

**Regular City of Menahga  
Regular City Council Minutes  
January 9, 2023**

**1. Call to Order**

The Menahga City Council held their Regular Monthly Meeting on Monday January 9, 2023.

Vice Mayor Durwin Tomperi called the meeting to order at 6:02 pm.

**2. Oath of Office**

Temporary City Administrator Laura Ahlf administered the Oath of Office for Mayor Elizabeth Olson and Councilmembers Jody Bjornson and Michael Netland.

**3. 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: Temporary City Administrator/Clerk/Treasurer Laura Ahlf and Deputy Clerk Lacey Erickson

**4. Pledge of Allegiance**

**5. Approval of Agenda**

Mayor Olson asked to amend the Agenda to add a Closed Meeting concerning a pending litigation with the Law Enforcement Labor Services (LELS) as #14 on the Agenda, prior to adjournment of the meeting, pursuant to Minnesota Statutes Section 13D.06, Subd. 3(b).

**Main Motion: To approve the Amended Agenda adding #14 – Closed Meeting pursuant to Minnesota Statutes Section 13D,06, Subd. 3(b) prior to the adjournment of the meeting.**

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

## 6. Communication Appearance Request

### a. Gloria Markkula - Menahga C & C

Gloria Markkula, President of the Menahga C & C, was unable to attend the meeting. She asked Mayor Olson to report on the Fishing Derby this weekend and the events that go along with it. She also wanted to thank the public works staff for their services and supplies that they provide every year.

## 7. Public Forum and Correspondence - None

### 7. Consent Agenda –

#### Minutes to Approve:

- a. November 28, 2022 – Work Session/Special Meeting
- b. December 5, 2022 – Budget Meeting
- c. December 12, 2022 – Truth-in-Taxation Meeting
- d. December 12, 2022 - Regular Council Meeting
- e. Official Newspaper 2023 – Review Messenger
- f. Appoint Civil Legal Counsel – Flaherty & Hood, P.A.
- g. Appoint Acting Mayor – Durwin Tomperi
- h. Approve Mayor’s Appointments to Planning Commission – Council Member – Michael Netland
- i. Approve Mayor’s Appointments – Council Representatives:
  - a. Personnel/Hiring/Negotiations – Durwin Tomperi and Liz Olson
  - b. Fire Relief Association – Durwin Tomperi and Liz Olson
  - c. Greenwood Connections Board – Michael Netland and Liz Olson
  - d. Fire Contract – Dan Warmbold and Jody Bjornson

**Main Motion: To approve the Consent Agenda of the following: Minutes of the Special Meeting/Work Session of November 28, 2022; the Budget Meeting of December 5, 2022; the Truth-in-Taxation Meeting of December 12, 2022; and the Regular Council Meeting of December 12, 2022; The Official Newspaper for 2023- The Review Messenger; Civil Legal Counsel – Flaherty & Hood, P.A.; Acting Mayor – Durwin Tomperi; Planning & Zoning Commission – Michael Netland;**

**Personnel/Hiring/Negotiations–Durwin Tomperi and Liz Olson;  
Fire Relief Association – Durwin Tomperi and Liz Olson;  
Greenwood Connections Board – Michael Netland and Liz Olson;  
Fire Contract – Dan Warmbold and Jody Bjornson;  
**For the 2023 year.****

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

**j. Appoint Criminal Legal Counsel**

Ahlf reported that she had contacted Wadena County Attorney Kyra Ladd to ascertain her interest in providing the City with criminal legal counsel for a \$700.00 monthly retainer fee. Ramstad, Skoyles, & Winters is currently charging \$800.00/month. Ladd stated she would be willing to serve the City in this capacity, upon approval by the Wadena County Board of Commissioners. Ahlf mentioned it may be March 2023 before the request and approval process is complete.

**Main Motion: To approve retaining Ramstad, Skoyles & Winters, P.A. as the City’s Criminal Legal Counsel and, to direct Laura Ahlf to contact Wadena County Attorney Kyra Ladd to start the process of the approval for her office to provide the City of Menahga with the Criminal Legal Counsel representation.**

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

**9. Public Hearings – None**

**10. Acknowledgment/Motion of receipt of board/commission minutes.**

- a. Greenwood Connections Administrator Laura Ahlf presented her report.
- i. Nursing Home census today was 88% for December 2022. Currently at 56 residents.

- ii. Transportation services for residents are an issue. They are having a hard time finding transportation services due to the lack of availability. The nursing home has provided some transportation services and get reimbursed for them.
- iii. Positive bottom line for the month of November 2022.
- iv. Ahlf reported staffing issues as a problem. They have been offering short shift pay as a way keep enough staff on for the safety of their clients.
- v. Ahlf explained the Transitional Care Unit (TCU) at Greenwood Connections.

