

**CITY OF LE CENTER
REGULAR COUNCIL MEETING
TUESDAY, SEPTEMBER 12, 2023 – 7:00 PM
10 W. TYRONE ST. LE CENTER, MN 56057**

*** MINUTES ***

1. CALL TO ORDER

Present: Mayor Christian Harmeyer, Council Members Jennifer Weiers, Dan Steffen, Nathan Hintz, Collin Scott

Absent: None

Staff Present: City Administrator Dan Evans, Public Works Superintendent Dan Steinborn, Liquor Manager Becky Vikla

Others Present: City Attorney Jason Moran, Building Official/Zoning Administrator Corey Block

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF THE AGENDA

Motion by Steffen, seconded by Weiers to approve the agenda as distributed. All in favor, motion carried.

4. CONSENT AGENDA

Motion by Scott, seconded by Hintz to approve the consent agenda items list below. All in favor, motion carried.

A) Approval of Minutes from the Regular Council Meeting held on August 8, 2023

B) Approval of Minutes from the Special Workshop Meeting held on August 22, 2023

C) Approval of Bills to be Paid

D) Approval of Resolution No. 2023V A Resolution Accepting Donations to the Ron Germscheid Memorial Park

E) Approval of Resolution No. 2023W A Resolution Accepting a \$300 Donation from the Le Center Sportsmen Club to the Municipal Pool

5. OATH OF OFFICE

Mayor Harmeyer read the official oath of office to Police Chief Mitch Overn. Harmeyer called a short recess, so photos could be taken.

6. PUBLIC HEARING

A) Mayor Harmeyer called the public hearing to order at 7:04 p.m. Attorney Moran introduced Ordinance 2023-4 An Ordinance Prohibiting The Use Of Tetrahydrocannabinol (THC) Products in Public Places in The City of Le Center. It would be a petty misdemeanor with a fine subject to \$290.00 for any person that consumed THC products on any city owned or city leased property, including the grounds, parking lot, or structures thereon. Cap O'Rourke approached and asked the council if the intent was to

include all THC products in this ordinance. The council verified that it was the intent to include all THC products. There were no additional comments from the public, nor did the City receive any written comments on the matter. Motion by Scott, seconded by Steffen to close the public hearing and to go into regular session. at 7:11 p.m. All in favor, motion carried.

7. PUBLIC COMMENT

None

8. PRESENTATIONS

Cap O'Rourke with Minnesota Small Cities spoke to the council on the benefits of becoming a member to the Small Cities organization. O'Rourke stated that their organization is very similar to the League of Minnesota Cities, however they only represent cities under 5,000 in population. They are the second largest city organization in the state. Next years membership's is estimated between 250 to 300 cities. O'Rourke said a lot of what they do is advocate for small cities at the legislative level and keep the members apprised of any new relevant information. Evans advised that he had a phone conversation with O'Rourke before tonight's meeting and the views on current issues in small communities were very much aligned. Evans expressed that becoming a member would be very beneficial to the city. Council advised Evans to put this topic on the next council meeting.

9. REPORTS OF OFFICERS, BOARDS, COMMITTEES, & DEPARTMENTS

A) E.D.A. Report – Evans advised no report.

B) P & Z Report - Block advised no report until new business tonight.

C) Liquor Store Report - Manager Becky Vikla stated that August 2023 sales were \$101,649. August sales in 2022 were \$101,645.69. Sales were up from 2022. July gambling proceeds were \$7,940. August recap: Live music by Sohmer, Mike David and the Angels, County Fair. Vikla said that she canceled Toast the new point of sale system, as they were not able to manage the inventory and reporting requirements as promised. Vikla indicated that she will update the current system by cleaning up the inventory and alphabetizing the menu. Vikla said that there are no good all-in-one systems on the market for our operation. Vikla will be maintain the current system for now.

D) Police Report – Overn provided the report on the police activities for the month of August. Calls / incidents handled 173, miles patrolled 3,940, 2 arrest, both calls and miles patrolled are up 26%. Overn said his first few weeks are going well. It was noted that Officer Klobe did some great investigatory work on the school thefts that just happened.

E) Public Works Report - Public Works Superintendent Steinborn reported the following:

- Football field painted lines at the parks are complete for this season.
- Pool is drained and winterized.
- Ti-Zack Concrete will begin road and sidewalk repairs at Minnesota St. and Lexington Ave.
- Their Well will begin the well sealing process on September 25.

