

Minutes
Silver Lake City Council
Regular Meeting
November 16, 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, Councilor Nolan Johnson, Councilor Brenda Fogarty

Staff present: Jon Jerabek, Steve Hackbarth, Kyle Wawrzyniak

Others present: Bruce Bebo, Karin Ramige, Sandie Adams-Bruins, Joe Yates, Ty Montgomery, John Rodeberg, Michelle Schneider, Mitch Grove (remotely)

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

Consent Agenda

1. Approve minutes from October 19, 2020 Regular Meeting
2. Approve minutes from November 12, 2020 Canvassing Board Meeting
3. Approve Payroll 22, 23 and October Ambulance
4. Claims to be paid: \$54,593.28 (10/23/20); \$18,488.25 (October EFT); \$23,291.94 (11/10/20); \$46,213.94 (11/06/20)

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

Public Comment – No comment.

Department Business

1. Public Works
 - a. PeopleService September 2020 report reviewed. Inflow and Infiltration evident in large difference in water pumped versus wastewater pumped. Hydrant flushing procedure discussed.
 - b. Pool deck demo completed, and mushroom feature removed.
 - c. Discussed snowbirds, towing, and storage of impounded cars. Council not in favor of storing vehicles at Public Works yard. Public Works Supervisor Kosek to utilize whichever towing agency available.
 - d. Request to approve Borka Excavating LLC for snow removal at listed rates:
 - Hauling in dump truck - \$70/hr
 - Skid loader with attachments - \$85/hr
 - Pick-up truck with plow - \$70/hr
 - Man time using City equipment - \$35/hr
 - Pay loader - \$100/hrNo other bids received after advertising. *Motion by Winfrey second by Fogarty to approve the Borka Excavating snow removal bid. Vote for: Unanimous. Motion carried.*
 - e. Creekside to perform final compost site cleanup week of November 16.
2. Public Safety

- a. Police Services
 - i. Reviewed October calls provided by McLeod County Sheriff's Office.
- b. Fire Department
 - i. October run report reviewed with 9 calls.
 - ii. Request to approve Tyler Kosek as probationary Firefighter. *Motion by Butler second by Fogarty to approve hire of Tyler Kosek as probationary Firefighter until completion of requirements for Firefighter are met including written, physical, agility and classes. Vote for: Unanimous. Motion carried.*
 - iii. Request to approve Officers for three-year terms from January 1, 2021 to December 31, 2023. *Motion by Butler second by Johnson to approve Tim Grenke as Chief 3. Vote for: Unanimous. Motion carried. Motion by Butler second by Fogarty to approve John Marvan as Captain 1. Vote for Unanimous. Motion carried. Motion by Butler second by Fogarty to approve Ryan Kaczmarek as Lieutenant 1. Vote for: Unanimous. Motion carried. Motion by Butler second by Johnson to approve Jay Hoese as Safety Officer. Vote for: Unanimous.*
 - iv. In person training likely to be postponed with COVID cases increase.
 - v. FD safely handed out candy on Halloween.
- c. Ambulance
 - i. October run report reviewed with 9 calls.
 - ii. Driver training test held on 11/9/20 with all personnel passing.
 - iii. Ambulance inventory, on-call room, and Shop with Scrip work continues.
 - iv. Department was awarded CARES monies from McLeod County.
- 3. Municipal Liquor Store
 - a. Sales for October were \$51,684.20 with a profit of \$6,142.50. Year-to-date sales were \$475,734.99 with a profit of \$5,728.17.
 - b. Request to approve 6-month review for part-time Bartender Tanya Olson. *Motion by Penaz second by Winfrey to approve annual review for Tanya Olson and to retain with wage increase to \$11.10 per hour. Vote for: Unanimous. Motion carried.*
 - c. MLS to be closed Thanksgiving Day.
 - d. New ramp to be installed by delivery receiving door.
- 4. Recreation
 - a. No report.
- 5. Community Development
 - a. Planning Commission met on November 10, 2020
 - i. Request to accept resignation of Commissioner Connie Kratzke after 6 years of service. The Council thanked Kratzke for her service. *Motion by Johnson second by Fogarty to accept the resignation of Commissioner Connie Kratzke effective November 16, 2020. Vote for: Unanimous. Motion carried.*
 - ii. Request to approve appointing Sarah Kahn and Vincent Maertz to the Planning Commission. Both applicants were interviewed and recommended by the Planning Commission. *Motion by Johnson second by Fogarty to appoint Sarah Kahn to Silver Lake Planning Commission for the term ending December 31, 2024. Vote for: Unanimous. Motion carried. Motion by Johnson second by Penaz*

to appoint Vincent Maertz to Silver Lake Planning Commission for the term ending December 31, 2023. Vote for: Unanimous. Motion carried.

