

JASPER CITY COUNCIL MINUTES

Regular Meeting-August 15, 2023

The Jasper City Council of the City of Jasper met in-person on **Tuesday, August 15, 2023.**

Members present: Mayor Mike Baustian; Council members: Kim Lape, Deb Plahn, Brian Sievert, Tim Houg; Employees present: Trinidad Garcia Clerk/Treasurer, Asst. Clerk/Treasurer: Maggie Erickson; Public Works Superintendent: Brian Thode, Asst Public Works: Angel Garcia;

Pipestone Star: Kyle Kupal

Community members: Angie Jones and John Haack

Mayor Baustian called the Regular Meeting to order at 7:00pm followed by the Pledge of Allegiance;

Community Input:

- **Alex Schafer** – (Not present) Alex was to attend the Council meeting to request approval to have his sidewalk repaired after removing it without approval to be completed next spring 2024 due to financial issues. Council advised to send a follow up letter to advise Alex that due to non-attendance that his sidewalk will need to be repaired this year as originally requested.
- **Angie Jones** – Angie attended the meeting to follow up on a previous request to rent a space for her RV for the winter months. Council agreed to rent Angie a lot at the Jasper campsite from Oct 2023-May 2024 provided a waiver is sign that the City is not liable or responsible for any damage to Angie's RV including a monthly rental amount of \$40.

Motioned by: Plahn 1st/Lape 2nd. All ayes followed.

- **John Haack** – John attended the meeting to request a variance for his property at 518 4th Street W. John would like to build a shed 35x44x14 on his empty lot adject to his home. He contacted Pipestone County requesting to combine his two properties, but due to his mortgage loan on his home he would need to refinance to include that additional empty lot to his loan. John is requesting a variance to gain approval to build his shed on his empty lot without combining the properties. This variance is pertaining to Ordinance #717 Accessory Building and Structures. John was advised to fill out a variance request and a Public Hearing would be setup for review of the variance request.

Review and approval of Minutes:

July 11, 2023 Regular Meeting

Motioned by: Lape 1st/Houg 2nd. All ayes followed.

Review and approve the July 2023 claims to date.

Motioned by: Lape 1st/Plahn 2nd. All ayes followed.

Receipts noted in month.

Motion by: Missed in August 15, 2023 meeting.

Delinquent Sewer/Water/Garbage:

#7 & #31 - Property is closing on a sale and all balances will be paid in full.

#252 - Property is cleaned up and for sale sign has been removed, possible sale.

#81 - Property brought down the balance and is working on getting account on track.

Wellness Center/QCC:

- Unlimited Enterprise claim for \$27,840 was submitted to the LMCIT Adjustor and the claim was paid in the amount of \$26,190 excluding \$1,650. The claims Adjustor is inquiring about other locations that were included in the claim; the Gazebo, Band Stand, Picnic Shelter, Storage Building, Fire Dept, and EMS building. LMCIT/Adjustor needed to know if the other locations will receive any work on them, if not the claim will be closed and by not making any repairs on the rest of the locations will not have an impact on the locations if another claim is put against them in the future. Public Works Sup does not see the need for repairs on the six other locations in question.
- Wellness Center door locks and security cards were under review. The Wellness center currently had issues with the door lock working properly. City staff was unaware on how to address the issue since no was aware on how to maintain the locks. After multiple attempts to determine how to obtain access to the security locks it was determined that the batteries needed to be replaced and if was later recalled that Ole Locksmith installed the locks in the past but does not maintain the app that goes with the programming of the security cards. A request for a bid from Midwest Alarms was obtained to verify the cost of having a professional lock system and key fobs for the Wellness Center and front door access. Council reviewed the bid and it was decided that the lock issue has been resolved and Ole the Locksmith can assist with the maintenance of the locks. It was left to the City Clerk to review the YouTube videos to understand the process to program security cards and utilize the app for support. The recent app was removed from an old City laptop and installed on both City Clerks laptop for access going forward.
- Wellness Center memberships cost and payment process was discussed. It was determined that members have the option to pay via autopay (bank draft) monthly, charges added to monthly SWG bill, or pay monthly. City Clerk requested approval from Council to change current membership payment process for individuals that request to pay monthly to paying upfront 6 months to eliminate that process of the City having to invoice individuals monthly. Council agreed to the change and the membership documentation will need to be updated.
Motioned by: Lape 1st/Sievert 2nd. All ayes followed.