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

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

**11. New Business**

**a. Correct Resolution #2022-41 with Resolution #2023-01**

Ahlf explained that Resolution #2022-41, Adopting the General Fund Budget, was incorrect. The revenues and expenditures listed as \$1,255,592.84 were missing the G.O. Bonds expenditures. The corrected number is \$1,356,311.48.

CITY OF MENAHGA, MINNESOTA

**Resolution No. 2023-01**

**A Resolution of the Menahga City Council Adopting the General Fund Budget for 2023**

WHEREAS, the City of Menahga Conducted it’s Truth-in-Taxation Hearing on December 12, 2022 at 6:00 pm in the City Council Chambers,

NOW, THEREFORE BE IT resolved by the City Council of the City of Menahga does hereby adopt the corrected General Fund Budget for 2023 as follows:

**General Fund Revenues    Original \$1,255,592.84    Corrected \$1,356,311.48**  
**General Fund Expenditures Original \$1,255,592.84    Corrected \$1,356,311.48**

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to enter the 2023 budget into the Banyon Accounting System.

Adopted by the City Council of the City of Menahga, Minnesota, this 9<sup>th</sup> day of January 2023.

\_\_\_\_\_  
Elizabeth Olson, Mayor

\_\_\_\_\_  
Laura Ahlf, Temporary City Administrator

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**Main Motion: To adopt Resolution # 2023-01 to correct Resolution #2022-41.**

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

**b. Appoint Brian Madsen to the Planning and Zoning Commission term ending 12-31-24**

At the regular monthly meeting of the Planning & Zoning Commission held January 5, 2023, the Planning and Zoning Commission made a recommendation for the appointment of Brian Madsen to the Commission to serve the remaining term of Micheal Netland.

**Main Motion: To approve the appointment of Brian Madsen to the Planning and Zoning Commission with the term ending 12-31-24.**

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

**c. Official Depositories for 2023**

The official depositories are the same as in 2022 and are as follows: Community First Bank of Menahga and Sebeka, TruStar Federal Credit Union, the 4-M Fund, Ameritrade Finance and Ehlers.

CITY OF MENAHGA, MINNESOTA

**Resolution No. 2023-02**

**Resolution Reauthorizing Membership in the 4M Fund for 2023**

WHEREAS, Minnesota Statutes (the Joint Powers Act) provides that governmental units may jointly exercise any power common to the contracting parties; and

WHEREAS, The Minnesota Municipal Money Market Fund (the 4M Fund) was formed in 1987, pursuant to the Joint Powers Act and in accordance with the Minnesota Investment Statutes, by the adoption of a joint powers agreement in the form of a Declaration of Trust; and

WHEREAS, The Declaration of Trust, which has been presented to this Council, authorizes municipalities of the State of Minnesota to become Participants of the Fund and make use from time to time, including the 4M Liquid Asset Fund, the 4M Plus Fund, the Term Series, the 4M Limited Duration Fund, the Fixed Rate Programs, and other fund services offered by the Fund; and

WHEREAS, This Council deems it to be in the best interest for the municipality to make use of from time to time, the approved services provided by the 4M Funds service providers, including investment advisor (PMA Asset Management, LLC), the administrator (PMA Financial Network, LLC), the distributor (PMA Securities, LLC) for the Fixed Rate Program Provider, PMA Financial Network, LLC and PMA Securities, LLC and the Custodian, U.S. Bank National Association, (“Service Providers”) and/or their successors.

WHEREAS, This Council deems it advisable for this municipality to enter into the Declaration of Trust and become a Participant of the Fund for the purpose of joint investment with other municipalities so as to enhance investment earnings accruing to each; now, therefore BE IT RESOLVED:

**Section 1.** This municipality renews its’ membership as a Participant of the Fund and adopt and enter into the Declaration of Trust, a copy of which shall be filed in the Minutes of this Meeting. The appropriate officials are hereby authorized to execute those documents necessary to effectuate entry into the Declaration of Trust and participate of all Fund programs.

**Section 2.** This municipality is authorized to invest monies from time to time and to withdraw such monies from time to time in accordance with the Declaration of Trust. The following officers of the municipalities or their successors are designated as “Authorized Officials” with the authority to effectuate investments and withdrawals in accordance with the Declaration of Trust:

Elizabeth R. Olson, Mayor

\_\_\_\_\_  
Signature

Durwin Tomperi, Vice-Mayor

\_\_\_\_\_  
Signature

Laura Ahlf, Temp. Admin.

