

Mt. Lake City Council
Mt. Lake City Hall
Monday, May 5, 2014
6:30 p.m.

AGENDA

1. Meeting called to order by Mayor, Dean Janzen
* Further information on agenda item is attached
2. Approval of Agenda and Consent Agenda
 - a. Bills: Check #'s 9915992- 9916045; 345E*(1-6)
Payroll: Check #'s 61070 - 61086
 - b. Approval of April 21 Council Minutes*(7-9)
 - c. Approval of April 10 Utility Commission Minutes*(10-11)
 - d. Approval of March 31/April 7 Planning and Zoning Commission Minutes and April Permits*(12-14)
 - e. Approval of Jan. 8 Library Board Minutes; Jan., Feb. and March Library Reports and Expenditures*(15-21)
 - f. Authorizing \$300 Contribution to Pow Wow Road Race*(22)
3. Public – A total of ten (10) minutes is allotted for individuals to briefly discuss a topic of concern with the council.
4. Call for Bids, Well #7, Andy Kehren, Bolton and Menk
5. Approval of Conditional Use Permit to Allow a Place of Worship in the Residential District – Mt. Lake Assemblies of God
 - a. Application*(23)
 - b. Draft Findings of Fact*(24-26)
 - c. Resolution #15-14*(27-28)
6. Approval of Conditional Use Permit to Allow Farm Animals in the General Commercial, Animal Overlay District – Judy and Steve Harder, Jubilee Fruits and Vegetables*()
 - a. Application*(29-35)
 - b. Resolution #16-14*(36)
 - c. Draft Findings of Fact*(37-39)
7. Approval of Mt. Lake Municipal Utilities Commercial/Industrial Upgrade Fee
8. Resolution #17-14, Hazardous Building, 412 7th St. N.*(40-41)
9. Administrator
 - a. FYI – First Quarter Mt. Lake Public Pool Bill*(42)
 - b. Community Center Lighting*(43-44)
 - c. Reminder – Board of Review, 5:30 p.m. Thurs. May 8
10. Adjourn

***Check Detail Register©**

*May 5, 2014
CKS
9915992 -
9916045
345E*

April 2014 to May 2014

			Check Amt	Invoice	Comment
10100 United Prairie					
Paid Chk#	9915992	4/21/2014		DENNIS HULZEBOS	
E	211-45500-400	Janitor-Repairs/Maint	\$345.00		APRIL MAINT AT LIBRARY
E	101-45186-400	Janitor-Repairs/Maint	\$250.00		APRIL MAINT AT SR CTR
		Total DENNIS HULZEBOS	\$595.00		
<hr/>					
Paid Chk#	9915993	4/21/2014		JOHN YSKER	
E	101-43240-111	Contract	\$250.00		APRIL DUMP SALARY
		Total JOHN YSKER	\$250.00		
<hr/>					
Paid Chk#	9915994	4/21/2014		MOUNTAIN LAKE PUBLIC SCHOOL	
E	101-45137-210	Operating Supplies	\$4,473.62		4TH QTR-13 SWIMMING POOL
E	101-45137-210	Operating Supplies	\$3,680.89		1ST QTR-14 SWIMMING POOL
		Total MOUNTAIN LAKE PUBLIC SCHOOL	\$8,154.51		
<hr/>					
Paid Chk#	9915995	4/21/2014		AMBULANCE FUND	
E	231-42154-430	Miscellaneous	\$7.59	4/12/14	FOOD ON AMB RUN
		Total AMBULANCE FUND	\$7.59		
<hr/>					
Paid Chk#	9915996	4/21/2014		UNITED PRAIRIE BANK	
G	230-10689	BB S DINER LOAN	\$93,814.14		PAYOFF BB DINER LOAN
		Total UNITED PRAIRIE BANK	\$93,814.14		
<hr/>					
Paid Chk#	9915997	4/21/2014		COTTONWOOD COUNTY RECORDER	
E	230-47001-430	Miscellaneous	\$92.00		RECORD BB DINER-2 DEEDS
		Total COTTONWOOD COUNTY RECORDER	\$92.00		
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Paid Chk#	9915998	4/21/2014		COTTONWOOD COUNTY AUD/TREAS	
E	230-47001-430	Miscellaneous	\$1.65		DEED TAX-BB DINER
		Total COTTONWOOD COUNTY AUD/TREAS	\$1.65		
<hr/>					
Paid Chk#	9915999	4/21/2014		COTTONWOOD COUNTY AUD/TREAS	
E	230-47001-430	Miscellaneous	\$1.65		DEED TAX-BB DINER
E	230-47001-430	Miscellaneous	(\$1.65)		VOID CHECK
		Total COTTONWOOD COUNTY AUD/TREAS	\$0.00		
<hr/>					
Paid Chk#	9916000	4/21/2014		RAY HARDER	
E	609-46330-401	Repairs/Maint Buildings	(\$50.00)		COST OF FIX HOLE IN WALL
G	609-22000	Deposits	\$630.00		RETURN DAMAGE DEPOSIT
E	609-46330-615	Rent Deposit Interest	\$24.91		INTEREST ON DEPOSIT
		Total RAY HARDER	\$604.91		
<hr/>					
Paid Chk#	9916001	4/21/2014		AMERICAN BUNGALOW MAGAZINE	
E	211-45500-591	Periodicals	\$78.95		LIB PERIODICALS-3YR
		Total AMERICAN BUNGALOW MAGAZINE	\$78.95		
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Paid Chk#	9916002	4/21/2014		BLOOMBERG BUSINESSWEEK	
E	211-45500-591	Periodicals	\$140.00		LIB PERIODICALS
		Total BLOOMBERG BUSINESSWEEK	\$140.00		
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Paid Chk#	9916003	4/21/2014		DEMCO, INC	
E	211-45500-220	Repair/Maint Supply	\$101.49		LIBRARY SUPPLIES
		Total DEMCO, INC	\$101.49		
<hr/>					
Paid Chk#	9916004	4/21/2014		FINE GARDENING	
E	211-45500-591	Periodicals	\$69.95		LIB PERIODICALS

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April 2014 to May 2014

			Check Amt	Invoice	Comment
Total FINE GARDENING			\$69.95		
Paid Chk#	9916005	4/21/2014 INGRAM			
E 211-45500-590	Capital Outlay Books		\$119.83		LIB BOOKS
Total INGRAM			\$119.83		
Paid Chk#	9916006	4/21/2014 MIDWEST LIVING			
E 211-45500-591	Periodicals		\$19.97		LIB PERIODICALS
Total MIDWEST LIVING			\$19.97		
Paid Chk#	9916007	4/21/2014 MOREMAGAZINE			
E 211-45500-591	Periodicals		\$20.00		LIBRARY PERIODICALS
Total MOREMAGAZINE			\$20.00		
Paid Chk#	9916008	4/21/2014 PLUM CREEK LIBRARY SYSTEM			
E 211-45500-220	Repair/Maint Supply		\$289.92		LIBRARY SUPPLIES
Total PLUM CREEK LIBRARY SYSTEM			\$289.92		
Paid Chk#	9916009	5/1/2014 AFLAC			
G 101-21713	AFLAC		\$192.74		
Total AFLAC			\$192.74		
Paid Chk#	9916010	5/1/2014 BCBS/HSA			
G 101-21714	HSA		\$407.71		
Total BCBS/HSA			\$407.71		
Paid Chk#	9916011	5/1/2014 COMMISSIONER OF REVENUE			
G 101-21702	State Withholding		\$722.96		
Total COMMISSIONER OF REVENUE			\$722.96		
Paid Chk#	9916012	5/1/2014 GISLASON & HUNTER			
G 101-21712	Garnishments		\$331.54		
Total GISLASON & HUNTER			\$331.54		
Paid Chk#	9916013	5/1/2014 INTERNAL REVENUE SERVICE			
G 101-21703	FICA Tax Withholding		\$2,122.58		
G 101-21701	Federal Withholding		\$1,506.84		
Total INTERNAL REVENUE SERVICE			\$3,629.42		
Paid Chk#	9916014	5/1/2014 LAW ENFORCEMENT LABOR SERV			
G 101-21711	PD UNION DUES		\$135.00		
Total LAW ENFORCEMENT LABOR SERV			\$135.00		
Paid Chk#	9916015	5/1/2014 PERA			
G 101-21704	PERA		\$3,679.60		
Total PERA			\$3,679.60		
Paid Chk#	9916016	5/1/2014 VALIC			
G 101-21705	VALIC		\$953.68		
Total VALIC			\$953.68		
Paid Chk#	9916017	5/2/2014 MUNICIPAL UTILITIES			
E 101-45200-380	Elec,Water,Sewer		\$24.56		LAWCON PARK LIGHTS
E 231-42154-380	Elec,Water,Sewer		\$51.50		AMB PORTION OF FIREHALL UT
E 608-46330-380	Elec,Water,Sewer		\$4.28		8-PLEX PORTION OF ST LITE ON HERITAGE DRIVE
E 608-46330-380	Elec,Water,Sewer		\$84.87		407 HERITAGE DRIVE
E 101-45183-380	Elec,Water,Sewer		\$15.84		UT AT CAMPGROUND