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New Business:

- Water Rate Increase received effective for September 1, 2023 – Signed Resolution 23-227 to increase water rate to \$4.89 per thousand gallons from \$4.75 per thousand gallons. Rate increase is for a two-year time frame since this was missed the previous year for 2022 and then to put through the increase for 2023.
- MN Cannabis Legalization effective August 1, 2023. Council member Plahn and Houg went to a meeting in Rock County to receive information on the new law. Rock County is working on establishing new policies and Pipestone is still working through the new change. The City Clerk shared with Council a sample Ordinance to put in place prohibiting cannabis use within public property and public places for Council to review and suggest adopting a similar Ordinance. The City Clerk also shared the template from the LMC to update Personnel Policies verbiage for Drug and Alcohol Testing policy. The City Clerk suggested updating the sample Ordinance and LMC personnel policy to present to Council in our next meeting to review and possibly approve.
- LMC Clerk Academy training held September 7-8, 2023. City Clerk shared with Council a summary of the training. The Training starts out with 2 weeks of on online material to review and then follow-up with the in-person training. Clerk suggested for both Clerk and Asst Clerk to attend so both parties are verse in Clerk responsibilities. Council agreed that was a good idea. Clerk shared that the cost of training is \$250 per person with group hotel rates of about \$110 per night. Mayor confirmed that mileage would be cover too.

Motioned by: Plahn 1st/Lape 2nd. All ayes followed.

- Southwest Christian School Tractor Ride September 09, 2023. Clerk advised that this is the first year that they will start in Jasper. The Tractor's will line up down by the City park and coffee and donuts/rolls will be served.
- 2023 Public Safety Aid to be disbursed in December 2023 for \$26,299 for Jasper. This is a one-time aid to use towards public safety.
- USDA Rural Development Loan for Fire Barn Promissory note/Water Project Bond. The Fire Barn's loan is active through 2031 and the Water Project bond is active through 2026.
- Review and update City and Zoning Ordinance. Shouse verbiage to review and possibly update Ordinance. Clerk did not have much luck on locating shouse verbiage that other Cities may have adopted for their City. Clerk shared a few examples from other Cities what verbiage is used toward the request of a shouse. It was discussed amongst Council that shouses are still so new that they have not been defined as to the requirements to use.
- City and Zoning Ordinance – City Clerk contacted SouthWest Regional Development Commission (SRDC) business in Slayton that prepared Zoning and Ordinance back in 1992. Clerk is waiting for a call back to find out what services the Company provided to assist with preparing the Zoning and Ordinance policy book, to see if they can help with reviewing and updating if necessary.

Old Business:

- Review of Personnel Policies: Overtime and On call schedule. Council member Lape states that she thought it was agreed from a previous Council meeting to keep things that way that they were. Council member Lape recites from May 2023 minutes “It was decided to pay overtime for hours worked over 8hrs in a given day”. Motion by: Lape 1st / Plahn 2nd for overtime. The City Clerk explained that the motioned approved was changing from the Personnel Policy documentation that was in place. It was explained how multiple discussions took place when reviewing the policy verse the actual documentation in place. Public Works Sup also agreed that he understood that the policy was not going to be changed and left the way it was and Council member Lape continued to agree that she understood the same thing. The City Clerk explained that even if it was agreed to keep current procedures in place that they were never documented in the Personnel Policy handbook. The Personnel Policy handbook referenced that overtime applies once 40hrs are worked. The Clerk also advised that at that time of discussion, the Council meeting packet included the old policy and new policy so both can be referenced as to what the policy was and what was going to be changed for approval. Asst Public Works addressed his concern on how this issue is affecting the relationship amongst the four employees and it has caused everyone to be on pins and needles when it comes to processing payroll. He addresses that it’s not fair for anyone but that everyone knows that even if things in the past were done a certain way that it doesn’t mean they were right. He continues to state that there are four employees present not just one and nothing against Thode but something has to be done to address this issue. Public Works Sup addresses that he understood that the Federal Standards were going to be followed with the 40hours but the 8hrs were going to be added too with nothing going to change. The City Clerk advised that you can’t do both because they would overlap. If an employee works 9hrs in a day and has 1 hour towards overtime and also has any hours over 40 hours for the week would be overtime; they overlap each other. Council member Sievert gives a scenario if someone works five 9-hour days, so 45 hours, you have to have one or the other not both. Public Works Sup agrees that he understands that. Public Works Sup goes back and refers back on how he was paid. He states that he was paid for every 2 weeks, 80 hrs and it didn’t matter if he used vacation or not and if he was called back that the hours were overtime. Council member Lape agrees that makes sense. City Clerk explains that is including vacation time not actual hours worked. She explains that in the past hours were paid for total hours and not actual hours worked. This is what the City Clerk originally questioned when starting payroll. Council continues to discuss the scenarios of being paid per total hours worked versus actual hours worked. Public Works Sup brings up that actually he was hired on as a salaried employee as the only full time Public Works employee other than the Liquor store and if he was called back to work that he was paid overtime because he was salaried. Council member Plahn question when they changed it over from salary to hourly and Public Works Sup answered that they never did. That somehow they always had it and states that Council could look back at the minutes an see that there was a salary column and an hourly column but it was just adapted to go with the hourly rate. Mayor states that he thinks you should work 40 hours first and then overtime kicks in. PTO and vacation are paid at the standard rate. Clerk references the Fair Labor Standards Act that was shared with Council and Staff to help clarify requirements for overtime and in the documentation, it references some Cities pay overtime for hours worked over eight hours in a day, but this is not a requirement per FLSA. This may be were some of the verbiage is pulled from.

