

**Regular Council Meeting
Mountain Lake City Hall
Monday, October 16, 2017
6:30 p.m.**

AGENDA

1. Meeting Called to Order
 - * Further information on agenda item is attached
2. Approval of Agenda and Consent Agenda
 - a. Bills: Check #'s 20408 - 20467; 506E, 508E – 509E *(1-6)
 - b. Approval of Payroll Checks #'s 63437 - 63471
 - c. Approval of October 2 Council Minutes*(7-10)
 - d. September Library Board Minutes, September Library Report, September Expenditures*(11-13)
 - e. July 11 Tree Commission Minutes*(14)
 - f. September 28 Utility Commission Minutes*(15)
 - g. September 11 Lake Commission Minutes*(16-17)
 - h. September 8 Economic Development Authority Minutes*(18-20)
3. Public – A total of ten (10) minutes is allotted for individuals to briefly discuss a topic of concern with the Council.
4. Floodplain Management Ordinance #28-17
 - a. Ordinance*(21-30)
 - b. Floodplain Map as of 1-2-1981*(31)
 - c. Discussion of Floodplain Map*(32-34)
5. Zarembo Group/Dollar General
 - a. Memo*(35)
 - b. Option #1*(36-37)
 - c. Option #2*(38-39)
 - d. Business Subsidy Summary*(40)
 - e. Tax Abatement Information*(41-43)
6. Review of 2017 Budget and Current Fund Cash Balances – separate packets
7. City Attorney –Update
8. School Board Update
9. Administrator
 - a. Broadcasting Council Meetings*(44)
 - b. Community Center*(45-46)
10. Adjourn

Board of Appeal and Equalization Training: <http://www.revenue.state.mn.us>

- Upcoming Meetings
 - School Board Meeting, 5:30 p.m. Monday October 16
 - School Board Meeting, 5:30 p.m. Monday November 20
 - Coffee with the Council, 12 noon, Friday, November 17, The Laker

CITY OF MOUNTAIN LAKE

10/13/17 11:15 AM

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October 16, 2017
mtg

20408-20467
506E, 508E-509E

October 2017

Check Amt Invoice Comment

10100 United Prairie

Paid Chk#	Date	Account	Check Amt	Invoice	Comment
Paid Chk# 020408	10/2/2017	ALERT-ALL CORP			
E 221-42200-430		Miscellaneous	\$775.00	W16839	SUPPLIES FOR FIRE PREVENTION WEEK
		Total ALERT-ALL CORP	\$775.00		
Paid Chk# 020409	10/2/2017	AMAZON			
E 211-45500-590		Capital Outlay Books	\$219.54		LIBRARY BOOKS
		Total AMAZON	\$219.54		
Paid Chk# 020410	10/2/2017	BRIGGS AND MORGAN			
E 485-46300-434		Project Expense	\$8,500.00		PROFESSIONAL SERVICES COMMERCIAL PARK
		Total BRIGGS AND MORGAN	\$8,500.00		
Paid Chk# 020411	10/2/2017	CARCHIOUS RODNEY			
E 608-46330-401		Repairs/Maint Buildings	\$24.75		AUGUST ADD'L HOURS
E 607-46330-401		Repairs/Maint Buildings	\$12.75		AUGUST ADD' L HOURS
		Total CARCHIOUS RODNEY	\$37.50		
Paid Chk# 020412	10/2/2017	CARDMEMBER SERVICE			
E 101-00000-430		Miscellaneous	\$19.98		NETWORK COMPUTER CRASH PLAN-MONTHLY
		Total CARDMEMBER SERVICE	\$19.98		
Paid Chk# 020413	10/2/2017	CITIZEN PUBLISHING			
E 101-41400-351		Legal Notices Publishing	\$40.00		DIGITAL UPLOAD
E 101-41400-351		Legal Notices Publishing	\$54.60	9/13/17	ORDINANCE #6-17
E 101-41400-351		Legal Notices Publishing	\$234.00	9/6/17	REDEVELOP PROJ 1
E 101-41400-351		Legal Notices Publishing	\$62.40	9/6/17	PUBLIC HUNTING ON TRAIL REMINDER
E 101-41400-351		Legal Notices Publishing	\$187.20	9/6/17	DISCLOSURE NOTICE
		Total CITIZEN PUBLISHING	\$578.20		
Paid Chk# 020414	10/2/2017	CONSUMER REPORTS			
E 211-45500-591		Periodicals	\$49.00		LIBRARY PERIODICALS-2 YR
		Total CONSUMER REPORTS	\$49.00		
Paid Chk# 020415	10/2/2017	FRONTIER			
E 211-45500-321		Telephone	\$65.52		LIBRARY PHONE-427-2151
		Total FRONTIER	\$65.52		
Paid Chk# 020416	10/2/2017	MILLER SELLNER EQUIPMENT			
E 221-42200-404		Repairs/Maint Machinery/Equip	\$24.46	91742B	PARTS-FIRE DEPT
		Total MILLER SELLNER EQUIPMENT	\$24.46		
Paid Chk# 020417	10/2/2017	MINNESOTA ENERGY RESOURCE CORP			
E 101-41400-383		Gas Utilities	\$66.32		CITY HALL GAS-ACCT#0505387558
E 221-42200-383		Gas Utilities	\$32.22		FIRE DEPT PORTION OF FIREHALL GAS-ACCT#0507634940
E 231-42154-383		Gas Utilities	\$15.87		AMB PORTION OF FIREHALL GAS-ACCT#0507634940
E 101-43100-383		Gas Utilities	\$239.76		STREET GARAGE GAS-ACCT#0503270939
E 211-45500-383		Gas Utilities	\$48.09		LIBRARY GAS-ACCT#0502593301
E 101-45186-383		Gas Utilities	\$102.70		SR CTR GAS-ACCT#0504742031
		al MINNESOTA ENERGY RESOURCE CORP	\$504.96		
Paid Chk# 020418	10/2/2017	MUNICIPAL UTILITIES			
E 101-41400-200		Office Supplies	\$209.33		CITY-POSTAGE-7/7/17 TO 9/29/2017
E 101-42100-200		Office Supplies	\$1.38		PD-POSTAGE-7/7/17 TO 9/29/2017
E 205-46500-200		Office Supplies	\$39.04		EDA-POSTAGE-7/7/17 TO 9/29/2017

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		Check Amt	Invoice	Comment
Total MUNICIPAL UTILITIES		\$249.75		
Paid Chk# 020419	10/2/2017 PEOPLE			
E 211-45500-591	Periodicals	\$221.54		LIBRARY PERIODICALS-2 YR
Total PEOPLE		\$221.54		
Paid Chk# 020420	10/2/2017 PRAXAIR			
E 231-42154-210	Operating Supplies	\$86.56	79047876	OXYGEN FOR AMBULANCE
Total PRAXAIR		\$86.56		
Paid Chk# 020421	10/2/2017 THIRD AVENUE AUTO PARTS			
E 101-43100-404	Repairs/Maint Machinery/Equip	(\$3.00)		CREDIT
G 240-10640	Custom Motors Loan	\$49.98	S162839	CUSTOM MOTORS BOAT STORAGW
E 101-45210-402	Repairs/Maint- Ground	\$54.67	S163164	TRAIL-THINNER,GREASE REMOVER,SCOTCHBRITE PAD
E 101-43100-404	Repairs/Maint Machinery/Equip	\$17.09	S163272	SWITCH FOR ROLLER
E 101-43100-404	Repairs/Maint Machinery/Equip	\$4.59	S163319	MARINE ANTI-FREEZE
Total THIRD AVENUE AUTO PARTS		\$123.33		
Paid Chk# 020422	10/2/2017 TOWNS EDGE AUTO			
E 221-42200-404	Repairs/Maint Machinery/Equip	\$702.20	79868	FD-PRIMER MOTOR ON PUMP #92
Total TOWNS EDGE AUTO		\$702.20		
Paid Chk# 020423	10/2/2017 WOMAN S DAY			
E 211-45500-591	Periodicals	\$6.00		LIBRARY
Total WOMAN S DAY		\$6.00		
Paid Chk# 020424	10/9/2017 COMMISSIONER OF REVENUE			
G 101-21702	State Withholding	\$86.56		
Total COMMISSIONER OF REVENUE		\$86.56		
Paid Chk# 020425	10/9/2017 INTERNAL REVENUE SERVICE			
G 101-21703	FICA Tax Withholding	\$886.68		
G 101-21701	Federal Withholding	\$184.21		
Total INTERNAL REVENUE SERVICE		\$1,070.89		
Paid Chk# 020426	10/3/2017 GM CONTRACTING			
E 485-46300-434	Project Expense	\$278,232.68		PAY ESTIMATE #1-COMMERICAL PARK
Total GM CONTRACTING		\$278,232.68		
Paid Chk# 020427	10/12/2017 AFLAC			
G 101-21713	AFLAC	\$186.96		
Total AFLAC		\$186.96		
Paid Chk# 020428	10/12/2017 BCBS/HSA			
G 101-21714	HSA	\$443.85		
Total BCBS/HSA		\$443.85		
Paid Chk# 020429	10/12/2017 COMMISSIONER OF REVENUE			
G 101-21702	State Withholding	\$797.15		
Total COMMISSIONER OF REVENUE		\$797.15		
Paid Chk# 020430	10/12/2017 GISLASON & HUNTER			
G 101-21712	Garnishments	\$382.54		
Total GISLASON & HUNTER		\$382.54		
Paid Chk# 020431	10/12/2017 INTERNAL REVENUE SERVICE			

