

A regular meeting of the City Council was held on Monday, January 8, 2024, at 6:30pm in the City Council Chambers with Mayor Kirby presiding. Council Members present: Huntington, Schlueter, Sullivan, Touhey, and Williams. Also participating: City Administrator, Joe Roby

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Approval of the Agenda:** Motion by Council Member Sullivan seconded by Council Member Touhey to set the agenda with the amendment to Resolution R2024-003. Voting in favor: Kirby, Huntington, Schlueter, Sullivan, Touhey, and Williams. Voting no: None. Motion passed 6-0.
4. **Consent Agenda:** Motion by Council Member Williams seconded by Council Member Huntington to approve the consent agenda as presented.
  - 4A. City Council Minutes 01/02/2024
  - 4B. Disbursements Through January 08, 2024 Meeting
  - 4C. In-Kind Donation Request – Le Sueur Boy Scouts
  - 4D. City Earned Sick & Safe Time Policy UpdateVoting in favor: Kirby, Huntington, Schlueter, Sullivan, Touhey, and Williams. Voting no: None. Motion passed 6-0.
5. **Public Comment:**

Ben Biehler, Le Sueur Boy Scout, thanked City Council for the in-kind donation to the Boy Scouts to use the Community Center for their lock in event.
6. **City Administrator Update:**

Administrator Roby presented that union negotiations are ongoing with LELS and IUOE. All City Staff except City Police Officers has completed the required annual safety training. Mr. Roby commented that he and Finance Director Graff, will be participating in the school's Giant Reality Challenge tomorrow at the high school with Juniors in the school's Economic courses. Minnesota River Valley Transit (MRVT) will have a board meeting tomorrow, Chamber of Commerce on Wednesday night, and Planning Commission on Thursday. Mr. Roby informed City Council that he will be out of the office all next week.
7. **Regular Agenda:**
  - 7A. Resolution R2024-001 Establishing Annual Rate for Industrial Discharge from Agropur Pretreatment Loadings

Administrator Roby presented City Council with resolution R2024-001 that establishes the annual rate for the industrial discharge from Agropur pretreatment loadings.

Motion by Council Member Sullivan seconded by Council Member Huntington to approve resolution R2024-001 as presented. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Touhey, and Williams. Voting no: None. Motion passed 6-0.
  - 7B. Resolution R2024-002 Establishing 2024 Rate Calculation for Wastewater Biosolids

Administrator Roby presented City Council with resolution R2024-002 that establishes the rate for

Agropur's industrial discharge of pretreatment biosolids.

Motion made by Council Member Huntington seconded by Council Member Touhey to approve Resolution R2024-002 as presented. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Touhey, and Williams. Voting no: None. Motion passed 6-0.

**7C. Resolution R2024-003 2024 Releaf Grant Bid Acceptance and Award of Contract and Implementation of 2024 Emerald Ash Borer Plan**

Administrator Roby presented City Council with resolution R2024-003 that would accept bids and award contract for the 2024 Releaf Grant. The grant is being used to implement the 2024 emerald ash borer plan. The city was awarded \$93,073 to remove and replace ash trees and treat designated trees. Construction & Tree Services, LLC., was the lowest bidder.

Motion made by Council Member Sullivan seconded by Council Member Schlueter to approve resolution R2024-003 as presented. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Touhey, and Williams. Voting no: None. Motion passed 6-0.

**7D. Planning Commission Appointment**

Administrator Roby presented City Council with two applications to fill the one vacancy on the Planning Commission for a term ending 12/31/2026. Mr. Roby added that both applicants were qualified for the position.

Motion made by Mayor Kirby seconded by Council Member Schlueter to appoint Autumn Raduenz to the Planning Commission for a term ending 12/31/2026. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Touhey, and Williams. Voting no: None. Motion passed 6-0.

**8. Comments/Reports/Items of Appreciation:**

- Huntington: Nothing to report
- Schlueter: Planning Commission meeting on the 14<sup>th</sup>. Region 9 full board meeting Wednesday night.
- Sullivan: Transit meeting tomorrow.
- Touhey: Same meeting as Council Member Sullivan.
- Williams: RPAC meeting last week and saw a positive increase in numbers at the Community Center. HRA Meeting last month.
- Kirby: Nothing to Report

**9. Closed Session**

Pursuant to Minn. Stat. 13D.05, subd. 3(b), a closed attorney-client privileged meeting for discussion of a pending litigation – City of Le Sueur v. Jim Fox and Gail Lachmiller-Fox

Motion made by Council Member Sullivan seconded by Council Member Williams to close the meeting at 7:05. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Touhey, and Williams. Voting no: None. Motion passed 6-0.

Motion made by Council Member Sullivan seconded by Council Member Touhey to open the meeting back up at 7:34. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Touhey, and Williams. Voting no: None. Motion passed 6-0.

Motion made by Council Member Sullivan seconded by Council Member Touhey to authorize and direct the Mayor and City Administrator Roby to take all reasonably necessary and appropriate actions to execute the Settlement and Release in the matter of the City of Le Sueur v. Jim Fox et al. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, and Touhey. Voting no: Williams.

Motion passed 5-1.

Motion Huntington second Touhey to adjourn meeting at 7:35pm. Voting in favor: Huntington, Kirby, Schlueter, Sullivan, Touhey, and Williams. Voting no: None. Motion passed 6-0.

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Lindsey Dhaene, City Clerk