

WILLMAR MUNICIPAL UTILITIES COMMISSION
MEETING MINUTES - OCTOBER 11, 2021
11:45 AM - WMU AUDITORIUM

The Municipal Utilities Commission (MUC) met in its regular scheduled meeting on Monday, October 11, 2021, at 11:45 a.m. in the WMU Auditorium with the following Commissioners present: Justin Mattern, Abdirizak Mahboub, Bruce DeBlieck, Cole Erickson, Kerry Johnson, and Shawn Mueske.

Others present at the meeting were: General Manager John Harren, Director of Administration Janell Johnson, Finance & Office Services Supervisor Andrea Prekker, IS Coordinator Mike Sangren, Executive Secretary Beth Mattheisen, Facilities & Maintenance Supervisor Kevin Marti, City Councilman Michael O'Brien, and City Attorney Robert Scott.

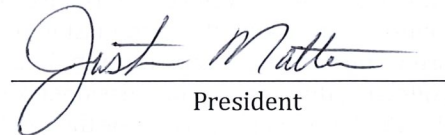
The meeting opened with reciting of the Pledge of Allegiance followed by Commissioner Mattern (President) asking if any revisions were needed to the presented agenda. There being none, a resolution to approve the consent agenda was requested. Following review and discussion, Commissioner Mahboub offered a resolution to approve the consent agenda as presented. Commissioner DeBlieck seconded.

RESOLUTION NO. 52


"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the consent agenda be approved as presented which includes:

- ❖ Minutes from the September 27, 2021, Commission meeting; and,
- ❖ Bills represented by vouchers No. 20211224 to No. 20211293 and associated wire transfers inclusive in the amount of \$1,151,145.73.

Dated this 11th day of October 2021.


President

Attest:


Secretary

The foregoing resolution was adopted by a vote of six ayes and zero nays.

Commissioner Mahboub (LC Vice Chair) reviewed with the Commission the minutes from the October 7th WMU Labor Committee meeting (see attached). Following review, Commissioner Mahboub offered a motion to approve the minutes of the October 7th WMU Labor Committee meeting as presented. Commissioner Johnson seconded the motion which carried by a vote of six ayes and zero nays.

In conjunction with the approved Labor Committee meeting minutes, the Commission was asked to consider two items being recommended for approval. The first item was a request to approve a Memorandum of Understanding between WMU and IBEW regarding Rest Time and Fatigue Time. This MOU effects union employees who work for four or more consecutive hours between the hours of 12:00 am and 6:00 am, except Saturday and Sunday, in a single event for unscheduled work outside their normal work schedule. The MOU will go into effect upon execution of the document and would be included in the next negotiated union contract (current contract expires Dec. 31, 2023). Following discussion, Commissioner DeBlieck offered a resolution to approve the Rest Time and Fatigue Time MOU as presented. Commissioner Erickson seconded.

RESOLUTION NO. 53

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the Memorandum of Understanding for Rest Time and Fatigue Time between Willmar Municipal Utilities and IBEW Local Union #160 be approved as presented."

Dated this 11th day of October 2021.


President

Attest:


Secretary

The foregoing resolution was adopted by a vote of six ayes and zero nays.

The second item to be presented for consideration and approval was for clothing purchasing practices. Per directive of the Commission, staff had been requested to develop guidelines pertaining to the clothing purchasing for staff personnel particularly those considered "outside workers". This would include FR and AR safety apparel. Options had been reviewed and input was received from the affected departments. Following extensive discussions, the option that would best meet the needs to maintain the safety and liability of WMU employees was agreed upon. With the preferred option selected, several policy considerations would also be included. It was further noted that approval to accept the clothing purchasing practices is not a component of the current union contract. At the previous contract negotiating session, it was agreed by both WMU and the union that this issue would be addressed and resolved outside the regular negotiating period. Following review, Commissioner Erickson offered a motion to approve Option #3 and incorporate the policy considerations as presented as the new clothing purchasing practices beginning in 2022. Commissioner DeBlieck seconded the motion which carried by a vote of six ayes and zero nays.

Director of Administration Johnson reviewed with the Commission the efforts being applied to collect unpaid utility bills include utilizing the lien process. This process includes sending lien letters to the individuals offering the opportunity to come before the Commission to contest the proposed lien against their property. To date, we have received no request to contest. While efforts continue to collect these unpaid utility bills, Johnson was asking the Commission to approve a resolution requesting the City Council to place liens on the properties for their unpaid utility bills. The total amount of the 48 requested property liens is \$37,323.64. Following discussion, Commissioner Mueske offered a resolution to request the City Council to place liens on the 48 identified properties for the total collectable amount of \$37,323.64. Commissioner Erickson seconded.

