**City of LeRoy MN – Council Meeting Minutes, August 29, 2022**

A regular meeting of the LeRoy City Council was called to order by Mayor Ed Koppen on Monday, August 29, 2022, at 6:30 PM at the LeRoy Community Center with the following members present: Mayor Ed Koppen, Council Members Harold Shipman, Gerald Payne, Brian Thiel, Maintenance Employee Nick Sweeney, and City Clerk Patty White. Council Member Ashley Huntley was absent.   
Also attending: Jason Boynton of Smith Schafer; Brian Johnson of Jones, Haugh, & Smith; Axel Gumbel; and Jerry Utz. All stood and recited the Pledge of Allegiance.

Consent Agenda:

* Council reviewed the items included in the consent agenda. Motion by Payne, second by Thiel to approve the consent agenda. Motion carried 4-0.

Police Report:

* Council reviewed the written police report from July. There was no deputy present to give an updated report.

Public Input Time:

* Gumbel reported on a post on the City Facebook page noting that Sunny’s Ice Cream truck was in town today. Some children saw the truck parked near LeRoy Lumber and stopped to get an ice cream treat. The driver was not in the truck; he was getting a treat from Good Vibes Coffee Company. The driver was thanked for supporting a local business.

Standing Committee Reports:

* Koppen reported the gas shut-off valve for the range at the Community Center has been moved and done according to code. He noted the contractor, Ron Purkapile, was very fair with his charge to do this.

State Highway 56 Project:

* City Engineer Brian Johnson reported MnDOT wants an additional two temporary easements for two parcels with fire hydrants on them. One of the parcels is LeRoy Hometown Fitness; the other parcel is K & H Classic Stop. The per parcel fee that was set up earlier with the assessor and right of way specialist will be charged for these two parcels. Motion by Shipman, second by Thiel to approve acquiring these two temporary easements. Motion carried 4-0.
* Mr. Johnson reported there is a possibility the retaining wall by the properties in the 200 block of west Main Street may topple when MnDOT removes the sidewalks for the construction project. MnDOT initially was more concerned with the depth of the sanitary sewer service lines in this area; they now expressed concern if the retaining wall should topple during construction if the city would be interested in a cost share with MnDOT. Mr. Johnson is waiting for further discussion with MnDOT on this.

2021 Audit Report:

* Koppen noted he and White had met with Jason Boynton and Megan Houdek from Smith Schafer to review the draft audit report on August 4. Koppen reported he was very impressed with this presentation.
* Mr. Boynton presented the 2021 audit report. He reported the city received an unmodified clean opinion for 2021. He reported the Smith Schafer staff sends a list of items they want pulled for the audit when they come on-site for their work. Information is gathered from White and Wildwood Grove. He noted the one comment made pertaining to the segregation of duties; he noted the oversight of the council is important. He reported the audit was due to the State of Minnesota by June 30; Smith Schafer had requested an extension until August 15 due to not receiving timely information from the WWG accountant.
* Koppen noted the transfer of city funds to WWG after the first of this year; he noted this was done as a charge-out and not as a loan to WWG. Koppen noted the council has discussed doing a transfer to WWG to clean up the negative balances of WWG. Payne questioned if this would have any bearing on the city’s credit rating. Mr. Boynton did not think this would have any effect on the city’s credit rating. Motion by Thiel to make the following transfers for WWG; $334,132 from the city General Fund and $145,608 from the city Infrastructure Fund for a total of $479,740. Second by Shipman. Motion carried 4-0. Council thanked Mr. Boynton for the audit presentation.
* Motion by Shipman, second by Payne to accept the 2021 audit report. Motion carried 4-0.

Proposed 2023 Budget & Levy:

* Council reviewed the proposed levy and budget for 2023. Council was reminded the preliminary levy needs to be adopted prior to September 30, 2022. Council was also reminded the preliminary levy cannot be raised once it has been adopted, but the levy can be lowered.
* Motion by Thiel to pass Resolution 2022-08, a resolution setting the preliminary levy at $575,000. Second by Shipman. Motion carried 4-0.

Land Use Permits:

* There were no land use permits for council review.

Communications File:

* Council reviewed a thank you from Gracie O’Byrne for the Pangborn Scholarship she received.
* Council had also received a brochure from the Bush Foundation.

