

**City of Menahga
Regular City Council Minutes
January 8, 2024**

1. Call to Order

The Menahga City Council held their Regular Monthly Meeting on Monday January 8, 2024.

Mayor Elizabeth Olson called the meeting to order at 6:04 pm due to Consultant Thomsen looking for the City of Menahga recorder for the meeting. None was found.

2. Roll Call

Comprising a quorum of the Council, the following members were present:

Mayor Elizabeth Olson	Durwin Tomperi	Mike Netland
Dan Warmbold	Jody Bjornson	

City Office Staff present: Consultant Betty Thomsen

3. Pledge of Allegiance

4. Approval of Agenda

Consultant Thomsen asked to add under 10. New Business: m. MCFOA Conference; Council Member Bjornson asked to remove and vote on separately, 7. Consent Agenda f. Approve Mayor's Council Member Representatives.

Main Motion: To approve the Agenda as amended to add 10 m. - MCFOA Conference and, vote separately on 7. Consent Agenda - f. Approve Mayor's Council Member Representatives.

Moved by:	Bjornson
Seconded	Tomperi
Action:	Motion carried by a 5-0 voice vote
In favor:	Olson, Tomperi, Warmbold, Netland, Bjornson
Opposed:	None

5. Communication Appearance Request - None.

6. Public Forum and Correspondence - None.

7. Consent Agenda –

- a. December 11, 2023 T-N-T Public Hearing Council Meeting Minutes
- b. December 11, 2023 Regular Council Meeting
- c. Designate Official Depositories for 2024
- d. Designate Official Newspaper for 2024
- e. Designate Legal Council for 2024
- f. Removed for a separate Motion

**Main Motion: To approve the following: Minutes of:
December 11, 2023, Truth and Taxation Public Hearing and December 11, 2023, Regular Council Meeting Minutes;
Official Depositories - Community First Bank of Menahga and 4M Fund/PMA Financial;
The Official Newspaper - The Review Messenger;
Civil Legal Counsel – Flaherty & Hood, P.A.; and,
Criminal Legal Counsel - Kyra Ladd, Wadena County Attorney.**

Moved by:	Bjornson
Seconded	Netland
Action:	Motion carried by a 5-0 voice vote
In favor:	Olson, Tomperi, Warmbold, Netland, Bjornson
Opposed:	None

Council Member Bjornson discussed the need for other Council Members being made aware of what is discussed at other Representative Meetings, and specifically, questioned the meeting with the Wadena County Sheriff Carr in December 2023. It was reported that Sheriff Carr had called the meeting. Consultant Thomsen stated that Sheriff Carr asked that if any Council Member was interested in the discussion that was held, they were to call him directly. Thomsen also agreed to provide information to other Council Members from representative meetings if the information is provided to her.

f. Approve Mayor’s Appointments – Council Representatives:

Main Motion: To approve the following Mayor's Appointments:
Acting Mayor – Durwin Tomperi;
Planning & Zoning Commission – Michael Netland;
Personnel/Hiring/Negotiations– Michael Netland and Elizabeth Olson;
Fire Relief Association – Durwin Tomperi and Jody Bjornson;
Greenwood Connections Board – Michael Netland and Durwin Tomperi (appointed December 11, 2023 Meeting).;
Fire Contract – Daniel Warmbold and Jody Bjornson;
for the 2024 year.

Moved by:	Netland
Seconded	Warmbold
Action:	Motion carried by a 5-0 voice vote
In favor:	Olson, Tomperi, Warmbold, Netland, Bjornson
Opposed:	None

8. Public Hearings – None.

9. Acknowledgment/Motion of receipt of Board/Commission Minutes.

a. Greenwood Connections Board Minutes and Report - Laura Ahlf

Greenwood Connections Administrator Laura Ahlf presented her report.

- i. Nursing Home census was 88.83% for December 2023 and reported that overall, an 85% would break even, although rates are varied according to services that are necessary for the resident.
- ii. Reported a net loss of \$163,370 at the end of the month based on the Workforce Incentive Grant being paid out in November.
- iii. Reported the fraudulent checks had been paid back to GWC. Council Member Netland asked if GWC was reimbursed for lost earnings and recommended that Ahlf have a conversation with the Bank on this issue.
- iv. Discussed Pay Equity Reporting and a possible Ordinance change, if the City and GWC were to report separately;
- v. Handed out the updated Personnel Handbook to the Board;
- vi. Reported GWC's Holiday Party is scheduled January 12, 2024 @ 5:00 p.m.
- vii. The Nursing Home is still in a Covid outbreak for another 14 days with most cases consisting of just cold symptoms and nothing serious.
- viii. Received quotes for two (2) commercial washing machines accepting the Milnor Washing Machines from Minnesota Chemical Company for a total of \$54,335. Payment for the machines will be paid out of the Capital Improvement Funds received from the State.