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		Check Amt	Invoice	Comment
G 101-21701	Federal Withholding	\$1,806.19		
G 101-21703	FICA Tax Withholding	\$2,398.92		
Total INTERNAL REVENUE SERVICE		\$4,205.11		
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Paid Chk# 020432	10/12/2017	LAW ENFORCEMENT LABOR SERV		
G 101-21711	PD UNION DUES	\$147.00		
Total LAW ENFORCEMENT LABOR SERV		\$147.00		
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Paid Chk# 020433	10/12/2017	PERA		
G 101-21704	PERA	\$4,326.54		
Total PERA		\$4,326.54		
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Paid Chk# 020434	10/12/2017	VALIC		
G 101-21705	VALIC	\$388.00		
Total VALIC		\$388.00		
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Paid Chk# 020435	10/10/2017	FORD OF HIBBING		
E 101-42100-550	Motor Vehicles	\$27,243.00		2017 FORD EXPLORER SN#1FM5K8AR4HGE00931
Total FORD OF HIBBING		\$27,243.00		
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Paid Chk# 020436	10/13/2017	BOLTON & MENK INC.		
E 485-46300-434	Project Expense	\$24,030.50	0208603	ENGINEERING COMMERCIAL PARK
Total BOLTON & MENK INC.		\$24,030.50		
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Paid Chk# 020437	10/13/2017	BRAUN INTERTEC		
E 303-47000-430	Miscellaneous	\$1,995.00	B1707229	POPD KERNS WATER INTRUSION
Total BRAUN INTERTEC		\$1,995.00		
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Paid Chk# 020438	10/13/2017	BRUNTON ARCHITECHTS LTD		
E 450-46300-354	Real Estate Taxes	\$33,750.00	170147	DOWNTOWN REDEVELOPMENT
Total BRUNTON ARCHITECHTS LTD		\$33,750.00		
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Paid Chk# 020439	10/13/2017	CITIZEN PUBLISHING		
E 205-46500-343	Busnes Recrut/Comm Dev	\$295.50		FALL IMPROVEMENT ADVERTISING
Total CITIZEN PUBLISHING		\$295.50		
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Paid Chk# 020440	10/13/2017	DARON J. FRIESEN		
E 609-46330-402	Repairs/Maint- Ground	\$255.00		MOWING MASON MANOR
E 608-46330-402	Repairs/Maint- Ground	\$108.90		MOWING HERITAGE ESTATES
E 607-46330-402	Repairs/Maint- Ground	\$56.10		MOWING HERITAGE ESTATES
Total DARON J. FRIESEN		\$420.00		
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Paid Chk# 020441	10/13/2017	NORTHLAND SECURITIES		
E 450-46300-354	Real Estate Taxes	\$2,300.00	5056	MODIFICATION TO TIF DISTRICT
Total NORTHLAND SECURITIES		\$2,300.00		
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Paid Chk# 020442	10/13/2017	NORTHLAND SECURITIES		
E 450-46300-434	Project Expense	\$1,300.00	5070	SERVICES FOR DOWNTOWN TIF DISTRICT
Total NORTHLAND SECURITIES		\$1,300.00		
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Paid Chk# 020443	10/13/2017	ADVANCED SYSTEMS INC		
E 101-00000-430	Miscellaneous	\$0.03	571784	CHAMBER-COPIES ON B&W COPIER 7/12/17 TO 10/11/17
E 101-41400-200	Office Supplies	\$64.47	571784	CITY-COPIES ON B&W COPIER 7/12/17 TO 10/11/17
E 205-46500-200	Office Supplies	\$5.52	571784	EDA-COPIES ON B&W COPIER 7/12/17 TO 10/11/17
Total ADVANCED SYSTEMS INC		\$70.02		

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			Check Amt	Invoice	Comment
Paid Chk#	020444	10/13/2017	ALPHA WIRELESS COMMUNICATIONS		
E 221-42200-404	Repairs/Maint Machinery/Equip		\$86.56	691995	BATTERIES FOR RADIOS
E 231-42154-404	Repairs/Maint Machinery/Equip		\$86.56	691995	BATTERIES FOR RADIOS
otal ALPHA WIRELESS COMMUNICATIONS			\$173.12		
Paid Chk#	020445	10/13/2017	AMERICAN ACCOUNTS & ADVISERS		
R 231-42154-34205	Ambulance Services		\$28.70	MOU01-1	AMBULANCE ACCTS REC COLLECTION
Total AMERICAN ACCOUNTS & ADVISERS			\$28.70		
Paid Chk#	020446	10/13/2017	AMERIPRIDE		
E 101-43100-215	Shop Supplies		\$35.41	2800806924	TOWELS FOR ST DEPT
E 101-41400-401	Repairs/Maint Buildings		\$45.82	2800806924	MATS FOR CITY HALL
Total AMERIPRIDE			\$81.23		
Paid Chk#	020447	10/13/2017	BOUND TREE MEDICAL		
E 231-42154-210	Operating Supplies		\$60.36	82646996	OXYGEN MASKS, GERMICIDAL WIPES-AMBULANCE
Total BOUND TREE MEDICAL			\$60.36		
Paid Chk#	020448	10/13/2017	C & B OPERATIONS LLC		
E 101-43100-404	Repairs/Maint Machinery/Equip		\$42.53	2457592	PARTS-ST DEPT
Total C & B OPERATIONS LLC			\$42.53		
Paid Chk#	020449	10/13/2017	CARQUEST AUTO PARTS STORES		
E 101-00000-430	Miscellaneous		\$127.58		PAINT FOR TRAIL BENCHES-MINI-GRANT
Total CARQUEST AUTO PARTS STORES			\$127.58		
Paid Chk#	020450	10/13/2017	CASEYS-CREDIT CARD DEPARTMENT		
E 101-45200-212	Motor Fuels		\$112.38		PARKS GAS
E 101-43100-212	Motor Fuels		\$102.03		ST DEPT GAS
E 101-00000-430	Miscellaneous		\$72.75	9/26	UT GAS (BILLED THEM)
E 507-46103-212	Motor Fuels		\$49.35	9/26/17	LAKE COMM-TAKE CANS TO MANKATO
otal CASEYS-CREDIT CARD DEPARTMENT			\$336.51		
Paid Chk#	020451	10/13/2017	COMPUTER LODGE		
E 101-41400-200	Office Supplies		\$128.24	9697	COMPUTER MONITOR FOR SERVER
G 101-15500	Prepaid Items		\$3,400.00	9850	40 COMPUTER TIME
Total COMPUTER LODGE			\$3,528.24		
Paid Chk#	020452	10/13/2017	COUNTRY PRIDE SERVICES		
E 231-42154-212	Motor Fuels		\$206.28		AMB FUEL
E 101-42100-212	Motor Fuels		\$621.28		PD GAS
E 101-43100-212	Motor Fuels		\$562.32		ST DEPT GAS
E 101-45200-212	Motor Fuels		\$151.82		PARKS GAS
E 609-46330-401	Repairs/Maint Buildings		\$73.73	183334	SMOKE/CO2 ALARM
E 221-42200-404	Repairs/Maint Machinery/Equip		\$9.61	183414	FD-BALL VALVE
E 607-46330-401	Repairs/Maint Buildings		\$73.49	183713,18428	LABOR-HOTZLER, BATTERY
E 608-46330-401	Repairs/Maint Buildings		\$227.59	183713,18428	FAUCET-KRINGLE, BATTERY
E 101-41400-401	Repairs/Maint Buildings		\$146.92	183727	CITY HALL-FAUCET,LABOR
E 101-45200-210	Operating Supplies		\$60.13	183842,18416	PARKS-GARBAGE BAGS,DRAIN TRAP,TANK SPRAYER
E 211-45500-220	Repair/Maint Supply		\$38.21	183924	LIBRARY-CLEANING SUPPLIES
E 101-45183-401	Repairs/Maint Buildings		\$36.95	184201,18438	CAMPGROUND-BALLAST,GASKET
E 231-42154-401	Repairs/Maint Buildings		\$11.16	184497	AMB-DOOR ROLLER & HINGE
E 221-42200-430	Miscellaneous		\$177.09	184513	FD-FOR HOUSE BURN SHOVEL,BATTERIES
Total COUNTRY PRIDE SERVICES			\$2,396.58		

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			Check Amt	Invoice	Comment
Paid Chk# 020453	10/13/2017	DOUG BRISTOL			
E 101-42100-430	Miscellaneous		\$76.55		FLASHLIGHT
	Total DOUG BRISTOL		\$76.55		
Paid Chk# 020454	10/13/2017	DUININCK			
E 101-43121-224	Street Maint Materials		\$1,573.80	528671	TAR GOLF COURSE ROAD & MT LAKE ROAD
E 101-43121-224	Street Maint Materials		\$795.53	528787	TAR GOLF COURSE ROAD
	Total DUININCK		\$2,369.33		
Paid Chk# 020455	10/13/2017	HOMETOWN SANITATION SERVICE			
E 101-45183-384	Refuse/Garbage Disposal		\$120.00	263131	OCTOBER GARBAGE-CAMPGROUND
	Total HOMETOWN SANITATION SERVICE		\$120.00		
Paid Chk# 020456	10/13/2017	JAY SCHIED			
E 101-45210-402	Repairs/Maint- Ground		\$19.98		LAKE TRAIL-POTHOLE PATCH,GAS FOR CHAINSAW
	Total JAY SCHIED		\$19.98		
Paid Chk# 020457	10/13/2017	KDOM RADIO			
E 101-00000-430	Miscellaneous		\$29.50	540170943497	MONTHLY ADV
	Total KDOM RADIO		\$29.50		
Paid Chk# 020458	10/13/2017	LOHRENZ EXCAVATING INC.			
E 507-46103-430	Miscellaneous		\$11,727.50	6833	MT LAKE GOLF COURSE SEDIMENT BASIN
	Total LOHRENZ EXCAVATING INC.		\$11,727.50		
Paid Chk# 020459	10/13/2017	MAYNARDS FOOD CENTER			
E 101-41400-200	Office Supplies		\$6.40	9/19/	TP FOR CITY HALL
E 101-41400-200	Office Supplies		\$6.40	9/6/17	TP FOR CITY HALL
E 205-46500-430	Miscellaneous		\$42.84	9/8/17	9-8-17 EDA MTG LUNCH
	Total MAYNARDS FOOD CENTER		\$55.64		
Paid Chk# 020460	10/13/2017	MIDWAY FARM EQUIPMENT			
E 101-43100-404	Repairs/Maint Machinery/Equip		\$102.75	IM27076	BATTERY-ST55
E 101-43100-404	Repairs/Maint Machinery/Equip		\$183.03	TM01505	REPAIR 720A GRADER
	Total MIDWAY FARM EQUIPMENT		\$285.78		
Paid Chk# 020461	10/13/2017	NORTHERN SAFETY CO			
E 101-43100-215	Shop Supplies		\$140.67	902228449/10	GLOVES-ST DEPT
	Total NORTHERN SAFETY CO		\$140.67		
Paid Chk# 020462	10/13/2017	RADTKE WELDING			
E 101-00000-430	Miscellaneous		\$1,296.00	9237	LAKE TRAIL BENCHES-MINI GRANT
	Total RADTKE WELDING		\$1,296.00		
Paid Chk# 020463	10/13/2017	SMC			
E 101-43121-224	Street Maint Materials		\$944.90	1431842	TAR-MT LAKE ROAD
E 101-00000-430	Miscellaneous		\$110.00	1431842	TAR-WATER DEPT 11TH ST
	Total SMC		\$1,054.90		
Paid Chk# 020464	10/13/2017	SOUTHWEST REGIONAL DEVELOPMENT			
E 101-00000-430	Miscellaneous		\$2,150.00		CONTRACT-HEALTH PARTNERS MINI GRANT
	SOUTHWEST REGIONAL DEVELOPMENT		\$2,150.00		
Paid Chk# 020465	10/13/2017	SWWC SERVICE COOPERATIVES			
E 101-42100-131	Employer Paid Health		\$3,162.84		NOVEMBER HEALTH INS-POLICE DEPT
E 101-41400-131	Employer Paid Health		\$2,431.84		NOVEMBER HEALTH INS-OFFICE
E 101-43100-131	Employer Paid Health		\$2,213.00		NOVEMBER HEALTH INS-ST DEPT

