

**AGENDA
HARMONY CITY COUNCIL
SPECIAL MEETING**

February 25, 2020
7:00 P.M.

Council Room
Community Center

1. Call To Order
2. Roll Call
3. Consent Agenda
 - a. Minutes
 - b. Appoint Election Judges
 - c. PERA exemption
4. Old Business
 - a. 2020 Street Improvement Project
 - b. City Administrator Recruitment
5. New Business
 - a. WWTP Pumps
 - b. Hire Summer Help
 - c. Schedule Change
6. Adjourn

**BACKGROUND INFORMATION
HARMONY CITY COUNCIL
SPECIAL MEETING**

February 25, 2020
7:00 P.M.

Council Room
Community Center

1. Call To Order
2. Roll Call
3. Consent Agenda
 - a. Minutes. See attached minutes from February 11, 2020 meeting.
 - b. Appoint Election Judges. See item cover sheet.
 - c. PERA exemption. See item cover sheet.
4. Old Business
 - a. 2020 Street Improvement Project. See item cover sheet.
 - b. City Administrator Recruitment. See item cover sheet.
5. New Business
 - a. WWTP Pumps. Staff will present quotes on pump replacement/repair at the meeting.
 - b. Hire Summer Help. See item cover sheet.
 - c. Schedule Change. See item cover sheet.
6. Adjourn

A Regular meeting of the Harmony City Council was called to order by Mayor Steve Donney at 7:00 PM. Present were Mayor Donney, Councilmembers Lynn Mensink, Debbie Swenson, Steve Sagen and Tony Webber, Attorney Greg Schieber, Administrator Jerome, Interim Administrator Joel Dhein, Corey Whalen, Mike Bubany, Chris Giesen, Jesse & Samantha Grabau, Larry Nolan, Bill Hanlon, Craig Morem, Ross Bahl, Rodney Johnson, Tom Soland, Jim & Sandy Strosyk, Marian Morem, Chris Applen, Chris Johnson, Hannah Wingert, Melissa VanderPlas and Eileen Schansberg.

PUBLIC FORUM:

No one appeared.

PUBLIC HEARING:

Mayor Donney opened the PUBLIC HEARING for TIF and the Business Subsidy Law regarding the Industrial Park upcoming project.

CONSENT AGENDA:

Motion by Mensink and seconded by Webber to approve the Consent Agenda which consisted of the Minutes to the January 14, 2020 meeting, the Claims, Financial Report, Administrator's report, cashing CD #44186 into the General Fund, Sheriff's Report, Planning & Zoning approval of Industrial Park Plat-2nd Addition, zoning of Annexed Property to Industrial. RESOLUTION making Municipal Development District same as City Limits, and Rezoning of Joe Hahn Lot from Agriculture to R-1; and accept 6th St SE Right of Way. All present voting yes. Motion carried.

DAIRYLAND PROJECT:

David Drown and Associates financial advisor Mike Bubany was present to discuss the delay of the Dairyland Project. The Public Hearing will continue to be held to modify to add the land purchased and annexed into the city.

Motion by Donney and seconded by Webber to table the Resolution and continuation of the Dairyland Project until next spring

AMBULANCE:

Larry Nolan, representing the local Ambulance Service discussed the four-year rotation of the ambulance and stated it was up for replacing. Nolan stated the turn around for the replacement would be about four to six months. Discussion on replacing the Power Load cot and lift as it was over ten years old be installed at the same time. Motion by

Webber and seconded by Swenson to begin the process putting together a spec to bring back to the Council for approval. All present voting yes. Motion carried.

