

★ ADDITION - AGENDA ITEM 4b
(FROM PREVIOUS CC MEETING)

Monday, September 8th, 2025

City Council Meeting

Meeting minutes-DRAFT

Call to Order – Pledge of Allegiance

Mayor Rudlang called the meeting to order shortly after 6:00 PM. All present recited the Pledge of Allegiance.

Roll Call

Present: Mayor Andrew Rudlang; Council Members Carlson, Flategraff (Mayor Pro-Tem), and Siltman Absent: Council Member Barnett Staff Present: Clerk-Treasurer Delougherty

Agenda Additions/Deletions

There were some additions to the agenda, with version 2 being distributed prior to the meeting. Councilmember Flategraff noted he wanted to discuss something related to the Diamond Club agreement when that agenda item was reached. Clerk Delougherty clarified that there was an error in processing the final payout for former Clerk Okerman regarding PERA eligibility, explaining that some of the payout was not PERA eligible.

Consent Agenda

Motion by Councilmember Flategraff, seconded by Mayor Rudlang, to approve the consent agenda. Motion carried unanimously.

Open Forum

Drake Beyer from 10728 South Road addressed the Council regarding the cannabis ordinance. He stated that the voting on July 22nd for a chronological application process should have been reviewed further, noting the Office of Cannabis Management (OCM) recognized this as a valid selection process. He expressed concern that the Council had changed direction to a lottery system without clearly defining how the lottery would work. Mr. Beyer also questioned why the vote occurred when only four Council members were present, arguing that all five members should have been present for such an important decision. He emphasized that he wants to establish his business in Jenkins but needs a decision soon, as other cities have been accommodating and only have 1-3 licenses available.

Mayor Rudlang responded that the Council would be discussing the city attorney position later in the meeting, noting they are working to find someone to specifically help with the cannabis ordinance to move the process forward as quickly as possible.

New Business

4M Fund Options

Clerk Delougherty presented a report on fund options for the city's investments. She explained she had spoken with Laura from PMA regarding the difference between 4M and 4MP (4M Plus) funds. The current rate for the term series is 4.23% for 4M and

4.254% for 4MP. The only difference between the two is that with 4MP, funds cannot be withdrawn during the first 14 days after deposit.

Councilmember Flategraff noted that the city will need some liquid funds for the upcoming Rosewood project but thought it would be advantageous to earn higher interest on other funds. He pointed out that the interest rates are higher than the city's bond rate of 3.975%.

Council members discussed how to manage the city's funds to maximize interest earnings while maintaining necessary liquidity. There was consensus to use the 4MP fund for better interest rates where appropriate, with staff authorized to manage the funds accordingly. For CDs, it was agreed that staff should consult with the Finance Task Force members before proceeding.

Approval Of Lawful Gambling Premise Permit, Resolution #25-09-318

Clerk Delougherty presented an application from Pine River Area Foundation for a premises permit for lawful gambling at Snarky Loon Brewing Company LLC. She noted that the application needed a correction, as there had been a change in the organization from Northern Lakes Lightning to Pine River Area Foundation.

Motion by Councilmember Flategraff, seconded by Councilmember Carlson, to pass Resolution 25-09-318 with the organization corrected to Pine River Area Foundation. Motion carried unanimously.

Unfinished Business

Aspenwood Dr Rezone

Clerk Delougherty explained that in researching the rezone approval process, she discovered that rezoning must be done by ordinance amendment since it changes the official map of the city. She confirmed that all required public notices and procedures had been followed, but the action needed to be formalized as an ordinance amendment with a resolution approving summary publication.

Motion by Councilmember Carlson, seconded by Councilmember Siltman, to approve Ordinance Amendment O-25-44. Motion carried unanimously.

Motion by Councilmember Carlson, seconded by Councilmember Siltman, to approve Resolution #25-09-317 approving summary publication. Motion carried unanimously.

City Clerk Resignation & New City Clerk Appointment

Clerk Delougherty presented a separation agreement and a draft resolution memorializing the formal motions made in the August 26th, 2025 City Council Meeting accepting former Clerk-Treasurer/Planning & Zoning Administrator Krista Okerman's resignation and appointing Delougherty to those roles, explaining that these documents would provide a clearer record of Council's intent for auditors, regulators, and future councils by ensuring all actions are formally codified in a single document.

Motion by Councilmember Flategraff, seconded by Councilmember Carlson, to approve the separation agreement. Motion carried unanimously.

