

Regular City Council Meeting
Mountain Lake City Hall
Monday, November 6, 2023
5:45 p.m. – Regular City Council Meeting
6:30 p.m. – Greenhouse Public Hearing

AGENDA

1. Meeting Called to Order *Additional information on agenda item is attached or at City Hall
2. Approval of Agenda and Consent Agenda
 - a. Bills: Checks #27687-27758, 973e-981e (1-11)
 - b. Payroll: Checks # 67652-67685
 - c. Approve September 18 EDA Minutes (12-13)
 - d. Approve October 12 Utilities Commission Minutes (14-15)
 - e. Approve October 16 City Council Minutes (16-18)
 - f. Approve October Street Department Report (19)
 - g. Approve Mountain Lake Cross Country Team Proclamation (20)
 - h. Accept Sandy Schroeder Resignation effective 11/22/2023*
3. Public – A total of ten (10) minutes is allotted for individuals to briefly discuss a topic of concern or provide comments to the Council.
4. MnDOT’s Hwy 60 Project, Mary Dieken Project Manager
 - a. Discussion/Action – Present/Introduce the Hwy 60 Project*
5. Fire & Ambulance Hall
 - a. Discussion/Action – Fire & Ambulance Hall Next Steps
6. Utilities Commission
 - a. Discussion/Action – Ordinance # 4-23 Electric Service Regulations (Third & Final Reading) (21)
 - b. Discussion/Action – Generator Bid*
7. Active Living Committee
 - a. Discussion/Action – Active Transportation Grant
8. City Attorney
 - a. Discussion/Action – Greenhouse -6:30pm Public Hearing
9. City Administrator
 - a. Discussion/Action – Sick & Safe Time Policy (22-25)
 - b. Reminder- Annual City Administrator Review on 11/20
10. Roundtable
 - a. Discussion – Commissions/Boards Update
11. Adjourn

Economic Development Authority
Monday, September 18, 2023
Mt. Lake City Hall
Council Chambers

PRESENT: Jerry Haberman, Phil Skow, Eileen Augustin, Mike Nelson, Steve Syverson. Clara Johnson and Vern Peterson, Advisors.

ABSENT: Darla Kruser and Mitch Schroeder

CITY ADMINISTRATOR: Michael Mueller

STAFF: Rod Hamilton and Tabitha Garloff

GUESTS: John and Tammy Engstrom

1. CALL TO ORDER: President Haberman called the meeting to order at 12:00 p.m.
2. Motion to Approve Consent Agenda
Consent Agenda:
 - a. Approval of August 21st, 2023, Meeting Minutes.
 - b. Approval of Financial Reports and Bills. Motion made by Eileen to approve the consent agenda with 2 additional bills. Seconded by Steve. Motion carried.
3. 10th Street Building: John and Tammy Engstrom will be in attendance with a proposal/counteroffer. Rod reviewed Engstrom's offer and the EDA's counteroffer from the August board meeting. John and Tammy presented their business and marketing plan the board requested along with a counteroffer. The Engstrom's were excused, and discussion continued. Motion made by Phil to remain firm on the EDA board's original counteroffer. Seconded by Eileen. Motion carried. Rod will contact The Engstrom's.
4. Ratify August 22, 2023, Email Vote. Motion made by Steve to ratify the August 22, 2023, email vote. Seconded by Mike. Motion carried.
5. Loan Processing Fees. Discussed legal cost to prepare loan documents. Motion made by Phil to approve a loan closing cost fee of \$250 for all EDA loans processed effective immediately. Seconded by Steve. Motion carried.
6. Industrial/Commercial Park Hay Ground. Jerry stated the person the EDA had a verbal agreement with to cut/rake/bale the hay ground in the industrial/commercial park is no longer alive. Discussion continued regarding the ground. It was suggested that Rod and Jerry work on rental terms and take bids on the hay ground for 2024. Motion made by Eileen to take bids for 2024 on the hay ground. Seconded by Phil. Motion carried.
7. Truck Parking/Rest Stop. Discusses truck parking and parking needs in the commercial park.
8. Lakeview Estates Lot Purchase Price Clarification. Rod asked for clarification on the lot prices at Lakeview Estates on the remaining lots. Board verified lots will be priced at half of the assessment cost. Tabitha will update the city website. Discussed SWMHP grant project options. In a conversation with Jasmine, SWMHP, she stated that the 12-unit apartment building would score higher than the 4 twin homes. The project would be completed by a developer. Grant writing is expected to cost no more than \$8,500. The

