

**City of Menahga
Regular City Council Minutes
Monday, December 13, 2021**

1. Call to Order

The Menahga City Council held their Regular Monthly Meeting on Monday, December 13, 2021.

Mayor Liz Olson called the meeting to order at 6:43 pm (the late start was due to the Truth-in-Taxation Public Hearing at 6:00 pm).

2. Roll Call

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

Mayor Elizabeth Olson Durwin Tomperi Art Huebner
Dan Warmbold Robyn Keranen

Temporary City Administrator Betty Thomsen was also present.

3. Pledge of Allegiance

4. Approval of Agenda

**Main Motion: To approve the agenda with the following amendments:
To add the following under New Business, Transfer to City General Fund from
Municipal Liquor Store and extend employment to Jensine
Kurtti beyond 12-31-21, as needed.**

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

5. Communication and Appearances Requests:

a. Ulteig – Brian Hiles

City Engineer Brian Hiles made a presentation to the council regarding the new city water tower and asked the council to approve the plans and specifications, so that the project could be advertised and put out for bids. The project will include

the construction of a new water tower, as well demolishing the current water tower. Once advertised, the bids will go to Brian Hiles and the bid opening will take place at 11 am on Wednesday, January 19, 2022. By consensus, it was decided that City Administrator Betty Thomsen will represent the city. Hiles also asked that a Public Hearing be scheduled for January 10, 2022 regarding the Facility Plan for the City of Menahga. The hearing will be part of the January 2022 Regular Meeting. The plan will then likely be approved by council in February and the city can then move forward sending the project plans to the Minnesota Pollution Control Agency for approval. If approved will then be placed on a state priority list for possible funding. Hiles remarked "This is really your last big project for a while". Hiles was also very hopeful that the city will receive substantial grant dollars from the new Federal infrastructure funding bill that just passed, which will be for the next five years.

CITY OF MENAHGA, MINNESOTA

Resolution No. 2021-(013)

A Resolution Approving Plans and Specifications and Ordering Advertisement for Bids

WHEREAS, pursuant to a previous resolution passed by the council, the city's designated engineer has prepared plans and specifications for the construction of a new ELEVATED WATER STORAGE FACILITY and has presented such plans and specifications to the council for approval;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MENAHGA, MINNESOTA:

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the official paper (and on the QuestCDN.com.website) an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for a minimum of twenty-one days, shall specify the work to be done, shall state the SPECIFIC DATA THAT bids will be received by the Administrator, at which time they will be publicly opened in the council meeting room of the city hall by the Administrator and engineer, will then be tabulated, and will be considered by the council at the next public meeting of the city council. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with the Administrator and accompanied by a bid bond payable to the City of Menahga for five (5) percent of the amount of such bid.

Adopted by the City Council of the City of Menahga, Minnesota, this thirteenth day of December 2021.

Elizabeth Olson, Mayor

Betty J Thomsen, Temporary City Administrator

Main Motion: To approve Resolution # 2021-013

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

Main Motion: To approve scheduling a Public Hearing on the City's Facility Plan for January 10, 2022.

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

b. Karen Candelaria – Go To Meeting

Karen expressed that she would like to see the use of Go To Meeting be reinstated. She felt that with winter and health needs, that it would be a convenient way for the community to stay informed. The council took no action but may bring it up at a future meeting.

6. Public Forum and Correspondence:

- **Tim Ellingson** – Ellingson came before the council with three areas of concern:

#1 - The digital sign at the Liquor Store that had been purchased to promote Liquor Store sales, which he felt had not been used for that purpose to date.

#2 – He felt that the “snow islands and deltas” left behind after snowplowing should be cleaned up more thoroughly and be removed.

#3 – Stop sign violations on 2nd Street NW and Cottonwood, should be monitored more closely as he feels that there are several vehicles that ignore the stop sign.

7. Consent Agenda – Minutes to Approve

- a. July 26, 2021 Special Meeting**
- b. August 2, 2021 Special Meeting**
- c. August 20, 2021 Special Budget Meeting – Not available for approval.**
- d. September 10, 2021 Special Budget Meeting – Not available for approval.**
- e. November 5, 2021 Special/Budget Meeting**
- f. November 8, 2021 Regular Meeting**
- g. November 16, 2021 Special Council Meeting**
- h. November 19, 2021 Special/Budget Meeting**
- i. November 29, 2021 Liquor Store Public Hearing**
- j. November 29, 2021 Special/Work Session Meeting**

Main Motion: To approve the July 26, 2021 Special Meeting Minutes with corrections.

