

Mountain Lake City Council  
Regular Council Meeting  
Mountain Lake City Hall  
Tuesday, Sept. 8, 2015  
6:30 p.m.

AGENDA

1. Meeting called to order by Mayor Mike Nelson
  - \* Further information on agenda item is attached
2. Approval of Agenda and Consent Agenda
  - a. Bills: Check #'s 9917802-9917868; 399E – 401E\*(1-7)
  - b. Approval of Payroll Checks #'s 61974 - 62007
  - c. Approval of Aug. 17 and 31 Council Minutes\*(8-11)
  - d. Approval of Aug. 13 Utility Commission Minutes\*(12-13)
  - e. Approval of May 26, June 1 and July 22 Planning and Zoning Minutes\*(14-18)
  - f. Laker Bar & Grill Request to Close a Portion of 2<sup>nd</sup> Ave.\*(19)
3. Public – A total of ten (10) minutes is allotted for individuals to briefly discuss a topic of concern with the Council.
4. Oath of Office, Officer Will Pohlmann
5. Police Dept.
  - a. Accept Resignation of Officer Nick Naxay\*(20)
  - b. Authorize Hiring of Open Position
  - c. Authorize Posting/Hiring of Part-time Police Officers
6. Public Nuisance,
  - a. 1701 3<sup>rd</sup> Ave.
7. Hunting on Mt. Lake Trail on City and Dept. of Natural Resources (DNR) land  
Jason Kruser; David Bucklin, Cottonwood Co. Soil and Water District; Randy Markl,  
DNR, Wildlife Management\*(21-28)
8. Guaranteed Energy Savings Program (GESP), Drew Hage, SW MN Regional  
Development Commission (SRDC)\*(29-34)

9. EDA Request to Waive Special Assessments, former Elizabeth House, 1616 Prince St.\*(35)
10. Re-attachment of Utility Bill at 505 10<sup>th</sup> St. N.\*(36)
11. Campground Wi-Fi\*(37)
12. Revision of Section 8.13 Regulation of Potentially Dangerous and Dangerous Dogs – City Attorney\*(38-42)
13. Active Living Plan - Complete Street Policy\*(43-46)
14. 2016 Budget
  - a. Adoption of Resolution #24-15 2016 Economic Development Authority Levy\*(47)
  - b. Review of 2016 Budget, Draft #3 – separate packet
15. Administrator
  - a. Building Permit Penalty\*(48)
  - b. Winter Snow Plowing Agreement\*(49-52)
  - c. FYI - Clean Water Revolving Fund Project Priority List and Intended Use Plan\*(53)
16. Adjourn

**\*Check Detail Register©**

Sept 8, 2014  
mtg  
9917802 -  
9917868  
399E-401E

August 2015 to September 2015

			Check Amt	Invoice	Comment
<b>10100 United Prairie</b>					
Paid Chk#	9917802	8/14/2015		TITAN PRO	
E 101-45200-402	Repairs/Maint- Ground		\$1.04	20121	ADDITIONAL DUE-PARKS
	<b>Total TITAN PRO</b>		<b>\$1.04</b>		
Paid Chk#	9917803	8/14/2015		MUSKE, MUSKE, SURHOFF	
E 101-41400-304	Legal Fees		\$1,399.80		LEGAL FEES
	<b>Total MUSKE, MUSKE, SURHOFF</b>		<b>\$1,399.80</b>		
Paid Chk#	9917804	8/14/2015		VOLUNTEER FIREMANS BENEFIT	
E 221-42200-433	Dues and Subscriptions		\$161.00		FIRE DEPT MEMBERSHIP
	<b>Total VOLUNTEER FIREMANS BENEFIT</b>		<b>\$161.00</b>		
Paid Chk#	9917805	8/20/2015		AFLAC	
G 101-21713	AFLAC		\$192.74		
	<b>Total AFLAC</b>		<b>\$192.74</b>		
Paid Chk#	9917806	8/20/2015		AFSCME COUNCIL 65	
G 101-21707	Union Dues		\$152.26		
	<b>Total AFSCME COUNCIL 65</b>		<b>\$152.26</b>		
Paid Chk#	9917807	8/20/2015		BCBS/HSA	
G 101-21714	HSA		\$371.17		
	<b>Total BCBS/HSA</b>		<b>\$371.17</b>		
Paid Chk#	9917808	8/20/2015		COMMISSIONER OF REVENUE	
G 101-21702	State Withholding		\$706.82		
	<b>Total COMMISSIONER OF REVENUE</b>		<b>\$706.82</b>		
Paid Chk#	9917809	8/20/2015		GISLASON & HUNTER	
G 101-21712	Garnishments		\$355.54		
	<b>Total GISLASON &amp; HUNTER</b>		<b>\$355.54</b>		
Paid Chk#	9917810	8/20/2015		INTERNAL REVENUE SERVICE	
G 101-21701	Federal Withholding		\$1,556.61		
G 101-21703	FICA Tax Withholding		\$2,302.90		
	<b>Total INTERNAL REVENUE SERVICE</b>		<b>\$3,859.51</b>		
Paid Chk#	9917811	8/20/2015		PERA	
G 101-21704	PERA		\$3,859.09		
	<b>Total PERA</b>		<b>\$3,859.09</b>		
Paid Chk#	9917812	8/20/2015		SW/WC SERVICE COOPERATIVES	
G 101-21708	Employee Paid Health Insurance		\$1,038.42		
	<b>Total SW/WC SERVICE COOPERATIVES</b>		<b>\$1,038.42</b>		
Paid Chk#	9917813	8/20/2015		VALIC	
G 101-21705	VALIC		\$1,044.33		
	<b>Total VALIC</b>		<b>\$1,044.33</b>		
Paid Chk#	9917814	9/3/2015		AFLAC	
G 101-21713	AFLAC		\$192.74		
	<b>Total AFLAC</b>		<b>\$192.74</b>		
Paid Chk#	9917815	9/3/2015		BCBS/HSA	
G 101-21714	HSA		\$371.17		

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<b>Total BCBS/HSA</b>		<b>\$371.17</b>		
<b>Paid Chk# 9917816</b>	<b>9/3/2015</b>	<b>COMMISSIONER OF REVENUE</b>		
G 101-21702	State Withholding	\$739.19		
<b>Total COMMISSIONER OF REVENUE</b>		<b>\$739.19</b>		
<b>Paid Chk# 9917817</b>	<b>9/3/2015</b>	<b>GISLASON &amp; HUNTER</b>		
G 101-21712	Garnishments	\$355.54		
<b>Total GISLASON &amp; HUNTER</b>		<b>\$355.54</b>		
<b>Paid Chk# 9917818</b>	<b>9/3/2015</b>	<b>INTERNAL REVENUE SERVICE</b>		
G 101-21701	Federal Withholding	\$1,640.10		
G 101-21703	FICA Tax Withholding	\$2,264.78		
<b>Total INTERNAL REVENUE SERVICE</b>		<b>\$3,904.88</b>		
<b>Paid Chk# 9917819</b>	<b>9/3/2015</b>	<b>LAW ENFORCEMENT LABOR SERV</b>		
G 101-21711	PD UNION DUES	\$94.00		
<b>Total LAW ENFORCEMENT LABOR SERV</b>		<b>\$94.00</b>		
<b>Paid Chk# 9917820</b>	<b>9/3/2015</b>	<b>PERA</b>		
G 101-21704	PERA	\$4,056.16		
<b>Total PERA</b>		<b>\$4,056.16</b>		
<b>Paid Chk# 9917821</b>	<b>9/3/2015</b>	<b>VALIC</b>		
G 101-21705	VALIC	\$1,170.90		
<b>Total VALIC</b>		<b>\$1,170.90</b>		
<b>Paid Chk# 9917822</b>	<b>9/4/2015</b>	<b>MINNESOTA MUTUAL LIFE</b>		
E 205-46500-134	Employer Paid Life	\$1.70		SEPT LIFE INS-EDA ROB ANDERSON
E 101-42100-134	Employer Paid Life	\$5.10		SEPT LIFE INS-POLICE DEPT
G 101-21706	Hospitalization/Medical Ins	\$12.00		SEPT LIFE INS-STEVE PETERS
G 101-21706	Hospitalization/Medical Ins	\$47.80		SEPT LIFE INS-NICK NAXAY
G 101-21706	Hospitalization/Medical Ins	\$10.90		SEPT LIFE INS-DARON FRIESEN
G 101-21706	Hospitalization/Medical Ins	\$26.40		SEPT LIFE INS-KIM HALL
G 101-21706	Hospitalization/Medical Ins	\$25.30		SEPT LIFE INS-ROBB ANDERSON
E 101-42100-135	Employer Paid Other	\$1.70		SEPT BRIAN LUNZ LIFE INSURANCE
E 101-45200-134	Employer Paid Life	\$1.02		SEPT LIFE INS-PARKS DEPT
E 101-41400-134	Employer Paid Life	\$3.40		SEPT LIFE INS-OFFICE
E 101-43100-134	Employer Paid Life	\$3.06		SEPT LIFE INS-ST DEPT
E 101-41400-134	Employer Paid Life	\$1.70		SEPT WENDY FAST-LAKER APTS-LIFE INS
E 101-46200-134	Employer Paid Life	\$1.02		SEPT LIFE INS-CEMETERY
E 211-45500-134	Employer Paid Life	\$1.70		SEPT LIFE INS-LIBRARY
<b>Total MINNESOTA MUTUAL LIFE</b>		<b>\$142.80</b>		
<b>Paid Chk# 9917823</b>	<b>9/4/2015</b>	<b>MUNICIPAL UTILITIES</b>		
E 101-43160-381	Electric Utilities	\$2,984.18		JULY STREET LIGHTING
<b>Total MUNICIPAL UTILITIES</b>		<b>\$2,984.18</b>		
<b>Paid Chk# 9917824</b>	<b>9/4/2015</b>	<b>MUNICIPAL UTILITIES</b>		
E 101-45200-380	Elec,Water,Sewer	\$0.14		UT AT CITY PARK SHELTERHOUSE
E 101-45183-380	Elec,Water,Sewer	\$1,093.59		UT AT CAMPGROUND
E 608-46330-380	Elec,Water,Sewer	\$3.55		8-PLEX PORTION OF ST LITE ON HERITAGE DRIVE
E 607-46330-380	Elec,Water,Sewer	\$1.83		4-PLEX PORTION OF ST LITE ON HERITAGE DRIVE
E 211-45500-380	Elec,Water,Sewer	\$187.65		LIBRARY UT
E 231-42154-380	Elec,Water,Sewer	\$53.03		AMB PORTION OF FIREHALL UT
E 101-43100-380	Elec,Water,Sewer	\$185.30		ST DEPT UT
E 101-41400-380	Elec,Water,Sewer	\$435.34		CITY HALL UT

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E 101-45200-380	Elec,Water,Sewer		\$94.72		LAWCON PARK LIGHTS
E 221-42200-380	Elec,Water,Sewer		\$107.67		FIRE DEPT PORTION OF FIREHALL UT
E 205-46500-380	Elec,Water,Sewer		\$40.58		324 10TH ST-DAVE DODGE
E 101-45200-380	Elec,Water,Sewer		\$148.59		CITY PARK RESTROOMS UT
E 101-45186-380	Elec,Water,Sewer		\$345.66		SR CTR UT
Total MUNICIPAL UTILITIES			\$2,697.65		
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Paid Chk#	9917825	9/4/2015	LEAGUE OF MN CITIES-FINANCE		
E 101-41110-433	Dues and Subscriptions		\$30.00		MN MAYORS MEMBERSHIP-MIKE NELSON
Total LEAGUE OF MN CITIES-FINANCE			\$30.00		
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Paid Chk#	9917826	9/4/2015	FRONTIER		
E 211-45500-321	Telephone		\$62.18		LIBRARY PHONE-507-427-2506
Total FRONTIER			\$62.18		
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Paid Chk#	9917827	9/4/2015	ALBERT QUIRAM		
E 101-00000-430	Miscellaneous		\$390.00		BIKE GRANT-REPAIR 13 BIKES
Total ALBERT QUIRAM			\$390.00		
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Paid Chk#	9917828	9/4/2015	ALEX AIR APPARATUS INC.		
E 221-42200-404	Repairs/Maint Machinery/Equip		\$541.00	28109	FIRE DEPT-AIR QUALITY TEST, ANNUAL SERVICE BAUER AIR COMPRESSOR
Total ALEX AIR APPARATUS INC.			\$541.00		
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Paid Chk#	9917829	9/4/2015	ALPHA WIRELESS COMMUNICATIONS		
E 231-42154-404	Repairs/Maint Machinery/Equip		\$552.56	198966	REPAIR AMB RADIO
E 101-43100-404	Repairs/Maint Machinery/Equip		\$144.00	678394	BATTERY-D.FRIESEN RADIO
otal ALPHA WIRELESS COMMUNICATIONS			\$696.56		
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Paid Chk#	9917830	9/4/2015	AMAZON		
E 211-45500-590	Capital Outlay Books		\$48.69		LIBRARY BOOKS
E 211-45500-592	A.V. Materials		\$41.77		LIBRARY AV
Total AMAZON			\$90.46		
<hr/>					
Paid Chk#	9917831	9/4/2015	AMBULANCE FUND		
E 231-42154-430	Miscellaneous		\$6.66	8/21/15	FOOD ON AMBULANCE RUN
Total AMBULANCE FUND			\$6.66		
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Paid Chk#	9917832	9/4/2015	BETSY SNYDER		
E 101-41400-308	Training & Instruction		\$20.00	9/18/15	MCFOA MTG-WENDY MEYER
Total BETSY SNYDER			\$20.00		
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Paid Chk#	9917833	9/4/2015	BOB & ARPA EMMERT		
G 608-22000	Deposits		\$595.00		RENT DEPOSIT RETURN
E 608-46330-615	Rent Deposit Interest		\$46.20		INTEREST ON DEPOSIT
Total BOB & ARPA EMMERT			\$641.20		
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Paid Chk#	9917834	9/4/2015	CARDMEMBER SERVICE		
E 101-00000-430	Miscellaneous		\$182.38		DISPLAY-SHIP GRANT
Total CARDMEMBER SERVICE			\$182.38		
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Paid Chk#	9917835	9/4/2015	CITIZEN PUBLISHING		
E 231-42154-430	Miscellaneous		\$63.00	8/19/15	EMT AD
E 231-42154-430	Miscellaneous		\$63.00	8/26/15	EMT AD
E 101-41400-351	Legal Notices Publishing		\$41.25	8/5/15	SMALL CITIES AD
Total CITIZEN PUBLISHING			\$167.25		