2

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April 2014 to May 2014

			Check Amt	Invoice	Comment
E 211-45500-380	Elec,Water,Sewer		\$330.70		LIBRARY UT
E 221-42200-380	Elec,Water,Sewer		\$104.55		FIRE DEPT PORTION OF FIREHALL UT
E 101-43100-380	Elec,Water,Sewer		\$245.66		ST DEPT UT
E 101-45186-380	Elec,Water,Sewer		\$309.22		SR CTR UT
E 101-41400-380	Elec,Water,Sewer		\$332.41		CITY HALL UT
E 101-45171-380	Elec,Water,Sewer		\$28.09		ICE RINK
E 101-45200-380	Elec,Water,Sewer		\$131.20		CITY PARK RESTROOMS UT
E 607-46330-380	Elec,Water,Sewer		\$2.20		4-PLEX PORTION OF ST LITE ON HERITAGE DRIVE
Total MUNICIPAL UTILITIES			\$1,665.08		
Paid Chk#	9916018	5/2/2014	NORTHLAND TRUST SERVICES		
E 320-41940-611	Bond Interest		\$6,268.75		INTEREST CITY HALL BOND
Total NORTHLAND TRUST SERVICES			\$6,268.75		
Paid Chk#	9916019	5/2/2014	EDA		
E 101-49300-700	Transfers		\$6,268.75		LEASE PAYMENT ON CITY HALL
Total EDA			\$6,268.75		
Paid Chk#	9916020	5/2/2014	MUNICIPAL UTILITIES		
E 101-43160-381	Electric Utilities		\$3,098.88		MARCH STREET LIGHTING
Total MUNICIPAL UTILITIES			\$3,098.88		
Paid Chk#	9916021	5/2/2014	FRONTIER		
E 211-45500-321	Telephone		\$63.86		LIBRARY PHONE 507-427-2506
Total FRONTIER			\$63.86		
Paid Chk#	9916022	5/2/2014	ALPHA WIRELESS COMMUNICATIONS		
E 221-42200-404	Repairs/Maint Machinery/Equip		\$270.00	669930	BATTERIES FOR FIRE DEPT
Total ALPHA WIRELESS COMMUNICATIONS			\$270.00		
Paid Chk#	9916023	5/2/2014	AMAZON-GE MONEY BANK		
E 211-45500-592	A.V. Materials		\$169.99		LIBRARY AV
E 211-45500-590	Capital Outlay Books		\$458.95		LIBRARY BOOKS
Total AMAZON-GE MONEY BANK			\$628.94		
Paid Chk#	9916024	5/2/2014	ANDREW YSKER		
E 221-42200-430	Miscellaneous		\$941.40		NAME TAGS FOR FIRE DEPT
Total ANDREW YSKER			\$941.40		
Paid Chk#	9916025	5/2/2014	COREY SUESS		
E 101-45204-407	Tree Maintenance		\$1,282.50		TREE REMOVAL
Total COREY SUESS			\$1,282.50		
Paid Chk#	9916026	5/2/2014	COTTONWOOD COUNTY AUD/TREAS		
E 101-41400-354	Real Estate Taxes		\$30.00		22.520.1432---414 9TH ST
E 101-41400-354	Real Estate Taxes		\$24.00		22.520.0490--CITY HALL
E 101-45186-354	Real Estate Taxes		\$24.00		22.520.0240--COMM CTR
E 101-41400-354	Real Estate Taxes		\$6.00		11.950.0050--FARMLAND BY RIIHLS
E 211-45500-354	Real Estate Taxes		\$24.00		22.520.0980--LIBRARY
Total COTTONWOOD COUNTY AUD/TREAS			\$108.00		
Paid Chk#	9916027	5/2/2014	DENNIS HULZEBOS		
E 101-45186-400	Janitor-Repairs/Maint		\$250.00		MAY MAINT AT SR CTR
E 211-45500-400	Janitor-Repairs/Maint		\$345.00		MAY MAINT AT LIBRARY
Total DENNIS HULZEBOS			\$595.00		
Paid Chk#	9916028	5/2/2014	DOUG BRISTOL		

3

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April 2014 to May 2014

			Check Amt	Invoice	Comment
E 101-42100-430	Miscellaneous		\$51.17		BUSINESS CARDS
	Total DOUG BRISTOL		\$51.17		
Paid Chk# 9916029	5/2/2014	EDA			
E 101-49300-700	Transfers		\$2,241.25		2014 ADD'L PAY ON CITY HALL
	Total EDA		\$2,241.25		
Paid Chk# 9916030	5/2/2014	FRONTIER			
E 101-43100-321	Telephone		\$66.44		STREET DEPT PHONE-427-2997
E 101-00000-430	Miscellaneous		\$113.44		UT-PHONE
E 101-45186-321	Telephone		\$56.01		SR CTR PHONE-427-2151
E 101-41400-321	Telephone		\$223.59		CITY HALL PHONE-427-2999
E 205-46500-321	Telephone		\$6.71		CHAMBER 800#
E 205-46500-321	Telephone		\$37.50		EDA PORTION OF DSL & 427-2999
E 101-42100-321	Telephone		\$225.18		POLICE DEPT PHONE-427-3403
	Total FRONTIER		\$728.87		
Paid Chk# 9916031	5/2/2014	JOHN YSKER			
E 101-43240-111	Contract		\$250.00		MAY DUMP SALARY
	Total JOHN YSKER		\$250.00		
Paid Chk# 9916032	5/2/2014	LAKER ELECTRIC			
E 101-43100-401	Repairs/Maint Buildings		\$184.69	3923	MAINTAINENCE LIGHT-ST DEPT
E 101-45200-404	Repairs/Maint Machinery/Equip		\$128.24	3924	REPLACE LIGHTS IN PARK BATHROOM
	Total LAKER ELECTRIC		\$312.93		
Paid Chk# 9916033	5/2/2014	MINNESOTA ENERGY RESOURCE CORP			
E 101-45186-383	Gas Utilities		\$17.48		SR CTR GAS-ACCT#4010846-6
E 221-42200-383	Gas Utilities		\$304.78		FIRE DEPT PORTION OF FIREHALL GAS-ACCT#4296165-6
E 101-41400-383	Gas Utilities		\$248.86		CITY HALL GAS-ACCT#4346780-2
E 101-43100-383	Gas Utilities		\$552.36		STREET GARAGE GAS-ACCT#4092120-7
E 231-42154-383	Gas Utilities		\$150.12		AMB PORTION OF FIREHALL GAS-ACCT#4296165-6
	Total MINNESOTA ENERGY RESOURCE CORP		\$1,273.60		
Paid Chk# 9916034	5/2/2014	MUSKE, MUSKE, SURHOFF			
E 101-41400-304	Legal Fees		\$1,400.00		MAY LEGAL RETAINER
	Total MUSKE, MUSKE, SURHOFF		\$1,400.00		
Paid Chk# 9916035	5/2/2014	NEIL WENNER			
E 221-42200-430	Miscellaneous		\$12.38		BATTERY STORAGE CONTAINERS
E 231-42154-430	Miscellaneous		\$12.38		BATTERY STORAGE CONTAINERS
	Total NEIL WENNER		\$24.76		
Paid Chk# 9916036	5/2/2014	NORTHLAND CHEMICAL CORP			
E 101-45200-404	Repairs/Maint Machinery/Equip		\$6.41	5053977	SOAP DISPENSER-PARK
	Total NORTHLAND CHEMICAL CORP		\$6.41		
Paid Chk# 9916037	5/2/2014	NORTHLAND TRUST SERVICES			
E 312-47000-611	Bond Interest		\$23,745.00		INTEREST CITY WIDE PROJECT
	Total NORTHLAND TRUST SERVICES		\$23,745.00		
Paid Chk# 9916038	5/2/2014	PRAXAIR			
E 231-42154-210	Operating Supplies		\$48.60	49152150	AMB OXYGEN
E 231-42154-210	Operating Supplies		\$125.79	49217510	AMB OXYGEN
	Total PRAXAIR		\$174.39		

(4)