Main Motion: To approve the Greenwood Connections Report and Financials as presented by Greenwoods Connections Administrator Laura Ahlf.

Moved by:	Tomperi
Seconded	Warmbold
Action:	Motion carried by a 5-0 voice vote
In favor:	Olson, Tomperi, Warmbold, Netland, Bjornson
Opposed:	None

b. Planning Commission Minutes - January 4, 2024 - Informational Only.

10. New Business

a. 2024 Fee Schedule

Main Motion: To approve the 2024 Fee Schedule as presented with the effective date of January 1, 2024.

Moved by:	Netland
Seconded	Bjornson
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

b. Resolution #2024-01 Accepting Donation from Ferguson Waterworks

Ferguson Waterworks updated its' Neptune 360 program and it requires a Galaxy Tablet A7-Lite. Ferguson Waterworks wishes to donate the Tablet to the City.

Main Motion: To approve Resolution #2024-01 to Accept Donation from Ferguson Waterworks for the Galaxy Tablet A7-Lite.

Moved by:	Warmbold
Seconded	Netland
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

c. Purchase of Computers for Administrative Staff

The office computers need to be replaced based on their age and inability to properly update to Windows 11. Requesting to purchase three (3) new desktop

computers and one laptop from West Central Telephone Assn at a total cost of \$3,671. Thomsen reported there are funds available for this purchase.

Main Motion: To purchase three (3) new Lenovo ThinkCentre M70q Gen 4 Computers and one (1) Lenovo V14 Laptop at a total cost of \$3,671.00.

Moved by:	Netland
Seconded	Bjornson
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

d. Authorize Mayor to Execute the Notice to Terminate JPA

Thomsen reported that in 2005 the City of Menahga executed a Joint Powers Agreement with Wadena/Hubbard Couty Emergency Response Unit (S.W.A.T Team). It was her understanding that a prior Police Office was a part of the S.W.A.T. Team, however, the City did not have any property or assets Wadena County is asking that we execute the Notice to Terminate the JPA.

Main Motion: To authorize the Mayor to execute the Notice to Terminate the JPA and direct City staff to mail said Notice as requested by the County.

Moved by:	Tomperi
Seconded	Netland
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

e. Authorize Staff to have Menahga Concrete Assist with Snow Removal.

Thomsen provided a rate sheet from Menahga Concrete Products which depicts the hourly rate per piece of snow equipment.

Main Motion: To authorize the City staff to utilize the services of Menahga Concrete Products at the prices quoted, in the event the City needs its' assistance in snow removal for 2024.

Moved by:	Tomperi
Seconded	Warmbold
Action:	Motion carried on a 4 - 1 Abstention voice vote
In favor:	Tomperi, Warmbold, Netland, Olson
Opposed:	Abstained: Bjornson

f. Sourcewell Representative Assembly

Thomsen reported that Sourcewell has extended an invitation to nominate up to two (2) elected officials to represent the City and attend the Representative Assembly Meeting on Wednesday, April 17, 2024, in conjunction with the Students of Character Celebration. Nominations deadline is March 15, 2024.

Main Motion: To nominate Michael Netland and Elizabeth Olson as representatives to this Assembly, and to have staff submit the names and contact data of the nominees to Sourcewell.

Moved by:	Bjornson
Seconded	Warmbold
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

g. Adopt Council By-Laws

Thomsen reported the League of Minnesota Cities Ethics Advisory Panel has made available the MN Mayors Handbook/MN Mayors Association with a new date of October 2023. Changes to the existing By-Laws are as follows: On Page 44 IV - Quorum, the number "3" has been inserted; on page 48 - XII. AGENDA - A. The words "noon the Wednesday preceding the next meeting" have been inserted and under B., the number "3" has been inserted. Pages 70-73 have been re-typed and entitled Statement of Values, Menahga City Council. (Thomsen also presented a copy of the City of Menahga Organizational/Chain of Command Chart).

Main Motion: To adopt the City of Menahga City Council By-Laws as created by the League of Minnesota Cities (LMC) Ethics Advisory Panel, October 2023.

Moved by:	Netland
Seconded	Tomperi
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

h. Minnesota Pollution Control Agency (MPCA) Correspondence

The Council packet contained a letter from the MPCA regarding the City's final NPDES.SDS Permit with all the information pertaining to the permit and the use thereof.