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Paid Chk#	9917836	9/4/2015	<b>CRESCENT INVESTIGATIVE SERVICE</b>		
E	101-42100-260	Recruitment	\$449.95		INVESTIGATIVE REPORT-POLICE DEPT
	<b>Total</b>	<b>CRESCENT INVESTIGATIVE SERVICE</b>	<b>\$449.95</b>		
Paid Chk#	9917837	9/4/2015	<b>DENNIS HULZEBOS</b>		
E	211-45500-400	Janitor-Repairs/Maint	\$345.00		SEPTEMBER MAINT AT LIBRARY
E	101-45186-400	Janitor-Repairs/Maint	\$250.00		SEPTEMBER MAINT AT SR CTR
	<b>Total</b>	<b>DENNIS HULZEBOS</b>	<b>\$595.00</b>		
Paid Chk#	9917838	9/4/2015	<b>DENNIS OBERLOH LTD</b>		
E	101-41400-301	Auditing and Acct g Services	\$5,750.00		2014 AUDIT
E	101-41400-301	Auditing and Acct g Services	\$2,000.00		SINGLE AUDIT
	<b>Total</b>	<b>DENNIS OBERLOH LTD</b>	<b>\$7,750.00</b>		
Paid Chk#	9917839	9/4/2015	<b>FRONTIER</b>		
E	205-46500-321	Telephone	\$37.50		EDA PORTION OF DSL & 427-2999
E	205-46500-321	Telephone	\$5.60		CHAMBER 800#
E	101-00000-430	Miscellaneous	\$91.03		UT-PHONE
E	101-45186-321	Telephone	\$57.98		SR CTR PHONE-427-2151
E	101-41400-321	Telephone	\$175.32		CITY HALL PHONE-427-2999
E	101-42100-321	Telephone	\$212.29		POLICE DEPT PHONE-427-3403
E	101-43100-321	Telephone	\$68.18		STREET DEPT PHONE-427-2997
	<b>Total</b>	<b>FRONTIER</b>	<b>\$647.90</b>		
Paid Chk#	9917840	9/4/2015	<b>HOMETOWN SANITATION SERVICE</b>		
E	101-45183-384	Refuse/Garbage Disposal	(\$1,220.00)		VOID CHECK 9917840
E	101-45183-384	Refuse/Garbage Disposal	\$1,220.00	144040	SEPT GARBAGE AT CAMPGROUND
	<b>Total</b>	<b>HOMETOWN SANITATION SERVICE</b>	<b>\$0.00</b>		
Paid Chk#	9917841	9/4/2015	<b>INDOFF INCORPORATED</b>		
E	101-41400-200	Office Supplies	\$56.30	2667586	TAPE,BINDERS,PAPER
E	101-41400-200	Office Supplies	\$117.12	2671060	LAMINATING PAPER
	<b>Total</b>	<b>INDOFF INCORPORATED</b>	<b>\$173.42</b>		
Paid Chk#	9917842	9/4/2015	<b>JEREMY HALL</b>		
E	101-00000-430	Miscellaneous	\$2,100.00	125	BIKE GRANT-3 BIKE RACKS
	<b>Total</b>	<b>JEREMY HALL</b>	<b>\$2,100.00</b>		
Paid Chk#	9917843	9/4/2015	<b>JOHN YSKER</b>		
E	101-43240-111	Contract	\$250.00		SEPTEMBER DUMP SALARY
	<b>Total</b>	<b>JOHN YSKER</b>	<b>\$250.00</b>		
Paid Chk#	9917844	9/4/2015	<b>KDOM RADIO</b>		
E	101-00000-430	Miscellaneous	\$165.00	540150836845	MONTHLY ADVERTISING
	<b>Total</b>	<b>KDOM RADIO</b>	<b>\$165.00</b>		
Paid Chk#	9917845	9/4/2015	<b>KIRBY BUILT SALES</b>		
E	101-00000-430	Miscellaneous	\$1,635.71		BIKE GRANT-MESSAGE CENTER
	<b>Total</b>	<b>KIRBY BUILT SALES</b>	<b>\$1,635.71</b>		
Paid Chk#	9917846	9/4/2015	<b>LAKER ELECTRIC</b>		
E	101-45183-401	Repairs/Maint Buildings	\$17.02	4443	CIRCUIT BREAKERS FOR CAMPGROUND
	<b>Total</b>	<b>LAKER ELECTRIC</b>	<b>\$17.02</b>		
Paid Chk#	9917847	9/4/2015	<b>LEAGUE OF MN CITIES-FINANCE</b>		
E	101-41400-433	Dues and Subscriptions	\$2,315.00		CITY LEAGUE MEMBERSHIP DUES

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August 2015 to September 2015

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<b>Total LEAGUE OF MN CITIES-FINANCE</b>		<b>\$2,315.00</b>		
<b>Paid Chk#</b>	<b>9917848</b>	<b>9/4/2015</b>	<b>LEAGUE--WC/INS</b>	
E 221-42200-151	Worker s Comp Ins Prem	\$137.00		FIRE DEPT-14-15 WORK COMP AUDIT
E 101-00000-361	General Liability Ins	\$22.63		UT OFFICE 14-15 WORK COMP AUDIT
E 205-46500-151	Worker s Comp Ins Prem	\$14.47		EDA-14-15 WORK COMP AUDIT
E 101-41400-151	Worker s Comp Ins Prem	\$14.46		OFFICE-14-15 WORK COMP AUDIT
E 101-45200-151	Worker s Comp Ins Prem	\$64.96		PARKS-14-15 WORK COMP AUDIT
E 101-42100-151	Worker s Comp Ins Prem	\$262.43		POLICE-14-15 WORK COMP AUDIT
E 101-00000-361	General Liability Ins	\$146.07		ELEC-14-15 WORK COMP AUDIT
E 101-00000-361	General Liability Ins	\$79.06		WATER-14-15 WORK COMP AUDIT
E 231-42154-151	Worker s Comp Ins Prem	(\$219.97)		AMB-14-15 WORK COMP AUDIT
E 211-45500-151	Worker s Comp Ins Prem	(\$12.26)		LIBRARY-14-15 WORK COMP AUDIT
E 101-43100-151	Worker s Comp Ins Prem	\$777.15		ST DEPT-14-15 WORK COMP AUDIT
<b>Total LEAGUE--WC/INS</b>		<b>\$1,286.00</b>		
<b>Paid Chk#</b>	<b>9917849</b>	<b>9/4/2015</b>	<b>LOHRENZ INC</b>	
E 101-41910-344	Property Cleanup	\$12,265.00	6374	DEMO HOUSE 412 7TH ST-ERIC KRUEGER
<b>Total LOHRENZ INC</b>		<b>\$12,265.00</b>		
<b>Paid Chk#</b>	<b>9917850</b>	<b>9/4/2015</b>	<b>MAYNARDS FOOD CENTER</b>	
E 101-43100-200	Office Supplies	\$28.62	7/16/15	ST DEPT-TP& PAPER TOWELS
E 205-46500-430	Miscellaneous	\$37.45	7/16/15	EDA MTG
E 101-41400-200	Office Supplies	\$18.23	7/21/15	TP & CLEANING SUPPLIES-OFFICE
E 101-43100-200	Office Supplies	\$8.00	7/6/15	ST DEPT-PAPER TOWELS
E 205-46500-430	Miscellaneous	\$32.76	7/9/15	EDA MTG
<b>Total MAYNARDS FOOD CENTER</b>		<b>\$125.06</b>		
<b>Paid Chk#</b>	<b>9917851</b>	<b>9/4/2015</b>	<b>MCLAUGHLIN AND SCHULTZ</b>	
E 101-43121-224	Street Maint Materials	\$2,209.42	009711	TAR-SOUTH KLEIN ST & 15TH STREET
<b>Total MCLAUGHLIN AND SCHULTZ</b>		<b>\$2,209.42</b>		
<b>Paid Chk#</b>	<b>9917852</b>	<b>9/4/2015</b>	<b>MID-AMERICAN RESEARCH CHEMICAL</b>	
E 101-43100-430	Miscellaneous	\$89.97	0559248-IN	CLEANERS-ST DEPT
<b>Total MID-AMERICAN RESEARCH CHEMICAL</b>		<b>\$89.97</b>		
<b>Paid Chk#</b>	<b>9917853</b>	<b>9/4/2015</b>	<b>MINNESOTA ENERGY RESOURCE CORP</b>	
E 101-41400-383	Gas Utilities	\$69.99		CITY HALL GAS-ACCT#4346780-2
E 221-42200-383	Gas Utilities	\$11.40		FIRE DEPT PORTION OF FIREHALL GAS-ACCT#4296165-6
E 101-43100-383	Gas Utilities	\$52.49		STREET GARAGE GAS-ACCT#4092120-7
E 231-42154-383	Gas Utilities	\$5.61		AMB PORTION OF FIREHALL GAS-ACCT#4296165-6
E 211-45500-383	Gas Utilities	\$48.09		LIBRARY GAS-ACCT#4134278-3
E 101-45186-383	Gas Utilities	\$43.43		SR CTR GAS-ACCT#4010846-6
<b>Total MINNESOTA ENERGY RESOURCE CORP</b>		<b>\$231.01</b>		
<b>Paid Chk#</b>	<b>9917854</b>	<b>9/4/2015</b>	<b>MOUNTAIN LAKE PUBLIC SCHOOL</b>	
E 101-45100-306	Management Fees	\$5,000.00		2015 DONATION FOR SUMMER REC
<b>Total MOUNTAIN LAKE PUBLIC SCHOOL</b>		<b>\$5,000.00</b>		
<b>Paid Chk#</b>	<b>9917855</b>	<b>9/4/2015</b>	<b>MUSKE, MUSKE, SURHOFF</b>	
E 101-41400-304	Legal Fees	\$704.70		LEGAL FEES
<b>Total MUSKE, MUSKE, SURHOFF</b>		<b>\$704.70</b>		
<b>Paid Chk#</b>	<b>9917856</b>	<b>9/4/2015</b>	<b>NICKEL CONSTRUCTION</b>	
E 211-45500-401	Repairs/Maint Buildings	\$105.00	15325	WASHED ROCK FOR LANDSCAPING BY DRIVEWAY