(5)

CITY OF MOUNTAIN LAKE

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		Check Amt	Invoice	Comment
E 101-45200-131	Employer Paid Health	\$729.55		NOVEMBER HEALTH INS-PARKS DEPT
E 211-45500-131	Employer Paid Health	\$1,215.92		NOVEMBER HEALTH INS-LIBRARY
E 101-46200-131	Employer Paid Health	\$705.21		NOVEMBER HEALTH INS-CEMETERY
E 205-46500-131	Employer Paid Health	\$1,215.92		NOVEMBER HEALTH INS-EDA
E 101-42100-135	Employer Paid Other	\$430.00		NOVEMBER HEALTH INS-BRIAN LUNZ
Total SW/WC SERVICE COOPERATIVES		\$12,104.28		

Paid Chk#	Date	Account	Check Amt	Invoice	Comment
020466	10/13/2017	UNTAMED MOUSE			
E 101-00000-430	Miscellaneous	\$497.50	1500		METAL SIGNS-HEALTH PARTNERS MINI GRANT
Total UNTAMED MOUSE		\$497.50			

Paid Chk#	Date	Account	Check Amt	Invoice	Comment
020467	10/13/2017	WESTERN COMMUNITY ACTION			
E 202-46300-434	Project Expense	\$164,197.00			DRAW #23-HOUSING
E 202-41400-434	Project Expense	\$5,433.00			DRAW #23-ADMIN
E 202-41400-434	Project Expense	(\$5,414.00)			DRAW #21-ADMIN
E 202-41400-434	Project Expense	(\$4,444.00)			DRAW #22-ADMIN
E 202-46300-434	Project Expense	\$3,122.00			REVISED DRAW #22
Total WESTERN COMMUNITY ACTION		\$162,894.00			
10100 United Prairie		\$595,431.32			

Fund Summary

<u>10100 United Prairie</u>		
101 GENERAL FUND		\$64,004.73
202 2014 SMALL CITIES DEVELOP PROG		\$162,894.00
205 ECONOMIC DEVELOPMENT AUTHORITY		\$1,598.82
211 LIBRARY FUND		\$1,863.82
221 FIRE DEPT FUND		\$1,807.14
231 AMBULANCE FUND		\$495.49
240 PROTIENT-DTED LOAN		\$49.98
303 TIF #1-5 POPD KERNS		\$1,995.00
450 DOWNTOWN-ROSS PROJECT		\$37,350.00
485 ML COMM PARK-INFRASTRUCTURE		\$310,763.18
507 LAKE COMMISSION FUND		\$11,776.85
607 EDA----4 PLEX FUND		\$142.34
608 EDA----8 PLEX FUND		\$361.24
609 EDA-- MASON MANOR		\$328.73
		\$595,431.32

Paid Chk#	Date	Account	Check Amt	Invoice	Comment
000506E	10/2/2017	STATE OF MINNESOTA			
E 101-41910-430	Miscellaneous	\$106.92			3RD QUARTER BLDG PERMIT FEES
Total STATE OF MINNESOTA		\$106.92			

Paid Chk#	Date	Account	Check Amt	Invoice	Comment
000508E	10/3/2017	STATE OF MINNESOTA			
G 101-20802	Sales Tax Payable	\$535.00			3RD QTR 2017 CAMPGROUND TAX
Total STATE OF MINNESOTA		\$535.00			

Paid Chk#	Date	Account	Check Amt	Invoice	Comment
000509E	12/6/2017	UNITED PRAIRIE BANK			
G 609-22800	Notes Payable - Current	\$457.60			MASON MANOR-PRINC PAYMENT
E 609-46330-610	Interest	\$832.93			MASON MANOR-INTEREST PAYMENT
Total UNITED PRAIRIE BANK		\$1,290.53			

6

DRAFT
Regular Council Meeting
Mountain Lake City Hall
Monday, October 2, 2017
6:30 p.m.

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

Members Absent: Andrew Ysker

Staff Present: Wendy Meyer, Clerk/Administrator; Maryellen Suhrhoff, City Attorney, Muske, Muske and Suhrhoff, Doug Bristol, Police Chief; Tim Janzen, Ambulance Service

Others Present: Andrew Kehren, Bolton and Menk, City Engineer, Paul Johnson, Cottonwood County Emergency Services Director; Rich Gisch, Mt. Lake, Odin, Ormsby Sportmen's Club; Christopher Gisch; Doug Regehr; Rachel Yoder

Call to Order

The meeting was called to order by Mayor Nelson at 6:30p.m. Motion by Kass, seconded by Kruser, add Farabee Mechanical Payment #3, G. M. Contracting Payment #1, Dollar General Update, and Cottonwood County Winter Snow Plowing Agreement to the agenda. Motion carried. Motion by Savage, seconded by Kass, to adopt the agenda as amended and to approve the consent agenda as presented. Motion carried.

Bills: Check #'s 20378 - 20407; 503-505E

Payroll Checks #'s 63422 - 63436

September 18 Council Minutes

July 26 Library Board Minutes, July and August Library Report, July and August Expenditures

August 15 Police Commission Minutes

September 14 Utility Commission Minutes

Accept Jon Gerdes Resignation – Fire Department, effective Sept. 25, 2017

Public

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

G. M. Contracting, Dollar General, and Sportmen's Lease

Andy Kehren was present to review the first partial payment request for the work at the commercial park. Motion by Kass, seconded by Savage, to approval payment of \$278,232.68 to G.M. Contracting, Lake Crystal, MN. Motion carried.

Bringing water and sewer to the proposed Dollar General site was briefly discussed. The Utility Commission is currently considering providing financial assistance to company which may require approval of the city council.

Rich Gisch representing the Sportsmen's Club asked if MN Pollution Control Agency (MPCA) had reviewed and approved the lease agreement. Kehren said that the draft lease had been provided to the MPCA and was still under review. Both Kehren and the city attorney spoke to the importance of notifying MPCA whenever any action with the potential of impacting the city's water and sewer systems is under consideration.

National Flood Insurance Program (NFIP) Paul Johnson, Cottonwood County Emergency Management Director

The county is updating its flood insurance rate maps (FIRM). While updating Johnson learned that Mt. Lake does not participate in the National Flood Insurance Program (NFIP), therefore residents cannot purchase federally subsidized flood insurance. To enroll the city must apply, adopt a resolution stating its intent to participate, and adopt an ordinance that complies with federal and state NFIP standards. State law says the MN Department of Natural Resources (DNR) has to approve the draft ordinance before it is adopted. The council agreed that the city should participate and directed Johnson and administrator to begin the process.

Ambulance Change Order

Tim Janzen explained that the Ambulance Service is interested in updating the suspension system on the ambulance currently being manufactured. The group wants to wait until the ambulance is delivered and used to determine if the suspension is satisfactory or should be upgraded. Motion by Kass, seconded by Kruser, to authorize a change order following delivery to upgrade the ambulance suspension if needed, at a cost not to exceed \$8,000. Motion carried.

Public Nuisance Update

The list of properties that have received warning letters and in some cases tickets was reviewed. The city attorney and the police chief answered questions and explained action taken on some of the properties listed. Two properties not listed, 58571 County Road #27 and 1903 Third Avenue, were discussed.

805 Basinger Memorial Dr. Resolution #27-17 to Defer Attachment

Curt Fast is purchasing the property. The council agreed at its September 18 meeting that it would defer an attachment from a well closing for two years; and waive it if the house is rehabbed to its satisfaction by October 2, 2019. Motion by Savage, seconded by Kass, to adopt Resolution #27-17. Motion carried.

Updated Active Living Plan

The plan adopted in 2015 has been revised with new goals and strategies added and completed ones noted. The Active Living Committee has reviewed and approved the changes. Motion by Kass, seconded by Kruser, to adopt the updated plan. Motion carried.

Review and Adopt Snow Removal Policy

The policy as presented was briefly discussed. No changes are being requested. Motion by Kruser, seconded by Savage to adopt the policy has presented. Motion carried.

Cash and Investment Fund Balances

The information presented was reviewed and discussed. Additional information will be provided for the next council meeting.

Farabee Mechanical – Partial Pay Estimate #3

The pay request was briefly reviewed. Motion by Savage, seconded by Kruser, authorizing payment to Farabee Mechanical, Hickman, NE in the amount of \$164,718.90 for sub-station construction work. Motion carried.

