meeting  
September 21, 2020  
Silver Lake Auditorium

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

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

Staff present: Jon Jerabek, Dale Kosek, Steve Hackbarth

Others present: Tim Langenfeld, Ken Janssen, Michelle Schneider, Amy Penaz, Joe Yates, Rachel Yates, Harvey Mikolichuk, John Rodeberg, Sheila Murphy, Morgan Chmielewski

*Motion by Fogarty second by Johnson to approve the agenda. Vote for: Unanimous. Motion carried.*

Consent Agenda

1. Approve minutes from August 17, 2020 Regular Meeting
2. Approve minutes from September 10, 2020 Workshop
3. Approve Payroll #18, 19 and August Ambulance
4. Claims to be paid:
  - \$59,390.15 (8/28/20)
  - \$100,646.30 (9/11/20)
  - \$26,136.98 (August EFT)

*Motion by Johnson second by Fogarty to approve the Consent Agenda. Vote for: Unanimous. Motion carried.*

Public Comment

1. Joe Yates commented on building inspections services for the City and Council conduct.

Department Business

1. Public Works
  - a. PeopleService July 2020 report reviewed.
  - b. Outlined fall operations including leaf sweeping, brush grinding, yard waste hauling, preparing snow equipment, blacktop patching, building and equipment winterization, and gathering snow removal bids for 2021.
  - c. Lions Club agreed to donate \$3,000 toward new street marker signs.
  - d. Discussed option to purchase truck through Fahey Auctions under the CARES funds received by the City.
2. Public Safety
  - a. Police Services
    - i. Reviewed August calls provided by McLeod County Sheriff's Office (MCSO).
    - ii. Reviewed \$28,500 offer from MCSO for equipment including 2018 squad, lightbar, cage, camera, radars, rifles, Toughbook laptop, tasers, and spikes. Council discussed option to open bidding to other police departments. *Motion*

*by Winfrey second by Johnson to accept the equipment offer from MCSO for \$28,500. Vote for: Winfrey, Johnson, Penaz. Vote against: Fogarty, Butler. Motion carried.*

b. Fire Department

- i. Run reports reviewed.
- ii. Request to approve Fire Department Standard Operating Procedure Manual. The manual was revised by the City Attorney in cooperation with the Fire Department. *Motion by Fogarty second by Johnson to approve the Silver Lake Fire Department Standard Operating Procedure. Vote for: Unanimous. Motion carried.*
- iii. Conducted joint drill with Ambulance Department.

c. Ambulance

- i. Reviewed run report.
- ii. Council was informed that two individuals have resigned from the department and one is currently past due on license renewal.
- iii. Request to approve compensation increase effective October 1, 2020
  1. Increase On-call Day/Holiday from \$3.50/hour to \$5.00/hour.
  2. Increase On-call Night/Weekend from \$1.25/hour to \$3.50/hour.
  3. Increase Run Rate from \$10.00/hour to \$20.00/hour paid in 1/4-hour increments.

Council discussed using step increases to reach the requested amounts, budget implications of implementing the increases, and using the increase to aid in recruitment of new EMTs. *Motion by Fogarty second by Butler to approve the compensation increases effective October 1, 2020. Vote for: Fogarty, Butler, Johnson. Vote against: Penaz, Winfrey. Motion carried.*

- iv. Request to utilize former Police Department as the Ambulance on-call room/office. Council discussed overnight stays, using the office in conjunction with the Sheriff's Office, and recommendations from MNSPECT regarding the use. *Motion by Butler second by Fogarty to approve the Ambulance Department utilizing the former Police Department office has an on-call room and office. Vote for: Unanimous. Motion carried.*
- v. Request to cancel rental agreement at 501 Main St W apartment for on-call room. Department did not use the apartment during the duration of the rental. *Motion by Butler second by Fogarty to approve cancelling the rental agreement for the apartment at 501 Main St W. Vote for: Unanimous. Motion carried.*

3. Municipal Liquor Store

- a. Sales for August were \$53,270.01 with a loss of \$328.39. Year-to-date sales were \$375,856.52 with a profit of \$604.94.
- b. Request to approve annual review for Lead Bartender Addie Kordell. *Motion by Penaz second by Johnson to approve annual review for Addie Kordell and to retain with wage increase to \$15.08/hour. Vote for: Unanimous. Motion carried.*
- c. Advertising monitors have been installed through Minnesota Digital and the MLS receives \$50 for each business that signs up through them.