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			Check Amt	Invoice	Comment
<b>Total NICKEL CONSTRUCTION</b>			<b>\$105.00</b>		
Paid Chk#	9917857	9/4/2015	<b>PETERSON WELL DRILLING INC</b>		
E 101-41910-344	Property Cleanup		\$1,115.00	6897	SEAL WELL AT 805 BASINGER DRIVE
<b>Total PETERSON WELL DRILLING INC</b>			<b>\$1,115.00</b>		
Paid Chk#	9917858	9/4/2015	<b>PETTIPIECE &amp; ASSOCIATES</b>		
E 202-41400-434	Project Expense		\$833.00		GRANT ADMIN
<b>Total PETTIPIECE &amp; ASSOCIATES</b>			<b>\$833.00</b>		
Paid Chk#	9917859	9/4/2015	<b>PRAXAIR</b>		
E 231-42154-210	Operating Supplies		\$72.24	53517632	OXYGEN FOR AMB
E 231-42154-210	Operating Supplies		\$149.41	53594995	OXYGEN FOR AMB
<b>Total PRAXAIR</b>			<b>\$221.65</b>		
Paid Chk#	9917860	9/4/2015	<b>RADTKE WELDING</b>		
E 101-00000-430	Miscellaneous		\$267.18	7765	BIKE GRANT-2 BENCH BRACKETS & POWDER COAT
<b>Total RADTKE WELDING</b>			<b>\$267.18</b>		
Paid Chk#	9917861	9/4/2015	<b>RED ROCK QUARRY INC</b>		
E 101-43121-225	Seal Coat/Crack Filling		\$357.31		ROCK-ST DEPT
<b>Total RED ROCK QUARRY INC</b>			<b>\$357.31</b>		
Paid Chk#	9917862	9/4/2015	<b>RUNNINGS</b>		
E 101-43100-404	Repairs/Maint Machinery/Equip		\$14.49	8/20/15	SAFETY VALVE FOR COMPRESOR-ST DEPT
<b>Total RUNNINGS</b>			<b>\$14.49</b>		
Paid Chk#	9917863	9/4/2015	<b>THIRD AVENUE AUTO PARTS</b>		
E 101-43100-404	Repairs/Maint Machinery/Equip		\$26.49		ST DEPT
E 101-43100-404	Repairs/Maint Machinery/Equip		(\$12.50)		EARLY PAY DISCOUNT
E 101-43100-215	Shop Supplies		\$5.99	S148193	ST DEPT-TOOL SCRIBE
E 101-43100-215	Shop Supplies		\$4.29	S148198	FAST ORANGE SMOOTH
E 101-43100-404	Repairs/Maint Machinery/Equip		\$9.65	S148354	OIL FILTER-320D
E 101-43100-215	Shop Supplies		\$23.95	S148356	NEUTRA-ST DEPT
E 101-43100-404	Repairs/Maint Machinery/Equip		\$67.30	S148387	AIR FILTERS-320D
E 101-43100-215	Shop Supplies		\$9.38	S148411	CARB CLEANER-ST DEPT
<b>Total THIRD AVENUE AUTO PARTS</b>			<b>\$134.55</b>		
Paid Chk#	9917864	9/4/2015	<b>UNIFORMS UNLIMITED</b>		
E 101-42100-205	Uniforms		\$19.90	1535-2	WILL POHLMAN-NAME TAG
E 101-42100-205	Uniforms		\$428.53	1849-2	UNIFORMS-WILL
E 101-42100-205	Uniforms		\$72.11	1850-2	CUFF CASE-WILL
<b>Total UNIFORMS UNLIMITED</b>			<b>\$520.54</b>		
Paid Chk#	9917865	9/4/2015	<b>UNTAMED MOUSE</b>		
E 101-00000-430	Miscellaneous		\$774.84	1263	BIKE GRANT-BIKE BROCHURES
E 101-00000-430	Miscellaneous		\$224.89	1278	BIKE GRANT-RESIZE BIKE TRAIL MAP
<b>Total UNTAMED MOUSE</b>			<b>\$999.73</b>		
Paid Chk#	9917866	9/4/2015	<b>VERIZON</b>		
E 101-42100-321	Telephone		\$35.01		PD-TABLET #2
E 101-42100-321	Telephone		\$35.01		PD-TABLET #1
E 231-42154-321	Telephone		\$9.66		AMB CELL PHONE
E 101-42100-321	Telephone		\$9.49		POLICE DEPT CELL PHONE
<b>Total VERIZON</b>			<b>\$89.17</b>		
Paid Chk#	9917867	9/4/2015	<b>WESTERN COMMUNITY ACTION</b>		

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**\*Check Detail Register©**

August 2015 to September 2015

		Check Amt	Invoice	Comment
E 202-41400-434	Project Expense	\$2,779.00		GRANT ADMIN
E 202-46300-434	Project Expense	\$20,046.00		GRANT ADMIN
Total WESTERN COMMUNITY ACTION		\$22,825.00		
10100 United Prairie		\$98,171.40		

**Fund Summary**

<b>10100 United Prairie</b>		
101	GENERAL FUND	\$71,155.67
202	2014 SMALL CITIES DEVELOP PROG	\$23,658.00
205	ECONOMIC DEVELOPMENT AUTHORITY	\$170.06
211	LIBRARY FUND	\$827.82
221	FIRE DEPT FUND	\$958.07
231	AMBULANCE FUND	\$755.20
607	EDA----4 PLEX FUND	\$1.83
608	EDA----8 PLEX FUND	\$644.75
		\$98,171.40

**Paid Chk# 000399E 8/31/2015 NORTHLAND TRUST SERVICES**

E 332-47000-607	2002 Improve Principal	\$120,000.00	WIRE FOR BOND REFUNDING
Total NORTHLAND TRUST SERVICES		\$120,000.00	

**Paid Chk# 000400E 9/2/2015 MUNICIPAL UTILITIES**

R 101-00000-39203	Transfer from Other Fund	\$399,671.89	TRANSFER-BOND PROCEEDS SEWER BOND
Total MUNICIPAL UTILITIES		\$399,671.89	

**Paid Chk# 000401E 9/2/2015 MUNICIPAL UTILITIES**

R 101-00000-39203	Transfer from Other Fund	\$130.11	TRANSFER FOR SEWER BOND PROCEEDS
Total MUNICIPAL UTILITIES		\$130.11	

**DRAFT**  
**Mountain Lake City Council**  
**Regular Council Meeting**  
**Mountain Lake City Hall**  
**Monday, Aug. 17, 2015**  
**6:30 p.m.**

Members Present: Mike Nelson, Darla Kruser, Dana Kass, David Savage, Andrew Ysker

Members Absent: None

Staff Present: Wendy Meyer, Clerk/Administrator; Matt Muske, Muske, Muske and Suhrhoff; Doug Bristol, Chief of Police; Nick Naxay, Police Officer; Steve Carson, Building Official

Others Present: Adam Sayles, Curt Fast, Jason Kruser, Brandon Green, Curt Feil, Gloria McKissick, Doug Regehr, Jeff Gladis, Western Community Action

**Call to Order**

Mayor Nelson called the meeting to order at 6:30 p.m.

**Agenda and Consent Agenda**

Motion by Savage, seconded by Kruser, to add 10i. Guaranteed Energy Savings Program (GESp) to the agenda. Motion carried unanimously. Motion by Ysker, seconded by Kass, to approve the consent agenda as presented and adopt the agenda as amended. Motion carried unanimously.

Bills: Check #'s 9917754-9917801; 398E

Payroll Checks #'s 61941-61973

Aug. 3 Council Minutes

July 9 Utility Commission Minutes

July 10/16, July 20, and July 29 EDA Minutes

July 13 Lake Commission Minutes

**Public**

Adam Sayles asked that a non-binding referendum be held regarding the downtown redevelopment project underway in northwest corner of Block 8. It was explained that a non-binding referendum is prohibited by state statute. Residents who want to express their opinions on the project should bring written statements to city hall; the clerk/administrator will forward them to the Council and Economic Development Authority.

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Brandon Green, 507 10<sup>th</sup> St. N. asked if the city intends to re-attach a utility bill previously attached to 505 10<sup>th</sup> St. N., tax-forfeited property. A recommendation to the Council will be discussed at the next utility commission meeting.

### **Oath of Office**

Will Pohlmann's Oath of Office was tabled to next council meeting.

### **Public Nuisance 1701 3<sup>rd</sup> Ave.**

Photographs of the property taken earlier in the day, clean-up work completed, and clean-up work remaining were discussed with the property owner. The owner will attend the next council meeting.

### **Discussion of Items Presented to the Council at Aug. 3 Meeting**

Gloria McKissick, the council and the city departments involved discussed her concerns. She was encouraged to call police when there are issues with the neighbor's dog. The utility bill sequence and the bill at 502 10<sup>th</sup> St. N. were reviewed. The property was re-shingled in July without a permit; the shingles used do not meet state building code. The council discussed enforcement options. Motion by Kass, seconded by Ysker, to place a statement in the file that no building permit was applied for and no inspections were made to protect the city if there are property insurance problems. Motion carried unanimously. The Building Official also recommended that the penalty for not obtaining a building permit in the current city ordinance be reviewed.

### **Jason Kruser, Mt. Lake Trail**

Kruser hunts on the MN Dept. of Natural Resources (DNR) Wildlife Management Area (WMA) on the west end of the lake. The trail is on the property. Kruser discussed safety concerns with the council last Oct. He thanked the council for the city's efforts to raise public awareness during the fall hunting seasons. The 'rustic paths' cut on city, private and DNR property were discussed. Kruser is concerned about the safety of people using the 'rustic paths' during the fall hunting seasons. The 'rustic paths' reduce the ability of hunters to hunt safely on land that is open for hunting. Erosion on the steep portions of the 'rustic paths' is also a concern. Kruser suggested more warning signs should be placed along the trail and that the council should consider closing a portion of the trail during mid-November deer hunting slug season. It was agreed that the DNR should be invited to the next council meeting to discuss these issues further.

### **Small Cities Development Program (SCDP) Public Hearing**

The public hearing was opened at 8:27 p.m. Jeff Gladis, Housing Director, Western Community Action, updated the council on the current program. The city received a SCDP Housing grant in 2014 to rehab 20 houses to income eligible homeowners in a target area in Mt. Lake. The target area was recently expanded to include the entire city. Ten homes have been or are in the process

of being rehabbed. Three more applications are being processed. The program ends Dec. 31, 2016. The public hearing was closed at 8:32 p.m.

### **2016 Draft Budget**

It was agreed that a special budget meeting should be held. The meeting was scheduled for 3 p.m. on Mon. Aug. 31.

### **Mt. Lake Public School Pool**

Questions were raised about the pool's published hours and if the pool was open during those hours. The Clerk/Administrator will contact the school.

### **Casey's/Trailhead Lease Agreement**

The trailhead is being placed at Casey's just off Co. Rd. #27 and near the trail so trail information is visible to visitors entering Mt. Lake. The maps at the campground and boat landing are being updated. One goal of the Active Living Plan calls for the extension of sidewalk the entire length of 3<sup>rd</sup> Ave. to Casey's. Motion by Savage, seconded Kruser, to approval the agreement. Motion carried unanimously.

### **Copiers**

The quotes for lease or purchase were discussed. City staff is recommending the new copiers be leased. Motion by Kass, seconded by Savage, to lease a color printer and black and water copier/printer/scanner as budgets allow from New Star Sales. Motion carried unanimously.

### **Campground Wi-Fi**

A proposal from Frontier was discussed. MediaCom declined the opportunity to prepare a proposal. The Clerk/Administrator will request a proposal from MVTV.

### **Miscellaneous**

A request to purchase land was tabled. The council received the updated list of Conservation Improvement Plan Rebates Effective 8/1/15, and information about the Affordable Care Act 'Cadillac Tax and the City of Gaylord swimming pool.

### **Guaranteed Energy Savings Program (GESP)**

The program offered by the MN Dept. of Commerce was briefly discussed. It appears that it could make the purchase of energy efficient items, including street lights 'budget neutral'. It was agreed that representatives of the program should be invited to the next council meeting to explain the program in detail.

### **Adjourn**

Nelson adjourned the meeting at 9:15 p.m.

DRAFT  
Mountain Lake City Council  
Special Council Meeting  
Work Session - Budget  
Monday, August 31, 2015  
3 p.m.

Members Present: Mike Nelson, Darla Kruser, Dana Kass, David Savage

Members Absent: Andrew Ysker

Staff Present: Wendy Meyer, Clerk/Administrator

Others Present: None

**Call to Order**

Mayor Nelson called the meeting to order at 3:00 p.m.

**2016 Budget**

The draft budget was discussed. By consensus reductions were discussed and made. The comprehensive plan update (\$10,000), LED street lights (\$25,000), and ambulance garage roof replacement (\$15,000) were removed. Outdoor pool feasibility study was reduced from \$8,500 to \$2,000; and parks capital outlay was reduced from \$10,000 to \$5,000.

**Adjourn**

Nelson adjourned the meeting at 4:21 p.m.

**ATTEST:**

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Wendy Meyer, Clerk/Administrator

REGULAR UTILITIES COMMISSION MEETING  
THURSDAY, AUGUST 13, 2015  
7:00 A.M.

PRESENT: Mark Langland  
Todd Johnson  
John Carrison  
Mike Johnson  
Brett Lohrenz  
David Savage-City Council Liaison

ABSENT: None

Staff: Lynda Cowell – Utilities Office Manager  
Wendy Meyer - City Administrator  
Dave Watkins - Water/Wastewater  
Kevin Krahn - Water/Wastewater Supt.  
Ron Melson - Electric Supt.

Others: None

Mark Langland - Chairman called the regular meeting of the Utilities commission for August 13, 2015 to order at 7:00 a.m. Additions: Geraldine Green, 2009B Bonds, Bob Jass electric at his home.

1. Minutes and Bills: Questions was raised about Check 15492, to the City of Mt. Lake for asset capitalization for three bonds, Jenny's, 2006 Street Project, and Lakeview Estates. The transfer was determined by the city's auditors. The clerk/administrator briefly explained the reasons why the transfer was needed. Oberloh and Associates, the city's auditors, will be contacted for an in-depth explanation. Motion by John Carrison seconded by Brett Lohrenz to accept the minutes and bills as presented. Motion carried. Checks #15449-15548.

2. Water/Wastewater Department:

**RO issues:** Kevin informed the Commission that the RO membranes are deteriorating. In order to find out why this is happening an 'autopsy' has been suggested at a cost of \$3,000. The Commission directed that one (1) new membrane should be purchased and an 'autopsy' done.

3. Electric Department:

**Engines:** The yearly URG testing has been carried out since the commission last met. .

4. Office:

**Geraldine Green request:** Ms. Green may be interested in a portion of Lots 1 and 2, Franz's First' Addition that is north of Calvin Rempel's tree line. Wendy will do some more checking on footage, etc. for more discussion at the next meeting.

