

**City of Menahga
Regular City Council Minutes
Monday, March 14, 2022**

1. Call to Order

The Menahga City Council held their Regular Monthly Meeting on Monday, March 14, 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 Art Huebner
Dan Warmbold Robyn Keranen

3. Pledge of Allegiance

4. Approval of Agenda

Main Motion: To approve the agenda with the following amendments: To add 10.f. - Maguire Iron Bid Award for Water Tower, 10.n. - Jensine Kurtti – clarification of duties and responsibilities, and 11.c. - Start date for the Administrative Secretary.

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

Council member Art Huebner asked to be allowed to make a presentation during the council meeting under New Business. Huebner was unclear as to the topic but had a stack of handouts he had made on the city copy machine, prior to the meeting. Huebner was informed that presentations should be brought forward in advance of a future meeting and to be

placed on the agenda.

Main Motion: To allow Council member Art Huebner to make a presentation during the March 14, 2022 council meeting.

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

5. Notices and Communications: None

6. Public Forum and Correspondence:

- **Adam Gunderson** – Gunderson came before the council with two letters, which he handed to Dan Greensweig of the LMC Insurance Trust. Gunderson then stated that at 2 pm today, Deputy Clerk Tanya Edwards called him into her office and handed him her keys and laptop and said that she no longer was working for the city. When the Mayor asked if she had provided a "resignation letter", Gunderson replied, "No".
- **Jesse Welch** – Welch addressed the council reading a prepared letter, she mentioned the lack of respect at council meetings. Her letter mentioned the discontinuation of the Go-To-Meeting technology. She then stated that releasing the S&P report via social media (Huebner on Facebook) was not the proper way to handle the situation. She urged the council to think about how their actions reflect on the city.
- **Julia Kicker – Hooked on Fishing**
Julia Kicker asked for permission to run the "Hooked on Fishing" program through the City of Menahga, as has been done in previous years. Mayor Olson stated that it can be placed on the agenda at a future meeting for approval.

7. Consent Agenda – Minutes to Approve – None prepared at this time.

8. Public Hearings - None.

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

Greenwood Connections Administrator Laura Ahlf asked if she could speak before she gave her report, Mayor Olson stated that she would be allowed to speak. Ahlf stated that she felt that the council members have the best interest of the city at heart. Ahlf went on to say that she felt the city employees should do more to do what the council asks, instead of fighting about what has been asked of them. Ahlf clarified the issue with the February 28, 2022 Council Meeting that was posted with a link to Zoom (interactive video conferencing) meeting that was intended for council member Tomperi to be able to attend while out of town. That when the meeting was posted (by Deputy Clerk Tanya Edwards) it was posted with the Zoom link information on the agenda to the public. This resulted in confusion when the Zoom link was changed. Ahlf stated that she would have set up for other council members, had there been enough time to post the council member's location information on the meeting notice (which is required by law).

a. Greenwood Connections Board Minutes:

- Nursing Home census was 82% for February 2022.
- Census is 56 today.
- Increased budget for revenue and expenses.
- Covid positivity is down, so hopeful that staff can be tested once a week rather than twice a week.
- Dining Room tables and chairs have been delayed until May, these were purchased with the donated money from 2021.
- Reported that by the State Quality Measures of 358 facilities in the State, GWC ranks third in short-term stays and eight in long-term stays.
- Art Huebner asked what the break-even point was for GWC, to which Ahlf replied 80% occupancy. Huebner mentioned that the S&P report mentioned the GWC's inability to make their bond payment for the past three years. Ahlf responded that historically, GWC has always made their bond payments and they have not been paid by the City taxpayers. The question of wages was addressed and Ahlf explained the need for compensating workers to retain them so that GWC can remain competitive in their wages and keep occupancy levels where it needs to be to break even.

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

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

b. Acknowledge the Planning and Zoning minutes for February 3, 2022 and March 3, 2022.

10. New Business

a. Dan Greensweig, LMC Insurance Trust

Dan Greensweig introduced himself as the Administrator of the League of Minnesota Cities Insurance Trust (LMCIT). The LMCIT is a self-insured insurance trust, whose funds are received from all the members of the trust through premiums. He stated that when conflict exists on city councils, and there are city employee issues that cause disruption to the way cities are supposed to run, the other members of the LMCIT take notice.

The LMCIT is concerned whether a city is being run lawfully, by observing the laws and making sure that it is being done openly. Greensweig says the LMCIT offers to supply resources to the city, if they decide to ask for their help. They have resources, such as conflict resolution available. There is no charge to the city for these services.

Greensweig stated that there must be some stability in the staff. There must be a clear leader and the staff must understand and take direction. Greensweig went on to say that the reason for the visit was that Menahga has the attention of the people in St. Paul and that Menahga is operating in a way that brings discomfort to the other members of the LMCIT. Greensweig stated he will have to go before the LMCIT board in a couple of months and a decision will be made as to whether the trust will continue to provide insurance coverage to the city.