Ice Rink Warming House Attendant

The job description and job advertisement were reviewed. Motion by Kass, seconded by Kruser, to approve the job description and advertise the position. Motion carried.

Odell Wind Farm Community Fund Applications

Motion by Kass, seconded by Kruser, authorizing the city to submit grant applications for Fire Dept. turn-out gear, Ambulance Service radios; Economic Development Authority welcome signs; and to serve as fiscal agent for the two Chamber grants, Christmas at the Village and the Christmas street light project if awarded. Motion carried.

Broadcasting Council Meetings

The administrator was directed to get a cost estimate of the equipment needed.

Community Center

The front door replacement estimate has not been received. No action taken.

Closed Meeting

Motion by Savage, seconded by Kass, to close the meeting at 8:04 PM and opened the closed meeting pursuant to MN Statutes 179.01-179A.25 to review the current American Federation of State, County and Municipal Employees (AFSCME) contract in light of a union member request.

Motion carried. Motion by Kruser, seconded by Kass, to close the close meeting and open the open meeting at 8:28 PM. Motion carried.

Water/Wastewater Superintendent Opening

Motion by Kruser, seconded by Kass, to hire David Watkins as Water/Wastewater Superintendent effective October 3, 2017 at Step 4, Public Works I, contingent on the signing of a Memorandum of Understanding regarding step placement. Motion carried.

Water/Wastewater Worker Opening

Motion by Kruser, seconded by Kass, directing the administrator to fill the open position. Motion carried.

Adjourn

The meeting was adjourned at 8:34 PM.

ATTEST:

Wendy Meyer, Clerk/Administrator

**Mountain Lake Public Library Board Minutes
September 21, 2017**

Members Present: Dennis Cords, Diane Englin, Vickie Krueger, Barrie Wright,
Carol Lehman, director

Members Absent: Marci Balderas

Others Present: Wendy Meyer, city administrator
Dana Kass, liaison

The meeting was called to order at 4:10 p.m. by vice-chair, Vickie Krueger.

M/S Cords/Englin to approve the minutes of the July 26, 2017 meeting. **Motion carried.**

Carol presented the July and August monthly reports indicating 2,856 / 3,084 total circulation and the **July and August expenditures** in the amount of \$1,079.19 / \$1,982.35. **M/S Cords/Krueger** to accept the monthly reports as given and to approve the July and August expenditures. **Motion carried.**

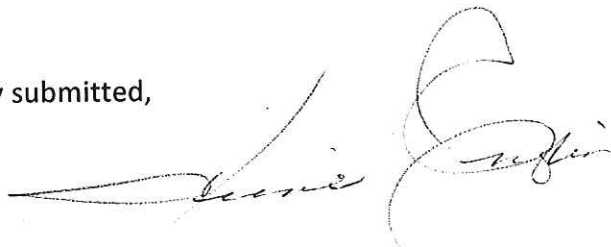
Carol reported that each city department was asked to reduce their 2018 proposed budget by .5% which equals an approximate \$900.00 decrease to the library budget. The line items to be reduced were reviewed.

The board continued their review of library policies. No action was taken.

The meeting adjourned at 5:02 p.m.

NEXT MEETING: Thursday, October 12, 2017 at 4:00 p.m.

Respectfully submitted,



10-12-2017

Diane Englin, acting secretary

CITY OF MOUNTAIN LAKE

PUBLIC LIBRARY REPORT

MONTH OF September 2017

CIRCULATION AND USE

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

TOTAL CIRCULATION 2,291

Interlibrary loan sent	<u>270</u>
Interlibrary loan received	<u>238</u>

TOTAL ILL

508

ILL NON SYSTEM 58

RECEIPTS

Cash income	<u>59.00</u>
Donations (monetary)	_____
County Revenue	_____
Misc. Revenue	_____
Fines	<u>41.00</u>
Meeting room rental	_____
Sale of supplies	_____

TOTAL RECEIPTS

\$100.00

EXPENDITURES

Books	<u>410.01</u>
Periodicals	<u>321.49</u>
Audio-visual	<u>252.49</u>
Supplies	<u>209.19</u>
Postage	<u>49.00</u>
Miscellaneous	_____
Telephone	<u>65.52</u>
Repairs & maintenance	<u>345.00</u>
Repairs & maint. of equipment	_____
Project expense	_____
Capital outlay	_____
Automation	_____
Gas Utilities	<u>48.09</u>
TOTAL EXPENDITURES	<u>\$1,700.79</u>

10.00
49.00

12

LIBRARY DIRECTOR

Carol Lehman

LIBRARY EXPENDITURES - SEPTEMBER 2017

Consumer Reports	Periodicals - 2 yr.	\$49.00
Demco	Supplies	\$199.19
Frontier	Telephone Expense	\$65.52
Dennis Hulzebos	Repairs & Maint.-Janitorial	\$345.00
Ingram	Books 410.01 / AV 32.95	\$442.96
MN Energy Resources	Gas Utilities	\$48.09
People	Periodicals - 2 yr.	\$221.54
Romantic Homes	Periodicals - 3 yr.	\$44.95
Synchrony Bank/Amazon	Books/AV	\$219.54
Woman's Day	Periodicals - 1 yr.	<u>\$6.00</u>
	SUBTOTAL	\$1,641.79
	Cash Expenditures	<u>\$59.00</u>
	TOTAL	\$1,700.79

Mountain Lake Tree Commission
Tuesday, July 11, 2017
8 PM
Mountain Lake City Hall

Members Present: David Bucklin, Gary Hildebrandt, Jerry Logue

Members Absent: Steve Harder

Staff Present: Wendy Meyer, Clerk/Administrator

Others Present: Mike Nelson

Call to Order

Bucklin called the meeting to order at 8 PM.

Minutes and Agenda

Motion by Logue, seconded by Hildebrandt, to approve the April 18 minutes. Motion carried.

Review of 2017 Program

The 2017 program were discussed. This was the first year that city staff managed the program. Overall the program went smoothly.

2018 Program

At this time there doesn't appear to be any need to make significant changes to the program. Bucklin is planning on applying for a grant to purchase trees as he has in the past, and has applied to have the Dept. of Natural Resources Conservation Corp plant trees in May of 2018. The tree removal and tree planting applications will be reviewed at the October 9 Tree Commission meeting. Commissioners were encouraged to talk to people about the program and contact city hall to send an application if someone expresses an interest in the program. Motion by Bucklin, seconded by Hildebrandt, to eliminate the homeowner cost of \$25 for a new tree. Motion carried. The tree planting application will also be amended include a statement about the amount of water a new tree needs on a weekly basis (5 gallons) during the first summer.

Next Meeting Date

The next meeting is scheduled for Monday, October 9.

Adjourn

The meeting was adjourned at 8:35 PM.

Approved October 9, 2017.

ATTEST:

Wendy Meyer, Clerk/Administrator

DRAFT
Mountain Lake Utilities Commission Meeting
Mountain Lake City Hall
Thursday, September 28 2017
7 AM

Members Present: Commissioners John Carrison, Mike Johnson, Todd Johnson, Mark Langland, Brett Lohrenz; Council Liaison David Savage

Members Absent: None

Staff Present: Wendy Meyer, Clerk/Administrator; Lynda Cowell, Utilities Office Manager; Ron Melson, Electric Supt.; Tristan Varpness, Lineman; (Kevin Krahn, Water/Wastewater Superintendent, and Dave Watkins, Water/Wastewater Worker were absent due to a broken water main)

Others Present: None

Call to Order

The meeting was called to order at 7 AM. There were no additions to the agenda.

Approval of September 14 Minutes, and Bills: Check Numbers 17448 - 17477

Check #17473 was discussed. The possibility of an unlicensed person/business doing plumbing will be turned over to the city's building official. Motion by Carrison, seconded by T. Johnson, to approve the minutes and pay the bills. Motion carried.

Consider Dollar General Business Subsidy Options

Voluntary special assessments, tax increment financing, tax abatement and other topics related to the costs of getting water and sewer to the property edge and paying for them were reviewed.

Tuck-pointing

Melson told the commission that Karr Tuck-pointing will not be able to do any work in Mt. Lake in 2017. The sections of the project and their costs were reviewed. Motion by T. Johnson, seconded J. Carrison, to complete the tuck-pointing of the power plant in 2018 at a quoted cost of \$27,354.

Substation Update

Melson updated the work completed since the last commission minutes and reviewed the work remaining.

Adjourn

The meeting was adjourned at 7:33 AM.

ATTEST:

Wendy Meyer, Clerk Administrator

Regular Lake Commission Meeting
Monday, September 11, 2017, 6:30 p.m.

Members Present: Jason Kruser, Jim Peterson, Jean Haberman, Dave Bucklin, Mike James

Members Absent: Heather Funk, Jason Honkomp

Guests Present: Wendy Meyer, Rachel Yoder

Open Forum: Since the Yoders occasionally hunt on their property, Rachel reported that they would like to put up a caution sign along the trail informing trail users. Dave suggested putting up a sign that reads, "No hunting without permission."

Chair Kruser called the meeting to order at 6:30 p.m. M/S/P Bucklin/James to approve the minutes of the Aug. 15, 2017 meeting, with a correction adding Rachel's last name (Yoder) to the minutes.

Treasurer's Report:

Income:	
UPB - Interest	7.71
Expenses:	
League of Minnesota Cities - Work Comp audit on weed harvester payroll	57.51
Ending Balance:	\$12,642.54
Savings Balance:	22,025.19

M/S/P Peterson/Bucklin to approve the Treasurer's Report.

Project Update:

- Golf Course Project - Lohrenz Construction would like to finish the sediment pond by the end of September. Dave will coordinate a meeting with the engineer and Brett Lohrenz to stake the boundaries.
- Plunge Pool - Nickel Construction will be making the repairs.
- Culvert on Yoder's property and Lawcon Park - No surveying has been done at this time.

Beach:

- Wendy is trying to communicate with Steve Funk regarding the pergola project.

Trail:

- Jason Kruser is planning to patch the holes and dips.
- Jason K. will contact Bergen to get an estimate for crack filling.

