

Minutes  
Silver Lake City Council  
Regular Meeting  
February 18, 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 and Councilor Nolan Johnson

Staff present: Jon Jerabek, Clerk/Treasurer; Ian Coates, Police Officer, Dale Kosek, Fire Chief/Public Works Supervisor (PWS); Steven Hackbarth, EMT; Mark Anderson, Police Officer; Darrell Kaczmarek, MLS Manager

Others present: Karin Ramige, McLeod Publishing; Bruce Bebo, Chad Schmandt, Larry Lhotka, Doris Jerabek

*Motion by Fogarty seconded by Johnson to approve the agenda.*

*Vote for: Unanimous*

*Motion carried.*

#### Consent Agenda

1. Approve minutes from January 21, 2020 Regular Meeting
2. Approve Payroll #3, 4 and January Ambulance
3. Claims to be paid:       \$35,864.48   (1/31/20)  
                                      \$113,183.83   (1/17/20)  
                                      \$37,027.21   (2/14/20)

*Motion by Fogarty seconded by Johnson to approve the Consent Agenda.*

*Vote for: Unanimous*

*Motion carried.*

#### Public Comment

1. Doris Jerabek addressed the Council on utility rates.
2. Chad Schmandt addressed the Council on utility rates.

#### Old Business

1. PER Update from SEH. Council reviewed memo from SEH on PER progress and memo provided outline of previous meeting with SEH, City Staff and Councilors Winfrey and Penaz. Individual easements may be required if the City chooses to replace service lines. Discussed holding an open house for public to gain more information.
2. Multi-Unit Housing Review. The City has received no update on re-test results or the building permit needed for 104 Grove Ave S.
3. Compost Site Policy Update. Council discussed potential policy regarding dates and hours of operation, use of logbook, acceptable materials, prohibited materials, commercial accounts,

non-resident charges, and security monitoring. A more formal written policy to be presented at March regular meeting.

#### New Business

1. 2020 Utility Rates. Council discussed rate increases for 2020 and explained that rates increased to cover initial expenses for an infrastructure project and maximize grant potential through USDA Rural Development loan and grant program. Options for getting information to residents were discussed and Clerk Jerabek notified the Council that the City Office would do more in the future to notify residents.
2. Resolution 20-06: Resolution Approving to Not Waive the Monetary Limits on Municipal Tort Liability. MN State Statute sets tort limits for municipalities and the League of MN Cities Insurance Trust requires members to state whether they waive or do not waive those tort limits.  
*Motion by Winfrey seconded by Fogarty to approve Resolution 20-06.*  
*Vote for: Unanimous*  
*Motion carried.*
3. Resolution 20-07: Resolution Approving Workers' Compensation Insurance Premiums. The Workers' Compensation premium for 2020 is \$41,637.  
*Motion by Fogarty seconded by Johnson to approve Resolution 20-07.*  
*Vote for: Unanimous*  
*Motion carried.*
4. Resolution 20-08: Resolution Approving Property/Casualty Insurance Premiums. At the time of the meeting a renewal premium amount was not yet available.
5. Resolution 20-09: Resolution Approving Local Board of Appeal and Equalization Meeting. A public meeting to hear property owners appeal of valuations as assigned by the assessor held on Monday, April 6, 2020 at 6pm in the Silver Lake Auditorium.  
*Motion by Fogarty seconded by Johnson to approve Resolution 20-09.*  
*Vote for: Unanimous*  
*Motion carried.*

#### Department Business

1. Public Works
  - a. Working with Police Department on snowbirds.
  - b. Received generator from DNR.
  - c. Continue to work on infrastructure project with SEH.
  - d. Working with PeopleService on hydrant and water main maps as well as performing biosolids mapping at wastewater ponds as needed for PER.
  - e. Discussed advertising for full-time Public Works employee.  
*Motion by Winfrey seconded by Penaz to approve Councilor Winfrey, PWS Kosek and Clerk Jerabek to compile position description for advertising for full-time maintenance employee with an application deadline of April 15, 2020.*  
*Vote for: Unanimous*  
*Motion carried.*
  - f. Request to approve purchase of John Deere broom attachment for clearing snow.  
*Motion by Winfrey seconded by Fogarty to approve purchase of John Deere broom attachment with cost not to exceed \$2500.*

*Vote for: Unanimous*

*Motion carried.*

- g. Reviewed PeopleService report for December 2019 operations.
2. Public Safety
- a. Fire Department
    - i. Run report and meeting minutes included.
    - ii. Hiring Committee continuing to work on officer descriptions on hiring process.
    - iii. Chief Kosek accepted Deputy Emergency Management Coordinator until Police Chief is hired.
    - iv. Chief to review budget monthly.
    - v. Feasibility of First Responders assisting Ambulance discussed.
    - vi. Meat Raffle held at Silver Lake Muni on February 15, 2020 and four members to attend Lakeside Elementary Winterfest.
    - vii. City and Township budget meeting to be held February 20, 2020.
    - viii. Firefighters to attend pipeline safety training and regional fire meeting.