The City Clerk shared some of her frustration regarding this whole situation that she feels she is taking the brunt of this deal and this is not something that she put in place. This is not a policy she created, she is just trying to follow the information and rules that she is aware of. Public Works Sup addresses that Council can go above the minimum requirements of the Federal laws and a lot of Cities do that. Asst Public Works adds that something needs to be done because this is causing so much tension amongst employees and it's not fair to anyone. Council member Plahn states that she agrees with the Mayor of working a 40 hour week and anything after that is overtime. City Clerk explains since she just did payroll, that Public Works employees work one week with a full 40 hrs and then they are on call for the weekend. For the weekend the Public Works employee receives 4 hrs of comp time for Saturday and Sunday which is used to cover the Friday off on the following week. In the week that they take a Friday off actual hours worked is 32 hrs, so no overtime will accumulate unless you put in additional hours to bring them over 40 hrs. Council member Lape suggestion the option of making the employees salary but explains that there are pro and cons to that option as well. Public Works Sup states that if things go that route, then that is taking them down hill unless the wages are adjusted. Mayor states this will leave an overtime question. City Clerk states that either way policies still need to be documented. Mayor turns to Council if they want to stick with the motion that was put in place in May 2023 or change it. Council member Houg states a policy needs to be put in place and documented and now it is put on Council to make a decision because nothing was put into place. Council member Lape states that the City of Jasper is not a metro city and does need to follow the rules that the League of MN put into place. We can write it the way we want to write it. Council member Houg states again that something need to be put into place and have rules to follow. Mayor chimes in and addresses that this will not be hashed out in this meeting and a committee will need to be put into place to draft something for Council to review to accept/amend. This can be addressed next month. Council member Sievert shares that Meulbroeck would be a good source to use with their experience with audits and payroll. Mayor questions if the Council can get a committee of two and a person from Meulbroeck to review and put an overtime policy. Council member Lape asked to be involved and Council Member Houg volunteered. Council member Lape will take the lead on scheduling a meeting to discuss.

- LMC Slip/Trip/Fall Prevention Loss Control Survey conducted on 09/22/22. Randy Claussen from Kozlowski came to office to discuss a report that was presented to Council back in October 2022. The report captured areas around the City that pose a potential risk to the City. Randy Claussen asked the City to continue to follow up on the items identified on the report and he will check back with The City Clerk in a couple of months. The QCC floor was included on the report and the City Clerk asked what needs to be done with floor samples from the QCC. Clerk will check on getting the floor tested and will work through the items with Public Works to complete and finish the report to send off to LMC.
- Cameras for the City – Bid from Intellipro Security/Dustin & Midwest Security. Intellipro is our current camera support. Intellipro included a bid for the office to hardwire cameras to replace the current Blink cameras in place that are not working. The Bids for the office cameras are fairly close in cost with Midwest Security. Midwest Security also included the cost for all the other City locations with Cameras, Park, QCC, and City Shop. With having all locations included in their