- d. Resolution 20-16: Resolution Approving Gambling Lease Percentage for Electronic Pull-Tabs. Silver Lake Lions proposed to lease the MLS for 10% of monthly gross profits of electronic pull-tabs. The lease maximum allowed by MN State Statute is 15%. *Motion by Penaz second by Johnson to approve Resolution 20-16. Vote for: Unanimous. Motion carried.*
- 4. Recreation
  - a. No report.
- 5. Community Development
  - a. Planning Commission met on September 8, 2020.
    - i. Approved Site Plans for 213 and 217 Century Lane new home construction.
    - ii. Discussed TH 7 rehab project and pedestrian/bicycle crossings.
- 6. Administration
  - a. August Treasurer's Report.
  - b. Researching and gathering information for remote read lawn meters.
  - c. Drafting policies on data requests as required by MN State Statute.
  - d. Resolution 20-17: Resolution Approving Election Canvassing Date. MN Statute requires cities to canvass election results between the third and tenth days following the general election. The Silver Lake canvass date would be November 12 at 6:30pm in the Silver Lake Auditorium. *Motion by Butler second by Johnson to approve Resolution 20-17. Vote for: Unanimous. Motion carried.*
  - e. Request to close City Hall on Friday, November 27 and Thursday, December 24. *Motion by Fogarty second by Johnson to close City Hall on November 27, 2020 and December 24, 2020. Vote for: Unanimous. Motion carried.*

#### Old Business

1. Pool Repair and Equipment Review. The Council reviewed updated estimate numbers from AquaLogic as presented by Councilor Winfrey and Public Works Supervisor Kosek. Patching of the race lane tile will wait 5-7 years when plaster work is completed. The revised estimate totaled \$67,425. The expenses would likely run through the Parks and Pool Capital Fund and transfers from the General Fund could be spread out over multiple years to pay back the fund. The Council would like to see a written estimate with totals and a completion date by the next Council meeting. *Motion by Johnson second by Fogarty to approve a not to exceed amount of \$17,500 for the cut and demo of concrete, coping, and the mushroom feature, and to submit a revised contract with all estimates and a completion date. Vote for: Unanimous. Motion carried.*
2. Preliminary Engineering Report Update. John Rodeberg, SEH, presented an update on the progress of the PER and the Environmental Review for the Infrastructure Improvement Project. The plan is to submit the application to Rural Development in the next 2-3 weeks. Typically, it takes 2-3 months to hear back on availability of funding. The total estimate project cost is currently at \$26,760,000. The City will likely have to reduce the scope of the project due to funding and repayment abilities.
3. Multi-Unit Housing Review. No update.
4. Local State of Emergency Review. The Council discussed maintaining current Local State of Emergency coinciding with Governor Walz's Peacetime Emergency extension.

5. Utility Payments. The Council was informed that 34 utility accounts are two or more months past due with an average balance of \$433. If the accounts fail to pay the balance, the amounts will be assessed to property taxes in November.
6. Coronavirus Relief Fund Allocation. The Council reviewed current expenses of \$5,516.88 related to COVID-19 and options for allocating the remaining portion of the \$60,423 received. Shelia Murphy, McLeod County Administrator, informed the Council that some businesses in Silver Lake have applied for grants and that McLeod County could likely cover those requests. Murphy advised that the City should allocate their funds within the City and that the funds should be distributed prior to the November 15 deadline. Ambulance equipment and providing dollars for utility accounts was discussed. Departments to work on possible purchases for allocating funds.

Mayor Butler called for a brief recess at 8:44pm. Meeting called back to order at 8:47pm.

7. 2021 Preliminary Budget – Resolution 20-15: Resolution Adopting 2021 Preliminary City Budget and Preliminary Tax Levy for Taxes Collectible in 2021. The Council reviewed the 2021 budget and discussed changes including removing expenses related to the Ambulance on-call room renovation and City Hall office move, Council pay decreases, distributing pool repair expenses over multiple years, and overall department budget review. The preliminary budget reviewed would result in a 6.53% General Fund Levy increase from 2020 totaling \$549,125.00 and a 6.1% overall levy increase from 2020 totaling \$572,796.00. *Motion by Fogarty second by Johnson to approve Resolution 20-15. Vote for: Unanimous. Motion carried.*

#### New Business

1. Resolution 20-14: Resolution Approving Truth in Taxation Hearing. The City is required to hold a Truth in Taxation Hearing for the public to comment on the budget and levy for the upcoming year. The hearing must be held between November 24 and December 30. *Motion by Fogarty second by Penaz to approve Resolution 20-14 setting the Truth in Taxation Hearing for December 21, 2020 at 6pm in the Silver Lake Auditorium. Vote for: Unanimous. Motion carried.*
2. Farmland Lease Advertising. The Council reviewed a request to advertise for bids for the lease of 37.65 acres of City farmland near the wastewater treatment ponds. The current lease ends December 31, 2020. *Motion by Fogarty second by Penaz to approve the advertising of bids for leasing 37.65 acres of farmland from 2021 through 2023 with sealed bids submitted to City Hall by 4pm, October 16, 2020, for Public Works Supervisor Kosek and Mayor Butler to open bids, and for Council approval at the October 19, 2020 City Council meeting. Vote for: Unanimous. Motion carried.*

Meeting closed at 8:48pm

3. Council Conduct Review. This portion of the meeting was closed pursuant to MN Statute 13D.05. Mayor Butler not present for this portion of the meeting.
4. Planning Commission Personnel Review. This portion of the meeting was closed pursuant to MN Statute 13D.05.