- There was discussion about applying for an Odell Wind Farm Community Fund grant for crack filling. The deadline is October 15th for the first round of grants. It was decided to wait to apply until we get an estimate.
- Dave and Jim will try to level the walking bridge.
- The Lake Commission commended Travis for his good work on the trail this summer. It was recommended that he get paid for his harvesting hours with grant money.
- A hunting notice was in the newspaper on Sept. 1st. There will be a notice included in the next utility bill.
- A letter from Jay Schied was read. He has concerns about 1) dogs off leash; 2) people riding bikes across the walking bridge; and 3) motorized vehicles on trail. He is wondering what we can do about those issues. Jason suggested reporting events to the police. Jay also noted that there was poison ivy by Heppner's Point. Dave Bucklin will spray it. Jay has removed 600 units of buckthorn this month.
- The Active Living Committee submitted and received a \$2,000+ grant for new trail map signs and new benches for the trail.

Lake:

- The can bin was emptied on Wed., Aug. 23rd. Mike James, Dave Bucklin, Jim Peterson, Jean Haberman, and Jason Kruser helped.
- Jim Peterson and the City Crew removed the weed harvester from the lake on Sept. 11th.
- Jim will talk to Doyle about removing the circuit board and sending it to Inland Weed Control to diagnose the problem.
- Wendy needs the number of acres covered for her report.
- M/S/P James/Peterson to install a heavy-duty garbage can close to the dam where people fish along the shore.
- The aeration permit is ready to submit. Jim explained the permit process and Jason Kruser will take care of it.

Fishing Pier:

- Jason Honkomp emailed the commission and informed them that The DNR Parks and Trails is willing to provide lumber for a bench seating that would go on the back side of the T-section of the fishing pier. Jason Kruser will find out if there are specific bench plans and then, possibly, the City Crew could build it during the winter.

Meeting adjourned at 7:35 p.m.

Respectfully submitted,

Jean Haberman,
Secretary

REGULAR MEETING
ECONOMIC DEVELOPMENT AUTHORITY
September 8, 2017
12:00 Noon

PRESENT: Mark Hanson, Mike Nelson, Brian Harder, and Steve Syverson. Dean Janzen, Clara Johnson, Advisors

ABSENT: Darla Kruser, Jerry Haberman, Vern Peterson and Brad Hanson, Advisor

STAFF PRESENT: Rob Anderson and Tabitha Garloff

CITY ADMINISTRATOR: Wendy Meyer

GUESTS: Corey Brunton - Brunton Architects & Engineers, Cheryl Hiebert-Observers/Advocate, Jennifer Shouse-Klassen-JSK Bridal and Travis and Jamie Smith

1. Call to Order: Mark called the meeting to order at 12:12 p.m.
2. Consent Agenda: Motion made and seconded by Mike and Steve to approve the Consent Agenda with 1 extra bill to Brunton Architects for \$10,000 as presented. Rob suggested holding out the check to Brunton until their contract is voted on later on the agenda. Carried.
3. JSK Bridal Request to Restructure EDA Loan/Contract for Deed. Jennifer Shouse-Klassen gave an explanation of why no payment has been made the months of July/August and September and a brief explanation of her business plan. Jennifer explained that she did not expect to make a profit the 1st 5 years. She has not drawn a salary from the business and she is also working at The Observer/Advocate and Justin (husband) is employed full time. Jennifer stated that she now has appointments each week which she did not in the previous year. Jennifer also stated that the business is drawing customers in from surrounding areas. Rob and Jennifer met and put together a plan and a restructured payment schedule which is being presented for approval by the board. Jennifer is requesting to keep the monthly payments the same for January through June and no payments July through December for 2017, 2018, 2019 and 2020, accruing interest, then resuming normal payments. Jennifer stated that even though no payment would be necessary the second 6 months her intentions are to make payments if able. Her goal is to pay off the loan. Motion made and seconded by Mike and Steve to amend EDA Loan/Contract for Deed for JSK Bridal as presented by staff. Carried.
4. Ratify August 10th Email Vote to Allow 1 Year Extension for the Dick's and Puente's (Dick's last 1 year extension, one more year extension allowable for Puente's). Motion made and seconded by Brian and Steve to Ratify the Extension's for Dick's and Puente's. Carried.
5. TIF District 1-8, Economic Development District No. 2 (Downtown Redevelopment Project):
 - a. Adopt Modification of the Tax Increment Financing Plan for Tax Increment Financing District No. 1-8 within Redevelopment Project No. 1. Motion made and seconded by Brian and Steve to adopt Modification of the Tax Increment Financing Plan for Tax Increment Financing District No. 1-8 within Redevelopment Project No. 1. Carried.
 - b. Resolution Approving Modification of the Tax Increment Financing Plan for Tax Increment Financing District No. 1-8. Motion made and seconded by Brian and Mike on Resolution Approving Modification of the Tax Increment Financing Plan for Tax Increment Financing District No. 1-8. Carried.
 - c. Resolution Approving the Terms of a \$233,830 Tax Increment Interfund Loan in Connection with Tax Increment Financing District No. 1-8. Motion made and seconded by Mike and

- Steve on Resolution Approving the Terms of a \$233,830 Tax Increment Interfund Loan in Connection with Tax Increment Financing District No. 1-8. Carried.
- d. City Council Public Hearing on September 18th, 2017, 6:30 pm @ City Hall.
 - e. Contract with Brunton Architects, Ltd. Corey Brunton of Brunton Architects stated that the contract is an all-inclusive contract; however, it does not include soil borings. Having soil borings done would give an idea of how the soil has settled and give the contractor information on what is needed for the building foundation. Rob provided a handout from email on August 16th from Corey regarding construction cost alignment which includes a 3% annual inflation cost. Rob stated that the contract is transferable to a private developer. Brian asked where the private developer was at with his decision. Rob stated that he has been in contact with Dale Friesen and he is doing his due diligence. Brian stated he feels we need more commitment from Sanford. Rob stated that Sanford is waiting for estimated lease amount. Estimated cost of project is \$3,250,000.00. Discussion continued on cost of lease, rent, etc. Our goal is to have a private developer and the Brunton contract needs to be approved to keep the project moving until private developer takes control. Motion made and seconded by Mike and Brian to approve the contract with Brunton Architects, Ltd. Carried.
 - f. Private Developer. Covered in e.
 - g. Updated Project Cost Estimates. Covered in e.
 - h. Other. Nothing new.
6. Mt Lake Commercial Park:
- a. Construction Schedule. Project schedule was included in packet. Mark stated that Minion Excavating and Lohrenz Construction were subcontracted to do work at the Mt. Lake Commercial Park and it was good to see local businesses being utilized.
 - b. Other. Nothing to report.
7. GENERAL DISCUSSION:
- a. Pop's Kerns Water Intrusion Assessment. Waiting for report from Braun Intertec. As of today the corner window/office is fixed but the southeast corner side of window is leaking but Wilcon Construction believes the leak source is narrowed down.
 - b. Custom Motors. The boat and trailer repossessed sold per Sheriff's Auction for \$5,200.00. The EDA received \$4,972.00 after Sheriff's fees. The inventory stored by Travis Smith sold for \$5,000.00. The \$9,972.00 will be applied toward Custom Motors EDA loan. Mark stated that there were a number of expensive rods and reals in the boat and asked if there was personal guarantee. Rob responded that yes, we have personal guarantees of the Anderson's and judgment is in place against Custom Motors.
 - c. Dollar General. Rob stated that Dollar General will begin construction May, 2018. Wendy stated that sewer and water still need to be brought to the property. Dollar General is asking the Utility Commission for help with infrastructure costs at next Utilities Commission meeting on September 14th.
 - d. Laker Grill/Travis Smith. Purchase of the Laker Grill by Travis Smith is moving forward. Travis is applying for a Small Business Administration loan at Fulda Area Credit Union (FACU). Total cost \$203,500.00. The FACU loan is \$120,000.00 and Travis has \$15,000.00. The remaining funds needed are approximately \$64,000.00. Rob asked if EDA is interested in financing all of this amount or also applying for a Southwest Initiative Foundation (SWIF) loan. Mark stated he would like to see Travis apply for the SWIF loan. SWIF also offers management support for new businesses. Rob and Travis will work on filling out applications and continue to move forward on the purchase. Travis will also get Rob a copy of the updated purchase agreement.
 - e. Update of Pizza Place in Rodney's Building. Rob stated the owners of the franchise have decided to hold off but they would be interested in someone to partner.

- f. Update of Fulda Area Credit Union Building Improvements. FACU is in the process of building more offices in the building. Chad Eken requested approval to put in a night drop and an ATM Machine. No decision made.
 - g. Next Regular Board Meeting is October 13, 2017.
 - h. Other Business. Steve asked about any new information on Casey's/Subway store. Nothing new to report at this time. Committee has approved but it still needs to go through Casey's Corporate Office.
8. Adjourn. President Hanson adjourned the meeting at 1:03 p.m.

Draft

ORDINANCE NUMBER 28-17

RESTRICTIVE FLOODPLAIN MANAGEMENT ORDINANCE

This sample ordinance is simple to administer, since it includes only one floodplain district with a limited range of uses. This sample ordinance is intended for communities that have limited existing and potential development within the floodplain and that meet the following criteria:

- 1) Floodplains are largely undeveloped or protected as parks or open space (small numbers of existing buildings can continue as nonconformities, as shown in the sample);
- 2) Floodplains should not have areas planned or zoned for development (e.g., subdivided parcels, access roads and utilities, etc.); and
- 3) There should be building sites outside of the floodplain on each parcel of developable land along the lake/wetland, stream or river.

SECTION 1.0 STATUTORY AUTHORIZATION AND PURPOSE:

1.1 **Statutory Authorization:** The legislature of the State of Minnesota has, in Minnesota Statutes Chapter 103F and Chapter 462, delegated the responsibility to local government units to adopt regulations designed to minimize flood losses.