**Adjustments:** FYI

**2009B Electric Revenue Bond recall:** By recalling, refunding and reissuing the 2009B Bond the electric department should have a savings of about \$17,000.00. The council will discuss this at a future meeting.

**Bob Jass electric at his home:** Brett raised an issue brought to him by Bob Jass. Ron stated

that because the power is overhead there the utility ownership of the line stops at the top of the pole; the line from the pole to the house belongs to Jass, not the utility as Jass thinks. Brett will explain this to Jass.

**2015 Budget** The first six months of revenues and seven months of expenses were reviewed. Water and sewer revenues are as expected. Electric revenue is lower than expected.

**CIP Rebates:** The CMMPA board has expanded rebates and amounts. The changes went into effect August 1, 2015.

**WAPA letter:** The letter notified the utility that there will be no change to the Drought Adder component of the Firm Power Rate in January 2016.

**Utility bill/rental letter:** A citizen wrote a letter questioning how final bills are handled and expressing her concern that she had paid a renter's utility bill. An example of how the billing cycle works was provided to her as was a history of the name on the bill and when payments were made. The commission reviewed the letter, and documents prepared by the utility.

Meeting adjourned.

**Regular Meeting  
Planning and Zoning Commission  
Tuesday, May 26, 2015  
5:30 p.m.  
City Hall**

Members Present: Nathan Harder, Sharron Hanson, Doug Regehr, Nik Strom, Tim Swoboda

Members Absent: Bryan Bargaen, Dean Janzen

Staff Present: Wendy Meyer, Clerk/Administrator

Others Present: Dana Kass, Council Liaison; Richard Almich and Alex Jermeland, MN Valley Council of Governments; Mike Nelson, Mayor; Darla Kruser, David Savage, Council Members; Charles Witt, Bryan and Carolyn Rempel

**Election of Officers**

The meeting was called to order at 5:30 p.m.

The clerk/administrator called for nominations for commission chair. Bryan Bargaen was nominated. Motion by Regehr, seconded Swoboda, that nominations cease and a unanimous ballot be cast for Bryan Bargaen. Motion carried unanimously.

In the absence of the chair, the clerk/administrator called for nominations for vice-chair. Nik Strom was nominated. Motion by Swoboda, seconded by Hanson, that nominations cease and a unanimous ballot be cast for Bryan Bargaen. Motion carried unanimously.

**Additions to the agenda and adoption of the agenda**

Motion by Regehr, seconded by Swoboda, to add 10a. 553 3<sup>rd</sup> Ave. to the agenda, and adopt the agenda as amended. Motion carried unanimously.

**Approval of June 2, 2014 minutes**

Motion by Hanson, seconded by Swoboda, to approve the minutes. Motion carried unanimously.

**Review of to-date 2015 Building and Shingling/Siding Permits**

The permits were reviewed. Where applicable the setbacks were reviewed. All permits with the exception of #13-15, 712 Basinger, meet setback requirements. Motion to approve all permits and #13-15 contingent on the approval of the variance being requested by the property owner. Motion carried unanimously.

**Conditional Use Training, Alex Jermeland and Rich Almich, MN Valley Council of Governments**

Almich reviewed conditional uses with the group. Questions were raised and answered.

**6 p.m. Stewart Conditional Use Permit Public Hearing, 703 Klein St. S., PIN 22.441.0080**

Strom called the public hearing to order at 6:02 p.m. The application, maps, and relevant sections of city code were reviewed. Re-zoning and revision of the current code were discussed. Draft Findings of Fact were prepared. The public hearing was closed at 7 p.m. The applicant, Michael Stewart, was not in attendance. The 60 day rule (MN Statute 15.99) was discussed. Motion by Regehr, seconded by Hanson, to request a special meeting with Stewart to discuss the application. Motion carried unanimously.

Motion by Swoboda, seconded by Strom, to recommend to the council that 9.11 Subd. 5 #14 be reviewed and appropriate revisions be made.

**Variance Training, Alex Jermeland and Rich Almich, MN Valley Council of Governments**  
Almich reviewed variances with the group. Questions were raised and answered.

**Rempel Variance, 712 Basinger Memorial Dr., PIN 22.415.0040**

The application, maps and relevant sections of city code were reviewed. The five criteria of MN Statutes 462.357 were considered. Motion by Hanson, seconded by Swoboda, to recommend to the council that the variance be approved as the petition meets the five criteria. Motion carried unanimously.

**553 3<sup>rd</sup> Ave., Charles Witt**

Witt presented information about a project on the property. It was determined that neither a building permit or variance is needed.

**Adjourn**

Strom adjourned the meeting at 7:35 p.m.

**Approved August 31, 2015.**

ATTEST:

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Wendy Meyer, Clerk/Administrator

**Special Meeting  
Planning and Zoning Commission  
Monday, June 1, 2015  
5:00 p.m.  
City Hall**

Members Present: Bryan Bargaen, Nathan Harder, Sharron Hanson, Doug Regehr, Tim Swoboda

Members Absent: Dean Janzen, Nik Strom

Staff Present: Wendy Meyer, Clerk/Administrator

Others Present: Dana Kass, Council Liaison; Mike Nelson, Mayor; Darla Kruser, David Savage, Council Members; South West MN Landscaping, LLC: Michael Stewart, Norma Garza, Anedison Bisbo

**Call to Order**

Chairman Bargaen called the meeting to order at 5 p.m.

**Stewart Conditional Use Permit, 703 Klein St. S., PIN 22.441.0080**

The owner of the property, Michael Stewart, and his business partners were present to answer questions. The types of vehicles making deliveries, off street parking, types of items to be displayed, type of fencing to be used, the intended use of a building on the southwest corner of the property, and drainage were discussed and explained. The draft findings of fact prepared at the May 26 meeting were reviewed and revised. Motion by Hanson, seconded by Harder, to recommend approval of the conditional use to the council with six conditions: 1) A solid fence that restricts the view and meets city code must be constructed on the south edge of the property. 2) Lighting must be shrouded such that light does not fall on any neighboring property. 3) Deliveries must be made between the hours of 8 a.m. and 6 p.m. 4) Storm water drainage must stay on the property or be directed to the road ditch on the north side of the property. 5) There must be three off-street parking spaces on the property as required by code. 6) A vehicle turn-around must be constructed on the property to prevent the business' customers from turning around in neighboring private driveways. Motion carried unanimously.

**Adjourn**

Bargaen adjourned the meeting at 5:33 p.m.

**Approved August 31, 2015.**

ATTEST:

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Wendy Meyer, Clerk/Administrator

**Special Meeting**  
**Planning and Zoning Commission**  
**Wednesday, July 22, 2015**  
**6:30 p.m.**  
**City Hall**

Members Present: Bryan Bargaen, Nathan Harder, Sharron Hanson, Dean Janzen, Doug Regehr, Nik Strom, Tim Swoboda

Members Absent: None

Staff Present: Wendy Meyer, Clerk/Administrator

Others Present: Richard Almich and Alex Jermeland, MN Valley Council of Governments (COG); Mike Nelson, Mayor

**Call to Order**

Chairman Bargaen called the meeting to order at 6:30 p.m. There was one addition to the agenda, the adoption of Resolution No. P1-15 *Finding Proposed Modified Redevelopment Plan for Modified Redevelopment Project No. 1 and the Proposed Tax Increment Financing Plan for Tax Increment Financing District No. 1-8 Conforms to the Plans for Development of the City of Mountain Lake as a Whole.*

**Resolution No. P1-15**

A redevelopment project for Parcel Identification Numbers 22.520.1020 (322 10<sup>th</sup> St. N.), 22.520.1000 (324 10<sup>th</sup> St. N.), 22.520.0990 (326 10<sup>th</sup> St. N.) and 22.520.1010 (1050 4<sup>th</sup> Ave.) is being undertaken by the Mountain Lake Economic Development Authority. As a first step the EDA has recommended that the City establish a Tax Increment Financing (TIF) District. A TIF district would give the EDA the ability to recoup the costs of acquisition, demolition, and hazardous waste removal. The modified redevelopment plan and the tax increment financing plan were discussed and questions raised. By adopting the resolution the Commission is stating that the redevelopment is an appropriate use of the downtown properties and the project conforms to the general development plan of the city. Motion by Janzen, seconded by Hanson, to adopt Resolution No. P1-15. Motion carried unanimously.

**MN Valley Council of Governments Training**

Richard Almich and Alex Jermeland from the organization presented a number of planning and zoning related topics including the role of the city council, commission and board of adjustment/appeals; a definition of zoning; zoning requests and standards; types of zoning districts, the three categories of use: permitted, conditional and accessory; rezoning, legal and non-legal conformities; conditional use permits; variances; zoning amendments; findings of fact, due process and public hearings.

Topics of interest to the commission and future trainings were discussed. The commission will meet Mon. Aug. 31 at 5:30 p.m.

**Adjourn**

Bergen adjourned the meeting at 7:45 p.m.

**Approved August 31, 3015.**

ATTEST:

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Wendy Meyer, Clerk/Administrator

To: Council

Re: Laker Request to close a portion of 2<sup>nd</sup> Ave.

The Laker will be the site, for the first time, of the annual Firemen's dinner to be held Sat. evening Sept. 26. In the past it has been held at the Golf Course. At this time it is uncertain how many current and former members will be attending. It may be necessary to use 2<sup>nd</sup> Ave.

The Laker is requesting that they be allowed to close 2<sup>nd</sup> Ave. from the east side of the alley between 9<sup>th</sup> and 10<sup>th</sup> St. to the west side of the 10<sup>th</sup> St. and 2<sup>nd</sup> Ave. intersection on Sat. evening Sept. 26, from 5 to 9 p.m. if necessary to accommodate the number of attendees.

August 28, 2015

Doug Bristol  
Chief of Police  
Mountain Lake Police Department

Dear Chief Bristol:

This letter is to notify you that I am resigning from the Mountain Lake Police Department as a police officer. September 11, 2015 will be my last day of employment.

This wasn't an easy decision, because I am grateful for the rewarding employment I've had with the Mountain Lake Police Department. But after long hours of consideration, my decision is now final and I have accepted a position with another company.

Please contact me if I can make the transition process proceed more smoothly.

Yours respectfully,



Nick Naxay

(RESERVED FOR RECORDING INFORMATION)

L.E. No. 782 (C-2223)

STATE DEED TAX DUE \$ \_\_\_\_\_

DEED

CLASS "A" LAND EXCHANGE

Issued Pursuant to Minn. Stat. §§ 94.342 and 94.343

KNOW ALL PEOPLE BY THESE PRESENTS, THAT

WHEREAS, The land hereinafter described is Class "A" land owned by the STATE OF MINNESOTA, and the exchange thereof was unanimously approved by the Minnesota Land Exchange Board on June 5, 2002, pursuant to the applicable provisions of the State Constitution and Statutes, and CITY OF MOUNTAIN LAKE, a municipal corporation, having fully complied with all the terms and conditions of the proposal for exchange approved as aforesaid on its part to be performed, is now entitled to a conveyance of said land from the State:

NOW, THEREFORE, In consideration of the premises and pursuant to the statutes in such case made and provided, the State of Minnesota, Grantor, does hereby grant, bargain, sell and convey unto the said CITY OF MOUNTAIN LAKE, a municipal corporation, Grantee, the following described land situated in the County of Cottonwood; State of Minnesota, to wit:

That part of the Northeast Quarter (NE1/4) of Section Thirty-one (31), Township One Hundred Six (106) North, Range Thirty-four (34) West, bounded by the 105.0 foot contour, said contour based on and corresponding to the elevation of the zero of the gauge of the outlet dam at Mountain Lake as being at elevation 98.80 project datum and the following described lines:

Beginning at a point on the north line of said Section 31 a distance of 1087.6 feet West of the northeast corner of said Section 31, and at the above described 105.0 foot contour and from which the northeast corner of said Section 31 bears North 89 degrees 51 minutes East from the point of beginning; thence South 89 degrees 51 minutes West 360.1 feet along the north line of said Section 31; thence South 00 degrees 10 minutes West 571.0 feet; thence North 87 degrees 48 minutes East 317.0 feet; thence South 41 degrees 35 minutes East 307.0 feet; thence South 75 degrees 00 minutes East 345.5 feet; thence South 00 degrees 00 minutes East 459.5 feet; thence North 89 degrees 48 minutes East 562.0 feet; thence North 00 degrees 00 minutes East 100.0 feet to the 105.0 foot contour as above described and there terminating.

Said tract containing 7.3 acres, more or less.

cc: Randy Markel

Kon Vurland

Sharon N.

