

**Regular City of Menahga
Regular City Council Minutes
Tuesday October 11, 2022**

1. Call to Order

The Menahga City Council held their Regular Monthly Meeting on Tuesday October 11, 2022.

Mayor Liz Olson called the meeting to order at 6:00 pm

2. Roll Call

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

Mayor Elizabeth Olson Durwin Tomperi Robyn Keranen
Dan Warmbold

City Office Staff present: Interim City Administrator Laura Ahlf
and Temporary Administrative Assistant Jensine Kurtti

3. Council Member Declare a Vacancy and Appointment – Oath of Office

Due to the death of Council Member Art Huebner on September 11, 2022, the City Council declared a vacancy according to MN Statute 351.02. This vacancy was affirmed by Resolution #2022-038 for the remainder of Art Huebner’s term which would have ended in January 2023.

Main Motion: To approve Resolution #2022-038 declaring a vacancy on the Menahga City Council.

Moved by:	Tomperi
Seconded by:	Keranen
Action:	Motion carried on a 4-0 voice vote
In favor:	Tomperi, Warmbold, Keranen, Olson
Opposed:	None.

CITY OF MENAHGA, MINNESOTA
CITY COUNCIL RESOLUTION 2022-038
Declaring a Vacancy on City Council

WHEREAS, Minnesota Statutes 351.02 states that a vacancy occurs in a statutory city upon the death of an elected council member on the date of death.

WHEREAS, Therefore the official date of declaring a vacancy will be September 11, 2022.

Therefore, be it resolved:

That the City Council of Menahga, MN declares a vacancy on the Menahga City Council for the remainder of Council Member Huebner’s four- year term.

PASSED by the City Council of the City of Menahga on this 11th day of October 2022.

ATTEST

Temporary City Administrator/Clerk/Treasurer

Mayor

Mayor Olson then read the information from MN Statute 412.02 Subd 2a, which gave the Council the authority to appoint and eliminate the need to hold a special election for the remainder of Art Huebner’s term. Mayor Olson stated that she had spoken with Mike Netland and Jody Bjornson, both gentlemen who had filed for the 4-year City Council seat that will be decided in the upcoming November 8, 2022 General Election. Both Netland and Bjornson had agreed that they would be willing to fill the vacancy, if they were appointed. Olson went on to say that she felt either candidate would do a fine job on the council, and that the decision would be made by tossing a coin. Both Netland and Bjornson were in attendance and Council Member Dan Warmbold flipped the coin, with Jody Bjornson winning the toss. Mr. Bjornson was immediately given the Oath of Office by Laura Ahlf. Bjornson was asked to take a seat at the council table and join the other members of the council.

Main Motion: To appoint Jody Bjornson to fill the vacancy on the Menahga City Council effective immediately, this appointment will end the first Monday in January, 2023.

Moved by:	Tomperi
Seconded by:	Warmbold
Action:	Motion carried on a 4-0 voice vote
In favor:	Tomperi, Warmbold, Keranen, Olson
Opposed:	None.

4. Pledge of Allegiance

5. Approval of Agenda

Amend the Agenda as follows: Add 11.j. - MNDOT Snow Removal Agreements, Remove 11.b. – Bond Purchase and Loan Agreement, Add 12.b. – Acknowledgement of Renata Parks Resignation, Add 12.c. – Swipe Timecards Update, and Add 13.a. – Batch #101122PAY2A - \$26,600.

Main Motion: To approve the agenda as amended.

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

6. Notices and Communications - None

7. Public Forum and Correspondence - None

8. Consent Agenda – Minutes to Approve

- a. **September 12, 2022 – Regular Council Meeting**
- b. **September 26,2022 – Work Session/Special Meeting**

Main Motion: To approve the Minutes of the Regular Meeting of September 12, 2022, and the Work Session/Special Meeting Minutes of September 26, 2022, as presented.

Moved by:	Keranen
Seconded by:	Tomperi
Action:	Motion carried by a 5-0 voice vote
In favor:	Olson, Tomperi, Warmbold, Keranen, 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 was 58 (87%) for September 2022.
 - ii. Reported on staffing challenges.
 - iii. Positive bottom line for the month of August 2022.

- iv. Ahlf reported that the GWC Health Insurance premiums for 2023 quote came in with a 50% increase. The policy is set to renew on January 1, 2023, and Ahlf is researching other options.

Main Motion: To accept the Greenwood Connections Administrative and Financial Reports, as presented by Administrator Laura Ahlf.

