**LAKE PARK CITY COUNCIL MINUTES**

2032 2nd Street, Lake Park, MN 56554

November 13th, 2023 - 7:00 pm

**A. CALL TO ORDER and ROLL CALL**

* Meeting called to order by Mayor John Beaudine at 7:00 p.m. at the Lake Park City Center.
* **Members Present**: Jon Anderson, John Beaudine, Kayla Mayer, Britney Ronning, and Aaron Wittrock
* **Members Absent**: N/A
* **Staff**: Chris Bromeling, Tammy Charbonneau, Dave Coufal, Todd Frank, Sarah Mikkelsen, Carla Nelson, Carly Olson, Adam Simon, and Kelly Stark
* **Contracted Services**: Dylan Ramstad Skoyles
* **Media**: N/A
* **Guests**: Abby Anderson

**B. ADDITIONS AND/OR REMOVALS**

**C. PUBLIC FORUM & CORRESPONDENCE**

 **1. R&R Transportation: Split and Easement** – Zoning ordinance allows for an exemption of a plat, and both parcels follow the Ordinance, so they qualify. Easement of Parcel 1 goes through Parcel 2.

**M/S/CU**: Anderson/Wittrock to approve exemption of a plat.

**2. Old Timers Run** – February 3, 2024, the Betterment Association may be putting on a kick-off

party on Friday night, February 2, at the American Legion. Looking at potentially having a parade with bonfires on main street in raised covered fire pits. Feedback is that bonfires are not allowed.

**D. CONSENT AGENDA**

 **1. Minutes of 10-09-23 Capital Financial 5:30 p.m. Meeting**

 **2. Minutes of 10-09-23 Regular Meeting**

 **3. Bills**

 **4. Council Report**

 **a. Aaron**

 **b. Britney**

 **c. John**

 **d. Jon**

 **e. Kayla**

 **5. EDA Report** – Village Square needs shingles and quotes have been received. Trying to get a grant for a walking path. Dollar General garbage is overflowing and it has become a public nuisance. Burnside may go to Dollar General and start enforcement procedures (may go straight to criminal), which doesn’t need to go in front of council. May also go the civil route. Mikkelsen and Burnside will discuss.

**M/S/CU**: Wittrock/Anderson to approve Consent Agenda.

**Roll Call:**  Anderson - Aye, Beaudine - Aye, Mayer – Aye, Ronning – Aye, Wittrock – Aye

**E. ADDITIONAL BILLS**

 **1. Additional Additional Bills** – Workman Compensation amount is for the year, and it is based on what was budgeted per department. There will be an increase for 2024.

 **M/S/CU**: Wittrock/Ronning motion to approve additional bills.

**F. STAFF REPORT**

 **1. Brandon Reber, Moore Engineering** –

**a. Water Treatment Plant Project** – In the next couple of weeks what can be done prior to receiving the chip for the controls will be completed. Anticipate all work will be finished by the December 11, 2023, City Council meeting.

 **b. Moore Engineering Invoice** - Invoice 35733 in the amount of $2,000 for the water treatment plant project.

**M/S/CU**: Ronning/Anderson to approve payment of $2,000 to Moore Engineering.

 **c. Wastewater Improvement Project** – Reber continues to reach out to Sweeney two times a week and awaits feedback on the schedule. Due to lack of response, Council gave consent to proceed with Reber letting Sweeney know he will be calling their Bonding company.

 **d**. **Turnkey** – Base course of asphalt is in, and the next layer will be done next year. Moore Engineering Invoice 35734 for $5,300.55.

 **M/S/CU**: Anderson/Ronning to approve Moore Engineering Invoice 35734 for $5,300.55.

 **2. Brenda Seley, Nutrition Coordinator**

 **a. Contract** – Approved at $8.35 per meal reimbursement from Nutrition Services.

 **b**. **Step Increase** - Seley didn’t take her annual step increase.

**3. Dave Coufal, Fire Chief**

 **a. Calls** - There were 6 total calls:1 landing zone, 1 truck converse power line, 1 lift assist, 1 CO, 1 grass fire, and 1 motor vehicle accident. There was 1 structure fire today that went well.

 **b**. **Donation** – Received $600 donation from Ag Country Farm Credit Services

 **M/S/CU**: Anderson/Wittrock to approve donation of $600 from Ag Country Farm Credit Services.

**c. Unit 3** – Scheduled to arrive later this week or next week. Need check for $201,328 upon delivery of the unit. There are change order items and updates included in the meeting packet in the amount of $29,498.51 ARPA money which means that out of the truck funds savings balance comes $171,829.49 which gives us about $60,000 in capital investment.

 **M/S/CU**: Wittrock/Ronningto approve check for $201,328 to Rosenbauer South Dakota LLC for payment for Unit 3.

.  **5. Carly Olson, Municipal Liquor Manager**

1. **Dissolve 2nd Assistant Manager Position** - Due to finances, this position is being dissolved. It is notatermination or a demotion. As a result, this triggers a Loudermill hearing which gives employee a chance to make a case with due process. Need to give a notice and it will be an open meeting unless the employee requests it to be a closed meeting. If employee doesn’t want an open meeting, Ramstad Skoyles will confirm if the open meeting can be waived. Special meeting can be done as soon as 30 days. Skoyles will confirm if there are any exceptions. Employee is entitled to earned sick time and earned PERA amount (may be penalty to withdraw). There are two sides of PERA, vested amount the city put in and the amount the employee put in. The employee is requesting the unvested amount as severance. Skoyles to set Loudermill hearing date as soon as possible. Will take employee’s recommendation at the hearing.
2. **Holiday Pay for Part-Time Employees** – Currently part-time employees do not get time and a half pay to work Holidays. Part-time employees have the same Holidays as full-time employees, which are reflected in the employee manual. This applies to all part-time employees regardless of department (Utilities Lawn, Liquor Store, and Pool). Full-time employees get time and a half comp plus a paid day off when working on a Holiday.