Motion by Councilmember Carlson, seconded by Councilmember Siltman, to approve Resolution #25-09-316. Motion carried unanimously.

Resignation of City Attorney

Clerk Delougherty reported that she had reached out to a number of attorneys and law firms based on recommendations from other cities. She informed the Council that two firms responded that they would be reviewing the city's RFP. She also presented an offer from Flaherty and Hood (Pequot Lakes' city attorney) to provide assistance specifically with the cannabis ordinance at a rate of \$350 per hour.

The Council discussed the need for legal representation, particularly to address the cannabis ordinance and potential litigation. They agreed that while the rate was high compared to their previous attorney, it was important to have legal counsel to move forward with the cannabis application process.

Motion by Councilmember Flategraff, seconded by Councilmember Carlson, to approve legal services at \$350 per hour specifically for the cannabis ordinance, and to request a virtual meeting with the attorney. Motion carried unanimously.

The Council directed Clerk Delougherty to coordinate with the attorney to schedule a possible Zoom meeting to discuss options for the cannabis ordinance.

Reports of Officers, Committees, Staff

Mayor's Report

Mayor Rudlang had no formal report.

Road's & Finance Discussion Report

The Council discussed renaming the Roads and Finance Committee to a task force to better reflect its advisory nature. Clerk Delougherty explained that a committee meeting had been canceled because it hadn't been properly posted, and instead she met with Councilmembers Siltman and Flategraff for an informal roads and finance discussion about the city's special assessment policy.

Councilmember Siltman presented recommendations for the special assessment policy and priority roads. The proposal categorized roads into three types:

Roads not in city inventory - 0% city/100% assessed to landowners

Dead end roads - 20% city/80% assessed to residents

Main connecting roads - 100% city/0% assessed

For maintenance and reclamation projects, the recommendation was for the city to cover 100% of costs regardless of road type.

The Council discussed specific roads including Norway and Ultra Flyte Road, with consensus to classify Norway as a dead-end road (20% city/80% assessed) and to split Ultra Flyte into sections, with the northern dead-end portion also at 20% city/80% assessed.

Councilmember Siltman noted that implementing this assessment policy would require increasing the road budget, suggesting perhaps \$100,000 per year to allow for work on at

least one road every 2-3 years. The Council also discussed the possibility of including wider shoulders or a bike path on Veterans Road if funding sources could be found. There was consensus to move forward with drafting an amendment to the assessment policy based on the recommendations discussed, to be formally presented at the next meeting.

There was also consensus to reclassify the Roads and Finance Committees as a Roads & Finance Task Force. Clerk Delougherty will have a resolution prepared for the next meeting to formalize Council's decision.

Personnel Committee

Clerk Delougherty reported that she had prepared a consultant agreement for former Clerk Okerman based on direction from the previous meeting. The proposed agreement would have Okerman provide consulting services at \$60 per hour, not to exceed 24 hours in a two-week pay period unless authorized by the city, to extend through the completion of the 2025 audit.

Council members expressed support for the agreement, noting that Okerman's historical knowledge would be valuable for the budget process. It was agreed to place the agreement on the next meeting's agenda for formal approval.

Park Committee

Diamond Club Duty & Responsibility Agreement and Donation Resolution #25-09-319

Clerk Delougherty presented an agreement with Diamond Club for the 2026 summer baseball season that mirrors the 2025 agreement. The Diamond Club has offered a donation of \$960 for the cost of two satellite toilets for the 2025 season, contingent upon the agreement remaining unchanged.

Mayor Rudlang noted that one provision allows Diamond Club one free use of the concession stand, but he would be open to allowing more uses if requested, as he'd like to see the facility utilized more.

Motion by Councilmember Carlson, seconded by Councilmember Flategraff, to approve the agreement with Diamond Club. Motion carried unanimously.

Motion by Councilmember Siltman, seconded by Councilmember Carlson, to approve Resolution #25-09-319 accepting donations from Diamond Club. Motion carried unanimously.

Councilmember Flategraff mentioned that Diamond Club had taken photos of activities at the baseball field and when they placed flags at the cemetery. He suggested these photos should be shared through city communication channels to show residents how the baseball field is being used. Clerk Delougherty noted she would be happy to post such content to the website.

Miscellaneous/Communication

Mayor Rudlang informed the Council that there had been an accident involving the city lawnmower that resulted in damage to Delougherty's windshield. The Council discussed

how to handle this, with the consensus being to get a repair estimate before deciding whether to file an insurance claim.

