

**LAMBERTON CITY COUNCIL
REGULAR MEETING • CITY HALL
August 14, 2023 • 6:30 P.M.**

1. CALL TO ORDER/ADOPT AGENDA/CEREMONIAL DUTIES

- Meeting called to order at 6:30 PM August 14, 2023.
- Present: Mayor L. Sik, D. Knutson, D. Irlbeck, I. Pfarr, L. Bittner (arrived 7:15PM)
- Staff in Attendance: V. Halter, J. Thram, T. Birkemeyer, T. Neperman
- Others in Attendance: Scott Kuhlman, Bollig; Jadell Morales, Bill Schaffran, M. Novak

A. Additions/Deletions to Agenda

1. Remove RCA 5a
2. Add Closed Meeting at the end of the meeting for Human Resource issue.
3. Add RCA 5f – Library Aid Position

Motion/Second/Pass (Irlbeck/Pfarr/unanimous 4/0) to approve the agenda as amended.

2. CONSENT AGENDA

A. Approval of Minutes (can all be done in one motion)

1. June 28, 2023 EDA Meeting Minutes
2. July 10, 2023 CC Meeting Minutes

Motion/Second/Pass (Knutson/Irlbeck/unanimous 4/0) to approve the June 28, 2023 EDA Minutes and the July 10, 2023 Regular Council Meeting Minutes.

3. GENERAL BUSINESS

A. Petitions, Request, Communications

1. Dan Coulter – Lambertton Township (Dan was not present at the meeting.) The Lambertton Township is requesting to place a 16x30 building in the City limits for storage. Thram suggested behind the Veteran's Park. Discussion was held.

Motion/Second/Pass (Knutson/Irlbeck /unanimous 5/0) to approve Lambertton Township place a building on the back side of Veteran's Park with the understanding that the Township is responsible for lot maintenance including mowing and snow removal; and if the City needs that lot for any reason the Township will be responsible to move the building off the lot.

2. Bollig Engineering – Scott Kuhlman with Bollig Engineering was present to update the council on activity. The Preliminary Engineering Report and the Environmental Report have been submitted to the USDA Rural Development (RD). Bollig has received comments back from RD and are addressing them. After these are addressed it moves to the next step of does it qualify for the programs offered. Then the projects are ready for them to be able to fund. The Industrial Park application into the DEED BDPI Grant is underway. This one is for utilities in the Industrial Park. Platting in the Industrial Park is waiting for the rest of the project to be finalized and for possible tenants to be able to plat for their needs. Electrical design needs to be completed yet. There are two large natural gas lines that they will need to get depths on once crops are removed. Grove Street is almost completely engineered. Kuhlman questioned the extent of curb and gutter replacement. Can go partial or full replacement. Discussion was held.

MN Department of Health Lead Service Line Grant – application was submitted and are awaiting award. The federal government is mandating all municipalities to take an inventory of all their water service lines. The goal is to identify all lead service lines. There will be programs in the future to replace the lead service lines. It will all be a part of a process.

3. Citizen Complaints & Concerns

- a. Kyle Hubert – Dangerous Dog & Other Nuisance Violations – Hubert was unable to attend. The complaints have been submitted to the police department.

4. Building/Zoning Permit Requests

- a. Claire Olson submitted an application to build a garage.

Motion/Second/Pass (Knutson/Pfarr/unanimous 4/0) to approve the garage building permit for Claire Olson.

5. Request for Council Action

- a. RCA – Char Pham – is asking for forgiveness on her utility bill. Thram and Beermann have worked with her and she has been very attentive in addressing the issue. Mayor Sik explained past practices.

Motion/Second/Pass (Knutson/Irlbeck/unanimous 5/0) to approve a one-time credit of \$498.31 to Char Pham's utility bill.