developer has agreed to pay grant fees over the \$5,000 grant received from LMC for grant writing. Motion made by Mike to apply for the grant for the 12-unit apartment building. Seconded by Steve. Motion carried.

9. Hotel Update/Discussion. Rod gave a brief update and stated the City and the County have both approved a 9-year tax abatement.
10. Krienke Foods International, Inc. Update. September payment has not been received from Krienke Foods.
11. Commercial Park. Update if time allows.
12. Business Leads. Update if time allows.
14. GENERAL DISCUSSION:
 - a. Next Regular Board Meeting is October 16th, 2023.
 - c. Other Business.
15. ADJOURN. President Haberman adjourned the meeting at 1:18 p.m.

**Mountain Lake Utilities Commission Meeting
Mountain Lake City Hall
Thursday, October 12, 2023
7 AM**

Members Present: Todd Johnson; Sue Garloff; David Savage; City Council Liaison Dean Janzen

Members Absent: Brian Janzen; Mark Langland

Staff Present: Michael Mueller; Clerk/Administrator; Jill Falk; Utilities Office Manager; Lane Anderson; Lineman; Steve Peters; Lineman; Taylor Nesmoe; Water/Wastewater Superintendent; Scott Pankratz; Water/Wastewater Worker

Others Present:

Call to Order

The meeting was called to order at 7 AM.

Approval of Minutes and Bills

Motion by Garloff seconded by Johnson to approve the September 28th Minutes, and Check Numbers 22900-22929 (498E-504E). Motion carried.

Electric Department

Watkins was not present at the meeting. Peters advised that they have been working on repairing streetlights. Mueller also mentioned that the Council is looking into an active transportation grant and will need a quote to have the underground completed. The trail will be on Prince Street, starting at Golf Course Road through Eleventh Street to make way for a continuation of the trail. Peters also mentioned that the new trucks were dropped off at Crysteel to have the utility boxes installed.

Water/Wastewater Department

Nesmoe mentioned that he attended the Water Class B refresher course this week and will be testing in the spring. He also said there is a water connection issue for one of the Sunset twin homes. He has reached out to Nickel and is hoping they can come out next week to get the connection repaired. Along with sewer cleaning, lift station maintenance, and hydrant flushing, they have been updating a few of the water meters that are having monthly reading issues. Falk advised that Core and Main will be working with Anderson to read meters and fix the continuing issues.

City Administrator

Mueller stated that he received three RFI's for the new generators. However, MTU backed out and did not submit a bid. There are two official bids, the bid for Kohler was 8.8 MWh, and CAT

was for 9.3 MWH. Mueller and Watkins will meet with Barr, Qualus, and CMPAS to discuss the bids before moving forward.

Adjourn

The meeting was adjourned at 7:10 a.m.

ATTEST:

Jill Falk, Utilities Office Manager

**City of Mountain Lake
Regular City Council Meeting
Mountain Lake City Hall – 930 Third Ave
Monday, October 16, 2023
6:30 p.m. – Regular City Council Meeting
7:00 p.m. – Greenhouse Public Hearing**

- Members Present: Andrew Ysker, Dean Janzen, Darla Kruser, Bryan Bargaen
- Members Absent: Mike Nelson
- City Staff Present: Michael Mueller City Administrator; Maryellen Suhrhoff City Attorney, Louis Norell Assistant Police Chief
- Others Present: Chris Webb, Doug Regehr, Joel Alvstad, Jill Pankratz, Jean Haberman, Josiah Bargaen

Call to Order

The meeting was called to order by Councilmember Ysker at 6:30 p.m.