1.2 **Purpose:**

- 1.21 This ordinance regulates development in the flood hazard areas of the City of Mountain Lake. These flood hazard areas are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. It is the purpose of this ordinance to promote the public health, safety, and general welfare by minimizing these losses and disruptions.
- 1.22 National Flood Insurance Program Compliance. This ordinance is adopted to comply with the rules and regulations of the National Flood Insurance Program codified as 44 Code of Federal Regulations Parts 59 -78, as amended, so as to maintain the community's eligibility in the National Flood Insurance Program.
- 1.23 This ordinance is also intended to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide recreational opportunities, provide aesthetic benefits and enhance community and economic development.

SECTION 2.0 GENERAL PROVISIONS:

2.1 **Lands to Which Ordinance Applies:** This ordinance applies to all lands within the jurisdiction of the City of Mountain Lake shown on the Flood Insurance Rate Maps adopted in Section 2.2 as being located within the boundaries of the Floodplain District. The Floodplain District is an overlay district that is superimposed on all existing zoning districts. The standards imposed in the overlay districts are in addition to any other requirements in this ordinance. In case of a conflict, the more restrictive standards will apply.

*see
email*

Draft

- 2.2 **Adoption of Flood Insurance Study and Maps:** The Flood Insurance Study for Cottonwood County, Minnesota, and Incorporated Areas, dated July 1980, and Flood Insurance Rate Map panel 2706220150B, dated January 2, 1981; prepared by the Federal Emergency Management Agency, are hereby adopted by reference and declared to be a part of this ordinance and the Official Zoning Map. These materials are on file in the (list location where maps will be filed – i.e., City Clerk's office/City Hall).
- 2.3 **Interpretation:** The boundaries of the Floodplain District are determined by scaling distances on the Flood Insurance Rate Map.
- 2.31 Where a conflict exists between the floodplain limits illustrated on the official zoning map and actual field conditions, the flood elevations must be the governing factor. The Zoning Administrator must interpret the boundary location based on the ground elevations that existed on the site on the date of the first National Flood Insurance Program map showing the area within the regulatory floodplain, and other available technical data.
- 2.32 Persons contesting the location of the district boundaries will be given a reasonable opportunity to present their case to the (Planning Commission / Board of Adjustment/City Council) and to submit technical evidence.
- 2.4 **Abrogation and Greater Restrictions:** It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.
- 2.5 **Warning and Disclaimer of Liability:** This ordinance does not imply that areas outside the floodplain districts or land uses permitted within such districts will be free from flooding or flood damages. This ordinance does not create liability on the part of the City of Mountain Lake or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.
- 2.6 **Severability:** If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of law, the remainder of this ordinance shall not be affected and shall remain in full force.
- 2.7 **Definitions:** Unless specifically defined below, words or phrases used in this ordinance must be interpreted so as to give them the same meaning as they have in common usage and so as to give this ordinance its most reasonable application.
- 2.711 Base Flood – the flood having a one percent chance of being equaled or exceeded in any given year.
- 2.712 Base Flood Elevation – The elevation of the “regional flood,” as defined. The term “base flood elevation” is used in the flood insurance survey.
- 2.713 Development – any man-made change to improved or unimproved real estate including, but not limited to, buildings, manufactured homes, and other structures, recreational vehicles, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of materials or equipment.

Sample Restrictive Ordinance

- 2.714 Farm Fence – A fence as defined by Minn. Statute §344.02 Subd. 1(a)-(d). An open type fence of posts and wire is not considered to be a structure under this ordinance. Fences that have the potential to obstruct flood flows, such as chain link fences and rigid walls, are not permitted in the Floodplain District.
- 2.715 Flood Fringe – the portion of the floodplain located outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the Flood Insurance Study, Crow Wing County, Minnesota and Incorporated Areas.
- 2.716 Flood Insurance Rate Map - An official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
- 2.717 Floodplain – the areas adjoining a watercourse which have been or hereafter may be covered by the regional flood.
- 2.718 Floodway – the bed of a wetland or lake and the channel of a watercourse and those portions of the adjoining floodplain which are reasonably required to carry or store the regional flood discharge.
- 2.719 Manufactured Home – a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include the term "recreational vehicle."
- 2.720 Obstruction – any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel modification, culvert, building, wire, fence (with the exception of farm fences), stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or regulatory floodplain which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water.
- 2.721 Recreational Vehicle – a vehicle that is built on a single chassis, is 400 square feet or less when measured at the largest horizontal projection, is designed to be self-propelled or permanently towable by a light duty truck, and is designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. For the purposes of this ordinance, the term recreational vehicle is synonymous with the term "travel trailer/travel vehicle."
- 2.722 Regional Flood – a flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be expected to occur on an average frequency in the magnitude of the 1% chance / 100-year recurrence interval. Regional flood is synonymous with the term "base flood" used in the Flood Insurance Study.
- 2.723 Regulatory Flood Protection Elevation – an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the floodplain that result from designation of a floodway.

- 2.724 Structure – anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, detached garages, cabins, manufactured homes, and other similar items.
- 2.725 Substantial Damage - damage of any origin sustained by a structure where the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- 2.726 Substantial Improvement - within any consecutive 365-day period, any reconstruction, rehabilitation (including normal maintenance and repair), repair after damage, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:
 - (a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.
 - (b) Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.” For the purpose of this ordinance, “historic structure” is as defined in 44 Code of Federal Regulations, Part 59.1.

2.8. **Annexations:** The Flood Insurance Rate Map panels adopted by reference into Section 2.2 above may include floodplain areas that lie outside of the corporate boundaries of the City of Mountain Lake at the time of adoption of this ordinance. If any of these floodplain areas are annexed into the City after the date of adoption of this ordinance, the newly annexed floodplain lands will be subject to the provisions of this ordinance immediately upon the date of annexation.

SECTION 3.0 ESTABLISHMENT OF FLOODPLAIN DISTRICT

- 3.1 **Areas Included:** The Floodplain District for the City of Mountain Lake includes those areas designated as Zone A on the Flood Insurance Rate Maps adopted in Section 2.2, as well as other locations where the best available data identifies special flood hazard areas. The Floodplain District is an overlay district to all existing land use districts. The requirements of this ordinance apply in addition to other legally established regulations of the community. Where this ordinance imposes greater restrictions, the provisions of this ordinance apply.
- 3.2 **Compliance:** No new structure or land shall hereafter be used and no structure shall be constructed, located, extended, converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations. Within the Floodplain District, all uses not listed as permitted uses in Section 4.0 are prohibited.

SECTION 4.0 PERMITTED USES AND STANDARDS IN THE FLOODPLAIN DISTRICT:

- 4.1 **Permitted Uses:** The following uses are permitted within the Floodplain District without a permit provided that they are allowed in any underlying zoning district and not prohibited by any other ordinance; and provided that they do not require structures, fill, obstructions, excavations, drilling

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and
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Sample Restrictive Ordinance

operations, storage of materials or equipment or any other form of development as defined in Section 2.712 of this ordinance. If the use does require fill, obstruction, excavation, storage of materials or any other form of development as defined in Section 2.712 of this ordinance, a permit and compliance with Section 4.2 of this ordinance is required. The permit requirement may be waived if there is an application for a public waters work permit from the Department of Natural Resources.

- 4.11 Agricultural uses such as general farming, pasture, grazing, forestry, sod farming, and wild crop harvesting. Farm fences that do not obstruct flood flows are permitted.
- 4.12 Outdoor plant nurseries and horticulture.
- 4.13 Private and public recreational uses such as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife and nature preserves, game farms, shooting preserves, target ranges, hunting and fishing areas, and single or multiple purpose recreational trails.
- 4.14 Lawns, gardens, parking areas, and play areas.
- 4.15 Railroads, roads, bridges, utility transmission lines, pipelines and other public utilities, provided that the Department of Natural Resources is notified at least ten (10) days prior to issuance of any permit.

4.2 Standards for Permitted Uses:

- 4.21 The use must have low flood damage potential.
- 4.22 The use must not cause any increase in the stage of the 1% chance or regional flood or cause an increase in flood damages in the reach or reaches affected. This provision applies to structures (temporary or permanent), fill (including fill for roads and levees), deposits, obstructions, storage of materials or equipment, and all other uses.
- 4.23 Floodplain developments must not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.
- 4.24 Public utilities, roads, railroad tracks and bridges to be located within the floodplain must be designed in accordance with Sections 4.22 and 4.23 above, or must obtain a Conditional Letter of Map Revision meeting the requirements of 44 CFR 603(d).
 - (a) When failure or interruption of these public facilities would result in danger to the public health or safety or where such facilities are essential to the orderly functioning of the area, such facilities must be elevated to the regulatory flood protection elevation.
 - (b) Where failure or interruption of service would not endanger public health or safety, minor or auxiliary roads, railroads or utilities may be constructed at a lower elevation.

Sample Restrictive Ordinance

- 4.25 New or replacement water supply systems and sanitary sewage systems must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

SECTION 5.0 ADMINISTRATION

- 5.1 **Zoning Administrator:** A Zoning Administrator or other official designated by the City Council must administer and enforce this ordinance.
- 5.2 **Development Approvals:** Any construction, enlargement, alteration, repair, improvement, moving or demolition of any building or structure must comply with the requirements of this ordinance. No mining, dredging, filling, grading, paving, excavation, obstruction, drilling operation or other form of development as defined in Section 2.0 of this ordinance are allowed, other than the uses permitted in Section 4.1 and the activities allowed under Section 6.
- 5.3 **Permit Required.** A permit must be obtained from the Zoning Administrator prior to conducting the following activities:
- (a) Expansion, change, enlargement, or alteration of a nonconforming use as specified in Section 6 of this ordinance. Normal maintenance and repair also requires a permit if such work, separately or in conjunction with other planned work, constitutes a substantial improvement as defined in Section 2.7 of this ordinance.
 - (b) Any use that requires fill, obstruction, excavation, storage of materials, or any other form of development as defined in Section 2.7 of this ordinance.
- 5.31 Permit applications must be submitted to the Zoning Administrator on forms provided for that purpose and shall include the following where applicable: plans drawn to scale, showing the nature, location, dimensions, and elevations of the lot; existing or proposed structures, fill, or storage of materials; and the location of the foregoing in relation to the stream channel.
- 5.32 Prior to granting a permit, the Zoning Administrator must verify that the applicant has obtained all necessary state and federal permits.
- 5.4 **Variances:**
- 5.41 An application for a variance to the provisions of this ordinance will be processed and reviewed in accordance with applicable state statutes and (list applicable standards in the existing Zoning Ordinance). *Ch. 9 Section 2.*
- 5.42 A variance must not allow a use that is not allowed in that district, permit a lower degree of flood protection than the regulatory flood protection elevation for the particular area, or permit standards lower than those required by state law.
- 5.43 The following additional variance criteria of the Federal Emergency Management Agency must be met:
- (a) Variances must not be issued by a community within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.