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April 2014 to May 2014

			Check Amt	Invoice	Comment
Paid Chk# 9916039 5/2/2014 RADISSON BLU					
E 205-46500-308	Training & Instruction		\$363.40		ROB ANDERSON ROOM FOR IEDC SPRING CONF
Total RADISSON BLU			\$363.40		
Paid Chk# 9916040 5/2/2014 RED FEATHER PAPER					
E 101-45200-404	Repairs/Maint Machinery/Equip		\$55.00	74780	DISPENSER FOR PARKS
Total RED FEATHER PAPER			\$55.00		
Paid Chk# 9916041 5/2/2014 SOUTHWEST INITIATIVE FOUNDATIO					
E 211-45500-434	Project Expense		\$262.50		LIB-FOR SRP
Total SOUTHWEST INITIATIVE FOUNDATIO			\$262.50		
Paid Chk# 9916042 5/2/2014 THIRD AVENUE AUTO PARTS					
E 101-43100-215	Shop Supplies		\$4.09	S138596	FAST ORANGE-ST DEPT
E 101-42500-404	Repairs/Maint Machinery/Equip		\$2.09	S138675	FUSE FOR CIVIL DEFENSE SIREN
E 101-42500-404	Repairs/Maint Machinery/Equip		\$3.09	S139008	FUSE FOR CIVIL DEFENSE SIREN
E 101-43100-404	Repairs/Maint Machinery/Equip		\$44.75	S139092	OIL FILTER-BLADE
E 101-43100-404	Repairs/Maint Machinery/Equip		\$5.25	S139142	OIL FILTER #20
E 101-45200-404	Repairs/Maint Machinery/Equip		\$7.20	S139143	OIL FILTER #4
E 101-45200-404	Repairs/Maint Machinery/Equip		\$17.20	S139147	AIR FILTER #4
Total THIRD AVENUE AUTO PARTS			\$83.67		
Paid Chk# 9916043 5/2/2014 TOWNS EDGE AUTO					
E 101-42100-406	Vehicle Maint/Gen Repairs		\$46.28	69932	OIL CHANGE ON SUV
Total TOWNS EDGE AUTO			\$46.28		
Paid Chk# 9916044 5/2/2014 VERIZON					
E 101-42100-321	Telephone		\$35.01		POLICE DATA LINE
E 101-42100-321	Telephone		\$13.79		POLICE CELL PHONE
E 231-42154-321	Telephone		\$9.93		AMB CELL PHONE
Total VERIZON			\$58.73		
Paid Chk# 9916045 5/2/2014 LEAGUE--WC/INS					
E 101-45200-151	Worker s Comp Ins Prem		\$1,397.53		WORK COMP INS 4/1/14- 4/1/2015
E 101-42100-151	Worker s Comp Ins Prem		\$4,903.61		WORK COMP INS 4/1/14- 4/1/2015
E 205-46500-151	Worker s Comp Ins Prem		\$315.55		WORK COMP INS 4/1/14- 4/1/2015
E 231-42154-151	Worker s Comp Ins Prem		\$6,720.57		WORK COMP INS 4/1/14- 4/1/2015
E 221-42200-151	Worker s Comp Ins Prem		\$3,453.84		WORK COMP INS 4/1/14- 4/1/2015
E 211-45500-151	Worker s Comp Ins Prem		\$378.89		WORK COMP INS 4/1/14- 4/1/2015
E 101-43100-151	Worker s Comp Ins Prem		\$4,483.37		WORK COMP INS 4/1/14- 4/1/2015
E 101-00000-361	General Liability Ins		\$1,270.37		Water-WORK COMP INS 4/1/14- 4/1/2015
E 101-00000-361	General Liability Ins		\$2,889.45		Elec-WORK COMP INS 4/1/14- 4/1/2015
E 101-00000-361	General Liability Ins		\$1,373.04		Sewer-WORK COMP INS 4/1/14- 4/1/2015
E 101-00000-361	General Liability Ins		\$206.17		ut-officeWORK COMP INS 4/1/14- 4/1/2015
E 101-41400-151	Worker s Comp Ins Prem		\$514.84		WORK COMP INS 4/1/14- 4/1/2015
E 101-41110-151	Worker s Comp Ins Prem		\$151.77		WORK COMP INS 4/1/14- 4/1/2015
Total LEAGUE--WC/INS			\$28,059.00		
10100 United Prairie			\$194,740.68		

5

CITY OF MOUNTAIN LAKE
*Check Detail Register©

April 2014 to May 2014

Check Amt Invoice Comment

Fund Summary

10100 United Prairie	
101 GENERAL FUND	\$53,967.29
205 ECONOMIC DEVELOPMENT AUTHORITY	\$723.16
211 LIBRARY FUND	\$3,219.00
221 FIRE DEPT FUND	\$5,086.95
230 REVOLVING LOAN FUND	\$93,907.79
231 AMBULANCE FUND	\$7,126.48
312 CITY WIDE PROJ-DEBT SERV	\$23,745.00
320 EDA - CITY HALL FUND	\$6,268.75
607 EDA----4 PLEX FUND	\$2.20
608 EDA----8 PLEX FUND	\$89.15
609 EDA-- MASON MANOR	\$604.91
	<hr/>
	\$194,740.68

Paid Chk# 000345E	4/21/2014	SELECT ACCOUNT		
E 205-46500-141	Admin Fees-HSA		\$2.11	HSA ADMIN FEES
E 101-46200-141	Admin Fees-HSA		\$1.26	HSA ADMIN FEES
E 101-45200-141	Admin Fees-HSA		\$1.27	HSA ADMIN FEES
E 101-43100-141	Admin Fees-HSA		\$3.80	HSA ADMIN FEES
E 211-45500-141	Admin Fees-HSA		\$2.11	HSA ADMIN FEES
E 101-42100-141	Admin Fees-HSA		\$10.55	HSA ADMIN FEES
E 101-41400-141	Admin Fees-HSA		\$4.22	HSA ADMIN FEES
	Total SELECT ACCOUNT		<hr/>	
			\$25.32	

6

DRAFT
Mt. Lake City Council
Mt. Lake City Hall
Monday, April 21, 2014
6:30 p.m.

Members Present: Mayor Dean Janzen, David Savage, Andrew Ysker, Brian Schultz

Members Absent: Audi Nickel

Staff Present: Doug Bristol, Chief of Police; Maryellen Suhrhoff, City Attorney, Muske, Muske & and Suhrhoff; Wendy Meyer, Clerk/Administrator

Others Present: Tammy Omdal, Northland Securities; David Bucklin, Cottonwood Soil and Water Conservation District and Lake Commissioner; Doug Regehr

Call to Order

Mayor Janzen called the meeting to order at 6:30 p.m. Motion by Schultz, seconded by Ysker, to add Mt. Power Hydraulics Project Resolution #13-14, and 202 12th St. So. to the agenda. Motion carried unanimously. Motion by Schultz, seconded by Savage, to approve the consent agenda as presented, and the agenda as amended. Motion carried unanimously.

Check #'s 9915934 - 9915991; 344E
Payroll: Check #'s 61044 - 61069
April 7 Council Minutes
March 27 Utility Commission Minutes
March 13 Police Commission Minutes
March 14 EDA Minutes
March 10 Lake Commission Minutes
February 10 Tree Commission Minutes
Appoint Heather (Herrig) Funk to the Lake Commission
Township Fire and Ambulance Contracts

Public

No one addressed the council during this portion of the meeting.

Cottonwood Soil & Water Conservation District Greater Blue Earth River Basin Alliance (GBERBA) Cooperative Weed Management Grant

David Bucklin explained the grant will provide funds for the removal of buckthorn, wild parsnip, leafy spurge, poison ivy and other weeds on public land along the lake shore. Motion by Schultz, seconded by Ysker, to apply for a GBERBA grant in the amount of \$3,125. Motion carried unanimously.

Arbor Day

Mt. Lake Public Schools will observe Arbor Day on Fri. April 25. Motion by Savage, seconded by Schultz, to adopt Resolution #14-14 Proclaiming Friday, April 25th as Arbor Day in the City of Mt. Lake. Motion carried unanimously.

Request to Waive Fine

Chief Bristol explained that the occupant of 826 10th St. N. had been issued Administrative Ticket #013029 on March 23 for storage and deposit of refuse. The ticket must be paid by April 23. The occupant is asking that the fine be waived. Neither the occupant cited, or a representative, were present. Photographs taken at noon on April 21 showed that there was still garbage on the property. Motion by Ysker, seconded by Savage to deny the waiver request because the problem had not been abated. Motion carried unanimously.

Mt. Power Hydraulics Project

Tammy Omdal, Northland Securities, briefly reviewed the bond sale with the council. The interest on the 15 year bonds is 4.24% interest. The bonds will be repaid by lease payments made by Mt. Power Hydraulics. Motion by Savage, seconded by Schultz, to adopt Resolution #13-14 Providing for the Issuance and Sale of \$2,040,000 Taxable General Obligation Tax Increment Bonds, Series 2014 and Pledging Rent Payments for Security Thereof. Motion carried unanimously.

Utility

Mt. Lake Municipal Utilities has received an offer to sell unneeded production capacity acquired as part of a power purchase contract to Missouri River Energy Services (MRES) through Central MN Municipal Power Agency (CMMPA). The utility will receive \$125/mo. the first year of the two year contract and \$250/mo. the second. Motion by Savage, seconded by Schultz, to approve Resolution #12-14 Approval Sale of Excess Capacity to CMMPA for resale to MRES. Motion carried unanimously.

Well #7 Call for Bids

It has been determined that the bid documents need to be reviewed by Small Cities Development Program staff after the awards have been announced. Expected announcement date is May 6. The matter was tabled to the May 5 council meeting.

202 12th St. So.

The property is in poor condition and needs extensive repairs or demolition. The owners have agreed to demolish the property. The city attorney and administrator were directed to prepare the necessary paperwork and get quotes for demolition.

Adjourn

Motion by Schultz, seconded by Ysker, to adjourn at 7:16 p.m.

ATTEST:

Wendy Meyer, Clerk/Administrator

REGULAR UTILITIES COMMISSION MEETING
THURSDAY, APRIL 10, 2014
7:00 A.M.

PRESENT: John Carrison
Mark Langland
Mike Johnson
Bryan Bargen, Chairman

ABSENT: David Savage-City Council Liaison
Brett Lohrenz

STAFF: Lynda Cowell - Utilities Office Manager
Kevin Krahn - Water/Wastewater Supt.
Dave Watkins - Water/Wastewater
Pat Oja - Lineman
Ron Melson - Electric Supt.

OTHERS: Chris Kopel - CMMPA

Bryan Bargen - Chairman called the regular meeting of the Utilities commission for April 10, 2014 to order at 7:00 a.m.

1. Minutes and Bills: Motion by John Carrison seconded by Mark Langland to accept the minutes and bills as presented. Motion carried. Checks #14273-14317. Except Check # 14306 as that number was used in 2013 as a posting error.

2. Electric Department:

3 Rural Phase Accounts: The commission continued its discussion on ways to recoup funds spent on upgrading commercial/industrial and rural services that generate little additional income. The proposal was presented. The commission feels that it is okay but that an upgrade fee for people that put in a new service should be added. The commission that a short policy for upgrades be drafted and brought to next meeting.

CIP Audit program: Motion by Mark Langland seconded by Mike Johnson to work with MN Energy Resources and Center for Energy and the Environment to provide small business and multi-family housing energy audits to customers. Motion carried.