1-23-03

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ALSO

That part of the West Half of the Southwest Quarter (W1/2 SW1/4) and the West Half of the East Half of the Southwest Quarter (W1/2 E1/2 SW1/4) of Section Twenty-nine (29), Township One Hundred Six (106) North, Range Thirty-four (34) West, described as follows:

Beginning at the southwest corner of said Section 29; thence on an assumed bearing of North 00 degrees 16 minutes 54 seconds East 944.28 feet along the west line of said Section 29; thence South 89 degrees 09 minutes 02 seconds East 461.42 feet; thence South 33 degrees 54 minutes 07 seconds East 318.80 feet; thence South 88 degrees 13 minutes 04 seconds East 547.41 feet; thence South 61 degrees 23 minutes 16 seconds East 173.36 feet; thence South 02 degrees 02 minutes 48 seconds East 573 feet, more or less, to the south line of said Section 29; thence westerly 1330 feet, more or less, along the south line of said Section 29 to the southwest corner of said Section 29 and the point of beginning. EXCEPTING THEREFROM:

All land lying below the 105 foot contour line as established from a Bench Mark (Elevation 100.00 feet Assumed Datum), being the top of the concrete abutment at its junction with the wingwall at the northwest corner of the Highway Bridge over Spring Creek in the southwest corner of the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) of Section Twenty-eight (28), Township One Hundred Six (106) North, Range Thirty-four (34) West, said contour line being shown on Sheet 2 of the Topographical Map of the Mountain Lake Dam, Park and Lake Project of the Emergency Relief Administration of the State of Minnesota, dated June 4, 1935.

Said tract containing 10 acres, more or less.

ALSO

The South 997 feet of the East 1500 feet of the South Half of the Southeast Quarter (S1/2 SE1/4) of Section Thirty (30), Township One Hundred Six (106) North, Range Thirty-four (34) West, EXCEPTING THEREFROM:

All that part of the above described parcel lying below the 105.0 contour, said contour bearing and corresponding to the elevation of the zero gauge of the right upstream abutment on the outlet dam located in the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) of Section Twenty-eight (28), Township One Hundred Six (106) North, Range Thirty-four (34) West, being at Elevation 98.80 Project Datum.

Said tract containing 15.7 acres, more or less.

subject to the following:

This conveyance of the described real property to the City of Mountain Lake is made on the assumption that the property will be used for public purposes. Said tract contains a significant natural area with wetland landscape settings. In its present state, it remains relatively undisturbed in a natural condition and has significant and substantial value as a natural, ecological, and aesthetic zone. Grantor and Grantee recognize the value of the natural, ecological, and aesthetic features and are committed to its conservation and preservation in perpetuity by restricting the use of the property. Accordingly, in consideration for the exchange of property, the City of Mountain Lake agrees the following restrictions, reservations, limitations, and covenants shall run with the land binding the Grantee, successors or assigns.

(1) The Grantee agrees to sell or otherwise transfer ownership of the property described in this deed only to governmental entities;

(2) If the property conveyed by this deed shall be used for any purpose other than those specifically permitted by the covenants contained in this deed or if there is a breach of the covenants, then Grantor, successors, or assigns shall have the right to purchase and the privilege of repurchasing the conveyed land at a price of ninety (90) percent of the then current appraised value;

(3) Grantee agrees no manufacturing, commercial, retail enterprises, or residential dwelling of any kind shall be erected, placed, or permitted on the conveyed property;

(4) Grantee agrees that no buildings of any kind shall be erected, placed, or permitted on the conveyed property without the expressed written consent of the Grantor;

(5) Grantee agrees the proposed site of any constructed or permitted surface trail on the property is subject to the expressed written consent of the Grantor;

(6) Grantee agrees not to permit the use of motorized vehicles on the property, except for maintenance purposes without the expressed written consent of the Grantor;

(7) Grantee agrees that no above-ground electrical distribution or transmission lines will be erected, placed, or permitted on the property;

(8) The Grantor expressly reserves to itself, successors, or assigns the right of ingress and egress across the conveyed property for the purposes of maintaining adjacent parts or portions of real property of the Grantors;

(9) Grantor expressly reserves to the general public the right to hunt on the conveyed property each day of the legally-proclaimed hunting seasons.

(10) Reservations to the State of Minnesota of all minerals and mineral rights and all water power rights on said land as provided by law:

(11) Prior mineral reservations of record and roadways, restrictions, and easements of record;

(12) Minnesota Statutes Section 103G.545 (2000) where applicable; and

(13) A restrictive covenant running with the land, as required by Minnesota Statutes Section 103F.535, subd. 1 (2000), to-wit: That the lands conveyed by this deed are not eligible for enrollment in a State of Minnesota funded program providing compensation for conservation of marginal land or wetlands.

Grantee agrees that all the restrictions, reservations, limitations, and covenants contained in this deed shall be inserted in full in all future deeds of the above-described property conveyed by this deed.



Approved as to form and execution  
on \_\_\_\_\_, 2002.

MIKE HATCH  
Attorney General

By \_\_\_\_\_  
MATTHEW B. SELTZER  
Assistant Attorney General

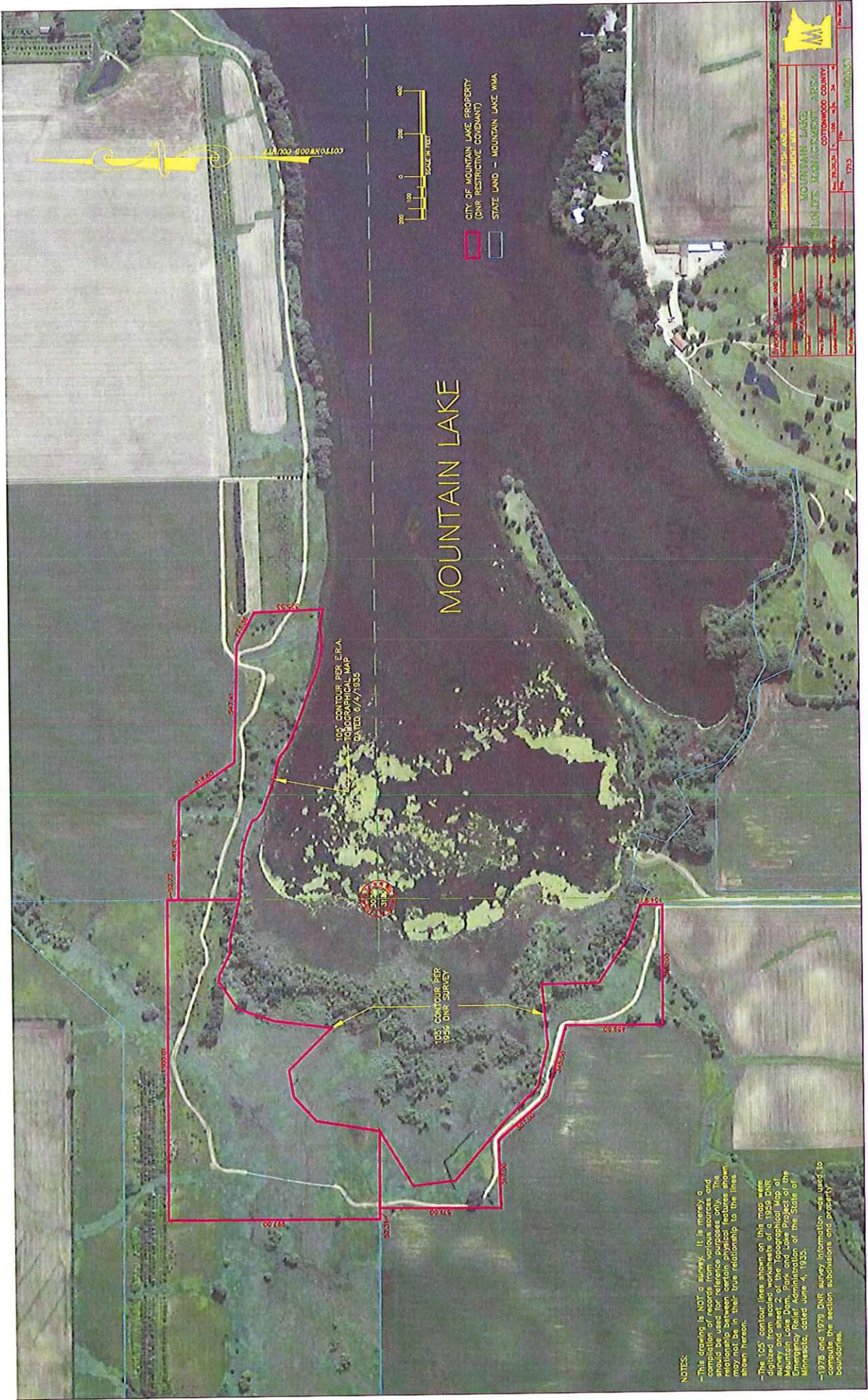
This instrument was drafted by:

GREGORY J. SCHAEFER  
Assistant Attorney General  
445 Minnesota St., #900  
St. Paul, MN 55101-2127

AG: #669400-v1

Tax statements for the real property  
described in this instrument should  
be sent to:

City of Mountain Lake  
Drawer C, 1025 Second Avenue  
Mountain Lake, MN 56159



# MOUNTAIN LAKE

105' CONTOUR PER E.R.A.  
- TOPOGRAPHICAL MAP  
DATED 6/4/1935

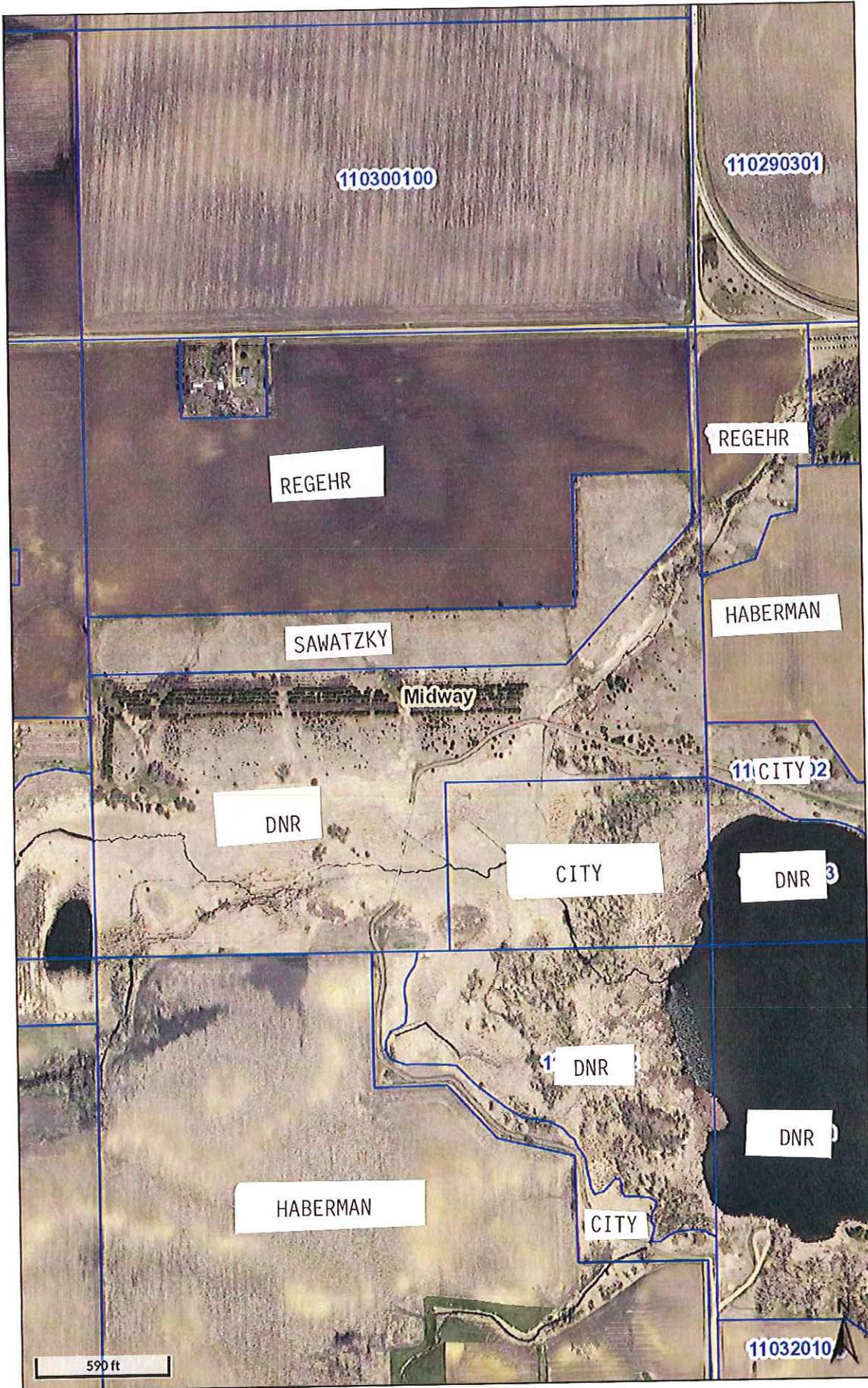
105' CONTOUR PER  
1956 DNR SURVEY

**NOTES:**  
 -This drawing is NOT a survey. It is merely a compilation of records from various sources and is not intended to establish or show the relationship between certain physical features shown may not be in their true relationship to the lines shown hereon.  
 -The 105' contour lines shown on this map were digitized from scaled workbooks of a 1956 DNR survey and sheet 2 of the Topographical Map of Mountain Lake for the Department of the State of Minnesota, dated June 4, 1935.  
 -1978 and 1979 DNR survey information was used to bound the 1978 and 1979 section subdivisions and property boundaries.