Main Motion: To acknowledge receipt of the correspondence received from the MPCA pertaining to the issuance of the final Permit for the City's Wastewater Treatment Facility and the accompanying data dated January 2, 2024.

Moved by:	Warmbold
Seconded	Bjornsoni
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

i. Set Interview Date for Deputy Clerk Position

It was the consensus of the Council to set Monday, January 29th, 2024 @ 5:00 p.m. for the interview of two (2) applicants for the Deputy Clerk position.

j. Resolution #2024-02 Accepting Donation from Gateway Lions Club

The City received a check for \$1,000 from the Gateway Lions Club for the Sounds of Spirit Lake.

Main Motion: To approve Resolution #2024-02 to Accept Donation from the Gateway Lions Club in the amount of \$1,000 for the Sounds of Spirit Lake.

Moved by:	Netland
Seconded	Tomperi
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

k. Non-Sewer Rate

Thomsen requested to change the non-sewer flat rate from \$15.93 per month to \$27.52 per month based on the taxing on our wastewater treatment system.

Main Motion: To change the non-sewer flat rate from \$15.93 per month to \$27.52 per month and to direct the staff to change the utility program to reflect this new rate as of the January 2024 billing period.

Moved by:	Bjornson
Seconded	Warmbold
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

I. Schaefer Rezoning

Olson reported that the Planning & Zoning Commission had held the Public Hearing and recommended approval of the rezoning. Action documents will be provided at the January 29th meeting.

m. MCFOA Conference

Thomsen reported that the Annual MCFOA Conference is scheduled for March 19-22 in St. Cloud, MN. She requested that the Council approve sending Administrative Assistance Vry to this conference. Registration is \$450/person plus lodging and mileage.

Main Motion: To authorize the expenditure for the MCFOA Annual Conference in St. Cloud, March 19-22 at a cost of \$450, plus lodging, tax and mileage.

Moved by:	Tomperi
Seconded	Netland
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

11. Unfinished Business

a. Utility Billing

Thomsen indicated that she included an email from City Attorney Kringler indicating that according to Minnesota Statutes 541.05, the City has the legal right to collect the proper rates and in fact, the City has an obligation under the law to collect them. Thomsen further stated that she is looking for a possible individual/entity to assist with an audit of the accounts, prior to sending out the

billings.

Main Motion: To authorize the City staff to issue corrected utility bills, less any amount that had been paid on the incorrectly billed statement, and to go back as far as six (6) years. Corrected bills are not to bear any fines/penalties, and bills are to be preceded by a letter of explanation and offer them the option to enter into a payment plan. That all billings shall be accurate and follow Minnesota Statute 541.05.

Moved by:	Olson
Seconded	Netland
Action:	Motion carried on a 4-1 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson
Opposed:	Bjornson

12. Correspondence/Information

a. Minnesota Emergency Medical Services Regulatory Board - Notice of Application from North Memorial for New Type of License

Thomsen reported receiving a Notice from North Memorial Park Rapids for a new type of license to provide Basic Life Support and Part-time Advanced Life Support (ALS).

b. Ehlers - Written Municipal Advisor Client Disclosure with the City of Menahga

Thomsen indicated that this Disclosure is required Pursuant to MSRB Rules G-10 and G-42.

13. Consideration of Bills

- a. Batch #121823PAY in the amount of - \$320.28;
- b. Batch #122023PAY in the amount of \$36,164.40;
- c. Batch #122923PAY in the amount of \$27,061.70;
- d. Batch #123123 EFT in the amount of \$45,462.56;
- e. Batch #DEC23AP1 in the amount of \$7,248.24; and,
- f. Batch #010824PAY in the amount of \$525,041.78

Olson reported that the last Batch #010824PAY's large amount represented the City Bond payments.

**Main Motion: To approve consideration of bills:
Batch #121823PAY - \$320.28;
Batch #122023PAY - \$36,164.40;
Batch #122923PAY - \$27,061.70;
Batch #123123EFT - \$45,462.56;
Batch #DEC23AP1 - \$ 7,248.24; and,
Batch #010824PAY - \$525,041.78
for a total of \$641,298.96.**

Moved by:	Netland
Seconded	Warmbold
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None.

14. Adjournment

Main Motion: To adjourn at 7: 16 pm.

Moved by:	Netland
Seconded by:	Bjornson
Action:	Motion carried on a 5-0 voice vote
In favor:	Tomperi, Warmbold, Netland, Olson, Bjornson
Opposed:	None

Alvina Kytta, Acting Clerk/Treasurer

Elizabeth Olson, Mayor