FIRE DEPARTMENT:

Fire Chief Rod Johnson discussed the need to update the Rescue Truck as it is over twenty years old. Tom Soland representing McQueen Emergency Equipment discussed a Group Buying System with the council where a bidding process is not needed as the price is already under a state type bid. The truck committee presented a truck estimate from McQueen Emergency equipment in the amount of \$365,966. Johnson stated there would be about \$20,000 of loose equipment that would need to be added to the cost. Administrator Illg stated there was approximately \$120,000 in Capitol Outlay for the vehicle. A grant from the USDA in the amount of \$50,000 was being applied for. Mayor Donney stated the Harmony Fire Relief Gambling Fund could possibly help also. It was suggested to have the Truck Committee work with the City Administrator to come up with a plan of action for the next meeting making sure the Townships were aware and had a firm idea of the cost but could move forward with their proposal.

BUILDING & MAINTENANCE:

Maintenance staff Corey Whalen stated a recirculating for the digester at the Wastewater plant needed. The old one will be rebuilt and used as a backup.

EDA REPORT:

Economic Development Coordinator Chris Giesen gave a 2019 year-end report.

PARK BOARD:

A meeting was set up for February 24th at 5:30 to meet with the Splash Pad Committee.

LIBRARY BOARD:

Mensink mentioned that SELCO, considering books lent out in 2019, has given the Harmony Public Library a value worth \$421,759.00. On March 4th the Library is sponsoring ALASH at the Jem Theatre. On May 5th a Children's Author is coming.

ARTS BOARD:

Setting up another POETRY SLAM for March 19th.

SOCIAL MEDIA:

Discussion held on the setup of a City Facebook page. Staff thought it would be a good way to get messages out about Snow Emergency, Mosquito Spraying and other information to the public quickly. The site would be secure so only a certain few could post to it. Attorney Schieber has put together a Social Media Policy. Motion by Swenson and seconded by Mensink to approve the Social Media Policy. All present voting yes. Motion carried. City Staff will decide who will administer the account.

THANK YOU:

Mayor Donney thanked Administrator Jerome Illg for his service to Harmony as it was his last meeting and welcomed the Interim Administrator Joel Dhein back for three months.

Chris Johnson was congratulated on his retirement of December 31, 2019. Johnson is working with Council staff to be a consultant using his B-Wastewater License until arrangements are made for a B-Plant Operator.

SPECIAL MEETING:

A Special meeting was set up for Tuesday, February 25th to review Administrator Applications/Job Discriptions and the 2020 Street Project.

Upon no further business, Mayor Donney closed the meeting.

Mayor Steve Donney

Eileen Schansberg, Deputy Clerk

**CITY OF HARMONY
CITY COUNCIL**

**AGENDA ITEM
COVER SHEET**

| | | |
|---|---|------------------------------|
| Originating Staff: Joel Dhein, Interim Administrator | Meeting Date: February 25, 2020 | Agenda Item No. 3b |
| Agenda Section: Consent Agenda | Item: Appoint Election Judges | |
| <p>BACKGROUND: The city council is required by state law to appoint election judges for this year's upcoming elections; Presidential Primary, Primary, and General Elections. If additional judges are required additional resolutions will be presented to the city council for consideration.</p> <p>The hourly rate is the same as was paid for the 2018 elections.</p> | | |
| <p>ATTACHMENTS: Resolution 20-04 A Resolution Appointing Election Judges For Elections In The City Of Harmony For The Year 2020.</p> | | |
| <p>COUNCIL ACTION REQUESTED: Adopt attached Resolution 20-04 as presented.</p> | | |

Resolution 20-04

**A RESOLUTION APPOINTING ELECTION JUDGES FOR ELECTIONS IN
THE CITY OF HARMONY FOR THE YEAR 2020.**

NOW, THEREFORE BE IT RESOLVED, that the persons listed below are hereby appointed as election judges for the Presidential Primary Election on March 3, 2020, the August 11, 2020 Primary Election and the November 3, 2020 General Election:

| | | |
|---|--|--|
| Diane Hanlon 60 1 st St NW PO Box 344 Harmony, MN 55939 | Bonnie Bakken 245 3 rd St SE Harmony, MN 55939 | Carolyn Kelly 35 5 th St NE Harmony, MN 55939 |
| Janice Bigalk 115 5 th St NE Harmony, MN 55939 | Eileen Schansberg 120 W. Center St. PO Box 74 Harmony, MN 55939 | Stephanie Silvers 220 Niagara Ct NW Harmony, MN 55939 |
| Jerome Illg 40 3 rd Ave SW Harmony, MN 55939 | | |

BE FURTHER RESOLVED, that elections judges shall receive \$15 per hour for the Presidential Primary Election and Primary Election and \$20 per hour for the General Election.