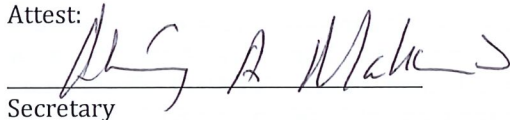
RESOLUTION NO. 54

"BE IT RESOLVED, by the Municipal Utilities Commission of the City of Willmar, Minnesota, that the Municipal Utilities Commission requests the Willmar City Council to place liens on forty-eight identified properties for non-payment of utility bills for the total collectible amount of \$37,323.64."

Dated this 11th day of October 2021.


President

Attest:


Secretary

The foregoing resolution was adopted by a vote of six ayes and zero nays.

Commissioner Mattern reviewed with the Commission the current term expirations dates and reappointment/appointments needing to be addressed. Those with expiring terms in 2021 and therefore up for reappointment are Commissioners Mattern and Mueske. Please notify the City/Mayor with your intent. Due to the recent departure of Commissioner Weber, Commissioner Mattern stated the need to fill the current vacancy of Vice President.

For the position of Vice President, Commissioner Mattern nominated Commissioner DeBlieck and Commissioner Johnson nominated Commissioner Erickson for the open position. Commissioner Erickson declined the nomination. There being no additional nominations, Commissioner Mattern declared the nominations closed for the position of Vice President. Per input from Attorney Scott, Commissioner Mattern requested verbal concurrence with the appointment of Commissioner DeBlieck to serve as Vice President which carried by a vote of five ayes and zero nays, with Commissioner DeBlieck abstaining.

Commissioner Mattern continued by nominating Commissioner Erickson to serve as Treasurer. There being no additional nominations to come before the Commission, Commissioner Mattern declared the nominations closed for the position of Treasurer. Commissioner Mattern requested verbal concurrence with the appointment of Commissioner Erickson to serve as Treasurer which carried by a vote of five ayes and zero nays, with Commissioner Erickson abstaining.

As a member of Missouri River Energy Services (MRES), the Utility is provided a monthly update of the MRES and Western Minnesota Municipal Power Agency (WMMPA) Boards of Directors meeting. The update provides a brief overview of the topics discussed by the Boards and the actions taken. Items of interest included a 5% rate reduction starting January 2022 and the renaming of the CapX2020 Agreement/Project. The newly approved name is "Grid North Partners". At this time, a video summary from the September 2021 MRES and WMMPA Boards of Directors meeting was presented.

General Manager Harren informed the Commission that tentative WMU Committee meetings will be forthcoming. Harren noted that the agenda item to address NISC software concerns previously listed with the Planning Committee will be transferred to the Labor Committee to oversee the efforts. Therefore, tentative agenda items for the next Labor Committee meeting (TBD) will include the General Manager pay equity/market adjustment and NISC software. Tentative agenda items for the next Planning Committee meeting (TBD) will include Time of Use electric rates and water treatment plant.

Commissioner Erickson expressed his appreciation to staff for their informative presentations during the recent *Chamber Connection* hosted by the WMU on October 8th. This event provides the opportunity to mingle with fellow business associates while highlighting projects and relevant information regarding the Utility.

Councilman O'Brien informed the Commission that he recently attended a City Council Retreat and that the topic of street planning between the City of Willmar and the Utilities will continue to be addressed.

For information: Upcoming meetings/events to note include:

- MN House Bonding Committee visit – Tues., Oct. 19th (2:15-3:10 pm) at 1707 Technology Drive NE (MinnWest Campus) (attending: MUCs Mattern/Johnson/DeBlieck)
- 2021 MRES Fall Meeting: Nov. 9 & 10 (Sioux Falls Convention Center) (attending: MUC DeBlieck)

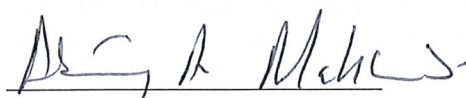
There being no further business to come before the Commission, Commissioner Mahboub offered a motion to adjourn. Commissioner DeBlieck seconded the motion which carried by a vote of six ayes and zero nays, and the meeting was adjourned at 12:33 pm.

Respectfully Submitted,

WILLMAR MUNICIPAL UTILITIES


Beth Mattheisen
Executive Secretary

ATTEST:


Abdirizak Mahboub, Secretary



**WILLMAR MUNICIPAL UTILITIES
MUC Labor Committee Meeting Minutes
Tuesday, October 7, 2021 @ 12:00 pm
WMU Conference Room**

Attendees: Commissioners Abdirizak Mahboub, Justin Mattern & Cole Erickson (arriving at 12:07 pm), General Manager John Harren, Director of Administration Janell Johnson, Facilities & Maintenance Supervisor Kevin Marti, and Executive Secretary Beth Mattheisen. Union Stewards Matt Kaderlik, Matt Krupa & Adam Braegelman arrived at the meeting approximately 12:30 pm.