- b. RCA – Clayton Senst is wanting to build a garage at the back of his property. He is asking the council if he can use his platted undeveloped alley for him to use as access to this garage. Senst is asking if the council will pay for the installation of the curb cut to the alley. Halter asked if the council would allow Senst to use the alley. Discussion was held. Senst's original building permit had the garage opening to the County Road. Halter did reach out to the county. They require a permit and the homeowner is responsible for the cost. Senst would have to abide by all setback and alley ordinances that are in place. The neighbors have stated in the past that they do not want a developed alley. After further discussion the council tabled the request for further information.
- c. RCA – Liquor Licensing Request – Lydell Sik of Lamberton Lanes is requesting a full liquor license; he currently holds a 3.2 license. It has become increasingly difficult to get what his patrons like. Sik looked at getting a Wine License which would allow him to sell strong beer, but the City's current ordinances and fee schedule does not support this at this time. Sik is requesting the council vote on an off-sale and on-sale liquor license pending insurance, fees are paid, and state approval. Sik is also asking for the rate to be pro-rated for the year. Pro-rated rate for the licenses would be \$110.42/month.
Motion/Second/Pass (Irlbeck/Knutson/unanimous 4/0/Sik abstaining) to approve an on-sale and an off-sale pro-rated liquor licenses for Lydell Sik of Lamberton Lanes pending all paperwork, insurance, paid fees and state approval.
- d. RCA – Share the Spirit has requested the Lamberton Library purchase the books for the Share the Spirit and they would reimburse the library for the purchase.
Motion/Second/Pass (Bittner/Pfarr/unanimous 5/0) to approve the Library purchasing books for Share the Spirit with Share the Spirit reimbursing the cost.
- e. RCA – Library Aid position. The summer help we had for the Library Aid position has left for college. We need to fill the position.
Motion/Second/Pass (Pfarr/Knutson/unanimous 5/0) to approve advertising for a part-time Library Aid.

- 6. Matt Novak, City Attorney was present to discuss a variety of topics.
Cannabis and Employment Policy – Novak discussed some of the things needing to be addressed with the new cannabis laws. Novak is looking for guidance from the council on the changes needing to be made to the Employment Policy. Council voiced they would be for a “No Impairment” stand on use and to add a “For Cause” testing clause. Discussion held.

Cannabis and Public Smoking Policy – Novak stated that as of now, you can smoke cannabis in public spaces. Novak discussed the options. The campground was discussed. Further discussion was held. Mayor Sik suggested the council take time and figure out what is wanted and make sure we address all issues.

Novak talked about addressing Smoke Shops and if the council would want to restrict. Discussion was held.

Changes in Employment Law – The Legislation pass into law the requirement to offer Sick & Safe Time to any employee that works over 80 hours a year after January 1, 2024. This includes any part-time or temporary employees. In 2026 there will be a state FMLA system. Employers will pay into the system like they do unemployment. Then if an employee has a qualifying event, they apply to the state agency and the state agency would pay them if they qualify. The employer would just be required to allow the time off needed.

Ordinance Codification – Many of the City's ordinances are outdated and need to be updated. Halter looked into using the Minnesota Basic Code vs. going through each of our ordinances and updating them. There are pros and cons to each way. Novak would rather we do not use the Basic Code because it is overkill for what we need. The Basic Code names several positions that are needed and the procedures needed for enforcement can be a problem. Discussion was held. Organization and ease of finding the information is a concern. It was decided that the council will hold a work session and start working on ordinances that we have and updating them. Council will continue working through all the ordinances. The three that were identified as ones that need to be addressed first are animals, liquor, and nuisance.

B. Department Reports

- 1. Library – report was submitted.

Motion/Second/ Pass (Irlbeck/Knutson/unanimous 5/0) to approve the library report as submitted.

- 2. Ambulance Department – Tim Birkemeyer was present and reviewed call volume. Discussion is being held about developing a County-wide transportation system for non-emergent transportation that is needed for residents of nursing homes and others in the

county. It is a way to relieve some pressure off of ambulance services around the county that are being called out for non-emergent calls that they are unable to turn down. Novak also addressed this subject and asked the council for their support and presenting it to the county commissioners.

Motion/Second/ Pass (Knutson/Bittner/unanimous 5/0) to support the effort to develop a countywide non-emergent transportation system.

Birkemeyer also talked about the Ambulance Policies that are needing to be developed. The service received a Pedia-Mate through a grant the D Vollmer applied for. This allows them to safely transport a pediatric patient up to 80 pounds. Birkemeyer is also wanting to update the Toughbook used in transmitting patient information in the ambulance.

Motion/Second/ Pass (Bittner/Irlbeck/unanimous 5/0) to approve the purchase of a Toughbook or tablet.

The alarm system at the Ambulance garage that goes off if there is carbon monoxide – goes off, but the fans do not kick in to remedy the problem like it should. To fix it will cost approximately \$1,200.

Motion/Second/ Pass (Irlbeck/Bittner/unanimous 5/0) to approve the ambulance report as given.