The foregoing resolution was introduced and moved for adoption by Council Member _____ and seconded by Council Member _____.

Voting for the Resolution:
Voting Against the Resolution:
Abstained from Voting:
Absent:

Motion carried and resolution adopted this 25th day of February, 2020.

Steve Donney, Mayor

ATTEST:

Joel Dhein, City Administrator

**CITY OF HARMONY
CITY COUNCIL**

**AGENDA ITEM
COVER SHEET**

| | | |
|---|---|------------------------------|
| Originating Staff: Joel Dhein, Interim Administrator | Meeting Date: February 25, 2020 | Agenda Item No. 3c |
| Agenda Section: Consent Agenda | Item: PERA Exemption | |
| <p>BACKGROUND: The Public Employees Retirement Association (PERA, the state pension for government workers) allows city administrators to opt out of participation of the pension program. There is also an exemption for employees with fixed terms of employment of less than six (6) months). I request that the council approve this “opt-out” under the temporary employment rule for my current employment with the city. I further request that the contribution that would otherwise be made to PERA by the city be placed into a deferred compensation plan along with my salary deduction contribution.</p> <p>This is the same arrangement I had with the City of Harmony during my previous employment. This option will not increase costs to the city over PERA participation.</p> | | |
| <p>ATTACHMENTS: Excluded employees table from the PERA Handbook.</p> | | |
| <p>COUNCIL ACTION REQUESTED: Motion to approve temporary employment exclusion for the interim administrator and contribute 7.5% of his gross wages to a deferred compensation plan.</p> | | |



Table 2 lists the classes of employees or positions that are specifically excluded from membership in a PERA Defined Benefit Plan by law.