Meeting opened at 9:23pm

*Motion by Fogarty second by Winfrey to not move forward with the Council Conduct Review as the Council has found no justification for further action. Vote for: Fogarty, Winfrey, Penaz, Johnson. Abstained: Butler. Motion carried.*

Open Discussion – None.

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

Meeting adjourned at 9:39pm.

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Jon Jerabek, Clerk/Treasurer

Seal of the City:

**CITY COUNCIL**  
**CITY OF SILVER LAKE**

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**RESOLUTION 20-14: RESOLUTION APPROVING TRUTH IN TAXATION  
HEARING**

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**WHEREAS**, the City of Silver Lake is required to hold a hearing to discuss the budget and levy where the public can make comment, and

**WHEREAS**, the hearing must be held after November 24 and no later than December 30 and must be held at 6:00pm or later,

**THEREFORE BE IT RESOLVED**, by the City Council of the City of Silver Lake, McLeod County, Minnesota to approve setting the Truth in Taxation Hearing for December 21, 2020 at 6:00pm in the Silver Lake Auditorium at 320 Main St W.

Adopted by the Council this 21<sup>st</sup> day of September, 2020.

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Dorothy Butler, Mayor

Seal of The City:

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Jon Jerabek, Clerk/Treasurer

**CITY COUNCIL**  
**CITY OF SILVER LAKE**

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**RESOLUTION 20-15: RESOLUTION ADOPTING 2021 PRELIMINARY  
CITY BUDGET AND PRELIMINARY TAX LEVY  
FOR TAXES COLLECTIBLE IN 2021.**

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**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 2021 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 2021 Preliminary City Budget be adopted as presented and the following sum of money be levied for the current year, collectible in 2021, upon the taxable property in the City of Silver Lake:

General Fund	\$ 549,125
GO Bond Fund 2013A	<u>\$ 23,671</u>
Total Preliminary Tax Levy	\$ 572,796

**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 21<sup>st</sup> day of September, 2020.

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Dorothy Butler, Mayor

Seal of The City:

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Jon Jerabek, City Clerk

**CITY COUNCIL**  
**CITY OF SILVER LAKE**

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**RESOLUTION 20-16: RESOLUTION APPROVING GAMBLING LEASE  
PERCENTAGE FOR ELECTRONIC PULL-TABS**

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**WHEREAS**, the City of Silver Lake currently leases the Municipal Liquor Store premises to the Silver Lake Lions Club for the sale of pull-tabs, and

**WHEREAS**, the Silver Lake Lions Club currently leases the premises for 20% of monthly gross profits of pull-tabs, and

**WHEREAS**, the City of Silver Lake has agreed to allow the Silver Lake Lions Club to conduct the sale of electronic pull-tabs at the Municipal Liquor Store, and

**WHEREAS**, the lease amount for electronic pull-tabs may not exceed 15% of monthly gross profits,

**THEREFORE BE IT RESOLVED**, by the Council of the City of Silver Lake, McLeod County, Minnesota, that the lease of the Municipal Liquor Store premises by the Silver Lake Lions Club for the sale of electronic pull-tabs be set at 10% of monthly gross profits.

Adopted by the Council this 21<sup>st</sup> day of September, 2020.

\_\_\_\_\_  
Dorothy Butler, Mayor

Seal of The City:

\_\_\_\_\_  
Jon Jerabek, City Clerk



**CITY COUNCIL**  
**CITY OF SILVER LAKE**

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**RESOLUTION 20-17: RESOLUTION APPROVING ELECTION CANVASSING  
DATE**

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**WHEREAS**, the City of Silver Lake will hold an election for the office of Mayor for a two-year term and two Council Members for four-year terms on Tuesday, November 3, 2020 during the General Election; and

**WHEREAS**, MN Statute 205.185 requires the governing body of a city to canvass the election returns and declare the results of the election between the third and tenth days after an election; and

**WHEREAS**, the McLeod County Canvassing Board will be conducting its canvassing on Thursday, November 12 at 10:00am; and

**WHEREAS**, the City of Silver Lake cannot hold its canvassing meeting prior to the McLeod County Canvassing Board,

**THEREFORE BE IT RESOLVED**, by the City of Silver Lake City Council, McLeod County, Minnesota to set the 2020 General Election Canvassing Board meeting to Thursday, November 12 at 6:30pm held in the Silver Lake Auditorium at 320 Main St West.

Adopted this 21<sup>st</sup> day of September 2020.

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Dorothy Butler, Mayor

Seal of the City:

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Jon Jerabek, City Clerk