3. Fire Department – No report given.

4. Police Department - Report Submitted

Motion/Second/ Pass (Irlbeck/Pfarr/unanimous 5/0) to approve the police report as submitted.

5. Maintenance Department

Thram reported all the trees were planted at the City Park. There are eight different varieties planted. Thram has been working with the Douglas Apartments with their usage. They feel we have a problem, but we have changed out meters and do not feel there is an issue. The swimming pool is closed for the season. The water tower was hit by lightening during a storm. Now the panel is experiencing problems, and everything is needing to be ran manually now. We have put in an insurance claim. Problem now is getting parts for the panel we have because it's old. If we have to upgrade the panel, we will have to see what insurance covers. There is a problem with the skid loader. Thram has been working with John Deere to get it resolved. Thram also asked the council to think about regrading the park next year.

Motion/Second/ Pass (Irlbeck/Knutson/unanimous 5/0) to approve the maintenance report as given.

6. Administration/EDA Department

Halter reported that Kris Vollmer has started part-time in the office and it is going well. The Lamberton Foundation has approved doing a Fund Drive for improvements in the park. We need to work out details yet, but that will be coming. Halter has joined the League of Minnesota Cities Improving Local Economies Committee. Halter met with the school regarding childcare. Halter has reached out to the owners of VVM to discuss childcare and assisted living needs of the community. The fiber open house was held with 112 locations signing up.

Motion/Second/ Pass (Bittner/Pfarr/unanimous 5/0) to approve the Administration/EDA report as given.

Bill Schaffran was present for Hot Iron Days. Asked if the City would be willing to cover the costs of bathrooms and advertising. Halter stated Bollig gave a \$300 donation to be used towards Hot Iron Days expenses.

Motion/Second/ Pass (Irlbeck/Knutson/unanimous 5/0) to pay for the bathrooms for Hot Iron Days.

Schaffran made comments about police coverage.

C. Ordinances and Resolutions (can all be done in one motion)

1. 2023-25 – Resolution Accepting Donations to the City of Lamberton

Motion/Second/ Pass (Bittner/Pfarr/unanimous 5/0) to accept Resolution 2023-25 Accepting Donations to the City of Lamberton

2. 2023-26 – Resolution Reallocating Budgeted Funds

Halter presented the financial savings by not having a second full-time position in the office and the time that the street department was down a full-time person. Halter is requesting the savings of \$54,108 be reallocated to the street maintenance budget. Halter presented estimates for chip sealing. Thram explained the two different types quoted. Thram also talked about First Ave by Meadowland. Halter would like to explore using LFIP funds for that project.

Motion/Second/ Pass (Bittner/Pfarr/unanimous 5/0) to accept Resolution 2023-26 Reallocating \$54,108 Budgeted Funds to the Street Maintenance Budget.

3. 2023-27 – Resolution Approving V.O.T.E.R. Funds Usage – State funds were given to the county. The City needs to approve usage of the funds.

Motion/Second/ Pass (Bittner/Pfarr/unanimous 5/0) to accept Resolution 2023-27 Approving V.O.T.E.R. Funds Usage.

D. Financial Report & Approval of Claims

1. July 2023 Financial Report
2. Approval of Claims

Motion/Second/ Pass (Knutson/Bittner/unanimous 5/0) to approve the Financial Report & Approval of Claims.

4. **MAYOR & COUNCIL REPORTS & COMMUNICATIONS**

A. Information for Council

1. UCAP Overview – all slots are being used and projects need to be completed soon.
2. Pool Attendance and Revenue Tracking, Expenses for July were presented.
3. Dollar General – Halter did get a call asking for pending assessments on the land.
4. One-Time Public Safety Aide – The State of Minnesota is giving a one-time payment of \$34,351 to be used for public safety. There are strict requirements for its use. The countywide non-emergent transportation idea was suggested.
5. Industrial Park Funding Opportunity – Halter will be working with Bollig on the funding opportunity.

5. **NEXT MEETING DATE**

- A. September 11, 2023 at 6:30 PM

The meeting went into closed session at 9:45 PM to discuss a personnel matter.

Discussion was held on the matter. No action taken by the council.

6. **ADJOURNMENT**

Motion/Second/Pass (Irlbeck/Knutson/unanimous 5/0) to adjourn the meeting at 10:03 PM.

Respectfully Submitted,



Valerie Halter
Clerk



Lydell Sik
Mayor