Table 2

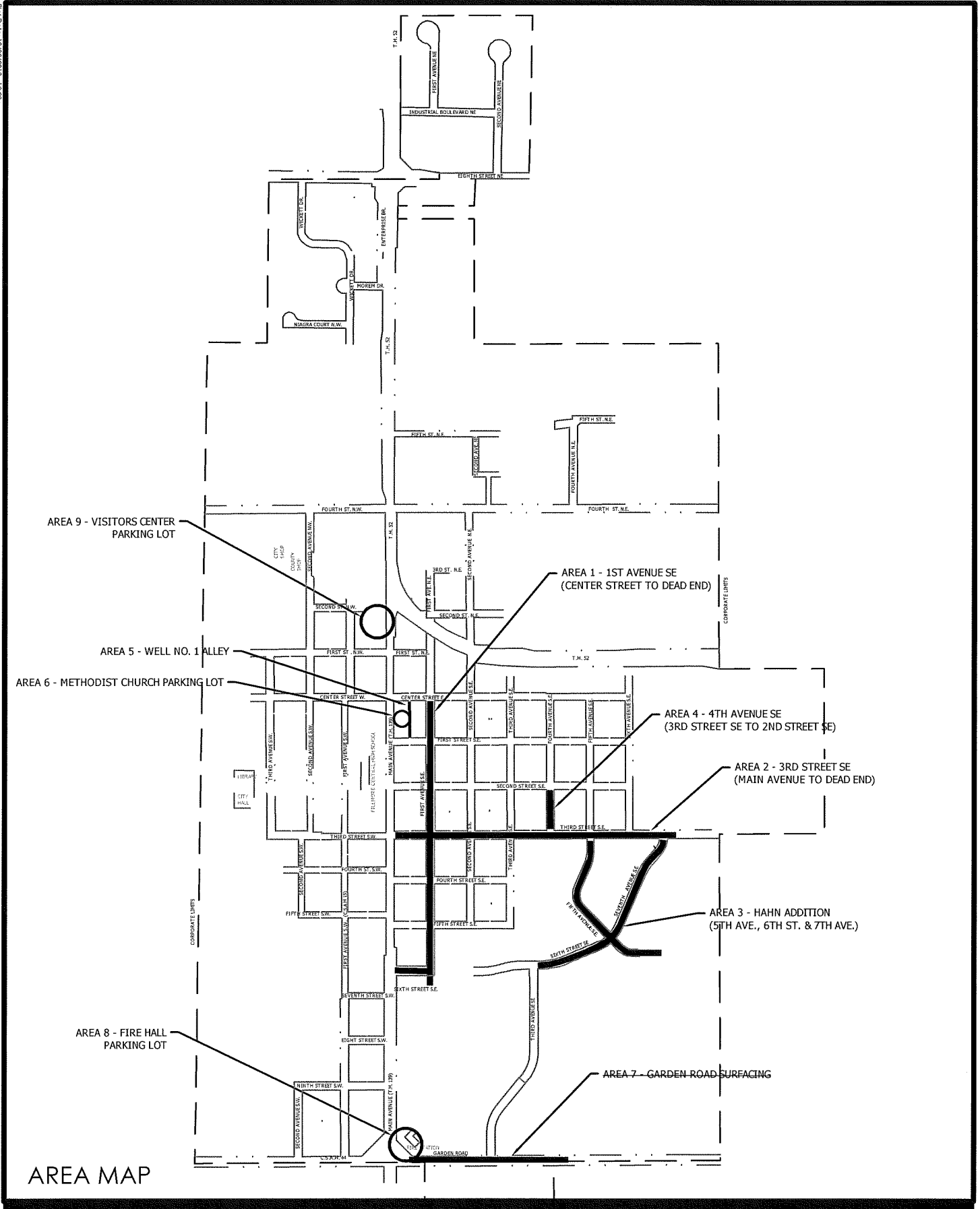
| Excluded Employees or Positions | Related Section of Law |
|--|--|
| Persons whose annual salary from one governmental subdivision does not exceed \$5,100, or \$3,800 for 9-month school district employees. Annual salary is calculated from the first day of employment and projected for 12 months. The employer must give a written notice of exclusion to the employee explaining the right to appeal the membership determination to PERA. | M.S §353.01, subd. 2b(a)(1) |
| → Effective Jan. 1, 2015, employees whose sole employment is a temporary position that is predetermined by the employer to not provide employment that exceeds six consecutive months and employees who resign from a non-temporary position and accept a temporary position (same employer) within 30 days. Also refer to <u>Temporary Positions</u> later in this chapter for more details about this exclusion. | M.S §353.01, subd. 2b(a)(5) and subd. 12a |
| Effective Jan. 1, 2015, employees whose sole employment is a seasonal position if the employment duration is limited by the employer to 185 consecutive calendar days or less in each year. (Note: Employees who were PERA members on June 30, 2002, based on seasonal employment that had qualified for membership under the laws then in effect, retain membership until they terminate public service.) Refer to <u>Seasonal Positions</u> later in this chapter for more details about this exclusion. | M.S §353.01, subd. 2b(a)(19) and subd. 12b |
| Independent contractors and their employees. A person who is appointed as a public officer cannot be excluded as an independent contractor if first contracted by a governmental unit after June 30, 2010. Also refer to <u>Independent Contractors</u> later in this chapter. Note: Effective July 1, 2014, PERA no longer requires independent contractors to be reported on the Annual Exclusion Report. | M.S §353.01, subd. 2b (21) and subd. 2b(b) |
| Reemployed retirees of the association during the course of the post-retirement employment. Refer to <u>Hiring a PERA Retiree</u> later in this chapter for additional details. | M.S §353.01, subd. 2b(a)(22) |
| City mayors and public officers elected to governing-body positions (i.e. boards of a county, city, school, township or special district) after June 30, 2002, or appointed after June 30, 2002 to a vacant governing-body position. (Officials elected after June 30, 2002 to governing-body positions may join the DCP. Refer to Chapter 4 Defined Contribution Plan.) | M.S §353.01, subd. 2b(a)(2) |

