

**Plainview City Council
Special Meeting
December 29, 2023 at 8:00 a.m.**

1. **CALL TO ORDER-** Mayor Luckstein called the Plainview City Council Special Meeting to order on Friday December 29, 2023, at 8:02 a.m.

Council Members in attendance: Luckstein, Jacobs, Hammer Bartley, and Kuschel.
Council Members absent: Reeve.

Department Heads in attendance: Finance Director Vicki Axley, Public Works Director Shane Loftus, and City Clerk Carol Kujath.

Department Heads Absent: City Administrator David Todd, Library Director Alice Henderson, Police Chief Jason Timm, and Fire Chief Ed Jacobs.

Guests in attendance: None.

2. **PLEDGE OF ALLEGIANCE**
3. **APPROVAL OF THE AGENDA** -Motion by Kuschel, second by Hammer Bartley to approve the agenda. Motion carried.
4. **UNFINISHED BUSINESS-** None.
5. **NEW BUSINESS**

A. Earned Sick and Safe Time Policy–

The State of Minnesota has approved the Earned Sick and Safe Time (ESST) law. This law takes effect January 1, 2024. The law requires employers to provide paid leave to employees who work at least 80 hours in a year in the state. Temporary and part-time employees are covered under the new law. For cities, this includes paid-on-call firefighters and seasonal employees who work at least 80 hours in the year. Those not included are independent contractors and elected officials. Finance Director Vicki Axley shared three (3) different options available for the Council to choose from to implement the new ESST law.

Option 1 – Accrual and Carryover:

- Employees begin accruing ESST from their first day of employment;
- ESST accrues at a rate of at least one hour for every 30 hours worked;
- Employees are permitted to accrue a minimum of up to 48 hours of ESST in a year (more if the employer agrees to a higher amount); and
- Employees can carry over unused ESST into the next year. However, at no time can an employee's accrued ESST exceed 80 hours (unless the employer agrees to a higher amount).

Option 2 – Front loading with pay out and no carryover:

- A minimum of 48 hours of ESST is provided to an employee and made available for immediate use at the start of each year; and

-Unused ESST hours are paid out at the end of the accrual year at the employee's hourly rate.

Option 3 – Front loading with no pay out and no carryover:

-A minimum of 80 hours of ESST is provided to an employee and made available for immediate use at the start of each year; and

-The ESST hours the employee did not use are not paid out at the end of the accrual year.

A lengthy discussion regarding the options as well as the ESST law itself was had by the Council. Finance Director Axley answered all the Council's questions.

The law does require a notice to be sent to all employees by January 1, 2024.

ESST is also to be tracked by the City's payroll system which will be shown on all employees' paycheck stubs. Administrator Todd and Finance Director Axley met with the Personnel Committee on December 18, 2023, to discuss the options available. The consensus was Option 1, which will require more tracking and management in the payroll system, however, believed it to be the most cost-effective way to implement the new law. There was concern about the possibility of union action regarding this new law. It was noted whichever option the Council decided on, that it could be re-addressed for 2025, if Council decided Option 1 was not working as they expected.

Motion by Hammer Bartley, second by Kuschel to approve the implementation of the Earned Sick and Safe Time Policy for 2024 using Option 1.

Motion carried.

5. **ADJOURN-** Motion by Luckstein, second by Kuschel to adjourn the meeting.
Motion carried unanimously. Meeting adjourned at 9:16 a.m.



Aaron Luckstein, Mayor



Carol Kujath, City Clerk