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

Main Motion: To approve the August 2, 2021 Special Meeting Minutes with corrections.

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

Main Motion: To approve the November 5, 2021 Special/Budget Meeting Minutes, November 8, 2021 Regular Meeting Minutes, November 16, 2021 Special Council Meeting Minutes, November 19, 2021 Special/Budget Meeting Minutes, November 29, 2021 Liquor Store Public Hearing Minutes and November 29, 2021 Special/Work Session Meeting Minutes as presented.

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

8. Public Hearings: None

At 7:20 pm Mayor Olson asked for a motion to close the meeting to have a conference call with their Legal Counsel Brandon Fitzsimmons of Flaherty & Hood, regarding Agenda item 10 b. Pending Litigation – City of Menahga vs. City of Menahga Employee. The purpose of a closed session was to determine the legal options available to the city. Mayor Olson read into record Minnesota Statute 13D.05.3b.

Main Motion: To close the meeting at 7:20 pm for the purpose of speaking with the City Attorney Brandon Fitzsimmons.

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

The Regular Meeting was resumed at 8:19 pm.

9. Acknowledgement/Motion of receipt of board/commission minutes.

Greenwood Connections (GWC) Administrator Laura Ahlf made her monthly report to the council, stating that the current nursing home census to date was 54 with November census of 82%. Ahlf reported that the facility was trying to implement some 12-hour shifts which had started on 12-13-21 (today) and was not sure that it would be widely used, as not many employees had scheduled them so far. Ahlf reported that the Covid mandates had been placed on hold, the PPP relief funds that they had received during the pandemic, they would get to keep. The vacancy on the GWC Board had been filled by Rita Thoma. Some rate increases for the next year for assisted living are \$1 for meals, 5% for existing tenants and 21% for new tenants. Ahlf explained that even with the raises the facility is at or below other facilities in the area.

Main Motion: To approve the GWC Financials and Minutes as presented.

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

10. New Business

a. Execute contract with Flaherty & Hood for General matters, Labor & Employment matters, Real Estate matters and Litigation matters.

Main Motion: To approve the contract with Flaherty & Hood.

Moved by:	Tomperi
Seconded by:	Warmbold
Action:	Motion carried by a 3-2 voice vote
In favor:	Warmbold, Tomperi, Olson
Opposed:	Huebner, Keranen

b. Discussed during earlier closed session.

c. MnDot Snow Removal with Municipalities –

Betty Thomsen reported that Public Works Director Ron Yliniemi had picked which option the city would use regarding snow removal in state highways. The one item that needed clarification was the rate that would be charged for the city's service in using their loader. The current City Fee Schedule is \$145/hour, which the council felt was the rate that should be used. The rate that private companies (such as Menahga Concrete) charge was discussed and could possibly be comparable.

d. Ehler's Financial Management Plan Proposal – bring back in January 2022

e. Approval of City Council compensation for 2021

A spreadsheet was provided showing the meetings that were attended by council members. It was suggested that in 2022 there should be a document that each member signs at the meeting. The total meeting compensation for 2021 was \$13,615.00

Main Motion: To approve the City Council compensation as submitted in the amount of \$13,615.00

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

f. Approval of Planning & Zoning Commission compensation for 2021

A spreadsheet showing the meetings that the commission members had attended was presented to the council at a rate of \$35 per meeting per Menahga Municipal Code 31.39.

Main Motion: To approve \$35 per meeting to the Planning Commission members, in the amount of \$980.00.

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

g. To acknowledge Theo Komulainen's resignation

Council acknowledged receipt of Komulainen's resignation as of November 28, 2021

h. Unpaid utilities assessed to Wadena County

A spreadsheet of unpaid utility bills owed to the city was provided with parcel numbers, showing 24 accounts in the total amount of \$18,374.49

Main Motion: To approve sending the unpaid utility bills in the amount of \$18,374.49 to Wadena County to be assessed to the properties.

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

i. Deferred Assessments – Resolution #2021-(012)

The city had received the required paperwork from two city residents:

Mary Montoya parcel # 17-330-0650 and Delores Charmoli parcel# 17-410-0160, that requested that their assessments on their property be deferred pursuant to Minnesota Statute 435.193.