- New Volvo payloaders were delivered and staff is testing them out. The snowblower attachment should work very well this winter to remove snow.
- F) Pool Report – Pool Manager Dorothy Dinwiddie reported on the pool activities for the month of August: Lessons/passes \$365. Daily \$2,775. Concessions \$756. Monthly deposits \$8,542. Total for the season was \$49,706.
- G) Le Sueur Co. Commissioner Updates – Dave Preisler indicated that the mill and overlay project on Cordova Ave is completed. Preisler said Cordova Ave north of the city limits will begin road construction this year by digging down and placing a layer of wood chip on top of the peat and then a top layer of gravel on that. The road will remain in that condition over the winter and spring. Top layer of pavement will be set for the summer of 2024. Most of the County road projects are wrapping up soon or completed. Preisler said the county held a landowner meeting for ditch 51 to make folks aware of several issues with the ditch. This project will be a few years process. The city wastewater plant does discharge into ditch 51, so city staff will be involved with any future projects.
- H) County Fair Board update – Nancy Stauff not present

10. OLD BUSINESS

- A) Motion by Hintz, seconded by Scott to wave the second reading and approve Ordinance No. 2023-4 An Ordinance Prohibiting The Use Of Tetrahydrocannabinol (THC) Products In Public Places In The City Of Le Center. All in favor, motion carried.

11. NEW BUSINESS

- A) Block stated that the Planning and Zoning Commission held a public hearing on September 5, 2023 to hear testimony on the matter of VSI applicant and BNC, LLC owner, applying for a Conditional use Permit for outside storage at 235 West Sharon Street. VSI representative Phil Holts requested that the council delay the dates listed on the CUP for the installation of the screening, as it is unclear if they will continue to lease that space from BNC, LLC beyond June 2024. Motion by Scott, seconded by Weiers to approve Resolution 2023X A Resolution Approving a Conditional Use Permit for Exterior Storage with the following amendments: striking section “1” and replacing the date in section “2” to September 1, 2024, all under the “further be it resolved” section of the resolution. Yes vote: Weiers, Hintz, Scott, Harmeyer. Abstain: Steffen, as he is currently employed with VSI, motion carried.
- B) Motion by Hintz, seconded by Steffen to approve Resolution No. 2023Y A Resolution Approving Voting Operations, Technology, & Election Resources (VOTER) Account Agreement Between Le Sueur County and the City of Le Center. All in favor, motioned carried.
- C) Motion by Steffen, seconded by Scott to approve Resolution No. 2023Z A Resolution Awarding a Wage Increase to a Non-Union Employee. Robert Krenik to be awarded with the hourly wage of \$33.66 to match a wage of a similar employee considering all relevant factors such as qualifications, experience, and length of service. All in favor, motioned

carried.

D) Motion by Scott, seconded by Weiers to approve Resolution No. 2023AA A Resolution Certifying the Proposed 2024 Tax Levy and General Fund Budget. All in favor, motion carried.

E) Motion by Hintz, seconded by Scott to set the Truth-in-Taxation Public Hearing for December 12, 2023 @ 7:00 p.m. All in favor, motion carried.

12. ADMINISTRATION & MISC.

A) Le Sueur County Officials Meeting September 27, 2023, 6:30 p.m. at the Next Chapter Winery in New Prague

13. CLOSED SESSION IN ACCORDANCE WITH MINNESOTA STATE STATUTE 13D.05 SUBD.2.(B)

Motion by Weiers, seconded by Scott to go into closed session at 8:11 p.m. to discuss employee misconduct (Employee No. 535) All in favor, motion carried.

Motion by Scott, seconded by Weiers to close the closed session at 8:26 p.m. and go into regular session. All in favor, motion carried.

14. OPEN SESSION

The Council discussed the nature of the misconduct in closed session. Motion by Steffen, seconded by Hintz to terminate employee No. 535 for misconduct. All in favor, motion carried. This termination will be effective immediately.

15. ADJOURNMENT

There being no further business; Motion by Hintz, Seconded by Weiers, for Mayor Harmeyer to adjourn the meeting at 8:28 p.m. All in favor, motion carried.

Dan Evans, Administrator