\_\_\_\_\_  
Signature

(Additional names may be added on a separate list. The treasurer shall be advised of any changes in authorized Officials in accordance with Fund procedures.)

**Section 3.** The Trustees of the Fund are designated as having official custody of those monies invested in accordance with the Declaration of Trust.

**Section 4.** That the municipality may open depository and other accounts, enter into wire transfer agreements, safekeeping agreements, third party surety agreements securing deposits, collateral agreements, letters of credit, lockbox agreements, or other applicable or related documents with institutions participating in Fund programs including U.S. Bank National Association, or its successor, or programs of PMA Financial Network, LLC or PMA Securities, LLC for the purpose of transaction clearing and safekeeping, or the purchase of certificates of deposit (“CDs”) or other deposit products and that these institutions shall be deemed eligible depositories for the municipality. PMA Financial Network, LLC and PMA Securities, LLC and their successors are authorized to act on behalf of this municipality as its agent with respect to such accounts and agreements. Monies of this entity may be deposited in such depositories, from time to time in the discretion of the Authorized Officials, pursuant to the Fund’s Programs available through its Services Providers.

It is hereby certified that the Council of the City of Menahga adopted this Resolution at a duly convened meeting of the Council held on the 9<sup>th</sup> day of January, 2023, and that such Resolution is in full force and effect on this date, and that such Resolution has not been modified, amended, or rescinded since its adoption.

\_\_\_\_\_  
Elizabeth Olson, Mayor

\_\_\_\_\_  
Laura Ahlf, Temporary City Administrator

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**Main Motion: To adopt Resolution #2023-02 Reauthorizing Membership in the 4M Fund, and to approve Community First Bank of Menahga and Sebeka, TruStar Federal Credit Union, the 4M Fund, Ameritrade Financial and**

**Ehlers as the 2023 Official Depositories for the City of Menahga.**

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

**d. November 2022 Financials**

Ahlf explained that the tax levy from Wadena County was received in November, the Local Government Aid from the State was received in December and will reflect in those monthly financials.

**Main Motion: To approve November 2022 Financials.**

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

**e. Councilmember Binders, training, and City website information**

Mayor Olson received correspondence from the Mayor of Royalton about informational binders they have prepared and will provide to new council members. Tomperi inquired as to the labor involved in printing 5 copies of the information to include in a binder. Deputy Clerk Lacey Erickson stated it would be a lot of printing but could do one master copy in a binder and make flash drives with the information on it to give to the council. Mayor Olson stated would be beneficial for new Council members to complete training for elected officials that is provided through the League of Minnesota Cities (LMC). One of the trainings are being held in Alexandria is March 3-4, 2023.

**f. CLEO Report**

Acting CLEO Chief Deputy Schoon presented a report for December 2022. He stated that there were 72 calls. Schoon was questioned about the number of tickets issued from police department stops. Schoon did not have that information available but stated he could provide it at a later date. Schoon reported complaints about the visibility at the intersections of Highway 71 and 87. There is currently no parking allowed, and the curbs are painted yellow, but the snow coverage has covered the paint. The Council discussed placing a "No Parking to Corner" sign.

Public Works Supervisor Ron Yliniemi stated he had reached out to the State previously and was told the sign would have to come from the State. Chief Deputy Schoon explained he had also reached out to the State and spoke to Kenneth Hanson on the issue. The Council would need to decide if they would make their own Ordinance for this situation, or adopt the State Statute to make it enforceable. Chief Deputy Schoon stated that he would work with Yliniemi in contacting the State further and following up on the issue.

**12. Unfinished Business**

**a. County Agreement**

According to Ahlf, the City attorney has reviewed the Chief Law Enforcement Officer (CLEO) Reimbursement Agreement for Wadena County to provide CLEO services in the absence of a Chief of Police. The City attorney had no concerns with the agreement as presented. Chief Deputy Schoon explained the duties of the CLEO including overseeing the Police Department until the Chief of Police position is filled. Duties also include supervision of police officers currently employed with the City, reviewing reports, working with prosecuting attorney, ensuring officers POST mandates are current, and making sure any other needed training is up-to-date. Mayor Olson reported that it was her understanding that if there is no CLEO, the Police Department would have to be shut down. Chief Deputy Schoon confirmed that it is the State mandate. After reviewing the Menahga PD roster, Chief Deputy Schoon said there are 3 officers remaining including 1 full time and 2 part time.