 **M/S/CU**: Wittrock/Mayer motion to approve part-time employees to get time and a half for working Holidays.

 **Amended M/S/CU**: Wittrock/Mayer motion to approve part-time employees to get time and a half for working Holidays starting January 1, 2024.

 **6. Brady Burnside, Police Chief –** N/A

 **7. Todd Frank, Utility & Public Works Superintendent**

 **a. DGR Engineering -** Awarded Contract for labor to Midwest Facility Services for $273,715.

 **M/S/CU**: Ronning/Mayer to approve award of contract.

1. **On Call Compensation** – Currently get 2 hours of comp time for Saturday and 2 hours of comp time for Sunday. Other municipalities are compensated much more for being on call. Requesting 4 hours of comp time for Saturday and 4 hours of comp time for Sunday for being on call.

**M/S/CU**: Beaudine/Anderson to approve increase of on-call comp time from 4 hours to 8 hours for the week when on call.

1. Getting wires and junction boxes and running gas to the new apartment building.
2. Frank earned Class C water certification and Mann earned Class D water certification.

 **8. Dylan Ramstad Skoyles, City Attorney**

 **a. Accessory Structure** – Potential to add accessory structure to storage container Ordinance. Skoyles to add cargo container/accessory structure (shed, garage, any structure not living in) for public hearing. Existing commercial places that have storage containers are grandfathered in. Will discuss at next month’s open meeting. Moratorium is still in effect.

 **b**. **League of Minnesota Cities** – League has filed motion to dismiss the ongoing litigation. Pending receipt of official document.

 **9. Sarah Mikkelsen, City Clerk-Treasurer**

 **a. Budget Fund Summaries** -

 **b. State Bank of Lake Park CD** – CD came due, $105,446.92 at 2% interest has been rolled into a 15 month CD at 4.79% interest.

 **c. Lakes Accounting Lease** – Council will review information this month and this will be discussed at the December 11, 2023, City Council meeting. They are delinquent on rent and delinquent on 2 years taxes which becomes the City’s responsibility. The City has the right to cancel the lease/not renew it due to Lakes Accounting’s many infractions. Mikkelsen will send letter to Lakes Accounting stating all delinquent payments need to be paid up on taxes and rent prior to December 8th. Decision of renewal/non-renewal of the lease will be made at the December 11th City Council meeting.

 **d. Performance Appraisal** – City Council members will complete appraisals of city management staff prior to December 11th City Council meeting.

 **e. Earned Sick and Safe Time** – Needs to legally be implemented by January 1, 2024. This is for sick time and is separate from vacation. The main difference is that part-time and seasonal employees can now earn sick time, 1 hour for every 30 hours worked up to a maximum of 80 hours. And there is a wider window of what qualifies for sick and safe time. The existing sick time policy has been updated to include the new requirements, which is the best option financially for the City. There are other options, such as sick and safe time hours can be front loaded and whatever isn’t used is paid to the employee. Accrual of sick and safe time starts when an employee is hired. Decision will be tabled until the December 11th City Council meeting to incorporate any requested changes.

 **f. 2024 Preliminary Budgets** – Preliminary budgets provided are the department head’s suggestions as an FYI. Will revisit next month. City Council members will meet with department heads to discuss and provide input before the December 11th City Council meeting.

 **g. Workman’s Comp Audit** – Mikkelsen is in the process of working on this and it will be completed prior to the December 11, 2023, City Council meeting.

**H. NEW BUSINESS**

 **1. Lakes Country Service Cooperative Contract** – FYI this is an annual contract as part of drug testing requirements.

 **M/S/CU**: Anderson/Wittrock motion to approve Lakes Country Service Cooperative Contract.

 **2. Ochs: Annual Rate on Long Term Disability** – FYI rates stay the same. No motion required.

**I. OLD BUSINESS**

 **1. Amending Ordinance Discussion: Relating to Building Type**

 **2. Water and Sewer Rates** – Proposed rates provided are based on Jason Murray with David Drone & Associates suggestions of raising water rates and meters by 8% and sewer rates and meters by 5% effective January 1, 2024. January bill will have December 2023 rate and then it will change to the new rates with the February 2024 bill. Mikkelsen will send out a letter explaining the increases with the December utility bill.

 **M/S/CU**: Anderson/Wittrock to approve recommended water, sewer, and meters rates increases.

**J. OTHER BUSINESS**

 **1. Tax Levy** – Will be set next month.

 **2**. **Cost of Living** - Will discuss increase at the December 11th City Council meeting.

**K. ANNOUNCEMENTS**

 **1. Parade of Trees -** Starting Thursday, November 23, 2023, through Saturday, November 24, 2023, at the Legion. A letter was sent with the November utility bill.

 **2.** **Truth and Taxation Meeting**: December 4, 2023, at 6:00 p.m. at City Hall. County representation will attend to discuss the taxes.

**L. ADJOURNMENT**

 **M/S/CU:** Wittrock/Ronning to adjourn meeting at 8:22 p.m.