Street Project for 2022-Sanitary Sewer Review:

* Sweeney reported that Heartland Asphalt is quite busy; he does not know when they will be here to do the approved mill and overlay on some of the city streets.
* Sweeney presented the report from Empire Pipe. Shipman noted there are some areas of poor sanitary sewer main. Sweeney noted there are alternatives to digging to make these repairs. Empire Pipe can line the mains in increments of three to five to seven feet. Empire Pipe does not need to divert the sanitary sewer during this process. Insituform also does lining; they can do a full distance lining; they do not line in increments. Insituform would need to divert the sanitary sewer if they were to line a sewer main. The mill and overlay part of the street project could be completed prior to the sewer lining. Payne questioned if the lengths needing attention could be done in increments or if a full length of a main would need to be lined. Sweeney noted it would come down to a conversation with Empire Pipe to get their full input on the best route to take and the most important places to get lined. Shipman recommended further discussion with Empire Pipe. Sweeney will also check with HM Underground Solutions (John McKenzie, Jr.).

Pickup:

* Sweeney reported he made a telephone call to a Ford dealership and got the needed part for the pickup. The pickup is supposed to get repaired tomorrow.
* Sweeney noted he would not trust either of the pickups to go to training in St. Cloud. White reported she had received the login information for the Cooperative Purchasing Venture.

Community Center Kitchen Proposal:

* Payne reported he had met with some different people that use the Community Center kitchen for different events and got their input on changes or improvements. Payne had gotten quotes for all new appliances including the refrigerator, freezer, six-burner stove, a new three compartment sink with drain tables, all new cabinets and countertops, new flooring, new wall covering, new ceiling, and new electrical circuits. He priced this through LeRoy Lumber, Wheeler Electric, and Total Restaurant Supply. The total for all of this was $38,000 to $40,000. Payne requested being able to approach the LeRoy EDA and the EDA coordinator to see if there are grant funds available for this. Shipman felt to proceed with this if grant funds can be found.
* It was the consensus of the council to present this to the EDA coordinator to pursue grant funding.

North Park Vandalism:

* White reported all the information on this vandalism has been turned over to Mower County.

Service Award Recognition:

* The council commended the City Maintenance Department for going above and beyond for keeping the city looking nice by watering the hanging flower baskets and spraying the weeds in the curbs. The council recognized the LeRoy Garden Club for the beautiful hanging flower baskets. Diane Whalen was recognized for the job she is doing at Wildwood Grove. Sara Gerk was also recognized for her job serving as the LeRoy EDA president.

Strong & John Street-Right of Way Infringement:

* The survey of this area has not been completed yet.

ARPA Funds:

* There was nothing to report on the ARPA funds.

Nuisance Properties:

* Koppen reported the windows have been installed at the 213 E Henry Street property; some windows have also been installed at the 221 E Main Street property. Koppen also reminded council these owners of record are paying their property taxes.
* Motion by Payne to proceed with a court judgment under Chapter 463 on the following five properties: 213 E Henry owned by Alexander Lucas, 221 E Main owned by Alexander Lucas, 212 E Henry owned by Manar Dessouki, 305 N Strong owned by Marilyn Knutson, and 201 E Read owned by Joe Schultz. Koppen questioned what a court judgment is. Payne reported a court judgment consists of providing pictures of these properties to the city attorney. The city attorney then determines if this should move forward; if it is found to move forward this information will be presented to the court to get a nuisance judgment. The nuisance judgment would state the number of days the owner of record has to rectify the nuisance. If the nuisance has not been taken care of within the number of days set by the court, the city would be able to enter the property to rectify the nuisance. Any expense incurred by the city to rectify the nuisance could be made an assessment on the property. Payne noted the defendant in a civil judgment cannot file back on the city. Payne felt the need to do this to send the message that the council is serious about cleaning up the town. Koppen suggested consulting with the city attorney to find out the process to be followed and the cost associated with this. Council noted there was a motion on the table. Shipman seconded Payne’s motion. On a roll call of votes Shipman, Payne, and Thiel cast an aye vote; Koppen cast a nay vote. The motion carried 3-1.
* Payne questioned about a letter being sent to the owner of record for the property at 208 W Read Street about the disarray of the yard and the harboring of four dogs. White noted she has been contacted different times from a resident near this property; she had offered to send letters in the past but was told by this resident to wait. White will send a letter on this property.

EDA & WWG Report:

* Koppen noted he had sat in on the EDA meeting held early this morning. He felt this was one of the best run EDA meetings he has attended. He felt the EDA is making great strides with WWG.

Being no further business to come before the council, the meeting was adjourned on a motion by Shipman, second by Koppen to adjourn at 8:36 PM.

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Ed Koppen, Mayor

Attest:

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Patty A. White, City Clerk-Treasurer