**Main Motion: To approve the reimbursement Agreement for CLEO services with Wadena County Sheriff’s Office at \$65 per hour, billed monthly by the County.**

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

**b. 2023 Pay Scale – Non-Union**

The current pay scale in effect is from 2019 and outdated. Ahlf contacted nearby communities regarding their pay scale and adjusted the City of Menahga's wage scale in comparison to those contacted. Mayor Olson stated that it should be looked into further, although, the City of Frazee did a wage

study and they are the same size as Menahga. Ahlf verified that the 2023 budget did reflect wage increases. Discussed that steps for current employees will be adjusted to reflect the updated wage scale, taking into consideration years of service/hours versus current steps the employee is at. Council agreed to make change effective January 1, 2023, as that was the beginning of a pay period. It was verified that all positions included in proposed wage increases were non-union employees. Ahlf reported the AFSCME union was de-certified and was no longer in negotiations. Wage increases have been compared with nursing home for 2024 State Wage Equity Study.

**Main Motion: To approve the 2023 pay scale for non-union City employees, retro-active to January 1, 2023.**

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

**c. Administrative Credit Card/Online Payments**

An agreement with AllPaid Inc. was presented by Admin. Secretary Dustyne Hewitt for credit card payments for utility billing and other services. The agreement between the City of Menahga and AllPaid, Inc. states that there is no cost to the City. The fees listed in the agreement include 2.95% for utility bills and 4% for the campground that will be passed on to the customer.

**Main Motion: To approve the Agreement between the City of Menahga and AllPaid, Inc to set up online and credit card payments at no additional cost to the City.**

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

**13. Consideration of Bills**

- Batch #113022EFT - \$54,798.75 - November EFT Bills
- Batch #121322PAY - \$688.90 - Utility billing error reimbursement (2021-2022)
- Batch #122122UBPostage - \$248.30 - December utility billing postage

Batch #122822UBReimb - \$136.13 - Utility accounts closed with credits owed  
 Batch #123022PAY - \$99,163.08 - December bills  
 Batch #123022EFT - \$38,684.62 - December EFT  
 Batch #123122PAY - \$24,463.02 - December bills (posting before closing 2022)

Ahlf reported the Ulteig invoice in the amount of \$9,491.00 was for the completed design of the TH87 Water Main project. Ahlf asked Ulteig for a breakdown of services due to the fact that she did not realize this project was approved by the Council. Yliniemi responded this was for the completed design for the project. The next steps would be getting quotes to replace the water main. Tomperi asked on whether we own the proprietary rights to the designs and drawings that were completed. Yliniemi replied yes, the City owns the designs and drawings and can use them at our own discretion.

**Main Motion: To approve consideration of bills:  
 Batch #113022EFT - \$54,798.75;  
 Batch #121322PAY - \$688.90;  
 Batch #122122UBPostage - \$248.30;  
 Batch #122822UBReimb - \$136.13;  
 Batch #123022PAY - \$99,163.08;  
 Batch #123022EFT - \$38,684.62; and,  
 Batch #123122PAY - \$24,463.02  
 for a total of \$218,182.80.**

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

#### 14. Closed Meeting

Mayor Olson read a prepared statement, stating that the Closed Meeting is concerning a pending litigation with the Law Enforcement Labor Services (LELS) for a reported Contract Grievance. This portion of the meeting will be closed pursuant to Minnesota Statute 13 (d) 05, Subsection 3 (b), and the grounds for closing it are as follow: The City’s need for absolute confidentiality outweighs the purposes of the Open Meeting Law in this case based on the following: Absolute confidentiality is necessary so that the City Council and City’s Legal Counsel can have an open and candid discussion to determine the available legal options to handle the litigation including response strategies and possible areas of reconciliation. The purpose of the closed meeting is not to make a decision behind closed doors, but instead to determine the legal options to

handle the litigation. The only business to be discussed is the pending litigation. An open session will be detrimental because it may take place in the presence of individuals involved in the litigation. A closed session would benefit the public because the ultimate outcome of the litigation may impact the finances of the City.

**Main Motion: To approve closing the Regular Meeting at 7:10 pm.**

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

**Main Motion: To approve opening the Closed Meeting at 7:10 pm**

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

**Main Motion: To approve closing the Closed Meeting at 7:32 pm.**

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

**Main Motion: To approve opening the Regular Meeting at 7:34 pm.**

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

The following statement was approved by the City Council:

**Main Motion: It is the consensus of this Council that the City Administrator is the authorized representative for the**

**purposes of executing grievance resolutions arising out of labor agreements on behalf of the City. It is the consensus of the City Council that it has not historically, nor has it to-date, either agreed to or authorized City Administration to purchase handguns for its' police officers or authorize the reimbursement of such handguns.**

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

**Main Motion: To adjourn at 7: 36 pm.**

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

**15. Adjournment**

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Deputy Clerk, Lacey Erickson

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Mayor Elizabeth Olson