Councilmember Carlson noted that it was reported to him that the cemetery grass was quite long when Diamond Club placed flags for Memorial Day. There was discussion about coordinating better with Diamond Club on the timing of mowing and flag placement for future holidays.

Clerk Delougherty also reported that Roger had replaced the Space Force flag at the park and was replacing a mailbox on Ackerman that had been damaged during snow plowing last winter. She also mentioned that Pequot Lakes Public Works had placed four loads of gravel on Myers Road as part of their cost-share agreement, with a bill of approximately \$500-600 expected.

Adjournment

Motion by Councilmember Flategraff, seconded by Councilmember Carlson, to adjourn the meeting at approx.. 7:52pm. Motion carried unanimously.

Approved this _____ day of _____, 2025.

Andrew J. Rudlang, Mayor

Cassandra M. Delougherty, City Clerk-Treasurer

September 23rd, 2025

City Council Meeting Minutes

Call to Order - Pledge of Allegiance

Mayor Rudlang called the meeting to order and led the Pledge of Allegiance.

Roll Call

Present: Mayor Andrew Rudlang; Council Members Siltman and Barnett Absent: Council Members Carlson and Flategraff Staff Present: Clerk-Treasurer Delougherty

Agenda Additions/Deletions

Mayor Rudlang noted that the Open Forum section was listed on the agenda but without a numerical designation. He clarified that they would proceed with Open Forum despite the numbering oversight.

Consent Agenda

Mayor Rudlang presented the consent agenda items including the September 8th minutes and pre-written and proposed checks. Clerk Delougherty clarified that check #30276 had to be voided due to an error with a payroll deduction.

The Council decided to table the 9-8-25 minutes until the next meeting for further review.

Motion by Council Member Barnett, seconded by Siltman, to approve the remainder of the consent agenda. Motion carried unanimously.

Open Forum

Mayor Rudlang opened the forum for public comments not related to agenda items. No members of the public came forward to speak.

New Business

Closed Session pursuant to Minn. Stat. Sec. 13D.05, subd. 3(b) due to threatened litigation

Mayor Rudlang read the statutory language explaining the need for the closed session regarding threatened litigation by Hometown Buds LLC concerning cannabis retail registration. He noted that the closed session was necessary to discuss legal strategy under attorney-client privilege and that the public would be invited back once the closed session was completed.

Motion by Council Member Barnett, seconded by Siltman, to close this portion of the meeting. Motion carried unanimously.

The Council entered closed session. Upon completion, the public meeting was reopened.

Public Agenda Request: Joint request provided by Cabin Fever Co. and Hometown Buds, LLC

Drake Beyer from Hometown Buds and Jullie Hastings from Cabin Fever Co. presented their request to discuss the current cannabis ordinance and propose amendments.

Mr. Beyer explained that he and other applicants had been communicating together to develop a solution for the city regarding cannabis retail registrations. He presented two options: Option 1 would allow the original three applicants to receive registrations, with a caveat that if one isn't completed within an 18-month window, it could be reduced to two. Option 2 would allow two retail businesses, with one of those including cultivation under a micro endorsement.

Mr. Beyer noted that if both businesses were established in the city, they would operate in different locations (north and south) and would work together symbiotically, sharing products between them to benefit customers and the community.

Ms. Hastings added that they reached out to each other to find a workable solution that would help the city move forward without additional issues. She confirmed that the third applicant,

though not present at the meeting, was still interested if amendments allowed for multiple registrations.

Mr. Beyer also suggested reconsidering cultivation as not just an accessory use but as either a permitted use or conditional use permit, noting that in other states it's typically a standalone facility.

After discussion, Council Members expressed openness to revisiting the ordinance to allow multiple licenses. Both present members noted they wouldn't be opposed to reviewing the proposed amendments.

Motion by Mayor Rudlang, seconded by Council Member Barnett, to direct city staff to bring forward a draft amendment to section 113.13 for city council consideration to permit three businesses on a first-come, first-served basis for applicants with completed applications, zoning compliance, and preliminary license approval from the Office of Cannabis Management. Motion carried unanimously.

Additionally, regarding the land use considerations for cannabis retail:

Motion by Mayor Rudlang, seconded by Council Member Siltman, to send the land use portion back to Planning and Zoning for further review. Motion carried unanimously. The Planning and Zoning meeting was scheduled for October 6, 2025, at 6:00 PM, with the City Council to meet on October 14, 2025 (moved from October 13 due to Indigenous Peoples' Day).