Central Air Conditioning Rebates: The program was reviewed. This is the third year Mt. Lake will have the bonus bucks plus regular rebate promotion. Staff is recommending the requirements be changed to allow any unit 12 or more years older to be eligible. Motion by Mark Langland seconded by John Carrison to change the rebate to read "Working & Non-working units 12 years old or older". Motion carried.

5x16 Blend and Extend: Chris Kopel, CMMPA, was present to discuss Resolution #U1-14 'Authoring Execution of Documents for a 5-day by 16-hour Fixed Price Energy Purchase for the Years 2014 through 2020' adopted by the commission on Feb. 13, 2014. The 'blend and extend' contract would take the last two years of the current contract, extend it to the end of 2020 and lower the price. The actual price floats until the contract is signed. When the resolution was adopted it was estimated that the price would be less than \$50 per megawatt. Now the price could be as high as \$52.40 per megawatt, the resolution will be amended once the actual price is known.

Water/Wastewater Department:

Ellingson Sewer Line, 1025 2nd Ave.: The sewer line comes out the west side of the building and goes north down the alley to 3rd Ave. where it uses the old Bonnie's Cafe. connection to connect to the main. A line from Mt. Lake Fitness also connects to the line. The line is 6" clay. There was discussion on who is responsible for the various problems. It must be first be determined if the line can be repaired or should be replaced.

Frozen Water Meters: Motion by Mike Johnson seconded by Mark Langland to charge customers \$150.00 for the replacement of the new water meters that do not have freeze plates. Motion carried.

Radio Read Water Meters: After some discussion Kevin will wait on buying meters and budget for them next year.

Private Sewer Update: Seventeen households, who were notified in 2012 that their private sewer lines needed to be replaced in 2012, and have not done the work, were sent letters in March reminding them to get the work done. Six households did not respond to the March letter. Their work will be divided between the two local contractors and the cost will be attached to the property taxes for collection.

3. Office:

Golf Calendar Ad: Motion by Mike Johnson , seconded by Mark Langland, to advertise on the 2014 Mt. Lake Golf Course calendar. Motion Carried

Meeting Adjourned.

11

**Regular Meeting
Planning and Zoning Commission
Monday, March 31, 2014
5:30 p.m.
City Hall**

Members Present: Nathan Harder, Tim Janzen, Doug Regehr, Travis Smith, Nik Strom
Members Absent: Erland Braun, Shawn Hiebert
Staff Present: Wendy Meyer, Clerk/Administrator
Others Present: None

Call to order.

Janzen called the meeting to order at 5:30 p.m. There were no additions to the agenda.

Approval of the February 24 minutes

Motion by Harder, seconded by Smith to approve the minutes. Motion carried.

Approval of Permits

The January – March permits were reviewed. Where required, projects meet setbacks. There are also two extension requests for project begun in 2013 and not yet completed. Motion by Regehr, seconded by Harder, to approve the permits and extensions. Motion carried.

Mt. Power Variance Application

The Mt. Lake Economic Development Authority (EDA) has submitted an application requesting a variance from front yard setbacks for a 50,000 sq. ft. addition to the current Mt. Power facility. Approximately 826 sq. ft. is within the 50 ft. setback. Mt. Power has deeded a one acre parcel in the center of the Mt. Power property to the EDA. The EDA will construct the addition on the one acre parcel and enter into a 15 year lease to purchase contract with Mt. Power. Setback requirements are not met on the one acre parcel.

The Commission reviewed the maps and other materials presented. The following concerns were raised:

- The ability to see traffic coming from the east when a vehicle is facing south at the intersection of Co. Rd. #1 and Hwy 60. This intersection has been the site of a number of accidents.
- Adequate time for vehicles traveling west on the north lanes of Hwy. 60 to react to vehicle actions occurring in the intersection.
- What is MNDOT's reaction to this variance? A response from MN DOT has been requested but not received. The MNDOT staff that the clerk/administrator spoke to did not raise any concerns.

- Mt. Power is adding 12 jobs; what impact do the additional employees and additional shipping have on the intersection and visibility. A commissioner noted Mt. Power's shift runs 7 am to 3 pm; employees would not be on the road at the more heavily travelled times around 8 am and 5 pm.
- Building height. Height is same as existing manufacturing portion. Does the height raise additional concerns? It is likely that fill will be added to the corner of the addition in the setback.
- What impact will the completion of the 4 lane completion between St. James and Windom have on traffic counts and speed limits? Will MNDOT consider these changes when responding to the variance request?

The commission agreed to postpone making a recommendation until a formal response from MN DOT is received. The public hearing for the variance is scheduled for 6:30 pm Mon. evening, April 7. It was agreed that the commission would meet prior to the council meeting.

Recess

The meeting was recessed at 6:05 p.m. until 5:30 p.m. Mon. April 7.

Reconvened

Janzen opened the meeting at 5:30 p.m. Mon, April 7. The following Commissioners were present: Nathan Harder, Tim Janzen, Doug Regehr, Travis Smith, and Nik Strom. Wendy Meyer, Clerk/Administrator was present. There no members of the public present.

Mt. Power Variance Application

A letter from Ronda Allis, Principal Planner, MN DOT District 7, was reviewed. The District 7 Access Committee reviewed the variance request and found that there is adequate sight distance with a 22.7 ft. setback. The commission further discussed safety concerns. The draft findings of fact were reviewed. Motion by Smith, seconded by Regehr, to approve the variance. Motion carried unanimously.

Adjourn

Motion by Smith, seconded by Strom, to adjourn at 5:55 p.m.

Approved April 28, 2014.

ATTEST:

Wendy Meyer, Clerk/Administrator

(13)

April 2014

City of Mt. Lake

Building, Shingling/Siding Permits

Shingling/Siding Permits	Owner	Address	Parcel No.	Contractor	
	L. Ross	710 N. 8th St.	22.415.0060	Heffele 20204606	shingle house, garage & storage shed
	Stoesz	1st Ave.	22.033.1105	Otten BC630850	Shingle truck garage
	VanDyke	517 3rd Ave.	22.413.0350	Rettke XR67840	shingle house and garage
	Hanson	415 11th	22.290.0150	Wall BC636606	shingle
	Western	709 4th Ave.	22.520.1690	Rocker BC638265	shingle house with asphalt
Building Permits					
	Matt & Nicole	1018 Midway Rd.	22.358.0030	Self	replace 16' by 18' deck
	Stadtlander	420 15th St. N.	22.611.0330	J. Krem Const. 673937	construct 16' by 12' deck
	Bennett	1012 7th Ave.	22.671.0060	CR Const. BC630411	shingle and side house
	EDA	502 CR #1	22.003.0101	Wilcon BC 8761	40,000 sq. ft. addition to Mt. Power
	Marsh	1312 4th Ave.	22.162.0050	Self	24' by 30' garage
	Mt. Lake	810 3rd Ave.	22.520.0570	Buhler Const. IR670851	church sanctuary & remodel remaining structure
	Braun	407 7th St. N.	22.413.0580	CR Const. BC630411	shingle house

(14)

Mountain Lake Public Library Board Minutes
January 8, 2014

Members Present: Barrie Wright, Diane Englin, Marci Hernadnez, Vickie Krueger, Carol Lehman-Director

Members Absent: Margaret Hopwood

Others Present: Wendy Meyer

The meeting was called to order at 4:42 pm by chairman.

New board Member: Vickie Krueger was welcomed.

Election of Officers: Current officers agree to resume positions. **M/S/P Englin/Krueger.**

M/S/P Englin/Krueger to approve the minutes of the November 2013 and December 2013 minutes.

Carol presented the December 2013 monthly report indicating 3,001 total circulation and expenditures in the amount of \$1,756.65. Request was made for St.James Plaindealer. **M/S/P Englin/Krueger.**

Old Business: None

New Business: None

Library Activity report for December was given.

Meeting adjourned at 5:07pm by chairman.

NEXT MEETING: Wednesday February 12 – 4:30pm.

Respectfully submitted,

Marci Hernadnez, secretary

15

CITY OF MOUNTAIN LAKE
 PUBLIC LIBRARY REPORT
 MONTH OF January, 2014

CIRCULATION AND USE

Adult fiction	_____
Adult nonfiction	_____
Non print (includes videos, cassettes, art prints, etc.)	_____
Juvenile	_____
Periodicals	_____
	<u>TOTAL CIRCULATION</u> <u>3,468</u>
Interlibrary loan sent	<u>288</u>
Interlibrary loan received	<u>314</u>
	<u>TOTAL ILL</u> <u>602</u>
	<u>ILL NON SYSTEM</u> <u>47</u>

RECEIPTS

Cash income	<u>6.98</u>
Donations (monetary)	_____
County Revenue	_____
Misc. Revenue	_____
Fines	_____
Meeting room rental	_____
Sale of supplies	_____
	<u>TOTAL RECEIPTS</u> <u>6.98</u>

EXPENDITURES

Books	<u>436.08</u>
Periodicals	<u>555.67</u>
Audio-visual	<u>182.00</u>
Supplies	<u>168.31</u>
Postage	<u>.98</u>
Miscellaneous	_____
Telephone	<u>58.26</u>
Repairs & maintenance	<u>345.00</u>
Repairs & maint. of equipment	_____
Project expense	<u>287.20</u>
Capital outlay	_____
Automation	_____
Gas Utilities	<u>440.95</u>
TOTAL EXPENDITURES	<u>\$2,464.45</u>

6.00
 .98

(16)