Approval of Agenda & Consent Agenda

Motion by Janzen, seconded by Kruser to approve the agenda and consent agenda as presented.

Motion carried 4 – 0.

- Bills: Checks #27650-27686, 965E – 972E
- Payroll: Checks #67615 – 67651
- Approve September 12 Library Board Minutes & Expenditures
- Approve September 28 Utilities Commission Minutes
- Approve October 2 City Council Minutes
- Approve Resolution #28-23 \$20,000 Ambulance Donation

Public

No comments

SRDC – Chris Webb Transportation Planner

Chris Webb, SRDC Transportation Planner presented an Active Transportation Grant opportunity. The grant would cover the cost for the infrastructure for a sidewalk, trail, path or bike lane. A proposed trail was discussed, the north side of Prince Street from Golf Course Road moving east until it reached 11th Street. An estimated infrastructure cost was \$585,000, which would be paid by the grant, if awarded. The cost to the City would be the engineering fees, estimated at \$115,000, in addition to the cost to put the above electrical lines underground.

Motion by Kruser, seconded by Bargaen to accept the letter of intent, but the Council will need to

determine the circumstances and specifications of the project at their next meeting. Motion carried 3 – 1. Janzen opposed.

Fire & Ambulance Hall

The city administrator provided an update on building costs and estimates from local contractors for the Fire & Ambulance Hall. The council provided direction to keep moving forward on a solution. The city administrator will continue to research building materials, costs and financing options.

Financial Quarterly Review

Revenues and expenses to date were reviewed.

Utilities Commission – Electric Installations

There was a second reading for Ordinance # 4-23 Electric Service Regulations. The ordinance would be amended by adding E in City Code Section 3.40 Subdivision 3 Electrical installations to read as follows: The City shall require a new meter socket for any new construction or service upgrades to be a minimum of 200 AMP lever type meter bypass.

Greenhouse Public Hearing

Hiebert Greenhouses did not attend the public hearing that they requested. No comments from the public during the hearing. Motion by Kruser, seconded by Janzen to continue the hearing for November 6th, and send a letter to Hiebert Greenhouses, providing them with notice. Motion carried 4 – 0.

City Attorney

There was no update regarding civil processes on various properties, public nuisances, current processes, court procedures, agreements, and plans.

City Administrator

Regular meetings of the Council shall be held in the Council Chambers on the first Monday and on the third Monday of each month at 5:45 o'clock P.M, instead of 6:30 o'clock P.M. Motion by Barga, seconded by Kruser to approve Ordinance #5-23 City Council Meeting Time. Motion carried 4 – 0. The Council agreed that the future Council can always change the City Council meeting time, whatever time works best with their schedule.

Roundtable

An update was given to the council regarding board and commission meetings.

Adjourn

The meeting was adjourned at 8:05 p.m.

ATTEST:

Michael Mueller, Administrator/Clerk

STREET DEPT Report OCTOBER

- Mow All City grounds
- Sprag 240 All City grounds
- Clean Plunge Pool
- SHUT Parks @ Campground Down For Winter
- Clean up Flower Pots, Bike Racks, Picnic Tables
- Crack Seal, 4th Ave, 5th Ave, Sunset Dr
- STAKE Cemetery
- Sweep leaves
- Clean Shop
- Begin Plow Prep 672 GP, WING, #12 Sandbat
- Start Working on Sign Replacement, Town e Cemetery

**PROCLAMATION
MOUNTAIN LAKE CROSS COUNTRY TEAMS
CITY OF MOUNTAIN LAKE, MN**

WHEREAS, the City of Mountain Lake celebrates the Mountain Lake Cross Country Teams for winning sectionals and heading to State and wishes to honor them for their hard work and dedication; and

WHEREAS, Head Coach Kyle Blomgren, Assistant Coaches Lana Kestner & Anita Vogel, Volunteer Coaches Gary Hildebrandt & Liana Blomgren, member parents, faculty and student body at Mountain Lake were integral in guiding the teams to victory through their unwavering support; and

WHEREAS, citizens of Mountain Lake and fans are proud of the accomplishments thus far of the Mountain Lake Cross Country Teams, and

WHEREAS, the City of Mountain Lake commends the Mountain Lake Cross Country Teams for their athleticism and grace in the sport of cross country, and wishes them well in their future endeavors!