CITY OF MENAHGA, MINNESOTA

Resolution No. 2021-012

A Resolution of the Menahga City Council Certifying the 2021 Deferred Assessment(s)

WHEREAS, Minnesota Statute 435.193 allows the City to defer assessment for seniors, disabled, or military persons; and

WHEREAS, the following person(s) meet the qualification for deferment:

- 17-330-0650 – Mary Montoya - \$7,730.00
- 17-410-0160 – Delores Charmoli - \$6,101.00
- TOTAL DEFERRED: \$13,831.00

NOW, THEREFORE BET IT resolved by the Menahga City Council that the property is certified to the County of Wadena as deferred for 2022.

Adopted by the City Council of the City of Menahga, Minnesota, this thirteenth day of December, 2021.

Elizabeth Olson, Mayor

Betty J Thomsen, Temporary City Administrator

Main Motion: To adopt Resolution # 2021-(012) certifying the 2021 deferred assessments in the amount of \$13,831.00.

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

j. Advertise for Public Works Employee

Advertising for a Public Works employee was discussed, due to the vacancy when Theo Komulainen resigned. The council would like to see the ad details before it is placed, it will be discussed at the next work session.

k. Adopt 2022 Budget and Resolution # 2021-(014)

CITY OF MENAHGA, MINNESOTA

Resolution No. 2021-014

A Resolution of the Menahga City Council Adopting the General Fund Budget for 2022

WHEREAS, the City of Menahga conducted it’s Truth-In-Taxation Hearing on December 13, 2021 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 General Fund Budget for 2022 as follows:

General Fund Revenues	\$	1,293,521.79
General Fund Expenditures	\$	1,293,521.79

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to enter the 2022 budget into the Banyon Accounting System.

Adopted by the City Council of the City of Menahga, Minnesota, this 13th day of December 2021.

Elizabeth Olson, Mayor

Betty J Thomsen, Temporary City Administrator

Main Motion: To approve Resolution # 2021–(014) adopting the General Fund Budget for 2022 in the amount of \$1,293,521.79

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

I. Resolution adopting 2022 Levy – Resolution # 2021-(015)

CITY OF MENAHGA, MINNESOTA

Resolution No. 2021-015

A Resolution of the Menahga City Council Adopting the Final 2022 Tax Levy

WHEREAS, the City of Menahga is required by Minnesota Statute 275.065 Subdivision 1, “to certify to the County Auditor the final property tax levy payable in the following year”.

NOW, THEREFORE BE IT resolved by the City Council of the City of Menahga that the following sums of money be levied for the current year, collectible in 2022, upon the taxable property in the City of Menahga for the following purposes:

General Fund	\$	395,582.79
Debt Funds:		
2013B G.O. Improvement Bonds	\$	9,513.16
2015B G.O. Imp. Refunding Bonds	\$	29,254.35
2020A G.O. Imp. Refunding Bonds	\$	61,321.01
		=====
	\$	495,671.31

The City Clerk is instructed to transmit a copy of this resolution to the Wadena County Auditor.

Adopted by the City Council of the City of Menahga, Minnesota, this 13th day of December 2021.

Betty J Thomsen, Temporary City Administrator

Main Motion: To approve Resolution # 2021–(015) adopting the Final 2022 Tax Levy in the amount of \$495,671.31

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

m. Retro Pay for Tanya Edwards and Amanda Pachel

Betty Thomsen spoke on a request from Tanya Edwards and Amanda Pachel, who felt that they should receive additional compensation for the extra work that they had in the absence of City Administrator Curt Kreklau Jr., until the city hired Jensine Kurtti (start date 10-1-2021). The request stated that from June 21, 2021 through September 30, 2021 that Edwards and Pachel “performed some of the duties of the administrator, zoning, agendas, minutes, building permits, attended meetings, balancing of ledgers, responding to phone calls”. The request asked for 144 hours each at a rate of \$7.25 hour (half of Kurtti’s wage of \$14.50 per hour). This would be an expense of \$2088 (\$1044 each). Thomsen stated that typically in situations like this, staff that assumes these duties will receive additional compensation. Council member Tomperi referred to a notice from the union, that was sent to all council members stating that no additional duties could be placed on these employees, that was not on their job description. Tomperi stated that he was wondering if the city staff was going against their union? Several council members felt that additional documentation of what duties were actually performed was needed. Council member Huebner commended Thomsen for bringing this forward again, as he had asked for extra pay at an earlier meeting. Huebner asked if the council was going to give Curt Kreklau, Jr his 12.5%, as he was still an employee. Mayor Olson reminded Huebner that Kreklau was not involved in the request. Huebner continued to speak, and Mayor Olson called him Out of Order. It was decided that more detailed information was needed before the request could be considered.