LIBRARY DIRECTOR Carol Lehman

LIBRARY EXPENDITURES - JANUARY 2014

Backwoods Home Magazine	Periodicals - 3 yr.	\$65.95
Demco	Supplies	155.19
Fons & Porter's Love of Quilting	Periodicals - 2 yr.	32.97
Frontier	Telephone Expense	58.26
GECRB/Amazon	Books 164.60 / AV 176.00	340.60
Dennis Hulzebos	Repairs & Maint.-Janitorial	345.00
Indoff, Inc	Supplies	13.12
Ingram	Books	271.48
Living Without	Periodicals - 2 yr.	42.00
MN Energy Resources Corp.	Gas Utilities	440.95
MN Monthly	Periodicals - 2 yr.	24.00
PCLS	Project Expense-Winter Reading	277.20
Star Tribune	Periodicals - 1 yr.	345.80
Weight Watchers	Periodicals - 3 yr.	34.95
Woman's Day	Periodicals - 1 yr.	10.00
		2,457.47
	Cash Expenditures	6.98
		\$2,464.45

17

CITY OF MOUNTAIN LAKE
 PUBLIC LIBRARY REPORT
 MONTH OF February, 2014

CIRCULATION AND USE

Adult fiction	_____
Adult nonfiction	_____
Non print (includes videos, cassettes, art prints, etc.)	_____
Juvenile	_____
Periodicals	_____
	<u>2,896</u>
TOTAL CIRCULATION	
Interlibrary loan sent	<u>238</u>
Interlibrary loan received	<u>290</u>
	<u>528</u>
TOTAL ILL	
ILL NON SYSTEM	<u>51</u>

RECEIPTS

Cash income	<u>52.49</u>
Donations (monetary)	_____
County Revenue	_____
Misc. Revenue	_____
Fines	_____
Meeting room rental	_____
Sale of supplies	_____
	<u>52.49</u>
TOTAL RECEIPTS	

EXPENDITURES

Books	<u>1,705.51</u>
Periodicals	<u>68.95</u>
Audio-visual	<u>139.79</u>
Supplies	<u>69.00</u>
Postage	_____
Miscellaneous	<u>4,155.00</u>
Telephone	<u>58.48</u>
Repairs & maintenance	<u>345.00</u>
Repairs & maint. of equipment	<u>45.00</u>
Project expense	<u>130.17</u>
Capital outlay	_____
Automation	<u>2,450.10</u>
Gas Utilities	<u>431.98</u>
TOTAL EXPENDITURES	<u>\$6,598.98</u>

4.00

48.49

(18)

LIBRARY DIRECTOR Carol Lehman

LIBRARY EXPENDITURES - FEBRUARY 2014

Discovery Girls	Periodicals - 2 yr.	\$29.95
Frontier	Telephone Expense	58.48
GECRB/Amazon	Books 738.58 / AV 135.79	874.37
Dennis Hulzebos	Repairs & Maint. - Janitorial	345.00
Ingram	Books	111.70
Laker Electric, Inc.	Repairs & Maintenance	45.00
Maynard's	Project Expense	56.68
MN Energy Resources Corp.	Gas Utilities	431.98
National Geographic Society	Periodicals - 1 yr.	39.00
PCLS	Supplies 69.00 / Delivery 1,155.00 Automation 2,450.10 / Books 855.23 Project Exp. 25.00	4,554.33
		<hr/>
		6,546.49
	Cash Expenditures	52.49
		<hr/>
	Total	\$6,598.98

CITY OF MOUNTAIN LAKE
PUBLIC LIBRARY REPORT
MONTH OF March 2014

CIRCULATION AND USE

Adult fiction	_____
Adult nonfiction	_____
Non print (includes videos, cassettes, art prints, etc.)	_____
Juvenile	_____
Periodicals	_____

TOTAL CIRCULATION 3,223

Interlibrary loan sent	_____
Interlibrary loan received	_____
	<u>302</u>
	<u>318</u>
TOTAL ILL	<u>620</u>

ILL NON SYSTEM 57

RECEIPTS

Cash income	<u>204.00</u>
Donations (monetary)	_____
County Revenue	_____
Misc. Revenue	_____
Fines	<u>10.00</u>
Meeting room rental	_____
Sale of supplies	_____
TOTAL RECEIPTS	<u>214.00</u>

EXPENDITURES

Books	<u>489.51</u>
Periodicals	<u>328.87</u>
Audio-visual	<u>98.98</u>
Supplies	<u>391.41</u>
Postage	<u>204.00</u>
Miscellaneous	_____
Telephone	<u>57.34</u>
Repairs & maintenance	<u>345.00</u>
Repairs & maint. of equipment	_____
Project expense	_____
Capital outlay	_____
Automation	_____
Gas Utilities	<u>294.40</u>
TOTAL EXPENDITURES	<u>\$2,209.51</u>

(20)

LIBRARY DIRECTOR Carol Lehman

LIBRARY EXPENDITURES - MARCH 2014

American Bungalow	Periodicals - 3 yr.	\$78.95
Bloomberg Businessweek	Periodicals - 2 yr.	140.00
Demco	Supplies	101.49
Fine Gardening	Periodicals - 3 yr.	69.95
Frontier	Telephone Expense	57.34
GECRB/Amazon	Books 369.68 / AV 98.98	468.66
Dennis Hulzebos	Repairs & Maint. - Janitorial	345.00
Ingram	Books	119.83
Midwest Living	Periodicals - 2 yr.	19.97
MN Energy Resources Corp.	Gas Utilities	294.40
More	Periodicals - 2 yr.	20.00
PCLS	Supplies	289.92
		<hr/>
		2,005.51
	Cash Expenditures	204.00
		<hr/>
		\$2,209.51

21

April 25, 2014

City of Mountain Lake-

It's Pow Wow Road Race time! We are in our 41st year and hope to be bigger and better than ever. One of our goals has been to run a well organized and classy road race that causes people to want to come back, to keep it affordable, as well as to have pleasant thoughts of Mountain Lake. You are one of the main reasons that that we have been able to accomplish all of our goals. In the past you have been willing to give a donation of \$300.00. Would you be willing to contribute that amount again this year? It is our hope that we can continue to work together for the benefit of Mountain Lake and all who participate.

Thank you,



Paul Metcalf
Co-race director

22

CONDITIONAL USE PERMIT APPLICATION
City of Mountain Lake

- RESIDENTIAL PROPERTY OWNER FEE - \$ 100⁰⁰ pd #9219 3-25-14
 - BUSINESS/INDUSTRIAL FEE - \$
 - CITY PROVIDED PROPERTY OWNERS LIST/LABELS FEE - \$
- (All fees payable upon submittal of completed application)

Please complete the application by typing or printing in ink. If the spaces provided are insufficient, use additional sheets.

1. Name of Owner: (First) (Middle) (Last) (Phone)
507.427.2215
Mountain Lake Assembly of God
2. Address of Owner: (Street and PO Box No.) (City) (State) (Zip)
**PO Box 532 - 701 3rd Ave
Mountain Lake, MN 56159**
3. Name of Applicant: (First) (Middle) (Last) (Phone)
507.822.3903
Rev. David Ryan Savage
4. Address of Applicant: (Street and PO Box No.) (City) (State) (Zip)
**1303 6th Ave
Mountain Lake, MN 56159**
5. Street Address of Property Involved:
**810 3rd Ave
Mountain Lake, MN 56159**
6. Complete Legal Description of Property Involved & PID No.
Lots 1, 2, 3, 4, and 5, together with the vacated alley lying between Lots 2 and 3 and between Lots 3 and 4; Also the West 50 feet of Lots 6 and 7; all in Block 9, City of Mountain Lake, Cottonwood County, Minnesota.

7. State exactly what is intended to be done on or with the property that requires the conditional use permit:

Mountain Lake Assembly of God is a 501(c)3 non-profit religious institution that intends to use this property exclusively as a church facilities. The existing portion of the building will be converted to classrooms, nursery, preschool, and kitchen. The pre-engineered addition to be constructed will included a sanctuary, gathering space, restrooms, offices, and conference room. This building will be used for regular church services on Sundays and Wednesdays. Additionally Christian education classes will be held on Sunday mornings and youth services on Wednesday evenings. Other special religious activities will be held periodically throughout the week. This building will also be used for weddings and funerals.

The following information must be submitted with this application if requested.

- A. Site Plan (showing parcel and building dimensions)
- B. Location of all buildings and their square footage
- C. Curb cuts, driveways, access roads, parking spaces, off-street loading areas and sidewalks
- D. Landscaping and screening plans
- E. Drainage plan
- F. Sanitary sewer and water plan with estimated use per day
- G. Soil type
- H. Any additional data reasonably required

Signature: The above statements are true and correct to the best of my knowledge.

Applicant Signature: David Ryan Savage

Property Owner Signature: David Ryan Savage

Date: 3-28-14

FINDINGS OF FACT

MOUNTAIN LAKE ASSEMBLIES OF GOD CONDITIONAL USE PERMIT

PIN 22.520.0550, 22.520.0560, 22.520.0570 and 22.520.0590; Lots 1 – 5; together with the vacated alleys between Lots 2 and 3, and Lots 3 and 4; also the West 50 ft. of Lots 6 and 7; all in Block 9, Original Townsite, City of Mountain Lake, Cottonwood County, Minnesota

810 3RD Ave.