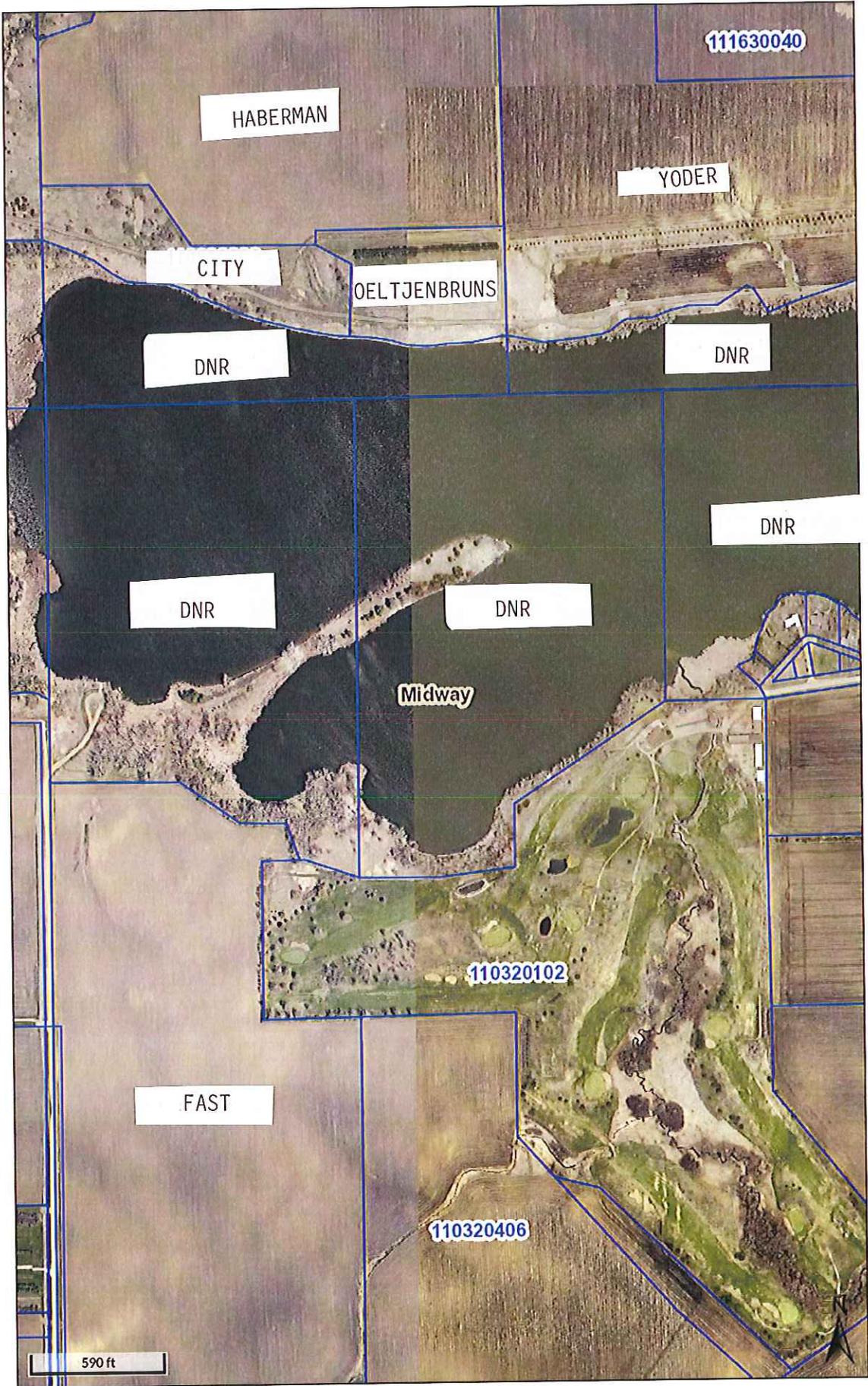
CITY OF MOUNTAIN LAKE PROPERTY (DNR RESTRICTIVE COVENANT)  
 STATE LAND - MOUNTAIN LAKE WMA



PROJECT NUMBER AND NAME	105' CONTOUR PER E.R.A. - MOUNTAIN LAKE
DATE	10/1/2013
DESIGNER	DAVID J. HANSEN
CHECKED BY	DAVID J. HANSEN
DATE	10/1/2013
PROJECT LOCATION	MOUNTAIN LAKE
CLIENT	CITY OF MOUNTAIN LAKE
PROJECT NUMBER	105' CONTOUR PER E.R.A. - MOUNTAIN LAKE
DATE	10/1/2013
DESIGNER	DAVID J. HANSEN
CHECKED BY	DAVID J. HANSEN
DATE	10/1/2013
PROJECT LOCATION	MOUNTAIN LAKE
CLIENT	CITY OF MOUNTAIN LAKE
PROJECT NUMBER	105' CONTOUR PER E.R.A. - MOUNTAIN LAKE
DATE	10/1/2013
DESIGNER	DAVID J. HANSEN
CHECKED BY	DAVID J. HANSEN
DATE	10/1/2013
PROJECT LOCATION	MOUNTAIN LAKE
CLIENT	CITY OF MOUNTAIN LAKE



- Legend
- Corporate Limits
  - Political Township
  - Parcels



- Legend**
- Corporate Limits
  - Political Township
  - Parcels



# GUARANTEED ENERGY SAVINGS PROGRAM



## What is the Guaranteed Energy Savings Program?

**Guaranteed Energy Savings Program, or GESP**, a performance-based procurement and financing mechanism that leverages energy and operational savings achieved through the installation of energy efficient and renewable energy equipment and implementation of operational best practices, to finance the cost of the building retrofit and renewal project, with no net cost increase to the public entity.

The goals of GESP are to promote awareness and implementation of energy efficient and renewable energy measures in public facilities by state and local governments, school districts, and institutions of higher learning that result in millions of dollars in annual energy savings while creating jobs, reducing energy consumption, improving facility infrastructure and reducing carbon emissions.

## What are Possible Projects?

- **Architectural & Structural:** roofing, doors, insulation, weather-stripping, window treatment
- **Electrical:** lighting retrofits, emergency power, power and distribution, networks, life safety systems
- **Mechanical:** HVAC systems, plumbing and drainage, energy management and building controls
- **Property & Site:** underground utilities, lighting improvements, swimming pools, ice arenas
- **Renewable Energy:** solar photovoltaic (PV), solar thermal, wind, biomass, hydroelectric
- **Water & Waste:** purification systems, sewage facilities, landfill gas capturing, waste utilization

## What are the Benefits?

- No net cost increase to the public entity (taxpayers)—budget neutral
- No up-front costs for retrofit and or renewal project
- Known future energy costs
- Single point of accountability—the Energy Services Company (ESCO)
- Transfers *risk* of both construction and long-term savings to ESCO through performance *guarantee*
- Utilizes best value procurement practices
- Annual energy savings are monitored and verified by the ESCO

Learn more  
on reverse

## Project Development Process

- **Public entity works with the Department of Commerce, Division of Energy Resources**
- **Opportunity Assessment Phase:** The public entity works with DER to review their facility needs, issues and goals
- **Investigation Phase:** The public entity advertises a Site-specific Request for Proposal (SSRFP) to pre-qualified (Energy Service Companies (ESCOs) to provide energy savings performance contracting services. A contract is signed between an ESCO and the public entity
- **Implementation Phase:** During this phase, the ESCO will obtain quotes for project financing and the public entity will amend the Work Order Contract to include the agreed upon ECMs and associated guaranteed maximum price and annual guaranteed savings
- **Performance Phase:** During this phase, the ESCO follows the Savings Measurement & Verification (M&V) Plan developed in the investigation phase to quantify the energy savings achieved, and annually presents the findings in a report to the public entity and DER

## How it Works

- An Energy Performance Contract (ESPC) is established between the public entity and the Energy Services Company" (ESCO).
- The cost-savings generated during the term of the guaranteed energy savings agreement, will meet or exceed the annual payments due under the finance agreement.
- In the event the "guaranteed" savings are not achieved during any year of the agreement, the ESCO is required to reimburse the public entity for the guarantee shortfall. (The ESCO assumes the construction and on-going performance risk of the project).

## Energy Service Companies (ESCOs)

Eleven energy service companies (ESCOs) are prequalified to provide energy savings performance contracting services to public institutions:

- AMERESCO, Inc.
- Chevron U.S.A. Inc.
- Consolidated Edison Solutions, Inc.
- Control Technology & Solutions LLC
- Harris Mechanical Contracting Company
- Honeywell
- Johnson Controls, Inc.
- McKinstry Essention, Inc.
- Noresco, LLC
- Siemens Industry, Inc.
- Trane U.S. Inc.



**GUARANTEED ENERGY SAVINGS PROGRAM**

30

# GESP Project Development Process



Below are six steps for Guaranteed Energy Savings Program (GESP) participants and the estimated amount of time for each.

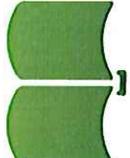
START



FINISH



# GESP Project Development Process Details

Process Step	Activities	Typical Duration	Milestone
 <b>Opportunity Assessment</b>	Meetings with Dept. of Commerce to review GESP, B3 data, facility needs, issues, and goals	1–3 months	Joint Powers Agreement
 <b>Define Project Goals</b>	Work with team to set goals for: energy savings; GHG emission reduction; renewable portfolio; building public disclosure; job creation. Secure leadership buy-in. Assign project champion.	1–3 months	Issue Site-Specific RFP
 <b>ESCO Selection</b>	Request for Proposal (RFP) evaluation and Energy Service Company (ESCO) selection	2–4 months	Issue Work Order Contract
 <b>Project Development</b>	Perform Investment Grade Audit to develop project scope, cost, savings, and funding	3–6 months	Issue Work Order Contract Amendment
 <b>Project Implementation</b>	Installation of energy conservation measures (ECMs)	6–12 months	Certification of Final Completion and Acceptance
 <b>Performance Period</b>	Review Measurement & Verification (M&V) reports	5–25 years (on-going)	Annual M&V Report



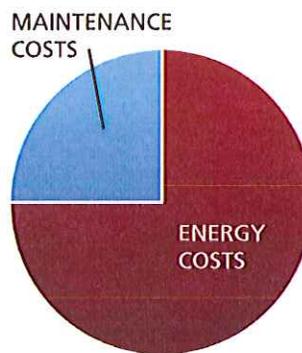
# GUARANTEED ENERGY SAVINGS PROGRAM



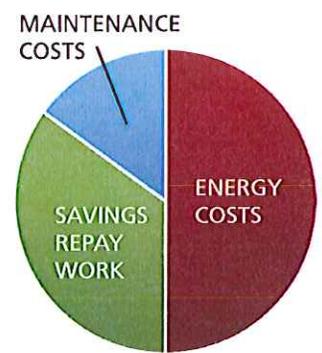
## What is Performance Contracting?

**Energy Savings Performance Contracting (ESPC)** is a performance-based procurement and financing mechanism that leverages maintenance, operations, and utilities savings achieved through the installation of energy efficiency and renewable energy measures, to finance the cost of the facility retrofit and renewal project, with no bonding or raising taxes.

**BEFORE IMPROVEMENTS**



**AFTER IMPROVEMENTS**



## What is the Guaranteed Energy Savings Program?

**The Guaranteed Energy Savings Program (GESP)** promotes awareness and implementation of energy efficient and renewable energy measures in public facilities to provide millions of dollars in annual energy savings in Minnesota. To do this, GESP supports you every step of the way. GESP can help you:

- Solicit and award site-specific requests for proposals from pre-qualified Energy Service Companies (ESCOs) to perform Energy Savings Performance Contracting (ESPC) services
- Evaluate the technical and financial feasibility of ESCO proposals
- Negotiate and award work order contracts to pre-qualified ESCOs under the GESP Master Contract to implement energy conservation measures
- Offer project management oversight of ESPC projects
- Provide technical assistance to ensure the ESPC Measurement and Verification Plan is properly performed throughout the performance period of the contract

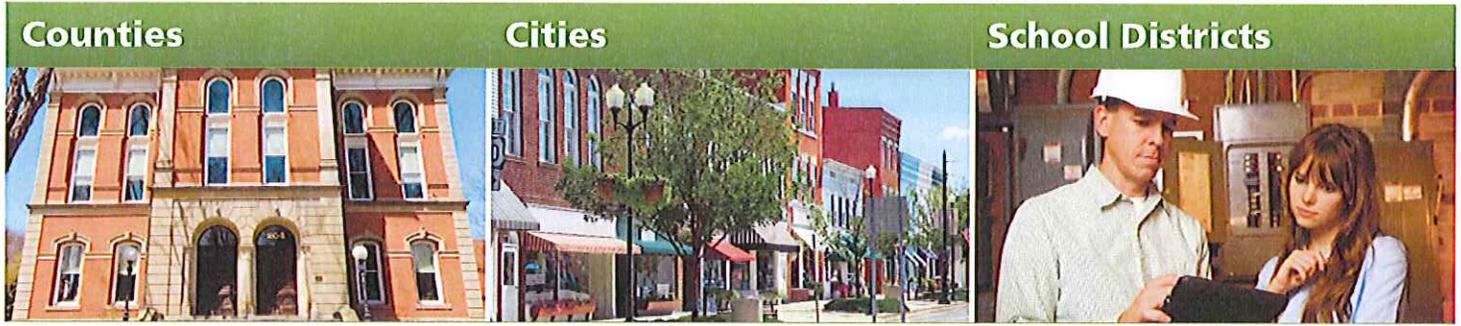
GESP Benefits	Reduce	Renew	Achieve
	<ul style="list-style-type: none"> <li>■ Energy Use</li> <li>■ O&amp;M Costs</li> </ul>	<ul style="list-style-type: none"> <li>■ Facilities</li> <li>■ Comfort &amp; Health</li> </ul>	<ul style="list-style-type: none"> <li>■ Job Creation</li> <li>■ Renewables</li> </ul>

Learn more on reverse

# What Can You Do with GESP?



Whether you're a county, city, school district or any other form of local government, there are improvements that you can make to your facilities to save energy and save money. GESP allows you to bundle these projects so that low-hanging fruit can finance deeper retrofits without impacting your budget.