- iii. McLeod County approved Economic Development Strategic Plan that will focus on county-wide efforts.

6. Administration

- a. October Treasurer's Report.
- b. Request to approve Advanced Drug Testing Inc. to perform administration of random DOT and non-DOT testing. Annual fee would be \$250. Collection and testing to be performed at Hutchinson Health. Council discussed frequency and number of employees selected for random non-DOT. Clerk Jerabek to check with other cities. *Motion by Fogarty second by Winfrey to approve Advanced Drug Testing for administration of random DOT and non-DOT drug and alcohol testing. Vote for: Unanimous. Motion carried.*
- c. Request to approve Vehicle Use Policy section to be added to City Personnel Policy. *Motion by Fogarty second by Winfrey to approve the Vehicle Use Policy. Vote for: Unanimous. Motion carried.*
- d. Frank Koelfgen requested that the Council consider a partial reimbursement for Molly's Café 2020 Wine/Strong Beer License fee due to the State mandated shutdown period. The Council reviewed the request and decided to not issue a refund as Molly's Café had received CARES money from the County.
- e. The Council discussed the current hourly rate agreement with the City Attorney that ends in 2020. The attorney informed Clerk Jerabek they had no plans to increase rates. The Council plans to review again at a later meeting.
- f. The Council reviewed Resolution "20-24: Resolution Authorizing The Use Of Credit Cards By Designated City Employees To Make Purchases On Behalf Of The City Of Silver Lake For 2020" which would allow Clerk Jerabek and MLS Manager Kaczmarek to use the U.S. Bank credit card. *Motion by Fogarty second by Winfrey to approve Resolution 20-24. Vote for: Unanimous. Motion carried.*

Old Business:

1. Preliminary Engineering Report Update. John Rodeberg, SEH, notified the Council that the PER and ER were submitted to USDA Rural Development for the estimated \$27 million Infrastructure Improvement Project. A response was received from Rural Development (RD) that they would like to see the project divided into four smaller portions spread over eight years. The City should receive more RD grant/loan money than expected as the RD street repair policy changed and allows for more street area to be replaced over utilities. The RD project review process will likely take four months to complete.
2. Local State of Emergency Review. The Council discussed maintaining the local state of emergency to coincide with the MN Peacetime Emergency extension.
3. 2021 Budget. Updates to the 2021 Budget were reviewed and included lower City and Township contributions to the Ambulance Dept. as expenses and revenues were revised, MLS revisions with more sales occurring via off-sale, attorney fees and court fines being lowered, and \$2,000 for an SEH General Services Agreement being added. The Council discussed the Townships contribution to the Ambulance Dept. and whether they would be willing to pay the 182% increase. Chief Hackbarth has discussed the increase with the Townships.

4. 2021 Fee Schedule. The Council reviewed increases to Ambulance Charges and Auditorium Rental Rates. Discussion held on whether Ambulance rates would result in an increase in revenues as government insurance programs only pay a set amount and 75% of Ambulance patients are covered under those programs. The certify to taxes fee of 30% for delinquent utility accounts was discussed. Clerk Jerabek to review charges compared to surrounding cities and report back to Council.

New Business:

1. MNSPECT Contract Renewal. Ty Montgomery, MNSPECT, was present to review the current contract and answer questions regarding permit turnaround time and processing. The current Building Official contract with MNSPECT expires at the end of 2020. The Contract Amendment presented would extend the current contract through the end of 2023. *Motion by Fogarty second by Winfrey to approve the Contract Amendment with MNSPECT. Vote for: Unanimous. Motion carried.*
2. LTD Water Tower Lease. Mitch Grove, LTD Wireless, outlined the equipment to be installed with the proposed contract for leasing space on the City water tower, the history of LTD, and the price options for their wireless services. The Council discussed the proposed rental rate of \$150 per month, the 5-year length of the agreement, and the speed of the internet service to be provided. The Council will further review the agreement and contact to SEH to review and assist.
3. Capital Improvement Plan. Department Heads are still finalizing their 5-year plans and will present at the December meeting.
4. Resolution 20-23: Resolution Approving Assessments for Delinquent Utility Accounts and Other Work Performed by the City as Directed by City Code. The Council reviewed unpaid weed control violations as well as delinquent utility accounts to be assessed to 2021 property taxes. Discussion was held on the 30% assessment fee for utility accounts and whether it should be lowered due circumstances surrounding COVID-19. The properties were notified multiple times of the delinquent accounts and the assessment process. *Motion by Fogarty second by Penaz to approve Resolution 20-23. Vote for: Fogarty, Penaz, Butler, Johnson. Vote against: Winfrey. Motion carried.*
5. Application for Club License for American Legion Post 141. *Motion by Fogarty second by Johnson to approve 2021 Club License for American Legion Post 141. Vote for: Unanimous. Motion carried.*
6. Application for On-Sale Wine and Strong Beer License for BFK Management (DBA: Molly's Café). *Motion by Fogarty second by Johnson to approve 2021 On-Sale Wine and Strong Beer License for BFK Management DBA Molly's Café. Vote for: Unanimous. Motion carried.*
7. Application for MLS On/Off-Sale Liquor License. *Motion by Fogarty second by Johnson to approve 2021 On/Off-Sale Liquor License for Silver Lake Municipal Liquor Store. Vote for: Unanimous. Motion carried.*
8. 2021 Annual Meeting Date. Councilor Winfrey will not be present for the Annual Meeting on January 4, 2021 and requested that the date be changed. The Council discussed and the Annual Meeting will remain on January 4, 2021.