| Excluded Employees or Positions | Related Section of Law |
|--|--|
| <p>PERA members receiving a disability benefit under the General Employees Retirement Plan (whether a Basic or Coordinated Plan member) who are employed full-time. There are also situations in which a member of the Police and Fire Plan or the Correctional Plan who is disabled according to the law and who becomes employed in a position that is normally covered by the Correctional or Police and Fire Plan (as applicable) is excluded from contributing again into the plan. For more details, refer to <u>When a Disabillitant Returns to Work</u> later in this chapter.</p> | <p>M.S §353.33, subd. 2b(a)(8) and 7(a)</p> |
| <p>Persons appointed to a board or commission of a governmental subdivision on or after July 1, 2010. These positions qualify for coverage in the Defined Contribution Plan if they are stipulated to receive in excess of \$5,100 a year as compensation for their services. Members of boards or commissions who receive only per diems to cover expenses are excluded from any PERA plan.</p> | <p>M.S §353.01, subd. 2b(a)(23)</p> |
| <p>→ City managers or chief city administrative officers who, within six months of commencing employment, filed a written notice with PERA that rejects the DBP coverage.</p> | <p>M.S §353.028, subd. 2; M.S §353.01, subd. 2d(a)(4)</p> |
| <p>Students under age 23 who are enrolled in and regularly attending classes at a high school or accredited college or university. The employer must obtain certification of the full-time student status and monitor the continuing student status. Related documentation is to be kept by the employer and provided to PERA only if requested by PERA. Students (under age 23) working during the summer and who had attended classes full-time in the previous spring semester and expect to resume classes full-time in the fall are excluded for the summer employment.</p> | <p>M.S §353.01, subd. 2b(a)(9)(i)</p> |
| <p>Resident physicians, medical interns, pharmacist residents, and pharmacist interns serving in a degree or residency program in public hospitals.</p> | <p>M.S §353.01, subd. 2b(a)(9)(ii)</p> |
| <p>Students who are serving for up to five years in a paid internship or residency program that is sponsored by an accredited educational institution or by the governmental subdivision for which the student works.</p> | <p>M.S §353.01, subd. 2b(a)(9)(iii)</p> |
| <p>With the exception of Hennepin County or the Hennepin Healthcare System, Inc, foreign citizens are excluded for the first three years of employment with the employer, unless they are legally authorized to work in the United States for three years or more or otherwise required to participate under federal law.</p> | <p>M.S §353.01, subd. 2b(a)(11)</p> |
| <p>Employees solely employed as election judges or officers.</p> | <p>M.S §353.01, subd. 2b(a)(3)</p> |
| <p>Emergency employees who are employed due to work caused by fire, flood, storm, or similar disaster.</p> | <p>M.S §353.01, subd. 2b(a)(6)</p> |

**CITY OF HARMONY
CITY COUNCIL**

**AGENDA ITEM
COVER SHEET**

| | | |
|---|---|------------------------------|
| Originating Staff: Joel Dhein, Interim Administrator | Meeting Date: February 25, 2020 | Agenda Item No. 4a |
| Agenda Section: Old Business | Item: 2020 Street & Utilities Improvement Project Plan Review & Bid Authorization | |
| <p>BACKGROUND: The city has begun a program of street and utility improvements for 2020. At this time the engineer has completed plans and specifications and will be bringing them to the council for approval and permission to advertise for bids.</p> <p>All improvements scheduled for the industrial park have been removed from the final plans due to the delay in the Dairyland Power project.</p> <p>City Engineer Brett Grabau will be at the meeting to answer any questions.</p> <p>If the council desires to proceed with the project the attached two resolutions need to be adopted to allow the city to proceed with project under Minnesota Statutes Chapter 429 which enables the council to specially assess for all or part of the improvements and issue special assessment bonds.</p> <p>Due to a missed step in the Minnesota Statutes Chapter 429 process a resolution ordering the improvement needs to be passed before the council adopts a resolution approving plans and specifications and ordering advertising for bids.</p> | | |
| <p>ATTACHMENTS:</p> <ul style="list-style-type: none"> • Map of the Location of Improvements • Tentative Project Schedule • Resolution 20-05 A Resolution Ordering Improvements and Directing Preparation of Final Plans and Specifications • Resolution 20-06 A Resolution Approving Plans and Specifications and Ordering Advertisement for Bids • A full set of plans will be available at the meeting. | | |
| <p>COUNCIL ACTION REQUESTED: Adopt Resolution 20-05 and Resolution 20-06 as presented.</p> | | |