High-Potential Facilities	Possible Projects
<ul style="list-style-type: none"><li>■ Schools</li><li>■ Courthouses &amp; City Halls</li><li>■ Ice Arenas</li><li>■ Correctional Facilities</li><li>■ Water &amp; Wastewater Treatment Plants</li><li>■ Recreational Facilities &amp; Pools</li><li>■ Public Works Buildings</li><li>■ Libraries</li><li>■ Liquor Stores</li></ul>	<ul style="list-style-type: none"><li>■ Upgrading to high-efficiency boilers and chillers</li><li>■ HVAC system redesign</li><li>■ Retrofitting to efficient lighting</li><li>■ Installing heat recovery equipment</li><li>■ Increasing water conservation</li><li>■ Adding solar energy systems</li><li>■ Converting to ground-source heating &amp; cooling</li></ul>

## Ready To Get Started?

### Learn more about GESP:

Peter Lindstrom  
Clean Energy Resource Teams  
[plindstr@umn.edu](mailto:plindstr@umn.edu)  
612-625-9634



### Get details & join the program:

Energy Information Center  
MN Department of Commerce  
[energysavings.programs@state.mn.us](mailto:energysavings.programs@state.mn.us)  
651-539-1882 or 1-800-657-3710





## Economic Development Authority

Drawer C  
Mountain Lake, Minnesota 56159  
(507) 427-2999 • Fax (507) 427-3327

### MEMO

**TO:** Mayor Nelson and Mt. Lake City Council  
**FROM:** Rob M. Anderson, Community Development Director *RA*  
**RE:** New Daycare Business/Request to Waive Special Assessments  
**DATE:** September 1, 2015

Over the past year the City of Mt. Lake has experienced a severe daycare provider shortage. A daycare needs assessment was done last summer that showed daycare need for as many as 75 children. Since this time the EDA board has appointed a committee to work on the issue with the following goals:

- Develop a current inventory of day care providers in Mt. Lake and surrounding areas
- Develop a plan to attract new day care providers or individuals interested in running a day care business in town
- Develop a plan to construct or renovate existing buildings for use as a day care facility
- Develop financial and business assistance/incentives to ensure new day care businesses are successful
- Dialogue with Mt. Lake businesses to determine potential partnerships
- Other...i.d. other issues impeding developing more day care services in town

The EDA sponsored an advertisement campaign which targeted people that may be interested in starting a daycare in town. We received 5 responses. Of those responding a young mother from the Butterfield area is serious about starting a daycare business in town. Her name is Taylor Boyd. Taylor is interested in "re-opening" the old Elizabeth House as a potential daycare center. She would like to start out small as a family daycare provider (up to 10 children). The EDA has signed a purchase agreement with the Elizabeth House owner, Paul Koehl for \$25,000 plus special assessments. The EDA's intent is to purchase the property and then sell it to Taylor and her husband on a Contract for Deed along with a small business loan for working capital and to help them fix-up the building so that the property can again qualify for a daycare license. As always, it's the EDA's intent to be paid back for the investment made up front. The remaining special assessments are \$8,759.92. We believe that in order for Taylor to be successful, the EDA must help her to keep costs as low as possible and provide incentives such as long-term, low rate financing. With this in mind, the EDA board has voted to request that the City of Mt. Lake waive \$8,759.92 in remaining assessments as a contribution to this very important community development need.

RE: Brandon and Kaitlin Green, 507 10<sup>th</sup> St. N.

The property to the south of their home was tax-forfeited and torn down recently. The Greens are interested in purchasing the property. There was a \$723 unpaid utility bill attached to the property for collection. The city has the right to re-attach the bill after the property has gone through the tax-forfeit process. At the Aug. 17 council meeting Brandon Green asked if the city intended to re-attach.

The matter was referred to the Utility Commission for their recommendation.

The Utility Commission met Thurs. Aug. 27. After discussing the matter the commission is recommending that the unpaid bill NOT be re-attached. While in the short term it is to the utility's financial advantage to re-attach the bill for collection, the Commission recognizes that in the long term it is in the city's best interest to return property to the tax-rolls.

## Campground Wi-Fi

### MVTV options

1. Campers order their own wi-fi for as little as 24 hours.  
The City allows MVTV to set up hot spot in campground and works with MVTV to notify campers of the service. The camper uses their personal credit card to order the service. No cost to city. This service is offered at Voss Park, Butterfield.
2. City pays a one-time commercial account set-up fee of \$164.91. Monthly charges: 1M = \$62.92; 3M \$92.95; and 7M - \$122.95. At the end of the season the city disconnects. The campground is open five months; the city pays for five months. At the beginning of the season the city pays a \$25 reconnect fee. Country Cove Campground south of Butterfield has this arrangement.

### Frontier Option

Single hot spot \$182.99/mo. three year term; \$167.99/mo. five year term

Prices double for two hot spots.

Service cannot be disconnected when campground is closed.

### Media Com

Declined to make an offer; said cost would be prohibited.

**Section 8.13 Regulation of Potentially Dangerous and Dangerous Dogs**

Subdivision 1. Terms.

- A. Dangerous Dog. "Dangerous dog" means any dog that has:
1. Without provocation, inflicted substantial bodily harm on a human being on public or private property;
  2. Killed a domestic animal without provocation while off the owner's property; or
  3. Been found to be potentially dangerous, and after the owner has notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals.
- B. Potentially Dangerous Dog. "Potentially dangerous dog" means any dog that:
1. When unprovoked, inflicts bites on a human or domestic animal on public or private property;
  2. When unprovoked, chases or approaches a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner's property, in an apparent attitude of attack; or
  3. Has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals.
- C. Proper Enclosure. "Proper enclosure" means securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the animal from escaping and providing protection from the elements for the dog. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the dog to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the dog from exiting.
- D. Owner. "Owner" means any person, firm, corporation, organization, or department possessing, harboring, keeping, having an interest in, or having care, custody, or control of a dog.
- E. Substantial Bodily Harm. "Substantial bodily harm" has the meaning given it under Minn. Stat. Section 609.02, Subdivision 7a.
- F. Great Bodily Harm. "Great bodily harm" has the meaning given it under Minn. Stat. Section 609.02, Subdivision 8.
- G. Provocation. "Provocation" means an act that an adult could reasonably expect may cause a dog to attack or bite.

Subdivision 2. Requirement. No person may own a dangerous dog.

Subdivision 3. No person may own a potentially dangerous dog unless the dog is registered as provided in this section.

- A. The police dept. or its agent acting as the animal control authority shall issue a certificate of registration to the owner of a potentially dangerous dog if the owner presents sufficient evidence that:
1. An owner of a dangerous dog shall keep the dog, while on the owner's property, in a proper enclosure. If the dog is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash and under the physical restraint of a responsible person. The muzzle must be made in a manner that will prevent the dog from biting any person or animal but that will not cause injury to the dog or interfere with its vision or respiration. The owner must have a posting on the premises with a clearly visible warning sign that there is a potentially dangerous dog on the property, including a warning symbol to inform children;
  2. A surety bond issued by a surety company authorized to conduct business in this state in a form acceptable to the police department in the sum of at least \$300,000, payable to any person injured by the potentially dangerous dog, or a policy of liability insurance issued by an insurance company authorized to conduct business in this state in the amount of at least \$300,000, insuring the owner for any personal injuries inflicted by the potentially dangerous dog.
- B. Warning Symbol. If the police department issues a certificate of registration to the owner of a potentially dangerous dog pursuant to subdivision 3.A., the police department must provide, for posting on the owner's property, a copy of a warning symbol to inform children that there is a potentially dangerous dog on the property. The warning symbol must be the uniform symbol provided by the Minnesota Commissioner of Public Safety. The police department may charge the registrant a reasonable fee to cover its administrative costs and the cost of the warning symbol.
- C. Tag. A potentially dangerous dog registered under this section must have a standardized, easily identifiable tag identifying the dog as dangerous and containing the uniform dangerous dog symbol, affixed to the dog's collar at all times.
- D. Fee and Registration. The registration must be renewed annually. The police department may charge the owner an annual fee, in addition to any regular dog

licensing fees, to obtain a certificate of registration for a potentially dangerous dog under this section.

- E. Potentially dangerous dog designation review. Beginning six months after a dog is declared a potentially dangerous dog, an owner may request annually that the police department review the designation. The owner must provide evidence that the dog's behavior has changed due to the dog's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the police department finds sufficient evidence that the dog's behavior has changed, the authority may rescind the potentially dangerous dog designation.
- F. An owner of a potentially dangerous dog must notify the animal control authority in writing of the death of the dog or its transfer to a new location where the dog will reside within 30 days of the death or transfer, and must, if requested by the animal control authority, execute an affidavit under oath setting forth either the circumstances of the dog's death and disposition or the complete name, address, and telephone number of the person to whom the dog has been transferred or the address where the dog has been relocated.
- G. A person who owns a potentially dangerous dog and who rents property from another where the potentially dangerous dog will reside must disclose to the property owner prior to entering the lease agreement and at the time of any lease renewal that the person owns a potentially dangerous dog that will reside at the property.
- H. A person who transfers ownership of a potentially dangerous dog must notify the new owner that the animal control authority has identified the dog as potentially dangerous. The current owner must also notify the police department in writing of the transfer of ownership and provide the police department with the new owner's name, address, and telephone number.

Subdivision 4. Exemption. Dogs may not be declared dangerous or potentially dangerous if they threaten, injure, or damage was sustained by a person:

1. Who was committing, at the time, a willful trespass or other tort upon the premises occupied by the owner of the dog;
2. Who was provoking, tormenting, abusing, or assaulting the dog or who can be shown to have repeatedly, in the past, provoked, tormented, abused, or assaulted the dog; or

3. Who was committing or attempting to commit a crime.

Subdivision 5. Hearing. The owner of any dog declared dangerous or potentially dangerous has the right to a hearing by an impartial hearing officer.

Subdivision 6. Notice. The authority declaring the dog dangerous or potentially dangerous shall give notice of this section by delivering or mailing it to the owner of the dog, or by posting a copy of it at the place where the dog is kept, or by delivering it to a person residing on the property, and telephoning, if possible. The notice must include:

1. A description of the seized dog; the authority for and purpose of the dog declaration and seizure; the time, place, and circumstances under which the dog was declared dangerous or potentially dangerous; and the telephone number and contact person where the dog is kept;
2. A statement that the owner of the dog may request a hearing concerning the dog declaration and, if applicable, prior potentially dog declarations for the dog, and that failure to do so within 14 days of the date of the notice will terminate the owner's right to a hearing under this section;
3. A statement that if an appeal request is made within 14 days of the notice, the owner must immediately comply with the requirements of section 8.13, until such time as the hearing officer issues an opinion;
4. A statement that if the hearing officer affirms the dog declaration, the owner will have 14 days from receipt of the decision to comply with all other requirements of Section 8.13.;
5. A form to request a hearing under this subdivision; and
6. A statement that all actual costs of the care, keeping, and disposition of the dog are the responsibility of the person claiming an interest in the dog, except to the extent that a court or hearing officer finds the seizure or impoundment was not substantially justified by law.

Subdivision 7. Right to Hearing. Any hearing must be held within 14 days of the request to determine the validity of the dog declaration. The hearing officer must be an impartial employee of the local government or an impartial person retained by the local government to conduct the hearing. In the event that the dog declaration is upheld by the hearing officer, actual expenses of the hearing up to a maximum of \$1,000 will be the responsibility of the dog's owner. The hearing officer shall issue a decision on the matter within ten days after the hearing. The

decision must be delivered to the dog's owner by hand delivery or registered mail as soon as practical and a copy must be provided to the police department.

Subdivision 8. A person who violates a provision of Section 8.13 is guilty of a misdemeanor.

Subdivision 9. Extreme Circumstances. Notwithstanding, a dog may be destroyed in a proper and humane manner by the animal control authority if the dog:

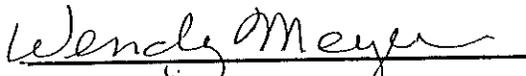
1. Inflicted substantial or great bodily harm on a human on public or private property without provocation;
2. Inflicted multiple bites on a human on public or private property without provocation;
3. Bit multiple human victims on public or private property in the same attack without provocation or
4. Bit a human on public or private property without provocation in an attack where more than one dog participated in the attack.