Mayor Butler called brief recess at 8:45pm.

Mayor Butler called meeting back to order at 8:48pm.

- b. Ambulance
    - i. Run Report meeting minutes included.
    - ii. Committee of Steve Hackbarth, Michelle Schneider, Councilor Winfrey and Mayor Butler reviewing department concerns including space needs, pay and daycare option.
    - iii. Fundraiser to be held March 22 at State Theatre in Hutchinson. Free will offering accepted to view E.T. movie.
    - iv. Payroll frequency reviewed.
    - v. Bylaws being reviewed and option to remove them.
    - vi. Chief to review current budget and next year's budget.
  - c. Police Department
    - i. Reviewed monthly call list.
    - ii. One application received for Chief position and one potential candidate performed ride-along with Officer Coates
    - iii. Staffing for shifts is going well.
    - iv. Officer Coates expressed interest in being more involved with community and the school.
    - v. Discussed signage on one-way at Lake Ave, progress of forfeited vehicles, parking boots for snowbird tows, and less lethal shotgun option being reviewed.
3. Municipal Liquor Store
- a. Conducted 6-month and Annual Review for MLS Manager Kaczmarek. Kaczmarek was absent on medical leave at time of 6-month review. Meeting closed for performance evaluation at 7:38pm and re-opened at 8:11pm.  
*Motion by Penaz seconded by Johnson to approve 6-month review with retro-pay wage increase to \$20.45 per hour and to approve annual review retaining and increase wage to \$21.49 per hour.*

*Vote for: Butler, Johnson, Penaz, Winfrey*

*Vote against: Fogarty*

*Motion carried.*

b. Sales for January were \$40,347.20 with a profit of \$9,715.55.

c. Herbalife satellite business started using Auditorium.

d. Request to hire Addie Kordell for Lead Bartender position. MLS Manager Kaczmarek, Councilor Penaz and Deputy Clerk Wicklund-Kurth conducted interview.

*Motion by Penaz seconded by Johnson to approve Addie Kordell as Lead Bartender at starting wage of \$14.71 per hour pending passing of background check and drug screening.*

*Vote for: Unanimous*

*Motion carried.*

e. Request to hire Tanya Olson as part-time Bartender.

*Motion by Penaz seconded by Johnson to approve Tanya Olson for part-time Bartender as starting wage of \$10.53 per hour pending passing of background check and drug screening.*

*Motion rescinded by Penaz.*

Penaz to meet with MLS Manager Kaczmarek to discuss hire.

f. Requests to approve 6-month reviews for part-time Bartender Connie Schultz, part-time Bartender Dana Wait and Cleaner Heather Johnson.

*Motion by Penaz seconded by Johnson to approve 6-month review for part-time Bartender Connie Schultz and to retain with wage increase to \$11.10 per hour.*

*Vote for: Unanimous*

*Motion carried.*

*Motion by Penaz seconded by Johnson to approve 6-month review for part-time Bartender Dana Wait and to retain with wage increase to \$11.10 per hour.*

*Vote for: Unanimous*

*Motion carried.*

*Motion by Penaz seconded by Johnson to approve 6-month review for Cleaner Heather Johnson and to retain with wage increase to \$11.10 per hour.*

*Vote for: Butler, Fogarty, Winfrey, Penaz*

*Abstained for familial connection: Johnson*

*Motion carried.*

g. Request to approve Car/Bike show in conjunction with Fire Relief Association on May 16, 2020. Main Street to be closed from Thomas Ave to Lake Ave from noon to 7pm.

*Motion by Penaz seconded by Fogarty to approve Car/Bike show on May 16, 2020.*

*Vote for: Unanimous*

*Motion carried.*

h. Ice Golf held on February 15, 2020 had 27 teams and sales were over \$7,000 at MLS.

#### 4. Community Development

a. Planning Commission met on February 11.

i. Commission continues to work on development proposal for Main Street lots.

ii. Developed outline for Logo and Slogan Contest with deadline for submittals on April 30. Winner to be chosen by Planning Commission and City Council.

- iii. Representative from MN DNR to be present at Planning Commission meeting on March 10 to discuss plans for Silver Lake and Swan Lake.

5. Recreation

- a. Pool and recreation sign-up night will be held on Wednesday, March 18.
  - i. Activities include swimming lessons, swim club, K-6 summer rec programs, co-ed K-2 baseball, football camp and possibly more baseball and softball options if interest expressed.
- b. Discussed closing policy at swimming pool and the need for a written policy.
- c. PWS Kosek will inform Liaison of park needs.
- d. Discussed working with individual on Eagle Scout Project.