1. The conditional use was submitted in compliance with city code. An application has been submitted by David Savage, pastor, Mt. Lake Assemblies of God on behalf of the church as required by Mt. Lake Code Section 9.70 Subd. 4 Conditional Use Permits; and Section 9.11, Subd. 3, #2 Conditional Uses in the Residential District. The church is requesting a Conditional Use Permit for the construction of a church facility approximately 70 ft. by 95 ft. with sanctuary, gathering space, restrooms, offices, conference room. An existing building approximately 50 ft. by 125 ft. will be remodel to hold classrooms, nursery, preschool and kitchen.

2. The conditional use request was made public in compliance with city code and state law. The Notice of Public Hearing was published on April 16, 2014, at least 10 days but no more than 30 days, in the Mt. Lake/Butterfield Observer/Advocate, posted in City Hall and on the city's website. Property owners within 500 ft. of the property received mailed notification of the hearing. A public hearing was held on Mon. April 28 2014 at 5:35 p.m. before the Planning and Zoning Commission. No written comments were received. There were comments from David Savage about the project and from Arnold Harder, neighbor about drainage issues and concerns.

3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The proposed conditional use is found in Mt. Lake Code 9.11 Subd. 3, Paragraph # 2 - Places of Worship. The proposed building will be located in the residential district; however the downtown commercial core is less than a block away. The neighborhood is accustomed to institutional use; the site formerly housed an assisted living facility. A church, Bethel Mennonite and an assisted living facility Parkwood Suites is across 3rd Ave. to the north. Third Ave., at one time Hwy. 60 is the city's main east/west thoroughfare. The remainder of the

neighborhood is single family housing. The building meets the setback, lot area and width requirements of Section 9.11 Subd. 5.

4. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding vacant property for predominant uses in the area. The area surrounding the property is zoned residential. The proposed building will be used as a place of worship, a conditional use in the residential district. The area is either institutional or single family housing. There are no undeveloped parcels in the area. The proposed building will not impede the re-development or improvement of these parcels.

5. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided for the conditional use. All streets surrounding the building, 3rd and 2nd Ave. and 8th Seventh Ave. are surfaced with curb and gutter, the alley is surfaced, all are in good condition. There are accesses to the property from 2nd and 3rd Ave. and the alley; there drop-off access on 8th St. The building will be served by Mt. Lake Municipal Utilities water, sewer and electric service. Impervious surface will be less than one acre and a retention pond to meet the United States Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) is not required. The Planning and Zoning Commission determined that the following condition should be adopted.

Drainage – There shall be no increase in the rate and volume of storm-water leaving the property over land. Storm water drains on the property shall be attached to the storm sewer in 2nd Ave. A drainage map prepared by the contractor shall be provided to the city before the Certificate of Occupancy is issued.

6. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the conditional use. Mt. Lake Code 9.50 Subd. 4 does not directly address places of worship off-street parking requirements. The pastor has stated that average Sunday service attendance is 70. Special church events, wedding and funerals will attract more people. The sanctuary can seat 200. There are 50 parking spaces on-site; one for every 4 people the church can seat. This ratio is commonly used to determine the number of parking space to be required. Each is parking space is 10' by 20' - 200 sq. ft.as required by city code. There is additional on-street parking. Individual space size, driveway widths, and turning radius are generally standard and adequate. Parking lots in front and at the rear of the church will be asphalt; the lot to the east will be gravel. Entrances at 2nd and 3rd Ave. and 8th St. are standard and adequate for deliveries which will be minimal.

7. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibrations, so that none of these will constitute a nuisance and to control lighted signs and other lights in such a manner that on disturbance to neighboring properties will result. The building meets setbacks as required by Mt. Lake code. At this time there are no exterior lights. The parking lots, with the exception of the Americans with Disabilities Act (ADA) lot are gravel. The church intends to eventually surface the parking lots. The Commission determined that the following conditions be adopted.

Exterior Lighting – Any plan to add exterior lighting must be reviewed by the city.

Gravel Parking Lots – The church must take action when conditions exist to prevent dust, mud, gravel sprays and snow from negatively impacting the surrounding area.

8. That proper facilities are provided which would eliminate any traffic congestion or traffic hazard, which may result from the proposed conditional use. There are adequate streets to bring safely move traffic to and from the property.

9. There is a demonstrated need for the proposed conditional use. The current church building is old and not handicapped accessible. A new building will better meet the needs of the congregation. The assisted living facility on the property has been vacant since April 2013 and city staff and the former owner have been attempting to find a re-use of the building and/or property since early 2012. The existing church will be closed and an alternative use for the building sought.

10. The proposed conditional use is in compliance with the City Comprehensive Plan. The use is consistent with city land use plan (2006) and the intent of the zoning district. Goal #2 of the Plan's Community Enhancement Element is 'Promote community spirit and unity and enhance Mountain Lake's character and identity. One of the eight strategies is to 'Encourage a variety of experience and opportunities in terms of living, working, and social activities within the community'. Goal #3 of the Housing Element of the Plan is 'Support development that enhances community character and identify;. One of the six strategies is' "Support the redevelopment of vacant and abandoned sites within the downtown core' The facility gives a re-use for a half-block parcel near downtown. This use is consistent with city land use plan (2006) and the intent of the zoning district.

CITY OF MOUNTAIN LAKE, MINNESOTA

RESOLUTION #15-14

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A PLACE OF WORSHIP IN THE RESIDENTIAL DISTRICT ON PARCEL NUMBERS PIN 22.520.0550, 22.520.0560, 22.520.0570 AND 22.520.0590; LOTS 1 – 5; TOGETHER WITH THE VACATED ALLES BETWEEN LOTS 2 AND 3, AND LOTS 3 AND 4; ALSO THE WEST 50' OF LOTS 6 AND 7; ALL IN BLOCK 9, ORIGINAL TOWNSITE, CITY OF MOUNTAIN LAKE, COTTONWOOD COUNTY, MINNESOTA
810 3RD Ave.

WHEREAS, Mt. Lake Assemblies of God is the current owner of above named property; and

WHEREAS, Mt. Lake Assemblies of God has stated their intent to construct a sanctuary and attach it to a remodeled building currently on the above named property; and

WHEREAS, said tract is presently zoned as 'R' Residential Use District classification, wherein a place of worship is an allowable conditional use; and

WHEREAS, the Mt. Lake Assemblies of God has submitted to the City an application for a conditional use permit to allow a place of worship on said tract in a District zoned Residential; and

WHEREAS, the City of Mt. Lake Planning and Zoning Commission conducted a public hearing on April 28, 2014 to consider said conditional use permit application and at the conclusion of said hearing passed a motion recommending the approval of a conditional use permit with conditions as listed below, as set forth in Mt. Lake Ordinance 9.11 Subdivision 3, Number 2 allowing a place of worship in a District zoned Residential; and

Drainage – There shall be no increase in the rate and volume of storm-water leaving the property over land. Storm water drains on the property shall be attached to the storm sewer in 2nd Ave. A drainage map prepared by the contractor shall be provided to the city before the Certificate of Occupancy is issued.

Exterior Lighting – Proposed exterior lighting shall be reviewed by the city prior to installation.

Gravel Parking Lots – The church shall mitigate conditions caused by dust, mud, gravel sprays and snow, if such conditions occur and negatively impact the surrounding area.

WHEREAS, the Mt. Lake City Council upon the recommendation of the Planning and Zoning Commission considered granting a conditional use permit to allow a place of worship in a District zoned Residential;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MT. LAKE, MN: That a conditional use permit allowing a place of worship with conditions on the above named tract on Block 9, Original Townsite is hereby approved, and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MT. LAKE, MN:
That the conditional use shall be in accordance with City Codes, Ordinances and other requirements;
and;

BE IT FURTHER RESOLVED BY SAID CITY COUNCIL that this Resolution shall become
effective after its passage and approval.

PASSED AND ADOPTED by the City Council of the City of Mt. Lake, MN on this 5th day of May
2014.

ATTEST:

Dean Janzen, Mayor

Wendy Meyer, Clerk/Administrator

(SEAL OF CITY)

FARM ANIMAL CONDITIONAL USE PERMIT APPLICATION

City of Mt. Lake

Conditional Use Permit Application Fee \$ 100⁰⁰
(All fees payable upon submittal of completed application.)

Please complete the application. If the spaces provided are insufficient, use additional sheets.

1. Name of owner (first) (middle) (last) (Phone)

Judy + Steve Harder 507.360.3293

2. Address of owner (street and PO box) (city) (state) (zip)

1310 Mountain Lake Road, Mountain Lake, MN 56159

3. Name of applicant if different from owner: (first) (middle) (last)

same

4. Address of applicant if different from above:

same

5. Street address of property for which the Conditional Use Permit will be issued:

same

6. Complete legal description of the property for which the Conditional Use Permit will be issued and its Property Identification Number:

- ① 22-442-0070 Lot-006 BLK-002 Klein's subd 2 Lots 2-5. BLK 1; Lots 4-7 BLK 2 Vac Dickman St. N of Th 60 8.64 acres
- ② 22-004-0102 Sect. -04 Twp-105 Rang-34 Tract in NE 1/4 NE 1/4 10. ac
- ③ 22-421-0010 Lot-001 BLK 001 Jenny's Subdivision 2.4 acres

7. Attach a site plan showing parcel and all building dimensions and locations; location of fence and grazing areas; and distance of fences and grazing areas from property lines.

8. Size of the property in acres: 21.2 Is property in Animal Overlay District? yes

9. Number of Animal Units allowed based on property size: 6

10. Type and number of animal(s) see back of this page

11. Number of animal units when Question 10 answer is converted to Animal Units? 4

12. Is existing structure(s) to house animals in good condition? yes
Please attach photo.

10. + 11.