Subdivision 10. Hearing. The animal control authority may not destroy the dog until the dog owner has had the opportunity for a hearing before an impartial decision maker.

Passed and approved this 3<sup>rd</sup> day of March, 2014.

  
Mayor

ATTEST:

  
City Administrator

Motion Carried

Ayes

Nays

Abstain

Published in the Mountain Lake Observer on 3-12, 2014.

SAMPLE

**A RESOLUTION ESTABLISHING A COMPLETE STREETS POLICY.**

**WHEREAS**, it is the purpose of complete streets to create transportation corridors that are safe, functional and aesthetically attractive for all users;

**AND WHEREAS**, the mobility of freight and passengers and the safety, convenience, and comfort of motorists, cyclists, pedestrians - including people requiring mobility aids, transit riders, and neighborhood residents of all ages and abilities should all be considered when planning and designing Mountain Lake's streets;

**AND WHEREAS**, integrating sidewalks, bike facilities, and safe crossings into the initial design of street projects avoids the expense of retrofits later;

**AND WHEREAS**, streets are a critical component of public space and play a major role in establishing the image and identity of a city, providing a key framework for current and future development;

**AND WHEREAS**, active living integrates physical activity into daily routines and active living communities encourage individuals of all ages and abilities to be more physically active;

**AND WHEREAS**, communities that support active living strive to create amenities that will enhance the quality of life of its residents, improve the physical and social environment in ways that attract businesses and workers, and contribute to economic development;

**AND WHEREAS**, the goal of complete streets is to improve the access and mobility for all users of streets in the community by improving safety through reducing conflict and encouraging non-motorized transportation;

**AND WHEREAS**, it is recognized that there are some streets or corridors in the City which would not fully satisfy a complete streets environment;

**NOW THEREFORE**, Be It Resolved that the City Council of the City of Mountain Lake, Minnesota establish a Complete Streets Policy that provides as follows:

1. The City of Mountain Lake will, whenever it is economically feasible, seek to enhance the safety, access, convenience and comfort of all users of all ages and abilities, including bicyclists, pedestrians (including people requiring mobility aids), motorists and freight drivers, through the design, operation and maintenance of the transportation network so as to create a connected network of facilities accommodating each mode of travel that is consistent with and supportive of the local community, recognizing that all streets are different and that the needs of various users will need to be balanced in a flexible manner.

2. Unless one or more of the conditions set forth in Section 4 exist, transportation improvements will include appropriate facilities and amenities that are recognized as contributing to complete streets, which may include street and sidewalk lighting; sidewalks and pedestrian safety improvements such as median refuges or crosswalk improvements; improvements that provide ADA (Americans with Disabilities Act) compliant accessibility; bicycle accommodations including bicycle parking, bicycle routes, shared-use lanes, wide travel lanes or bike lanes as appropriate; and street trees, boulevard landscaping, street furniture and adequate drainage facilities.
3. Early consideration of all modes for all users will be important to the success of this Policy. Those planning and designing street projects will give due consideration to bicycle, pedestrian, from the very start of planning and design work This will apply to all roadway projects, including those involving new construction, full reconstruction, or changes in the allocation of pavement space on an existing roadway such as the reduction in the number of travel lanes or removal of on-street parking.
4. Bicycle, pedestrian and transit facilities will be considered when developing street construction, reconstruction, re-paving, and re-habilitation projects, except under one or more of the following conditions:
  - A. Reconstruction or re-paving of a street, excluding collector and arterial streets, which does not involve substantial curb removal.
  - B. A project involves only ordinary maintenance activities designed to keep assets in serviceable condition, such as mowing, cleaning, sweeping, spot repair, concrete joint repair, or pothole filling, or when interim measures are implemented on temporary detour or haul routes.
  - C. The County Engineer, with Council consultation, determines there are relatively high safety risks.
  - D. The City Council exempts a project due to excessive and disproportionate cost of establishing a bikeway or walkway as part of a project.
  - E. It is determined that the construction is not practically feasible or cost effective for reasons including, but not limited to: significant or adverse environmental impacts to streams, floor plains, remnants of native vegetation, wetlands, steep slopes or other critical areas; or due to impacts on neighboring land uses, including impact from right-of-way acquisition.

5. It will be important to the success of the Complete Streets policy to ensure that the project development process includes early consideration of the land use and transportation context of the project, the identification of gaps or deficiencies in the network for various user groups that could be addressed by the project, and an assessment of the tradeoffs to balance the needs of all users. The context factors that should be given high priority include the following:
  - A. Whether the corridor provides a primary access to a significant destination such as a community park or recreational area, a school, a shopping/commercial area, or an employment center;
  - B. Whether the corridor provides access to across a natural or man- made barrier such as a river or freeway;
  - C. Whether the corridor is in an area where a relatively high number of users of non-motorized transportation modes can be anticipated;
  - D. Whether a road corridor provides important continuity or connectivity links for an existing trail or path network; or
  - E. Whether nearby routes that provide a similar level of convenience and connectivity already exists
6. The design of new or reconstructed facilities should anticipate likely future demand for bicycling and walking and should not preclude the provision of future improvements.
7. The City will maintain a comprehensive inventory of the pedestrian and bicycling facility infrastructure integrated with City streets and utility maps and will carry our projects to reduce gaps in the sidewalk and trail networks.
8. Complete streets may be achieved through single projects or incrementally through a series of smaller improvements or maintenance activities over time.
9. The City will generally follow accepted or adopted design standards when implementing improvements intended to fulfill this Complete Streets Policy but will consider innovative or non-traditional design options where a comparable level of safety for users is present.

**BE IT FURTHER RESOLVED**, that the feasibility report prepared for a street project shall address this policy.

Adopted by the City Council of the City of Mountain Lake, Minnesota.

Mayor

City Administrator

\_\_\_\_\_

\_\_\_\_\_

Date

Date

\_\_\_\_\_

\_\_\_\_\_



St James

RESOLUTION SETTING BUILDING PERMIT CERTAIN FEES IN REGARD TO PERMITS FOR CONSTRUCTION PROJECTS WITHIN THE CORPORATE LIMITS OF THE CITY OF ST JAMES

WHEREAS, the City of St. James shall continue to charge Fifty Dollars (\$50.00) for Siding and Shingles on Residential structures meaning one and two family dwellings (which includes duplexes and 4 plexes). Any project not listed above shall be based on value and charged according the 1997 UBC appendix A.

WHEREAS, the City of St. James shall continue to charge fifty dollars (\$50.00) for the demolition of all buildings within the corporate limits of St. James.

WHEREAS, the City of St. James shall continue to charge Twenty Dollars (\$20.00) for Mechanical Permit (specific items as listed on the mechanical permit application/permit).

WHEREAS, the City of St. James shall continue to charge Twenty Dollars (\$20.00) for Plumbing Permit (specific items as listed on the plumbing permit application/permit).

WHEREAS, the City of St. James shall continue to charge all other projects that are required under the Minnesota State Building Code according to the 1997 Uniform Building Code Appendix A. with a value of project of \$ 1,000.00 or more.

WHEREAS, the State of Minnesota will charge to the City of St. James a surcharge of Five Dollars (\$5.00) in addition to the above fees in regard to construction permits such as shingling, siding, plumbing, and mechanical.

\* WHEREAS, the City of St. James acknowledges that it is a violation of the State Building Code to begin a project without a permit. Therefore, the City of St. James shall charge an Administrative Penalty of double the permit fee for starting without permit.

NOW, THEREFORE, be it resolve by the City Council of the City of St James, that commencing on June 1, 2013 shall charge the above-listed construction fees.

Adopted by the City Council of the City of St. James this 16<sup>th</sup> day of April, 2013.

Gary L. Sturm  
Gary L. Sturm, Mayor

Attest:

LeeAnn M. Nibbe  
LeeAnn M. Nibbe, City Clerk



# COTTONWOOD COUNTY HIGHWAY DEPARTMENT

*JinYeene Neumann P.E., County Engineer*  
1355 9<sup>th</sup> Ave □ WINDOM, MN 56101

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Ph. (507) 831-1389

Fax (507) 831-2367

August 17, 2015

Wendy Meyer  
City Administrator  
Box C, 903 3<sup>rd</sup> Ave.  
Mountain Lake, MN 56159

RE: Winter Snow Plowing Agreement.

Dear Ms. Meyer:

Please find attached the Winter Snow agreement for this upcoming season.

Please sign the agreement and return for a final signature. The document will then be copied and returned to you for your records.

The price per mile did not change, feel free to keep track of your cost and if the price needs to change the County would sure look into it.

Sincerely,

JinYeene Neumann P.E.  
County Engineer

AGREEMENT

**THIS AGREEMENT** made and entered into by the County of Cottonwood, Minnesota, hereinafter referred to as the “**County**” and the City of Mt.Lake, Minnesota, hereinafter referred to the “**City**”.

WHEREAS, Pursuant to Minnesota Statutes of 2002, Section 162.17, Subdivision 3, the parties desire to enter into an agreement relating to the routine maintenance certain County State Aid Roadways as listed below, upon the terms and conditions hereinafter set forth.

NOW THEREFORE, The parties do agree as follows:

SECTION I

The City will, during the term of the agreement, do the routine winter maintenance on those portions County State Aid Highways listed as follows:

<u>CSAH Number</u>	<u>Termini</u>	<u>Centerline Miles</u>
27	On 3 <sup>rd</sup> Avenue from west Jct. TH 60 to Jct. TH 30	2.19
29	On 10 <sup>th</sup> Street From CSAH 27 to Mt. Lake outlet Bridge	0.81
	Total	3.00

SECTION II

The routine maintenance to be performed by the City shall consist of the following:

- A. Keep the aforesaid portions of County State Aid Highways reasonably free and clear from ice and snow and undertake proper sanding/salting and hauling of snow when necessary. It shall be the City’s responsibility to maintain the fluid traffic lanes to their full width during the winter months within a reasonable period of time following each storm. The County will assist with the sanding/salting at the two intersections with State Highway 60.
- B. Furnish all labor, materials and other items necessary for the performance of the work provided for in this agreement.

### SECTION III

The routine maintenance to be performed by the County shall consist of the following:

- A. Maintain said County roads so as to keep them smooth and in good repair for the passage of traffic.
- B. Do all extraordinary maintenance (such as seal coats, overlays, crack sealing) construction or reconstruction.
- C. Maintain all traffic signs, striping, and other marking according to the Minnesota Manual on Uniform Traffic Control Devices.

### SECTION IV

#### A. Compensation

The County will pay the City for snow and ice control operations as specified in Section I and II of this agreement, the amount of One Thousand Two Hundred Dollars (1,200.00) per center line mile.

On this basis the County will reimburse the City for 3.00 miles of roadway the total Amount of \$3600.00 for the year 2015-2016.

#### B. Terms of Payment

The City shall submit an invoice by November 1<sup>st</sup> to Cottonwood County Highway Department for the services provided in November and December 2015. The city shall submit another invoice by January 1<sup>st</sup> to the Cottonwood County Highway Department For services provided in January, February, and March of 2016. Payment will be made within thirty (30) days after receipt of the invoice.

This agreement shall terminate on the 31<sup>st</sup> day March, 2016, provided, however, the parties may extend this agreement on a year basis, or modify the maintenance cost. However, a new agreement shall be executed by the parties if major terms of the agreement are to be changed.

IN TESTIMONY WHEREOF, The City and the County have caused these presents to be executed by their respected officers.

CITY OF MT.LAKE

ATTEST:

SIGNED:

By \_\_\_\_\_  
City Clerk

By \_\_\_\_\_  
Mayor

Date \_\_\_\_\_

Date \_\_\_\_\_

COUNTY OF COTTONWOOD

ATTEST:

SIGNED:

By \_\_\_\_\_  
County Auditor

By \_\_\_\_\_  
Chairperson of County Board

Date \_\_\_\_\_

Date \_\_\_\_\_

RECOMMENDED FOR APPROVAL:

\_\_\_\_\_  
County Engineer

Date \_\_\_\_\_

Approved as to form and execution

\_\_\_\_\_  
Cottonwood County Attorney

Date \_\_\_\_\_

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**NOTICE of the Clean Water Revolving Fund  
2016 Project Priority List and Intended Use Plan**

This postcard has been sent to you because your community may have one or more projects listed on the 2016 Project Priority List (PPL) and Intended Use Plan (IUP). The draft Fiscal Year 2016 PPL and IUP, for the Clean Water Revolving Fund, are now available for public comment.

It is suggested that all communities review their project listings and make any comments or corrections as needed.

**The Public Notice period ends on September 23, 2015, 4:00 p.m.**

Please contact Bill Dunn with any questions regarding the Draft 2016 PPL at: 651-757-2324 or [bill.dunn@state.mn.us](mailto:bill.dunn@state.mn.us) or at 520 Lafayette Road North, St. Paul, MN 55155

297 projects on list

Mt. Lake received 83 out of possible 100 pts.

Mt. Lake is #12 - waste water treatment

Other top 30 projects in the area:

Trimont, Minnesota, Tracy, Lakefield,  
Morgan, Sacred Heart, Seaforth,

Winnebago, Pipestone, Walnut Grove,  
Granite Falls