Mayor Olson asked the council if anyone has any questions for Dan Greensweig? Council Member Art Huebner replied he had some. Huebner went on to give his perspective on the past happenings of the city. After several accusations as to improprieties since he was on council, Mayor Olson asked if they could go back to the topic at hand with Dan Greensweig. Huebner objected.

Park Rapids Enterprise reporter Shannon Geisen was recognized by Mayor Olson and asked the council if they were aware that Council Member Art Huebner was livestreaming the council meeting on Facebook? It appeared the council was not.

b. Approval of Clear Well Cleaning Tank Maintenance

Ron Yliniemi asked the council to approve a 1-year contract for cleaning the clear

well with Midco Diving. The city has used their services in the past.

Main Motion: To approve Midco Diving and Marine Services 2022 tank maintenance project at a cost of \$2868

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

c. Cemetery Lot Transfer with Quit Claim Deed

Jensine Kurtti spoke to the need of having a method of transferring cemetery lots that have been previously sold. In looking back at old cemetery records, in the past a quit claim deed document had been used. When no quit claim forms were found, Kurtti used the old format and typed up a new form to be used.

Main Motion: To approve the Menahga Cemetery Quit Claim Deed document to facilitate the transfer of a cemetery lot in the Menahga City Cemetery. The fee that will be charged by the city for the transfer will be \$15 per Minnesota Statute 306.15.

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

d. Water & Sewer Rate Increase

After a review of the recommendations of Ehlers in a rate study done a few years back, it is necessary to adjust the rates to meet the costs of operations and debt payments. It was noted that there were two yearly rate increases that had not been implemented.

Main Motion: To approve the new rate increases effective with the April 2022 billing, as reflected in the 2022 Fee Schedule.

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

e. Fee Schedule

After reviewing the 2022 Fee Schedule, Mayor Olson asked for the removal of assisting property owners in locating their property lines. After discussion, it was decided that the city will not be involved in locating property lines.

Main Motion: To approve the City of Menahga Fee Schedule for 2022 with the removal of the Property Line Locate assistance, effective 3-14-22.

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

f. Maguire Iron PFA Resolution and Bid Award for Water Tower

Brian Hiles was present if clarification was needed.

Main Motion: To approve Resolution 2022-009 accepting the lowest bid from Maguire Iron, Inc. for the Elevated Water Storage Facility in the amount of \$1,117,500.

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

Art Huebner questioned the wording of the resolution, where it says the mayor enters into the contract. Huebner argues it is the whole council, not just the mayor. Mayor Olson states it is always the mayor that signs official documents.

City of Menahga

Resolution # 2022-009

Resolution Accepting Bid

WHEREAS, pursuant to an advertisement for bids for the Elevated Water Storage Facility, bids were received, opened, and tabulated according to the law, and the following bids were received complying with the advertisement:

<u>Bidder</u>	<u>Location</u>	<u>Bid Amount</u>
1. Maguire Iron, Inc.	Sioux Falls, SD	\$1,117,500
2. General Construction Services, Inc.	Stillwater, MN	\$1,433,700
3. Caldwell Tanks, Inc.	Louisville, KY	\$1,656,000

AND WHEREAS, it appears that Maguire Iron, Inc. of Sioux Falls, South Dakota is the lowest responsible bidder,

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

1. The mayor and clerk are hereby authorized and directed to enter into a contract with Maguire Iron, Inc. of Sioux Falls, South Dakota in the name of the City of Menahga for the ELEVATED WATER STORAGE FACILITY bid according to the plans and specifications therefor approved by the city council and on file in the office of the city administrator.

2. The city administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted by the city council this Fourteenth day of March, 2022.

Mayor

City Administrator or Representative

Main Motion: To approve the bid to Maguire Iron, Inc. of Sioux Falls, SD as the lowest responsible bidder for the Elevated Water Storage Facility, in the amount of \$1,117,500.

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

g. Campground discussion and fee analysis

Ron Yliniemi presented the council with a list of duties that are required at the campground. Tomperi thanked him for that and stated that it will be discussed later at a work session. A campground spreadsheet showing the potential income possibilities (campsites only) at the park was given to the council.

The new rates (plus tax) for the 2022 season will be as follows; Pavilion rental \$45 a day, campsites with water and electric \$40 a day (\$230 a week), primitive sites \$25 a day (\$130 a week).

Main Motion: To approve the new rates for the Menahga Memorial Park Campground as presented and reflected in the 2022 Fee Schedule.

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

h. 2021 Audit preparation of records, organizational procedures, and segregation of duties.

Jensine Kurtti presented a document from Eide Bailly and recommendations from S&P that the city establish a process to address internal control practices, as well as organize the records for the 2021 Audit.