Unfinished Business

Resolution 25-09-321 Approving Preliminary Tax Levy

The Council agreed to continue discussion of the preliminary tax levy to a special meeting scheduled for Friday, September 26, 2025, at 5:30 PM.

Motion by Mayor Rudlang, seconded by Council Member Barnett, to continue agenda item 6a to the Friday, September 26 meeting at 5:30 PM. Motion carried unanimously.

Resolution 25-09-322 Supporting Sourcewell Match & Impact Funding Grants

Clerk Delougherty presented Resolution 25-09-322 supporting applications for Sourcewell Match and Impact Funding Grants. She explained that the city has approximately \$26,000 in heavy equipment reserves and could potentially secure grant funding for needed equipment. Delougherty noted that the city would likely qualify for the match grant (having not received it the previous year), while the impact funding grant would be more competitive since the city received it last year. After discussion of priorities, the Council agreed to focus on insulating the city shop, adding fence and halo netting at the ball field, and potentially including a zero-turn mower if funding allowed.

Motion by Mayor Rudlang, seconded by Council Member Siltman, to approve Resolution 25-09-322 Supporting Sourcewell Match & Impact Funding Grants with the additions of safety, health, welfare, and enjoyment of residents as priorities. Motion carried unanimously.

Reports of Officers, Committees, Staff

Mayor's Report

Mayor Rudlang did not have a formal report.

Clerk's Report

Clerk Delougherty noted that the Personnel Committee should meet soon to discuss budget impacts of proposed staffing changes. She explained that the budgetary impact of the public works retention plan would be approximately \$2,700, and mentioned there are now additional options for retention planning that weren't previously available to cities.

Delougherty also announced that the Park Committee meeting scheduled for the fourth Thursday of the month would take place at the ball field (2999 Pine Tree Street) rather than City Hall.

Miscellaneous/Communication

No items were discussed under miscellaneous communication.

Adjournment

Motion by Council Member Barnett, seconded by Council Member Siltman, to adjourn the meeting. Motion carried unanimously.

The meeting was adjourned at 7:20 pm.

Approved this _____ day of _____, 2025.

Andrew J. Rudlang, Mayor

Cassandra M. Delougherty, City Clerk-Treasurer

CITY OF JENKINS PERSONNEL POLICY RELATED TO COMPENSATION & COMPENSATORY TIME

COMPENSATION

Full-time employees of the city will be compensated according to schedules adopted by the City Council. Unless approved by the Council, employees will not receive any amount from the city in addition to the pay authorized for the positions to which they have been appointed. Expense reimbursement or travel expenses may be authorized in addition to regular pay.

Compensation for seasonal and temporary employees will be set by the City Council at the time of hire, or on an annual basis.

Under the Minnesota Wage Disclosure Protection Law, employees have the right to tell any person the amount of their own wages. While the Minnesota Government Data Practices Act (Minn. Stat. §13.43), specifically lists an employee's actual gross salary and salary range as public personnel data, Minnesota law also requires wage disclosure protection rights and remedies to be included in employer personnel handbooks. To that end, and in accordance with Minn. Stat. §181.172, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or discussing another employee's wages which have been disclosed voluntarily.
- Retaliate against an employee for asserting rights or remedies under Minn. Stat. §181.172, subd. 3.

The city cannot retaliate against an employee for disclosing his/her own wages. An employee's remedies under the Wage Disclosure Protection Law are to bring a civil action against the city and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or (800) 342-5354.

Paychecks

Paychecks will not be given to anyone other than the person for whom they were prepared, unless the person has a note signed by the employee authorizing the city to give the other person the check. Checks will be given to the spouse, or another appropriate immediate family member, in the case of a deceased employee.

Employees are responsible for notifying the city clerk of any change in status, including changes in address, phone number, names of beneficiaries, marital status, etc.

Time Reporting

Full-time, non-exempt employees are expected to work the number of hours per week as established for their position. In most cases, this will be 30-40 hours per workweek. They will be paid according to the time reported on their time sheets. To comply with the provisions of the federal and state Fair Labor Standards Acts, hours worked and any leave time used by non-exempt employees are to be recorded daily and submitted to payroll on a bi-weekly basis. Each time reporting form must include the signature of the employee and immediate Liaison. Reporting false information on a time sheet may be cause for immediate termination.