Commissioner Mahboub (LC Vice Chair) called the meeting to order at 12:02 pm.

1) Rest Time and Fatigue Time Memorandum of Understanding (MOU):

General Manager Harren opened discussion with the Labor Committee on the continued effort to reach a mutually acceptable agreement with union employees regarding rest time and fatigue time pay. This issue was brought to light during the last labor negotiations session. Legal counsel from both WMU and IBEW have been assisting on development of the agreement.

Director of Administration Johnson provided a thorough review of the proposed MOU which provides clarity and identifies the criteria to qualify for the rest/fatigue time pay. Johnson added that while this MOU would go into effect upon execution of the document, the actual agreement would be included in the next negotiated union contract. The current three-year union contract is in effect through December 31, 2023. This agreement has been deemed mutually acceptable by all parties involved.

Action:

Following review and discussion, Commissioner Mahboub offered a motion to recommend approval of the Rest Time and Fatigue Time MOU between WMU and IBEW as presented. Commissioner Erickson seconded the motion which carried by a vote of three ayes and zero noes. The MOU will be presented to the Commission for approval at the October 11th MUC meeting.

2) Clothing Policy Discussion:

General Manager Harren provided a brief overview regarding past FR/AR clothing purchase practices with WMU's outside-working employees. The Labor Committee and Staff have been addressing this concern for several years and have developed solid options to resolve the issue. Throughout the process, input from union stewards (representing the outside workers) has been included in forming the options now presented for consideration.

At this time the union stewards were invited to join the meeting. Attending stewards representing their respective department(s) were Matt Krupa (Facilities/ Maintenance), Matt Kaderlik (Water), and Adam Braegelman (Line/Meter). Commissioner Mahboub welcomed the stewards and informed them that options for consideration will be presented, and the overall perspective is to provide equality for all staff members with employee safety being the top priority.

Facilities & Maintenance Supervisor Marti reviewed with the Committee the current FR/AR clothing purchasing practice along with three options for consideration. Marti emphasized that the number one priority is for the safety of our employees along with the liability of the Utility. Additional factors included in the research were to present a professional appearance, provide equality/uniformity among staff, and comfort for the employees. Marti noted that as previously discussed and agreed upon, several policy considerations will also be added to Options #2 and #3.

Following review and discussion, Commissioner Mahboub requested the union stewards to identify the option which would best suit the needs of their departments. The Labor Committee agreed to a request from the stewards allowing them to seek input from their peers and to relay their decision by 3:00 pm today.

Following input from their respective departments, it was the consensus of the union stewards to select Option #3 as the preferred option for the departments involved. Along with Option #3 the following policy considerations will be included:

- 1) WMU purchased clothing must be turned in yearly when new clothing is issued.
- 2) All clothing purchased by WMU must be from the approved clothing list for uniformity.
- 3) All WMU logo clothing is to be returned upon separation of employment.
- 4) Staff is encouraged to refrain from wearing WMU issued clothing outside of work, and FR clothing is not worn during situations that may compromise the integrity of the clothing.

Action:

Upon selection, it was the consensus of the Labor Committee to recommend approval of Option #3 incorporating the policy considerations as presented as the new clothing purchasing practices beginning in 2022. The clothing purchasing practices will be presented to the Commission for approval at the October 11th MUC meeting.

3) Miscellaneous:

General Manager Harren asked the Labor Committee if they would be willing to provide leadership in address the challenges regarding the Utility's current company software program (NISC). This system has been in place since 2014 and continues to be problematic for staff. Following discussion, it was the consensus of the Labor Committee to oversee the task of addressing software options available to better meet the needs of the Utility.

Director of Administration Johnson informed the Committee that it is the intent of WMU to change its health insurance provider from Blue Cross Blue Shield to Medica beginning in 2022. Staff has compared coverages, benefits, and rate options, and determined it was most beneficial to select Medica to meet the health insurance needs of the employees. An estimated 3% rate increase is anticipated (very minimal). This was for information only.

4) Adjournment:

There being no further business to come before the Labor Committee, Commissioner Mattern offered a motion to adjourn. Commissioner Erickson seconded the motion which carried, and the meeting was adjourned by a vote of three ayes and zero nays at 1:20 pm.