AREA MAP

CITY OF HARMONY
 2020 STREET AND UTILITY IMPROVEMENTS

February 19, 2020

Re: City of Harmony
2020 Street and Utility Improvements

TENTATIVE PROJECT SCHEDULE

| <u>Task</u> | <u>Date</u> |
|---|---|
| Authorize Feasibility Report | Complete |
| Present Feasibility Report | Complete |
| Public Hearing for Assessments | Complete |
| Authorization to Prepare Plans and Specifications | Complete |
| Design Street and Utility Improvements Plans and Specifications | Complete |
| Submit Advertisement for Bids for Publication (Monday @ Noon for Thursday Publication) | February 24, 2020 |
| Council Approval of Plans and Specifications | February 25, 2020 |
| Council Approval to Submittal of Ad for Bid | February 25, 2020 |
| 1 st Publication | February 27, 2020 |
| 2 nd Publication | March 5, 2020 |
| Bid Date | March 19, 2020 |
| Award Contract (<i>Special Council Meeting</i>) <i>Or</i> (<i>Regular Council Meeting</i>) | March 24, 2020 <i>or</i> April 14, 2020 |
| Anticipated Begin Construction | May 25, 2020 |
| Substantial Completion | September 25, 2020 |
| Final Completion | June 18, 2021 |
| Assessment Hearing | November 10, 2020 |

Resolution No. 20-05

RESOLUTION ORDERING IMPROVEMENTS
AND DIRECTING PREPARATION OF FINAL PLANS
AND SPECIFICATIONS

WHEREAS, after due Notice of Public Hearing on the construction of improvements for the City of Harmony Minnesota, hearing on said improvements was duly held and the Council heard all persons desiring to be heard on the matter and fully considered the same; and

WHEREAS, at said hearing there was available a reasonable estimate of the amount to be assessed and a description of the methodology, in the form attached hereto as Exhibit A:

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Harmony Minnesota as follows:

1. Said improvements are necessary, cost-effective, and feasible as detailed in the feasibility report.

It is advisable, expedient and necessary that said improvements as described in the Notice of Hearing thereon be constructed, and the same are hereby ordered made.

The improvements described in said Notice of Hearing are hereby designated and shall be known as 2020 Street and Utilities Improvements.

The consulting engineers, Stantec Consulting Service, Inc. are hereby directed to prepare final plans and specifications for said improvements.

5. The City Council declares its official intent to reimburse itself for the costs of the improvements from the proceeds of tax-exempt bonds.

6. The City Council shall let the contract for all or part of the work for said improvements or order all or part of the work done by day labor or otherwise as authorized by Minnesota Statutes, Section 429.041, Subdivision 2 or Subdivision 2a within one year of the date of this resolution ordering said improvements.

The foregoing resolution was introduced and moved for adoption by Council Member _____ and seconded by Council Member _____.

Voting for the Resolution:
Voting Against the Resolution:
Abstained from Voting: None
Absent: None

Motion carried and resolution adopted this 24th day of February 2020.