Open Discussion

1. Discussed the 30% certify to taxes fee for delinquent utility accounts.

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

Meeting adjourned at 8:50pm.

Jon Jerabek, Clerk/Treasurer

Seal of the City:

CITY COUNCIL
CITY OF SILVER LAKE

RESOLUTION 20-23: RESOLUTION APPROVING ASSESSMENTS FOR DELINQUENT UTILITY ACCOUNTS AND OTHER WORK PERFORMED BY THE CITY AS DIRECTED BY CITY CODE.

WHEREAS, The City Council, has determined that the below properties are to be assessed the following amounts for the services stated, and

WHEREAS, In accordance with City Code the following properties were in violation of the City Weed Control ordinance, notice was served and the parties failed to comply so the City performed the work and shall assess the costs as follows:

Weed Control Violations				
<u>PID</u>	<u>Address</u>	<u>Amount</u>	<u>Assessment Fee</u>	<u>Total Assessment</u>
19.053.0220	108 Lake Ave S	\$125.00	\$25.00	\$150.00
19.073.0010	102 Main St E	\$125.00	\$25.00	\$150.00
19.050.0050	141 Main St W	\$125.00	\$25.00	\$150.00

WHEREAS, In accordance with City Code the following properties have water/sewer accounts that are more than two periods delinquent and the amount of the outstanding bill plus a 30% assessment fee shall be assessed to the property taxes of said property:

Delinquent Water/Sewer Accounts				
<u>PID</u>	<u>Address</u>	<u>Delinquent Amount</u>	<u>Assessment Fee</u>	<u>Total Assessment</u>
19.053.0440	300 Lake Ave S	\$1,417.38	\$425.21	\$1,842.59
19.053.0380	208 Lake Ave S	\$214.43	\$64.33	\$278.76
19.053.0220	108 Lake Ave S	\$467.56	\$141.27	\$608.83
19.084.0090	214 East Ave NE	\$1,267.69	\$380.31	\$1,648.00
19.080.0450	800 Frank St NW	\$426.57	\$127.97	\$554.54
19.059.0095	805 Center St NW	\$255.62	\$76.69	\$332.31

THEREFORE BE IT RESOLVED, by the Silver Lake City Council that the above assessments are just and shall be certified to the McLeod County Auditor for assessment beginning with the 2021 property taxes.

Adopted by the City Council this 16th day of November 2020.

Dorothy Butler, Mayor

Seal of the City:

Jon Jerabek, Clerk/Treasurer

CITY COUNCIL

CITY OF SILVER LAKE

RESOLUTION 20-24: RESOLUTION AUTHORIZING THE USE OF CREDIT CARDS BY DESIGNATED CITY EMPLOYEES TO MAKE PURCHASES ON BEHALF OF THE CITY OF SILVER LAKE FOR 2020

WHEREAS, pursuant to Minnesota Statute 471.382, the City Council may authorize the use of credit cards by City employees otherwise authorized to make purchases on behalf of the City; and

WHEREAS, the City of Silver Lake has developed a City Procurement Card Policy which complies with State Statutes, Rules and the City of Silver Lake’s policies regarding City purchases; and

WHEREAS, the authorization is subject to modification and revocation at any time by the Silver Lake City Council;

THEREFORE BE IT RESOLVED, by the City Council of the City of Silver Lake, McLeod County, Minnesota that the following designated City staff are hereby authorized to use purchasing/credit cards in the name of the City of Silver Lake:

- Jon Jerabek, City Clerk/Treasurer
- Darrell Kaczmarek, Municipal Liquor Store Manager

BE IT FURTHER RESOLVED, that the aforementioned designated City staff are hereby authorized to use the following City credit card to make purchases on behalf of the City of Silver Lake:

- One VISA credit card issued through US Bank in the name of the City.

Adopted this 16th day of November 2020.

Dorothy Butler, Mayor

Seal of the City:

Jon Jerabek, City Clerk