BE IT FURTHER RESOLVED, that a copy of this proclamation be spread upon the official minute books of the Mountain Lake City Council as a lasting testament for the appreciation and the affection the community has for the Mountain Lake Cross Country Teams. The Mountain Lake City Council heartily congratulate the Mountain Lake Cross Country Teams and recognize November 4th as

MOUNTAIN LAKE STATE CROSS COUNTRY DAY!

Mike Nelson, Mayor

ATTEST: _____
Michael Mueller, City Administrator

ORDINANCE #4-23
AN ORDINANCE OF THE CITY OF MOUNTAIN LAKE
AMENDING CHAPTER 3 OF THE CITY CODE

Be it ordained the Mountain Lake City Code is amended by adding E in Section 3.40 Subdivision 3 Electrical installations to read as follows:

SECTION 3.40 RULES AND REGULATIONS RELATING TO ELECTRIC SERVICE.

Subdivision 3. Electrical Installations.

- E. The City shall require a new meter socket for any new construction or service upgrades to be a minimum of 200 AMP lever type meter bypass.

Passed by the Council this 6th day of November 2023.

Mike Nelson, Mayor

Attest: _____
Michael Mueller, City Administrator/Clerk

Section 12.01 Earned Sick and Safe Leave

“Earned Sick and Safe Leave” is a requirement for all MN employers with one or more employees to provide paid time off earned at one hour of Earned Sick and Safe for every 30 hours worked by an employee, up to a maximum of 48 hours of sick and safe leave per year, unless the employer agrees to a higher amount. The hourly rate of Earned Sick and Safe Leave is the same hourly rate an employee earns from employment with the city. This specific leave applies to all employees (including temporary and part-time employees) performing work for at least 80 hours in a year for the city.

The 12-month period is the same as our fiscal year, Jan. 1 to Dec. 31

Employees are to use this paid leave only under the conditions explained below in section (a).

- Full-time employees will accumulate sick leave at a rate of one (1) day per month.
- Part-time, Temporary and Seasonal employees who perform work for at least 80 hours in a year for the city, will earn 1 hour of Earned Sick and Safe Time for every 30 hours worked by an employee.

(a) Earned Sick and Safe Leave Use

The leave may be used as it is accrued in the smallest increment of time tracked by the city’s payroll system of 15 minutes for the following circumstances:

- An employee’s own:
 - Mental or physical illness, injury or other health condition
 - Need for medical diagnosis, care or treatment, of a mental or physical illness
 - injury or health condition
 - Need for preventative care
 - Closure of the employee's place of business due to weather or other public emergency
 - The employee's inability to work or telework because the employee is prohibited from working by the city due to health concerns related to the potential transmission of a communicable illness related to a public emergency, or seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and the employee has been exposed to a communicable disease or the city has requested a test or diagnosis.
 - Absence due to domestic abuse, sexual assault, or stalking of the employee provided the absence is to:
 - Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking
 - Obtain services from a victim services organization
 - Obtain psychological or other counseling
 - Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault or stalking
 - Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking
 - Care of a family member:

- With mental or physical illness, injury or other health condition. Who needs medical diagnosis, care or treatment of a mental or physical illness, injury or other health condition. Who needs preventative medical or health care. Whose school or place of care has been closed due to weather or other public emergency. When it has been determined by health authority or a health care professional that the presence of the family member of the employee in the community would jeopardize the health of others because of the exposure of the family member of the employee to a communicable disease, whether or not the family member has actually contracted the communicable disease.
- Absence due to domestic abuse, sexual assault or stalking of the employee's family member provided the absence is to:
 - Seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking
 - Obtain services from a victim services organization
 - Obtain psychological or other counseling
 - Seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault or stalking
 - Seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking

(b) For Earned Sick and Safe Leave purposes, family member includes an employee's:

- Spouse or registered domestic partner
- Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis
- Sibling, step sibling or foster sibling
- Biological, adoptive or foster parent, stepparent or a person who stood in loco parentis when the employee was a minor child
- Grandchild, foster grandchild or step grandchild
- Grandparent or step grandparent
- A child of a sibling of the employee
- A sibling of the parent of the employee or
- A child-in-law or sibling-in-law
- Any of the above family members of a spouse or registered domestic partner
- Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship
- Up to one individual annually designated by the employee

(c) Advance Notice for use of Earned Sick and Safe Leave

If the need for sick and safe leave is foreseeable, the city requires seven days' advance notice. However, if the need is unforeseeable, employees must provide notice of the need for Earned Sick and Safe time as soon as practicable. When an employee uses Earned Sick and Safe time for more than three consecutive days, the city may require appropriate supporting documentation (such as medical documentation supporting medical leave, court records or related documentation to support safety leave). However, if the employee or employee's family member did not receive services from a health care professional, or if documentation cannot be obtained

from a health care professional in a reasonable time or without added expense, then reasonable documentation may include a written statement from the employee indicating that the employee is using, or used, Earned Sick and Safe Leave for a qualifying purpose. The city will not require an employee to disclose details related to domestic abuse, sexual assault, or stalking or the details of the employee's or the employee's family member's medical condition. In accordance with state law, the city will not require an employee using Earned Sick and Safe leave to find a replacement worker to cover the hours the employee will be absent.

(d) Carry Over of Earned Sick and Safe Leave

Employees are eligible for carry over accrued but unused Earned Sick and Safe time into the following year, but the total of Earned Sick and Safe Leave carry over hours shall not exceed 720 hours.

(e) Retaliation prohibited

The city shall not discharge, discipline, penalize, interfere with, or otherwise retaliate or discriminate against an employee for asserting Earned Sick and Safe Leave rights, requesting an Earned Sick and Safe Leave absence, or pursuing remedies. Further, use of Earned Sick and Safe Leave will not be factored into any attendance point system the city may use. Additionally, it is unlawful to report or threaten to report a person or a family member's immigration status for exercising a right under Earned Sick and Safe Leave.

(f) Benefits and return to work protections

During an employee's use of Earned Sick and Safe Leave, an employee will continue to receive the city's employer insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

An employee returning from time off using accrued Earned Sick and Safe Leave is entitled to return to their city employment at the same rate of pay received when their leave began, plus any automatic pay adjustments that may have occurred during the employee's time off. Seniority during Earned Sick and Safe Leave absences will continue to accrue as if the employee has been continually employed.

When there is a separation from employment with the city and the employee is rehired again within 180 days of separation, previously accrued Earned Sick and Safe Leave that had not been used will be reinstated. An employee is entitled to use and accrue Earned Sick and Safe Leave at the commencement of reemployment.

(g) Catastrophic Bank

Sick leave cannot be transferred from one employee to another. The maximum accumulation for Earned Sick and Safe Leave is 720 hours (90 days). Employees who have accrued the ninety (90) days or seven hundred twenty (720) hours of Earned Sick and Safe Leave, shall accrue one (1) working day or eight (8) hours per month to be placed in a catastrophic Earned Sick and Safe Leave bank. Employee's catastrophic Earned Sick and Safe Leave bank can accrue to a total number of seven hundred twenty (720) hours. The catastrophic Earned Sick and Safe Leave bank can only be used in the event of an extended illness or injury. Should an employee incur a

serious injury or experience an illness necessitating a prolonged absence from work, he/she shall use their regular Earned Sick and Safe Leave bank until it is reduced to eighty (80) hours, at which time the employee shall utilize the hours accrued in the catastrophic Earned Sick and Safe Leave bank.

(h) Retirement

Upon retirement, an employee shall be compensated at his/her current rate of pay for all accumulated unused regular Earned Sick and Safe Leave to their credit, not to exceed (90) days.