bid the cost is significantly higher to replace the existing support supplier. Not all City Staff have access to all the Cameras around town, some are viewed on the office laptop or app. Council discussed the use of Cameras and referenced Council member Sievert's camera support for his business. Mayor questioned how many cameras are in the City shop. Public Works Supervisor advised that they have two cameras; one to monitor the dumpster outside the shop and another in the shop. Assistant Public Works addresses his concern with the one camera in the City Shop, especially since only one person has access to them. He addresses that he feels like an invasion of privacy, not that he has a concern as to performance but feels if the cameras are in place everyone should have access to them. Council discusses the support of cameras more and that everyone should have access to them. Council discusses the bid for Midwest Security and the cost of the labor. Council member Sievert explains that for his business that he wired his business himself and added the cameras. Discussion continued if the City can work with Sievert to wire the City for the support of hardwired cameras. City Clerk questions if the City will run into issues with doing the labor ourselves versus a company especially for the purpose of Insurance coverage. Public Works Supervisor agrees if they might run into issues. If an issue comes up and the company can't support because they did not support the installation of the wiring. It was identified that the City Shop is missing from the bid, but Council also wants clarity of the bid piece that references the City streets. City Clerk will get clarity of the bid and it will be addressed next month.

- City office bid for backroom. Kurt Jandl and JJ Erickson came out to look over the backroom and give thoughts on tearing out the room or repairing it. To tear out it would be anywhere from \$5,000 to \$10,000. The difference would be as to what needs to be done with the foundation underneath. Council member Lape questioned the reason for the repairs again and it was asked because the bad water leaks and ice dams in the winter. Public Works is constantly out in the winter chipping away at the ice. Council was leaning to tear it out. Demo work was being questioned if Kurt will handle as well and it was answered that "yes" he would. Council agreed to tear the backroom off and leave a solid backroom door.

Motioned by: Lape 1st/Plahn 2nd. All ayes followed.

- Sewer Lining proposed project and possible grants. Council member Plahn asked if any thought has been put into planning for the Sewer Lining project and referenced the City loans that are visible as to the amount owed, that will be a start to think about a plan to address the sewer project.
- Council drive-around-town review, 3rd round. City Clerk explained that round three would be to take legal action if Council wants to proceed. A number of locations are for improperly licensed vehicles and a hand full of locations are actually for excessive debris on resident properties. Council discussed and advised to send out one last "Final Notice" before any legal action is considered.

Public works Report:

- Land permits: Carmen Matos for a small fence, Christine Pauley for a deck.
- Sidewalk Replacements – N/A

- Water pit down by Sherman and Twelve Street (Pipestone pit), 3 years ago discussions took place of putting a shed up and cost sharing for the project. Public Works Sup asked Council if the City if going fit the full amount of the cost for the shed. The pit is ten feet back and four feet underground. The pit currently gets water and the pipes and valves are getting rusted. Lincoln-Pipestone Rural Water has their meters there. Council member Lape suggested going back to LPRW and stating that the City does not have any additional funds from Covid to help cover the cost for the project since the funds went to the City Fire Dept. To see if LPRW is willing to cost share to get this project completed. Council member Lape advised that the City has funds coming in December that could be used for the shed if LPRW does not want to go halves. Public Works Sup advised that the cost would be about \$30,000 for a 10x12 shed that would be above ground. Shed would be placed above ground and meters moved. Public Works Sup will go back to LPRW see if they are willing to cost share.
- Two hydrants need to be replaced. Mary Bassets and up by 6th street. Hydrants are \$3650 each. Council agreed to the cost for replacement.
Motioned by: Lape 1st/Sievert 2nd. All ayes followed.
- Trimming trees over the top of the roads and will get to the alleys. This is done every 2-4 years. Public Works Sup advises to be careful of the recent guy in town trimming trees.
- Council member Lape asked if the red spicket down by the park can be looked at and built up with gravel since there is a current crater in the ground from kids down by the park playing and running the water.