6. Administration

- a. Reviewed January Treasurer's Report.
- b. Solar garden subscription has resulted in profit of \$4,402.26 from November 2017 through November 2019.
- c. Council meeting broadcasting quotes not yet obtained.
- d. Reviewed policy draft on overtime and compensation time.
- e. Request to move June 15, 2020 regular Council meeting to June 22, 2020 to allow Clerk Jerabek time to prepare for the meeting following a vacation.  
*Motion by Winfrey seconded by Fogarty to approve moving the June 15, 2020 City Council meeting to June 22, 2020.*  
*Vote for: Unanimous*  
*Motion carried.*
- f. Request for Clerk Jerabek to attend year three of the Minnesota Municipal Clerks Institute from May 4-8 in St. Cloud. Cost of hotel and registration without possible grant is \$913.52.  
*Motion by Penaz seconded by Johnson to approve request by Clerk Jerabek to attend Minnesota Municipal Clerks Institute from May 4-8.*  
*Vote for: Unanimous*  
*Motion carried.*

Open Discussion

- 1. Discussion on street plowing on weekend.

*Motion by Fogarty seconded by Johnson to adjourn this regular meeting of the Silver Lake City Council.*

*Vote for: Unanimous*

*Motion carried.*

Meeting adjourned at 10:20pm.

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Jon Jerabek, Clerk/Treasurer

Seal of the City:

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

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**RESOLUTION 20-06: RESOLUTION APPROVING TO NOT WAIVE THE  
MONETARY LIMITS ON MUNICIPAL TORT LIABILITY**

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**WHEREAS**, the City of Silver Lake has liability insurance through the League of Minnesota Cities Insurance Trust (LMCIT), and

**WHEREAS**, the LMCIT requires that members must decide each year whether to waive the statutory tort liability limits to the extent of the coverage purchased, and

**WHEREAS**, the limit for an individual claimant would be \$500,000 on any claim to which the statutory tort limits apply and the limit for all claimants for a single occurrence would be \$1,500,000 to which the statutory tort limits apply, and

**THEREFORE BE IT RESOLVED**, by the City Council of the City of Silver Lake that the City of Silver Lake does not waive the monetary limits on municipal tort liability established by Minnesota Statutes, Section 466.04.

Adopted by the Council this 18<sup>th</sup> day of February 2020.

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

Seal of The City:

\_\_\_\_\_  
Jon Jerabek, City Clerk/Treasurer

**CITY COUNCIL  
CITY OF SILVER LAKE**

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**RESOLUTION 20-07: RESOLUTION APPROVING WORKERS'  
COMPENSATION INSURANCE PREMIUMS**

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**WHEREAS**, The City of Silver Lake has recognized that as a responsible employer it needs to provide certain benefits and insurances for its employees, and

**WHEREAS**, Workers' Compensation is designed to protect employees and employers for costly workplace accidents, and

**WHEREAS**, The City has participated in the League of Minnesota Cities Insurance Trust's Group Self Insured Workers' Compensation plan for numerous years, and

**WHEREAS**, The premium for 2020 LMCIT Workers' Comp Insurance is \$41,637 and the budgeted amount for 2020 was \$40,275.

**THEREFORE BE IT RESOLVED**, by the City Council of the City of Silver Lake that the 2020 LMCIT Workers' Comp Premium of \$41,637 with the LMCIT is hereby approved for payment.

Adopted by the Council this 18<sup>th</sup> day of February 2020.

\_\_\_\_\_  
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 20-09: RESOLUTION APPROVING LOCAL BOARD OF  
APPEAL AND EQUALIZATION MEETING**

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**WHEREAS**, the City of Silver Lake Local Board of Appeal and Equalization is comprised of the members of the City Council, and

**WHEREAS**, a public meeting must be held between April 1 and May 31, and

**WHEREAS**, the purpose of the meeting is to determine whether property in the jurisdiction has been properly valued and classified by the assessor,

**WHEREAS**, in the absence of a certified member of the Council, the City Council is limited to only holding an “Open Book” meeting, whereby the Council can only hear the property owner’s appeal but cannot take any action. Any action must be recommended to the McLeod County Board of Appeals and Equalization.

**THEREFORE BE IT RESOLVED**, by the City Council of the City of Silver Lake that the Local Board of Appeal and Equalization open book meeting will be held on April 6, 2020 at 6pm in the Silver Lake Auditorium located at 320 Main St W.

Adopted by the Council this 18<sup>th</sup> day of February 2020.

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

Seal of The City:

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Jon Jerabek, City Clerk/Treasurer