Sample Restrictive Ordinance

- (b) Variances may only be issued by a community upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - (c) Variances may only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 5.44 The City Council or Board of Adjustment must submit hearing notices for proposed variances to the Department of Natural Resources sufficiently in advance to provide at least ten days' notice of the hearing. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.
- 5.45 A copy of all decisions granting variances must be forwarded to the Commissioner of the Department of Natural Resources within ten days of such action. The notice may be sent by electronic mail or U.S. Mail to the respective DNR area hydrologist.
- 5.46 The Zoning Administrator must notify the applicant for a variance that: 1) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and 2) Such construction below the base or regional flood level increases risks to life and property
- 5.47 The Zoning Administrator must maintain a record of all variance actions, including justification for their issuance, and must report such variances in an annual or biennial report to the Administrator of the National Flood Insurance Program, when requested by the Federal Emergency Management Agency.
- 5.5 **Notifications for Watercourse Alterations:** Before authorizing any alteration or relocation of a river or stream, the Zoning Administrator must notify adjacent communities. If the applicant has applied for a permit to work in public waters pursuant to Minnesota Statute, Chapter 103G.245, this will suffice as adequate notice. A copy of the notification must also be submitted to the Chicago Regional Office of the Federal Emergency Management Agency (FEMA).
- 5.6 **Notification to FEMA When Physical Changes Increase or Decrease Base Flood Elevations:** As soon as is practicable, but not later than six months after the date such supporting information becomes available, the Zoning Administrator must notify the Chicago Regional Office of FEMA of the changes by submitting a copy of the relevant technical or scientific data.

SECTION 6.0 NONCONFORMITIES

- 6.1 **Continuance of Nonconformities:** A use, structure, or occupancy of land which was lawful before the passage or amendment of this ordinance but which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions. Historic structures, as defined in Section 2.733(b) of this ordinance, are subject to the provisions of Sections 6.11 – 6.14 of this ordinance.
- 6.11 A nonconforming use, structure, or occupancy must not be expanded, changed, enlarged, or altered in a way that increases its nonconformity. There shall be no expansion to the

- outside dimensions of any portion of a nonconforming structure located within the Floodplain District.
- 6.12 The cost of all structural alterations or additions to any nonconforming structure over the life of the structure may not exceed 50 percent of the market value of the structure unless the conditions of this Section are satisfied. The cost of all structural alterations and additions must include all costs such as construction materials and a reasonable cost placed on all manpower or labor. If the cost of all previous and proposed alterations and additions exceeds 50 percent of the market value of the structure, then the structure must meet the standards of Section 6.2 of this ordinance.
- 6.13 If any nonconforming use, or any use of a nonconforming structure, is discontinued for more than one year, any future use of the premises must conform to this ordinance. The Assessor must notify the Zoning Administrator in writing of instances of nonconformities that have been discontinued for a period of more than one year.
- 6.14 If any nonconformity is substantially damaged, as defined in Section 2.7 of this ordinance, it may not be reconstructed unless it is located in the flood fringe portion of the floodplain and it is reconstructed in accordance with the standards of Section 6.2 of this ordinance
- 6.15 Any substantial improvement, as defined in Section 2.7 of this ordinance, to a nonconforming structure, then the existing nonconforming structure must be located in the flood fringe portion of the floodplain and meet the requirements of Section 6.2 of this ordinance.
- 6.2 **Standards for Reconstruction of Nonconforming Structures.** The following standards and procedures apply to nonconforming structures in the flood fringe portion of the floodplain, as allowed under Section 6.1.
- 6.21 All structures, including manufactured homes, must be elevated on fill so that the lowest floor including basement floor is at or above the regulatory flood protection elevation. The finished fill elevation for structures shall be no lower than one foot below the regulatory flood protection elevation and the fill shall extend at such elevation at least 15 feet beyond the outside limits of the structure.
- 6.22 Fill must be properly compacted and the slopes must be properly protected by the use of riprap, vegetative cover or other acceptable method.
- 6.23 Floodplain developments must not adversely affect the hydraulic capacity of the channel and adjoining floodplain of any tributary watercourse or drainage system.
- 6.24 All manufactured homes must be securely anchored to an adequately anchored foundation system that resists flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state or local anchoring requirements for resisting wind forces.
- 6.25 On-site Sewage Treatment and Water Supply Systems: Where public utilities are not provided: 1) On-site water supply systems must be designed to minimize or eliminate infiltration of flood waters into the systems; and 2) New or replacement on-site sewage treatment systems must be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and they shall not be subject to impairment or contamination during times of flooding. Any sewage treatment

system designed in accordance with the State's current statewide standards for on-site sewage treatment systems shall be determined to be in compliance with this Section.

- 6.28 **Certification.** The applicant is required to submit certification by a registered professional engineer, registered architect, or registered land surveyor that the finished fill and building elevations were accomplished in compliance with the provisions of this ordinance. Floodproofing measures must be certified by a registered professional engineer or registered architect.
- 6.29 **Record of First Floor Elevation.** The Zoning Administrator must maintain a record of the elevation of the lowest floor (including basement) of all new structures and alterations to existing structures in the floodplain. The Zoning Administrator must also maintain a record of the elevation to which structures and alterations or additions to structures are floodproofed.

SECTION 7.0 PENALTIES AND ENFORCEMENT

- 7.1 **Violation Constitutes a Misdemeanor:** Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances) constitutes a misdemeanor and is punishable as defined by law.
- 7.2 **Other Lawful Action:** Nothing in this ordinance restricts the City of Mountain Lake from taking such other lawful action as is necessary to prevent or remedy any violation. If the responsible party does not appropriately respond to the Zoning Administrator within the specified period of time, each additional day that lapses will constitute an additional violation of this ordinance and will be prosecuted accordingly.
- 7.3 **Enforcement:** In responding to a suspected ordinance violation, the Zoning Administrator and City Council may utilize the full array of enforcement actions available to it including but not limited to prosecution and fines, injunctions, after-the-fact permits, orders for corrective measures or a request to the National Flood Insurance Program for denial of flood insurance availability to the guilty party. The City must act in good faith to enforce these official controls and to correct ordinance violations to the extent possible so as not to jeopardize its eligibility in the National Flood Insurance Program.

SECTION 8.0 AMENDMENTS

- 8.1 **Floodplain Designation – Restrictions on Removal:** The floodplain designation on the Official Zoning Map shall not be removed from floodplain areas unless it can be shown that the designation is in error or that the area has been filled to or above the elevation of the regulatory flood protection elevation and is contiguous to lands outside the floodplain. Special exceptions to this rule may be permitted by the Commissioner of the Department of Natural Resources if the Commissioner determines that, through other measures, lands are adequately protected for the intended use.
- 8.2 **Amendments Require DNR and FEMA Approval:** All amendments to this ordinance must be submitted to and approved by the Commissioner of the Department of Natural Resources (DNR) prior to adoption. The Commissioner of the DNR must approve the amendment prior to community approval.

Sample Restrictive Ordinance

8.3 **Map Amendments Require Ordinance Amendments.** The floodplain district regulations must be amended to incorporate any revisions by the Federal Emergency Management Agency to the floodplain maps adopted in Section 2.2 of this ordinance.

EFFECTIVE DATE: This ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law and/or charter.

Adopted by the Mountain Lake City Council

This _____ of _____, _____
(Day) (Month) (Year)

Attest: _____, Mayor
Mike Nelson

Attest: _____, City Clerk/Administrator
Wendy Meyer

Stamp With Community Seal:



APPROXIMATE SCALE
2000 0 2000 FEET

NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP

COUNTY OF
COTTONWOOD,
MINNESOTA
(UNINCORPORATED AREAS)