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

b. Planning and Zoning Minutes from October 6, 2022 – Informational only.

Mayor Olson reported that the minutes were for informational purposes only and no action was needed.

11. New Business

a. Happy Hour Lift Station Repair

Ron Yliniemi addressed the council regarding the repairs that are needed for the Happy Hour Lift Station. Yliniemi said that the pumps are good, but that new piping and fittings will need to be installed so that the lift station will run more efficiently. The quote was from Minnesota Pump for \$10,815.50 plus freight. Also, a pumper truck will need to be paid for by the City during the repair, at an estimated cost of \$300/hour for 8 hours. Tomperi asked Yliniemi if he had quotes from any other company, Yliniemi said "no". After much discussion, the item was tabled until a later meeting when Yliniemi obtains additional quotes.

b. Bond Purchase and Loan Agreement – Water Tower PFA

Removed from agenda.

c. October Work Session Date – October 31st.

The Council by consensus felt that a meeting on Halloween would not be a problem.

d. Board of Appeal and Equalization Training – Informational Only

The council was provided with the Board of Appeal and Equalization Training information. Jensine Kurtti said that she had spoken with Wadena County Assessor Lee Brekke and he felt that the council should take the online training so that the Menahga City Council will have trained equalizers for the 2024 Board of Appeals Hearing. Wadena County will be handling the 2023 Appeal Hearing

due to the absence of any trained Council Members (Huebner and Keranen) at the 2022 Board of Review Hearing, which resulted in a two-year period (2022 and 2023) where the City Council does not have a say in the property valuations of the City.

e. Schedule Budget Meeting for November

The council felt that November 11, 2022 at 9:00 am would work for a Budget Meeting for All Departments.

f. Proclamation Recognizing National Pregnancy and Infant Loss Remembrance Day.

Information was presented from Infants Remembered In Silence, Inc. asking that the City of Menahga proclaim October 15, 2022 as Pregnancy and Infant Loss Remembrance Day in the City of Menahga. The Proclamation was read into record.

Main Motion: To acknowledge the Proclamation Recognizing National Pregnancy and Infant Loss Remembrance Day.

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

g. Menahga C&C Fishing Derby Raffle – January 14, 2023

The Menahga C&C would like to hold a raffle in conjunction with their annual Fishing Derby on January 14, 2023. This is a yearly request for the group.

Main Motion: To approve the request to allow the Menahga C&C to hold a raffle during their Fishing Derby that will be held on January 14, 2023 and approve the Gambling Permit.

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

h. Gateway Lions Lease

The Gateway Lions which have their Pull-tab Booth at Northbound Spirits, would like to expand their Gambling License to include Tipboards, Paddlewheel, and Electronic Pull-tabs in addition to the paper Pull-tabs they already offer. The amount of rent that they currently pay the Liquor Store is \$150 per month and the Lions would like the rent to remain at \$150 per month. The council discussed the rent and felt it could be left the same for now but should be revisited in 6 months. This expanded license would allow them to have Meat Raffles, etc.

Main Motion: To approve the Lease Agreement for the Gateway Lions to operate at Northbound Spirits with their expanded license. The rent will be \$150 per month to be re-evaluated in 6 months.

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

i. Art Huebner Council Member Meeting Payment Approval

Due to the death of Council Member Art Huebner on September 11, 2022, his attendance payment has been calculated for attendance at the 2022 Meetings in the amount of \$1,550.00. Council Members are approved and paid annually in December. Due to the death of Council Member Huebner, his attendance payment would be \$1,550.00. Huebner owed the City of Menahga for outstanding charges for attorney fees and data request fees at the time of his death in the amount of \$238.75. It was the consensus of the majority of the Council that the fees be deducted from the amount that the Estate of Art Huebner will be paid.

Main Motion: To approve payment to the Estate of Art Huebner for his attendance at the 2022 Council Meetings (less outstanding charges of \$238.75) in the amount of \$1,311.25.

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

j. MNDOT Snow Removal Agreements

MNDOT has a system in place to pay for the cost of snow removal from State Highways. This is done through agreements with the MNDOT Districts,

unfortunately Menahga has three MNDOT Districts within their city limits. District 2 – Bemidji, District 3 – Baxter, and District 4 – Detroit Lakes. With these agreements in place the City of Menahga can be reimbursed for the cost of labor and equipment (loading only) when loading and removing snow from the State Highways. Each District has its' own process that it uses and must be billed separately.

Main Motion: To approve signing agreements with District 2, District 3, and District 4 for the 2022-2023 Snow Removal Season.