CITY OF JENKINS PERSONNEL POLICY RELATED TO COMPENSATION & COMPENSATORY TIME

Overtime / Compensatory Time

The City of Jenkins has established this overtime policy to comply with applicable state and federal laws governing accrual and use of overtime. The city council will determine whether each employee is designated as “exempt” or “non-exempt” from earning overtime. In general, employees in executive, administrative, and professional job classes are exempt; all others are non-exempt.

Non-Exempt (Overtime-Eligible) Employees

All overtime-eligible employees will be compensated at the rate of time-and-one-half for all hours worked over 40 in one workweek. Vacation, sick leave, and paid holidays do not count toward “hours worked.” Compensation will take the form of either time-and-one-half pay or compensatory time. Compensatory time is paid time off at the rate of one-and-one-half hours off for each hour of overtime worked.

For most employees the workweek begins at midnight on Sunday and runs until the following Saturday night at 11:59 p.m. The employee’s Liaison may establish a different workweek based on the needs of the department, subject to the approval of the city council.

The employee’s supervisor must approve overtime hours in advance. An employee who works overtime without prior approval may be subject to disciplinary action.

Overtime earned will be paid at the rate of time-and-one-half on the next regularly scheduled payroll date, unless the employee indicates on his/her timesheet that the overtime earned is to be recorded as compensatory time in lieu of payment.

The maximum compensatory time accumulation for any employee is 40 hours per year. Once an employee has earned 40 hours of compensatory time in a calendar year, no further compensatory time may accrue in that calendar year. All further overtime will be paid. Employees may request and use compensatory time off in the same manner as other leave requests.

All compensatory time will be marked as such on official time sheets, both when it is earned and when it is used. The city clerk will maintain compensatory time records. All compensatory time accrued will be paid when the employee leaves city employment at the hourly pay rate the employee is earning at that time.

Exempt (Non-Overtime-Eligible) Employees

Exempt employees are expected to work the hours necessary to meet the performance expectations outlined by their supervisors. Generally, to meet these expectations, and for reasons of public accountancy, an exempt employee will need to work 40 or more hours per week. Exempt employees do not receive extra pay for the hours worked over 40 in one workweek.

Exempt employees are paid on a salary basis. This means they receive a predetermined amount of pay each pay period and are not paid by the hour. Their pay does not vary based on the quality or quantity of work performed, and they receive their full weekly salary for any week in which any work is performed.

The City of Jenkins will only make deductions from the weekly salary of an exempt employee in the following situations:

CITY OF JENKINS PERSONNEL POLICY RELATED TO COMPENSATION & COMPENSATORY TIME

- The employee is in a position that does not earn vacation or personal leave and is absent for a day or more for personal reasons other than sickness or accident.
- The employee is in a position that earns sick leave, receives a short-term disability benefit or workers' compensation wage loss benefits, and is absent for a full day due to sickness or disability, but he/she is either not yet qualified to use the paid leave or he/she has exhausted all of his/her paid leave.
- The employee is absent for a full workweek and, for whatever reason, the absence is not charged to paid leave (for example, a situation where the employee has exhausted all of his/her paid leave or a situation where the employee does not earn paid leave).
- The very first workweek or the very last workweek of employment with the city in which the employee does not work a full week. In this case, the city will prorate the employee's salary based on the time actually worked.
- The employee is in a position that earns paid leave and is absent for a partial day due to personal reasons, illness, or injury, but:
 - Paid leave has not been requested or has been denied.
 - Paid leave is exhausted.
 - The employee has specifically requested unpaid leave.
- The employee is suspended without pay for a full day or more for disciplinary reasons for violations of any written policy that is applied to all employees.
- The employee takes unpaid leave under the FMLA.
- The City of Jenkins may for budgetary reasons implement a voluntary or involuntary unpaid leave program and, under this program, make deductions from the weekly salary of an exempt employee. In this case, the employee will be treated as non-exempt for any workweek in which the budget-related deductions are made.

The City of Jenkins will not make deductions from pay due to exempt employees being absent for jury duty or attendance as a witness but will require the employee to pay back to the city any amounts received by the employee as jury fees or witness fees.

If the city inadvertently makes an improper deduction to the weekly salary of an exempt employee, the city will reimburse the employee and make appropriate changes to comply in the future.

All employees, in all departments, are required to work overtime as deemed by the City Council as a condition of continued employment. Refusal to work overtime may result in disciplinary action. Liaisons will make reasonable efforts to balance the personal needs of their employees when assigning overtime work.