Additional Items Added to the Agenda:

- Council member Plahn asked if anything has been done about adding another driveway up at the truck stop. Asst Public Works advises that he doesn't agree that it's needed. Council member Lape states that it hasn't come up for discuss and became a moot point. Asst Public Works advised Council that the truck stop has been kept cleaned and has not been an issue.
- Follow-up on a request from Council member Lape request for reimbursement of \$50 for weights for the Wellness center. Council agreed to reimburse Council member Lape.
Motioned by: Deb 1st/Tim 2nd. All ayes followed.
- Pipestone Star is requesting approval to post the Jasper Hall banquet room information in their Fall 2023 Bridal Edition for \$225. Clerk requested City Council to approve cost for this Fall and future request as this has been a reoccurring request in the past.
Motioned by: Lape 1st/Sievert 2nd. All ayes followed.
- The City staff received a visit from our Aflac representative regarding current employee policies and information on available policies for employees. The City Clerk advised Council that the

representative was advised from previous City Clerk that the City would cover \$50 a month towards an employees' policy plan and the employee would pay the rest of the plan's cost. Currently the cost for Aflac has been paid by the City and the employees' portion has not been taken out of the employees' payroll other than Thode since he has had the premium deductions setup for a long time in the past and has no changes to his policy. Asst. Clerk shares what was told to employees the last time the Aflac Representative came to the office that employees were told the City would pay \$50 to their monthly premium cost and the employee would pay the rest. Council discussed if they were even aware that employees were receiving Aflac benefits. Mayor asked to get more clarification on the this. Council member Lape nor Mayor recalled ever discussing this in the past. Council member Lape advised members that in her current job Aflac is an added supplement coverage and the Employer does not cover the cost. Mayor addresses on how Council wants to handle this. Council member Lape and Council member Sievert discussed that this is an employee's elective to have the coverages from Aflac as it's not required coverage. Council agrees the City will pay the invoice cost upfront to eliminate any lapse in coverage, but the premiums will be deducted from the employee's paid check semi-monthly going forward. **Motioned by: Lape 1st/Sievert 2nd. All ayes followed.**

- Mayor wanted to bring up the responsibilities that Kim Drew performs for the Ambulance. By taking care of audits, licenses, safety training for Ambulance and Fire Dept, and grant writing. Mayor addresses that our area is small town and having Ambulance services is a rarity that we would like to keep. Mayor proposes to create a position for Kim with a bit of money to follow through on the keeping of the books and licenses. City Clerk asked would this be for Ambulance and Fire Dept. Council member Sievert advised that she would take care of the Ambulance and would write grants for the Fire Dept too. He advises that Kim is good at what she does and he doesn't think the City would like to lose her out of the community. Asst Public Works addresses that he just joined the Ambulance and he can tell the difference when she is there or not there. That she makes you feel comfortable being on a call; things just comes automatic. Council member Kim Lape shares that she thinks that having someone with medical back ground will help with this position. She shares that Kim knows terminology. Council member Houg asked who will pay for the position. City Clerk asked if anything would change from the current process. Ambulance calls filter through to the City to log and take payment records and all other duties was part of her current position. Mayor questions if this would be an hourly or salaried position and that a minimum number of hours could be identified that would cover the needs. Council member Sievert addressed those additional areas the she supports, such as making sure meds are not expire, oxygen tanks are filled, etc. City Clerk questions if the Fire Dept would need a similar position in place to address the need to ensure certifications and trainings are up to date. Mayor states that the Fire Dept would need to address that need. Council member Sievert addressed how his certification lapsed and how this opened up an investigation for the Ambulance and how Kim addressed the issue. Council discussed on how pay would take place by the hour or salaried and it was agreed that an hourly rate would fit the needs. Mayor states 20-30hrs a month would cover the needs and based on her expertise that \$20 an hour with her experience. Council member Houg questioned if she needs to be present. City Clerk suggests putting together a job offer for Kim to review and sign off on. If Kim does not agree, Council will need to circle back. Council agreed to \$20 an hour and 20-30hrs per month as an Ambulance

Coordinator. Council member Lape also adds that she should be the main person to go to disaster trainings to share with the City and Council member Sievert shared how Kim is already FEMA certified. City Clerk adds that she can help with some of the recent todo-s for Flood plaining from the training earlier this year.


Motioned by: Plahn 1st/Houg 2nd. All ayes followed.

Upcoming Meetings:

Council Meeting: Tuesday, September 12, 2023 @ 7:00 p.m.

Lape motioned to adjourn, Plahn seconded all ayes, carried; regular meeting adjourned at 9:36 p.m.


Trinidad Garcia Clerk-Treasurer 9/12/23


~~Mike Baustian, Mayor~~ 9/12/23
Brian Sievert