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

12. Unfinished Business

a. Wadena County THC Resolution Discussion

Wadena County Public Health Promotion Specialist Laure Laughlin sent out a draft Moratorium Resolution regarding current Minnesota Law, together with a Mayo Clinic Doctor article on Cannabis use in Minnesota.

Main Motion: To adopt Resolution #2022-039 which places a temporary moratorium on Edible Cannabinoid Products until the earliest of April 1, 2023, or a City Ordinance has been established.

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

**CITY OF MENAHGA, MINNESOTA
RESOLUTION 2022-039**

AN ORDINANCE DECLARING A TEMPORARY MORATORIUM WITHIN THE CITY OF MENAHGA ON EDIBLE CANNABINOID PRODUCTS DERIVED FROM HEMP

The City Council of the City of Menahga Minnesota ordains:

WHEREAS, the 2022 Minnesota State Legislature amended Minnesota Statutes §151.72 to allow the sale of certain cannabinoid products derived from hemp; and

WHEREAS, the zoning ordinances, licensing framework and other regulations of the City of Menahga

presently do not address the issues presented by the expanded authority to sell certain cannabinoid products derived from hemp; and

WHEREAS, the City Council desires to have the issue of edible cannabinoid products derived from hemp studied further by the City Staff and obtain input from Menahga residents, and other interested parties; and

WHEREAS, the City Council has requested the City Staff study the issue of edible cannabinoid products derived from hemp at the earliest possible time and provide its report and recommendation with respect to possible new zoning or licensing ordinance or other regulations that are necessary and desirable; and

WHEREAS, in the meantime the City Council desires that no product sale or the development, construction or creation, or new permitting of any business or activities involved with edible cannabinoid products derived from hemp occur within the City until such study, recommendations and decisions are completed and made, as the case may be; and

WHEREAS, accordingly the City Council believes that it is in the best interest of the City of Menahga That a temporary moratorium be imposed involving edible cannabinoids derived from hemp within the City of Menahga.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Menahga, Minnesota, that the following regulations be adopted as an Ordinance of the City of Menahga:

1. No person, firm, entity, or corporation shall sell such product or construct, develop or create a business, or receive a new permit to conduct any activity involving edible cannabinoid products derived from hemp in the city until the earlier of (i) April 1, 2023 or (ii) the effective date of ordinance provisions relating edible cannabinoid products derived from hemp in the City of Menahga.
2. This Ordinance is adopted pursuant to the provisions of Minnesota Statutes Section 462.355, Subdivision 4.
3. The purpose and intent of this Ordinance is set forth in the above whereas clauses.
4. This Ordinance shall be effective immediately upon adoption.
5. This Ordinance shall be published once in the official newspaper of the City of Menahga.
6. City Staff is hereby directed to study the issues presented by edible cannabinoid products derived from hemp and provide its report and recommendations to the City Council as soon as possible.

Adopted by the City Council this 11th day of October 2022.

ATTEST

Temporary City Administrator/Clerk

Mayor

b. Acknowledgement of Renata Parks Resignation

Laura Ahlf stated that at the September 26, 2022 Work Session, a motion was passed to advertise for the Liquor Store Manager position. Ahlf stated that she had overlooked bringing to the Council the acknowledgement of Renata Parks voluntary resignation, so she was bringing the acknowledgement to the council at this time.

Ahlf thanked Renata for her 16 years of service with the City, with 11 years as the Manager of the Liquor Store. The Council wished Renata Parks the best as she spends time with her family.

c. Swipe Timecard Update

Council Member Durwin Tomperi asked if there was an update on the Swipe Timecard System and when it would be implemented? Ahlf stated that she was not sure, but the Deputy Clerk was gathering cell phone and other information from all employees, as employees will be "punching in" electronically.

13. Consideration of Bills

Copies of the invoices had been provided for Council on the City's Website.

Batch #092322PAY - \$239.36, Batch #100322PAY - \$12,359.77, Batch #100422PAY - \$339.40, Batch #101122PAY - \$73,035.39, and Batch #101122PAY2A - \$26,600.

Main Motion: To approve Batch #092322PAY - \$239.36, Batch #100322PAY - \$12,359.77, Batch #100422PAY - \$339.40, Batch #101122PAY - \$73,035.39, Batch #101122PAY2A - \$26,600.00. The total of all batches being \$112,573.92.

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

14. Adjournment

Main Motion: To adjourn at 7:10 pm.

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

Temporary Administrative Assistant
Jensine Kurtti

Mayor Elizabeth Olson