	<u>Start</u>	<u>Max</u>	<u>Animal units</u>
Chickens	16 (2014)	30	0
Sheep	10 (2015)	50	5
Hama	1	1	.4
pigs	2	2	.6
			<hr/>
			6 animal units

30

13. If new structures are being constructed to house animals are they, and grazing areas, located on the rear lot? yes

14. Are these new structures less than 30 ft. high? yes

15. If there is a fence will it be electrically charged? yes

16. If electrically charged a sign notifying the public is required. How large will sign be? 4' x 6'
Where will sign be located? on each side + every 300 feet
What will the sign say? Warning Electric Fence - (with picture)

17. What type of leak-proof container with tight fitting cover are being used to store animal feed?
plastic barrels

18. Will hay, straw and similar materials being stored in a structure or screened and not visible off the property? yes

19. How are manure collection, storage and removal being addressed?
We will be composting the manure along with soil and vegetable scraps. Turning it as needed + monitoring the temperature. We will use the compost to enrich our soil.

20. What efforts are being made to keep excessive noise and odor from bothering neighboring properties? ① long distance from neighbors ② talking with neighbors ③ starting out small

Signature: The above statements are true and correct to the best of my knowledge. Further, I have read and will comply with the requirements as found in Section 8.12 of Mt. Lake City Code.

Applicant Signature: Robert D. Bauer / Steven Hardin

Property Owner Signature: Robert D. Bauer / Steven Hardin

Date: April 11, 2014

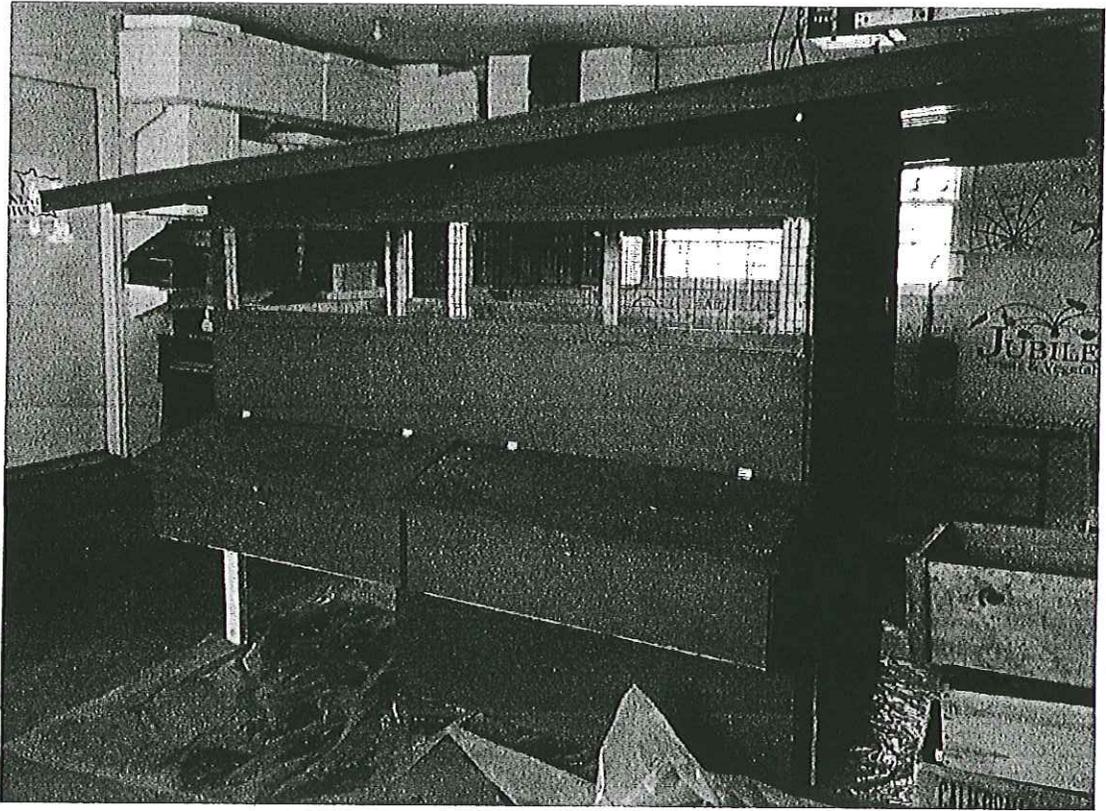


Explanation on back

7. Our grazing method will use paddocks that will rotate over the back acreage.

Chickens will have their runs rotated where our vegetable beds are located.

White rectangle is where we hope to build a sheep barn when needed.



Chicken House

Wendy Meyer

From: Judy Harder <jubilee@mtlake.org>
Sent: Monday, April 14, 2014 11:02 AM
To: Wendy Meyer
Subject: poultry netting

Hello Wendy,

The poultry netting will be a 12 wire polywoven mesh, electric fence, 42" high. The dimensions of the fence will be about 25' x 10' with the chicken house inside of it. We will be purchasing the fencing from the Halls.

Thanks,
Judy

—
Jubilee Fruits and Vegetables
1310 Mountain Lake Road
Mountain Lake, MN 56159
507-360-3293
<http://jubilee.mtlake.org>

35

CITY OF MOUNTAIN LAKE, MINNESOTA

RESOLUTION #16-14

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW FARM ANIMALS IN THE GENERAL COMMERCIAL (C-2) ANIMAL OVERLAY DISTRICT PARCEL NUMBERS 22.442.0070 , LOT 6, BLOCK 1; LOT 2-5, BLOCK1; LOTS 4-7, BLOCK 2; AND VACATED DICKMAN STREET, NORTH OF HIGHWAY; KLEIN'S SUBDIVISION; PIN 22.004.0102, SECTION 4, TOWNSHIP 105, RANGE 34, TRACT IN THE NE1/4 Ne1/4 ANNEXATION FROM MT.LAKE TOWNSHIP; PIN 22.421.0010 – LOT 1, BLOCK 1, JENNY'S SUBIDIVISION IN THE CITY OF MT. LAKE.

WHEREAS, Steve and Judy Harder, Jubilee Fruits and Vegetables, are the current owners of above named property; and

WHEREAS, Steve and Judy Harder, Jubilee Fruits and Vegetables, stated their intent to keep farm animals at the above named property; and

WHEREAS, said tract is presently zoned as 'R' Residential Use District and General Commercial (C-2) District and the Animal Overlay District classification, wherein the keeping of farm animals is an allowable conditional use; and

WHEREAS, Steve and Judy Harder, Jubilee Fruits and Vegetables have submitted to the City an application for a conditional use permit to allow the keeping of farm animal on said tract; and

WHEREAS, the City of Mt. Lake Planning and Zoning Commission conducted a public hearing on April 28, 2014 to consider said conditional use permit application and at the conclusion of said hearing passed a motion recommending the approval of a conditional use permit with the condition listed below, as set forth in Mt. Lake Ordinance Section 9.21, 9.11 and 8.12 allowing the keeping of farm animals in Districts zoned Residential, General Commercial and Animal Overlay; and

Type and Number of Animals – the City must be notified if changes are made to the type and number of animals comprising the six animals units as listed in the application.

WHEREAS, the Mt. Lake City Council upon the recommendation of the Planning and Zoning Commission considered granting a conditional use permit to allow the keeping of farm animals in Districts zoned Residential, General Commercial and Animal Overlay;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MT. LAKE, MN: That a conditional use permit allowing the keeping of farm animals with a condition on the above named tract is hereby approved, and,

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF MT. LAKE, MN: That the conditional use shall be in accordance with City Codes, Ordinances and other requirements; and,

BE IT FURTHER RESOLVED BY SAID CITY COUNCIL that this Resolution shall become effective after its passage and approval.

PASSED AND ADOPTED by the City Council of the City of Mt. Lake, MN on this 5th day of May 2014.

36

FINDINGS OF FACT

JUDY AND STEVE HARDER CONDITIONAL USE

PIN 22.442.0070 - Lot 6, Block 1; Lot 2-5, Block 1; Lots 4-7, Block 2; and vacated Dickman St. N. of Hwy 60; Klein's Subd.

PIN 22.004.0102 – Section 4, Township 105, Range 34, Tract in the NE1/4 Ne1/4 Annexation from Mt. Lake Township

PIN 22.421.0010 – Lot 1, Block 1, Jenny's Subd.

1310 Mt. Lake Road.

1. The conditional use was submitted in compliance with city code. An application has been submitted by Judy and Steve Harder, property owner, as required by Mt. Lake Code Section 9.70 Subd. 4 Conditional Use Permits; Section 9.21 Subd. 3. #14, Conditional Use in the General Commercial District; Section 8.12 Animal Regulation and Section 9.31 Animal Overlay District. The owners are requesting they be allowed a total of six (6) animal units on their General Commercial (C-2) property.
2. The conditional use request was made public in compliance with city code and state law. The Notice of Public Hearing was published on April 16, 2014, at least 10 days but no more than 30 days, in the Mt. Lake/Butterfield Observer/Advocate, posted in City Hall and on the city's website. Property owners within 500 ft. of the property received mailed notification of the hearing. A public hearing was held on Mon. April 28, 2014 at 6:00 pm before the Planning and Zoning Commission. No written comments were received. At the hearing Steve and Judy Harder explained their business and plan to add farm animals. Cindy Garcia, a neighbor, spoke in support of the Harders petition.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The property contains 21.2 acres and is in the animal overlay district. The minimum number of acres needed for six animal units is 14. Six animals units are the maximum number allowed in the animal overlay district. Structure and grazing area setbacks will meet the setback and location requirements of the ordinance. The Harders have taken steps to prevent offensive odors from being noticed off the property. Electric fencing will be used in rotational grazing. Four inch by six inch signs will be placed along the fence at 300' intervals to protect and notify neighbors and others. The building to house the animals will be located east of Harders

house; the next lot to the east also belongs to the Harders. Hay, straw and other materials will not be visible off-site. The Commission determined that the following condition should be adopted:

Type and Number of Animals – the City must be notified if changes are made to the type and number of animals comprising the six animals units as listed in the application.

4. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding vacant property for predominant uses in the area. The area to the north and west of the property while zoned residential contains open areas in addition to homes. The area to the east with large lots is zoned General Commercial or Industrial. The Harders own the property to the south which abuts Hwy. 60. The proposed use will not impede the development and improvement of these properties.

5. That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided for the conditional use. The property has water, sewer and electric services provided by the City of Mt. Lake. The property is and will continue to be accessed from Mt. Lake Rd. Storm water run-off is and will continue to be held on the 21.2 acre parcel. The use will not have an effect on utilities, roads or drainage.

6. That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the conditional use. The use will not have an affect parking in the area. There is adequate off-site parking and loading space.

7. That adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibrations, so that none of these will constitute a nuisance and to control lighted signs and other lights in such a manner that on disturbance to neighboring properties will result. Feed will be stored in plastic barrels. Hay and straw will not be visible off the property. Structures and grazing area setbacks will meet the setback and location requirements of the ordinance. There will be no lighted signs or other lights.

8. That proper facilities are provided which would eliminate any traffic congestion or traffic hazard, which may result from the proposed conditional use. There are adequate streets to safely move traffic to and from the property.

9. There is a demonstrated need for the proposed conditional use.

Interest in locally grown produce and community supported agriculture is growing across the country... The Harders are part of that trend; Jubilee Fruits and Vegetables was established to provide fresh produce and healthy food options locally. Jubilee has brought a 'new and different' retail business to Mt. Lake. The Harders will be building a store/cleaning area/kitchen/restaurant on their property in 2014. They are interested in adding farm animals in a way that supports the production of produce. This expansion will attract additional visitors.

10. The proposed conditional use is in compliance with the City Comprehensive Plan. The use is consistent with city land use plan (2006) and the intent of the zoning district. Goal #2 in Community Enhancement Element of the Plan is 'Promote community spirit and unity, and enhance Mt. Lake's character and identity'. One of the eight strategies is 'Encourage diversity'. Goal #2 in the Economic Development Element is 'Support the development of a strong, diversified, and growing economic base and create a favorable climate for economic development and ongoing business activities'. The conditional use is consistent with city land use plan. The City recently completed the revision of its ordinances to allow farm animals as a conditional use in areas of the city when stringent requirements are met. This use was the intent of those revisions to City code.

CITY OF MOUNTAIN LAKE, MINNESOTA

RESOLUTION #17-14

A RESOLUTION ORDERING THE REPAIR OR REMOVAL OF A HAZARDOUS BUILDING UNDER MINNESOTA STATUTE 463.15 TO 463.61, IN THE MATTER OF HAZARDOUS BUILDING LOCATED AT: 412 7nd STREET NORTH, MOUNTAIN LAKE; MINNESOTA. LEGALLY DESCRIBED AS: PARCEL NUMBER: 22.520.1740; N67' OF S84' W1/2 ALLEY BETWEEN LOTS 10 AND 11; N67' OF S84' LOTS 11 AND 12, BLOCK 20, ORIGINAL TOWNSITE

TO: ERIC KRUGER, OWNER OF RECORD

- 1. Pursuant to Minnesota Statutes, Section 463.15 to 463. 61 the Council of the City of Mountain Lake, duly considered the matter, finds the above buildings to be hazardous for the following reasons:**
 - a. The dwelling has not been maintained. There has been no maintenance for years. The dwelling has broken and loose -opening windows that allows animals and rodents into the basement.
 - b. The dwelling sustained a fire ten years ago and the owner has not made any repairs.
 - c. The owner is using a rear basement window for egress to the dwelling.
 - d. The foundation has not been maintained and is questionable due to the over growth of trees. The dwelling as it sits today is enforceable under Minnesota Statute 463.15.
 - e. The roof in the dwelling has started to fail due to lack of repair. The garage had a tarp over the shingles that had been weathered.
 - f. There is no water or working sanitary sewer as required under 463.15 for removal of sanitation and the concern of cholera and diphtheria.
 - g. There is no electricity. Therefore there is no heating and the owner is not able to maintain a temperature of 68 degrees three feet above the floor 24 hours per day. This is a violation of the housing code.
 - h. The City of Mt. Lake Building Inspector has stated that the cost of repairs will exceed the value of the dwelling.

2. **Pursuant to the forgoing findings and in accordance with Minnesota Statutes, Sections 463.15 to 463.261, the council hereby orders the record owners of the above hazardous building to repair or raze such building in order to a safe environment and not detrimental to the public health, welfare and safety.**
 - a. The City of City of Mountain Lake Building Official has made recommendation that the building be repaired or razed to protect the health and safely of the public.
 - b. The City of Mountain Lake acknowledges that the City Police Chief and City Attorney have been unable to get the owner of record to make any repairs or gain entry to make an inspection of the interior.
 - c. The City of Mountain Lake acknowledges that at this time the dwelling continues to dilapidate and be a safety and health risk to the public. The Building Official inspected the property on April 14, 2014.
 - d. The City of Mountain Lake acknowledges the dwelling is occupied.
3. **The council further orders that unless such corrective action is taken or an answer is served upon the City of Mountain Lake and filed in the Office of the Clerk of District Court of Cottonwood County, Minnesota within 20 days from the date of the service and order, a motion for summary enforcement of this order will be made to the District Court of Cottonwood County.**
4. **The council further orders that if the city is compelled to take any corrective action herein, all necessary cost expended by the city will be assessed against the real estate concerned and collected in accordance with Minnesota Statutes 463.22.**
5. **The mayor, clerk, city attorney, and other officer and employees of the city are authorized and directed to take such action, prepare, sign, and serve such papers as are necessary to comply with this order and to assess the costs thereof against the real estate described above for collection along with taxes.**

Mayor

City Clerk

41



Mountain Lake Public Schools

450 12th Street, P. O. Box 400

Mountain Lake, MN 56159

Phone: (507) 427-2325 / Fax: (507) 427-3047

April, 16, 2014

To: City of Mountain Lake
Wendy Meyer

From: Kim Naas – Business Manager

Re: 1st Quarter Billing

The Mountain Lake Public School would like to thank the City of Mountain Lake for being willing to contribute to the indoor pool located in our school. This billing is for the 1st Quarter of 2014.

Revenue Totals	\$ 2,374.30
Expenditure Totals	<u>\$ 9,736.08</u>
Net Loss	\$ 7,361.78

As per the Swimming Pool Agreement the Mountain Lake Public School and the City of Mountain Lake will share 50/50 of the swimming facility costs up to \$15,000.00/year for three years, ending in 2014 (due to 1 year extension). 50% of the 1st Quarter's facility costs would be \$3,680.89. Once again I want to thank the City of Mountain Lake for this contribution. Your help allows our pool to stay open and meet the needs of those who live in and around Mountain Lake.

Please make check payable to: Independent School District #173
450 12th Street
PO Box 400
Mountain Lake, MN 56159

If you should have any questions regarding this invoice please feel free to contact either Bill Strom at 427-2325 Ext. 105 or Kim Naas at 427-2325 Ext. 101. Both of us would be happy to answer any questions or supply additional information that you may need.

42

Laker Electric, Inc.
520 3rd Ave
PO Box 466
Mountain Lake, MN 56159

Proposal

Date	Proposal #
4/28/2014	161

Name / Address
City of Mt Lake Drawer C Mt Lake, MN 56159

We hereby submit specifications and estimates for:

Retrofit Fixtures At Community Center
Retrofit (39) 8' Two Lamp T12 Slimline Fixtures
with (4) T8 Lamps
Retrofit (4) 4' Four Lamp T12 Fixtures with T8
Lamps
Retrofit (7) 4' Two Lamp T12 Fixtures with T8
Lamps
Replace 3) 8' Two Lamp T12 Fixtures with 4 Lamp
T8 Fixture

We Propose hereby to furnish material, labor, and/or inspection fees -- complete in accordance with above specifications, for the sum of:

Five Thousand Four Hundred Sixty dollars (\$ 5460.00). ...

Payment to be made as per billings

Authorized Signature Larry E. Brandt

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Signature _____

Date of Acceptance: _____

All material is guaranteed to be as specified. All work to be completed in a workmanlike manor according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance.

43

Laker Electric, Inc.
520 3rd Ave
PO Box 466
Mountain Lake, MN 56159

Proposal

Date	Proposal #
4/28/2014	171

Name / Address
City of Mt Lake Drawer C Mt Lake, MN 56159

We hereby submit specifications and estimates for:

Replace Fixtures At Community Center
(42) 8' Fixtures (4) T8 Lamps
(4) 4' W/Lens (4) T8 Lamps
(7) 4' W/Lens (2) T/8 Lamps

We Propose hereby to furnish material, labor, and/or inspection fees -- complete in accordance with above specifications, for the sum of:

Six Thousand Five Hundred Thirty dollars (\$ 6530.00). ...

Payment to be made as per billings

Authorized Signature Ramy E. Brant

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Signature _____

Date of Acceptance: _____

All material is guaranteed to be as specified. All work to be completed in a workmanlike manor according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance.

44