Art Huebner questioned why Kurtti is being allowed access to all the city records, as she is a temporary employee and that it goes against the City Bylaws and that Kurtti has not even passed a background check. Huebner states that Kurtti has no business in having access to the city records and has no business having any keys.

Main Motion: To approve Jensine Kurtti to establish and implement policies and procedures to meet the needs of the city, as suggested by Eide Bailly and S&P.

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

i. Responsible Authority access to records and designees

Jensine Kurtti asks for permission to be able to designate city employees who have access to city records to provide her with the information, so she can fill pending data requests. Mayor Olson stated that this is only until a City Administrator is hired.

During the motion, Art Huebner states that Jensine Kurtti is a part-time employee has no right to the city records. Huebner states that "you (Mayor Olson) have been stalling for 5 months to get an administrator in here".

Main Motion: To approve Jensine Kurtti (Responsible Authority) to designate city employees to access government data and provide this to her, so she may fill pending data requests, as well as file these items for the city's records.

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

j. Todd Wadena Development Summit

Informational only.

k. S & P Global Ratings

Mayor Olson reported that the city has been removed from the S&P Credit Watch. Mayor Olson thanked Laura Ahlf and Jensine Kurtti in assisting with the interview with the S&P.

l. Township Fire Contracts

Durwin Tomperi reported that he and Dan Warmbold and Fire Chief Dave Kicker had meet with the township representatives and had come to an agreement on the 2022/2023 Fire Contract between the City and the Townships of Blueberry, Huntersville, and Shell River. This contract will now be a calendar year instead of April 1st to March 31st.

Main Motion: To approve the following contracts with the townships of Blueberry - \$34,829, Huntersville - \$9,608, and Shell River - \$15,613 for the year of 2022 and with increases for 2023 per the contract. Credit will be given for the months of January thru March 2022 for the prepaid amount that was paid in 2021.

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

m. Sourcewell Representative Assembly

Sourcewell was asking for city representatives. It was noted that only Warmbold and Tomperi current terms include recently 2023, as their term do not expire until the end of 2024.

Main Motion: To approve Durwin Tomperi and Dan Warmbold to represent the City of Menahga on the Sourcewell Representative Assembly for 2022-2023.

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

n. Clarification of duties and responsibilities – Jensine Kurtti

Temporary Administrative Tech. Assistant asked for clarification on a few issues that have come before her recently;

- How to handle written citizen and employee's complaints?
Council by consensus, felt they should be handled by the City Attorney.
- Asked if she was authorized to contact the City Attorney, she felt she did not have that authority, but was told by co-workers she did?
Council by consensus, stated she did not have authority to contact the City Attorney.
- Asked if she had the authority to give out keys to city employees for buildings that were outside their department, if she was asked?
Council by consensus, stated that she was not authorized to give out any keys for city property. Chief Gunderson was asking for a key because the dog impound was in the Public Works Maintenance Shop and he wanted after-hours access for pick-ups.
- Use of city copy machine by council members, as a council member came into city hall, walked directly to the copy machine and stated "I am here to make copies", and proceeded to make several copies without saying anything.
Council members by consensus, felt that individual council members should not assume that they have that right. Art Huebner replied "it was city business and it has always been that way, we set a precedence three years ago."
- Kurtti then stated that many employees had come and asked for paper copies of the council packets that day, which had never happened to her before, she then stated that once there is someone in the office with access to the city's website, that the packets could be accessible electronically in the future.

Ron Yliniemi asked if he could speak regarding the dog impound in the city garage. Yliniemi stated that because of the cold, a dog had been placed in the kennel inside the city garage. He asked the council if they

wanted the public work's guy to get called in to open the door and charge the city for 1-1/2 hours' time for the five minutes it takes to open the door, as that is the on-call rate for the employee. Huebner stated "at overtime yet". The dog issue was taken care of that night, but Yliniemi asked the council how they wanted to handle the situation? By consensus the council agreed that Adam Gunderson should be assigned a key to the Public Works Garage for the purpose of dog impound.

11. Unfinished Business

- a. GPS on city-owned vehicles – should be brought forward to a Work Session.**
- b. Police decal – Police Chief - will be discussed at a Work Session**
- c. Start Date for Administrative Secretary**

Main Motion: To approve the start date for Dustyne Hewitt, Administrative Secretary on Tuesday, March 15, 2022 at the per hour rate of \$17.92 with all the benefits afforded this position, on the condition of the receipt of a favorable background check.

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

12. Consideration of Bills

- a. Approval of Bills -Batch #030822PAY - \$61,328.31

Main Motion: To approve Batch#030822 PAY in the amount of \$61,328.31

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

Council member Robyn Keranen asked about the council receiving copies of the legal bills monthly. When Mayor Olson called for the vote, Huebner said "what difference does it make, write down whatever you want".

13. Adjournment

Main Motion: To adjourn at 7:58 pm.

Moved by:	Huebner
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