Steve Donney, Mayor

ATTEST:

Joel Dhein, City Administrator

Resolution 20-06

RESOLUTION APPROVING PLANS AND
SPECIFICATIONS AND ORDERING
ADVERTISEMENT FOR BIDS

WHEREAS, the consulting engineers for the City have prepared final plans and specifications for the construction of 2020 Street and Utilities Improvements in the City, and such plans and specifications have been presented to this Council for approval;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Harmony, Minnesota:

1. Such plans and specifications are hereby approved and ordered placed on file in the office of the City Clerk.

2. The City Clerk shall prepare and cause to be inserted in the official city newspaper and in a trade paper or a paper published in a first class city an advertisement for bids upon the making of such improvements under such approved plans and specifications.

The advertisement shall be published in each of said publications at least once not less than three weeks before the date set for opening bids, shall specify the work to be done, shall state that bids will be publicly opened on March 19th, 2020 at 10:00 o'clock A.M. at the Community Center in said City and that no bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the Clerk for 5% of the amount of such bid.

The foregoing resolution was introduced and moved for adoption by Council Member _____ and seconded by Council Member _____.

Voting for the Resolution:
Voting Against the Resolution:
Abstained from Voting: None
Absent: None

Motion carried and resolution adopted this 24th day of February 2020.

Steve Donney, Mayor

ATTEST:

Joel Dhein, City Administrator

**CITY OF HARMONY
CITY COUNCIL**

**AGENDA ITEM
COVER SHEET**

| | | |
|---|--|------------------------------|
| Originating Staff: Joel Dhein, Interim Administrator | Meeting Date: February 25, 2020 | Agenda Item No. 4b |
| Agenda Section: Old Business | Item: City Administrator Recruitment | |
| <p>BACKGROUND: The personnel committee met on Friday, February 21st to review applications for the city administrator position. Nine applications were received. The committee narrowed the field to five applicants that they will interview in the next few weeks. After interviews the committee will further narrow the field to the top candidates for the city council to interview as a whole at their regular meeting of March 10th.</p> <p>The interview committee will consist of Steve Donney, Steve Sagan, Eileen Schansberg, and Joel Dhein.</p> <p>If there are any particular questions you would like the committee to ask during their interviews or the council interviews please let me know.</p> | | |
| ATTACHMENTS: None. | | |
| COUNCIL ACTION REQUESTED: Discussion only. | | |

**CITY OF HARMONY
CITY COUNCIL**

**AGENDA ITEM
COVER SHEET**

| | | |
|--|---|------------------------------|
| Originating Staff: Joel Dhein, Interim Administrator | Meeting Date: February 25, 2020 | Agenda Item No. 5b |
| Agenda Section: New Business | Item: Hire Summer Help | |
| <p>BACKGROUND: The Park Board will be meeting on Monday, February 24th and will be discussing summer help for the 2020 season.</p> <p>They will be making a recommendation at that meeting and it will be presented to the council at their meeting.</p> | | |
| <p>ATTACHMENTS: None.</p> | | |
| <p>COUNCIL ACTION REQUESTED: Recommendation to be presented at the meeting.</p> | | |

**CITY OF HARMONY
CITY COUNCIL**

**AGENDA ITEM
COVER SHEET**

| | | |
|---|---|------------------------------|
| Originating Staff: Joel Dhein, Interim Administrator | Meeting Date: February 25, 2020 | Agenda Item No. 5c |
| Agenda Section: New Business | Item: Schedule Change & City Hall Closing | |
| <p>BACKGROUND: My schedule calls for me to be here on Wednesday, Thursday, and Friday each week. Due to a prior commitment I am unable to be here most of the day on Thursday, March 5th and since it would make little sense to come back just for Friday, I will be gone that day as well. Instead I will be here Monday, March 2nd through noon on Thursday, March 5th. Unfortunately, Eileen has scheduled time off for the Wednesday, Thursday and Friday of that same week. Therefore, the city office will be closed from noon on Thursday, March 5th and all-day Friday, March 6th.</p> | | |
| <p>ATTACHMENTS: None.</p> | | |
| <p>COUNCIL ACTION REQUESTED: None. Information only.</p> | | |