Main Motion: To approve to pay Amanda Pachel \$1044.00 and Tanya Edwards \$1044 for performing some of the duties of the City Administrator from 6/1/21 to 9/30/21.

Moved by:	Huebner
Seconded by:	Keranen
Action:	Motion failed on a 2-2 voice vote Abstained - Warmbold
In favor:	Keranen, Huebner
Opposed:	Olson, Tomperi

n. Raise ACH Credit Limit

Betty Thomsen spoke on the need to increase the limit on ACH transactions from \$22,000 to \$25,000. This need is a result of the pay increases that are going into effect for 2022.

Main Motion: To authorize the City Administrator to provide a written request to Community First Bank to raise the ACH credit limit from \$22,000 to \$25,000.

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

o. Transfer Funds from Liquor Store profits to General Fund

The Liquor Store’s current financial information that was provided, showed the Liquor Store had made a profit YTD of \$161,799.24, instead of being in the deficit (due to an ongoing accounting error). The council decided that there could be a transfer from the Liquor Store to the General Fund in the amount of \$60,000 for 2021.

Main Motion: To approve a transfer from the Liquor Store to the General Fund in the amount of \$60,000 for 2021.

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

p. Extend the 3-month term of Jensine Kurtti’s temporary employment

The position of the Temporary Assistant Support Tech. (Jensine Kurtti) that was for an initial 3-month period, was about to expire on 12-31-21. Kurtti’s Letter of Offer from the city was for 3-months with an extension if needed, Thomsen asked if the council could extend this so that Kurtti could continue to help, particularly with Planning & Zoning. It was noted that Kurtti was available until January 6, 2022 and then is out of the area for a majority of January and February, returning in mid-March.

Main Motion: To approve the extension of Jensine Kurtti’s temporary position with the city as needed.

Moved by:	Tomperi
Seconded by:	Warmbold
Action:	Motion carried on a 3-1 voice vote Keranen-Abstained
In favor:	Tomperi, Warmbold, Olson
Opposed:	Huebner

11. Unfinished Business

a. GPS on city-owned vehicles

Jensine Kurtti reported that she had contacted Linxup regarding GPS capabilities on city vehicles. She said that there were so many options available that she would just forward the companies email for the council members to review and could act at a future work session meeting.

b. Jake Brake Resolution

The use of Jake Brakes (compression release engine brake) on semi-trucks for slowing down when entering the city has been an ongoing problem for years. When Police Chief Gunderson was asked if the use could be stopped by enforcing the city’s noise ordinance, Gunderson said that to enforce the ordinance, that first there must be a resolution passed to enforce engine noise and then signs must be placed on the highway informing vehicles of such restrictions within the city.

CITY OF MENAHGA, MINNESOTA

Resolution No. 2021- (011)

A Resolution of the Menahga City Council to Enforce Engine Noise

BE IT RESOLVED by the Menahga City Council, Menahga, Minnesota that excessive engine noise will be enforced in accordance with Menahga City Ordinance 92.18 Public Nuisances Affecting Peace and Safety: (d) All unnecessary noises and annoying vibrations along with Menahga City Ordinance 10.99 General Penalty.

Adopted by the City Council of the City of Menahga, Minnesota, this thirteenth day of December 2021.

Elizabeth Olson, Mayor

Betty J Thomsen, Temporary City Administrator

Main Motion: To approve Resolution # 2021–(011) to Enforce Engine Noise.

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

Main Motion: To approve the MnDot application and installation of highway signs in the amount of \$2897.85 to enforce the vehicle noise laws.

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

12. Council Information

a. Minutes of Planning & Zoning Committee

The council was given copies of the minutes for October 7, 2021 and November 4, 2021 and December 2, 2021.

b. Profit & Loss Summary

Betty Thomsen gave the council a profit and loss summary of city accounts as of November 2021.

c. Water Quality Parameters

Betty Thomsen said that she had included this for information purposes to the council. The document was from the State of Minnesota and was dated 8/31/2021.

12. Consideration of Bills

a. Approval of Bills -Batch #120821 PAY of \$63,128.89, Batch #110121 in the amount of \$115.94, Batch # 110821 in the amount of \$981.24, Batch#112421 in the amount of \$960.85 and Batch #Nov21left in the amount of \$49,117.94 for a grand total of \$114,304.86.

Main Motion: To approve payment of all bills presented in the total amount of \$114,304.86

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

13. Adjournment

Main Motion: To adjourn at 9:07 pm.

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

Temporary Administrative Tech, Jensine Kurtti

Mayor Elizabeth Olson