PANEL 150 OF 225

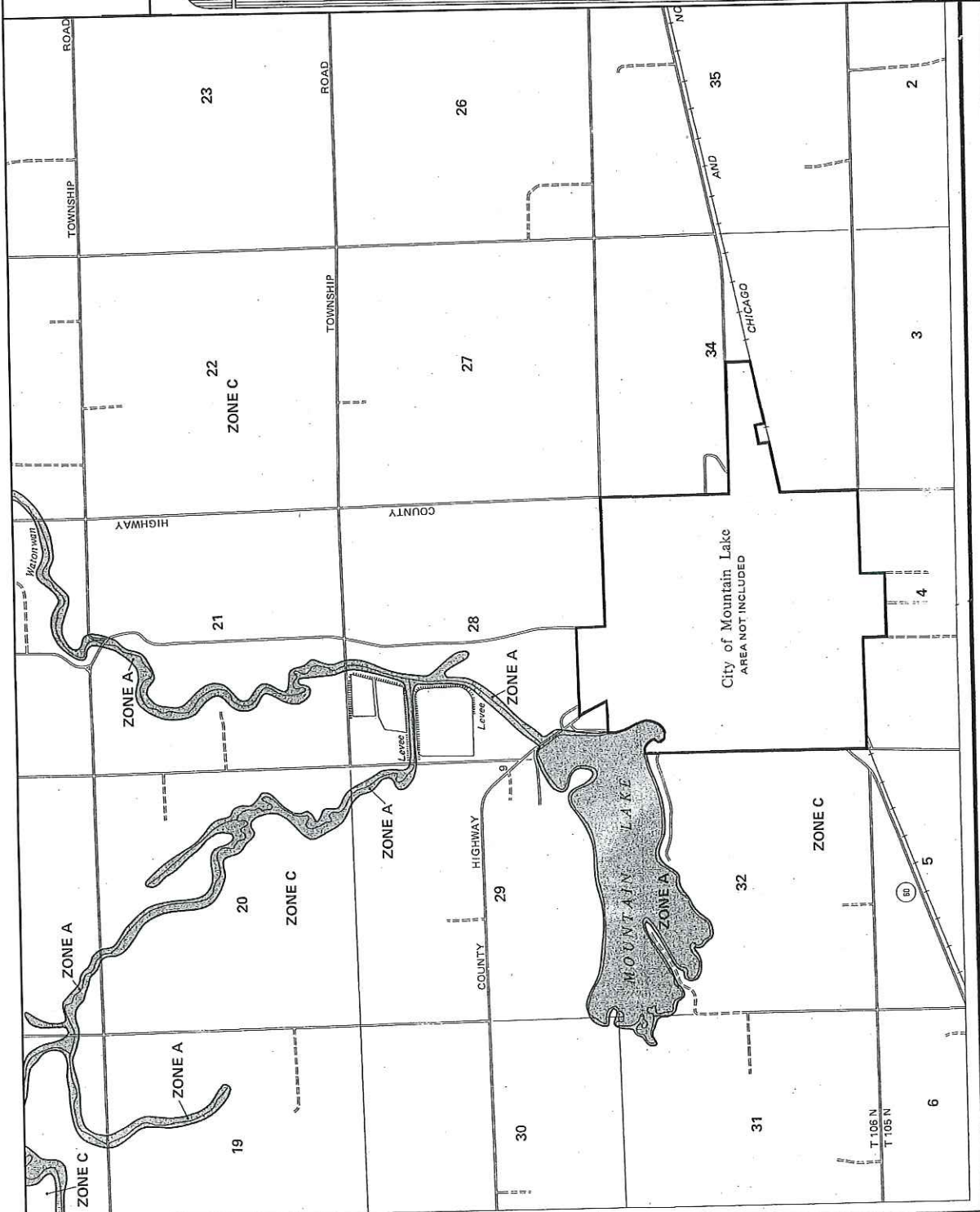
COMMUNITY-PANEL NUMBER
270622 0150 B

EFFECTIVE DATE:
JANUARY 2, 1981



federal emergency management agency
federal insurance administration

This is an official copy of a portion of the above referenced flood map. It is not to be used for any other purpose. This map does not reflect changes or amendments which may have been made subsequent to the date on the map. For the latest information, please contact the Federal Emergency Management Agency, 500 Bridge Street, St. Louis, MO 63101. Program flood maps are available on the FEMA Flood Map Site at www.fema.gov



Wendy Meyer

Subject: FW: NFIP Application Assistance

From: Strauss, Ceil C (DNR) [mailto:ceil.strauss@state.mn.us]
Sent: Friday, October 13, 2017 1:46 PM
To: Wendy Meyer; Bauman, Matthew (DNR)
Cc: Nyborg, Brian (DNR); 'Paul Johnson'; Jiwani, Suzanne (DNR)
Subject: RE: NFIP Application Assistance

Hi Wendy,

Currently, within the old city limits there is no FEMA floodplain map. In the screen shot below, it shows within the old city limits as "Unmapped Area." In the areas where you've annexed, the city will use that county panel.

In the future, when a countywide map is done, if portions of the flooding sources that are mapped on the county panels in the unmapped city areas, they will be added. That means lakes or streams that currently come to the city boundary and stop would be mapped within the city. For Mountain Lake, that means any portion of Mountain Lake within the city limits would be shown on future countywide maps.

The current County Map Modernization effort in Cottonwood County involves modeling and getting more accurate data for the flooding sources shown on the current (old) maps. Sometime after that data update effort is done in the fall of 2018, we hope to get Cottonwood County in the queue for funding to update the regulatory maps (the Flood Insurance Rate Maps) by producing an electronic product, incorporating that updated data, and having a countywide map (versus the separate city and unincorporated county maps). We hope to have funding for that next step within the next 5 years, but that depends on future federal funding for FEMA map updates.

Ceil Strauss
State Floodplain (NFIP) Manager | Ecological and Water Resources Division

Minnesota Department of Natural Resources
500 Lafayette Road
St. Paul, MN 55155-4025
Phone: 651-259-5713
Email: ceil.strauss@state.mn.us
mndnr.gov

 **DEPARTMENT OF
NATURAL RESOURCES**



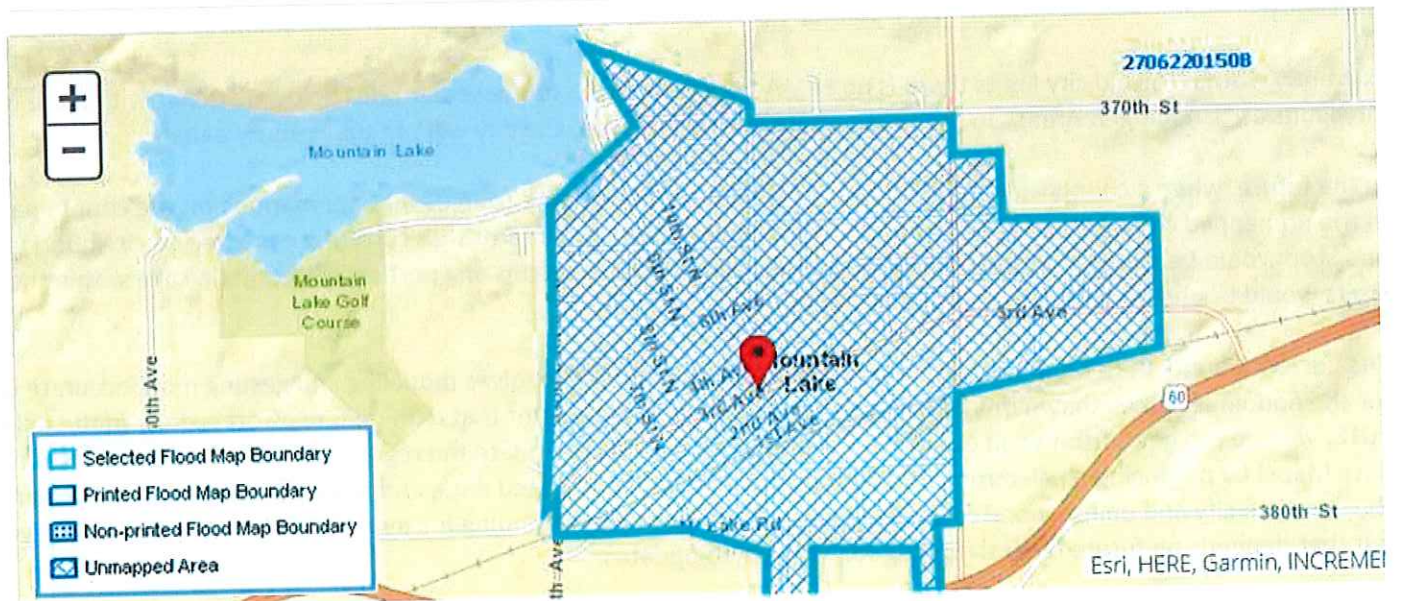
Search Results—Products for **MOUNTAIN LAKE**

FEMA has not completed a study to determine flood hazard for the selected location; therefore, a flood map has not been published at this time.

MAP IMAGE

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Locator Map



From: Wendy Meyer [<mailto:wmeyer@mountainlakemn.com>]

Sent: Friday, October 13, 2017 11:26 AM

To: Bauman, Matthew (DNR) <matthew.bauman@state.mn.us>

Cc: Nyborg, Brian (DNR) <brian.nyborg@state.mn.us>; Strauss, Ceil C (DNR) <ceil.strauss@state.mn.us>; 'Paul Johnson' <Paul.Johnson@co.cottonwood.mn.us>

Subject: RE: NFIP Application Assistance

I need a map showing an approximation of the flood plain district in the city. The attached map dated 1-2-81 only addresses areas outside city limits.

Wendy Meyer
Clerk/Administrator
City of Mt. Lake
P. O. Box C
930 Third Ave.
Mt. Lake, MN 56159
507-427-2999 Ext. 1
Fax: 507-427-3327

From: Bauman, Matthew (DNR) [<mailto:matthew.bauman@state.mn.us>]

Sent: Wednesday, October 11, 2017 2:03 PM

To: Wendy Meyer
Cc: Nyborg, Brian (DNR); Strauss, Ceil C (DNR); 'Paul Johnson'
Subject: RE: NFIP Application Assistance

Wendy,

Just following up regarding the City of Mountain Lake's interest in adopting a floodplain ordinance and enrolling in the National Flood Insurance Program. I am attaching an ordinance tailored to the city, based on our "restrictive" model ordinance. This is a more simplified ordinance that will effectively prohibit most developments within the floodplain... the exceptions being those identified in Section 4.

I am also attaching a sample resolution and application form to join the NFIP. The process for the adoption of a floodplain ordinance and enrollment in the NFIP is shown below.

- Review informally with City Council and Planning Commission (if one exists); revise the model if desired (check with us if questions). Address highlighted portions, and fill in blanks as necessary.
- Send a final draft of the ordinance back to DNR for conditional approval (even if it's identical to the model we sent you, we need to approve it)
- Advertise a public hearing to adopt the ordinance (I can send you a sample publication if needed)
- Hold the hearing and adopt ordinance. I understand the city requires a few readings before passage, which is fine.
- Pass Resolution of intent to join the NFIP
- Publish a summary of the ordinance in the newspaper of record – this is the point at which the ordinance becomes effective (I can get you a sample publication if needed)
- Complete NFIP Enrollment Form
- Forward the adopted ordinance, proof of publication; we then forward it to FEMA for approval

A quick note on the ordinance itself... I don't envision the restrictive ordinance would cause any undue burdens from a development standpoint, as I did not see any kind of developments in the city's riparian area of the lake. Additionally, the floodplain around your part of the lake does not extend too far landward. If you want a more expanded model ordinance, please let me know. Since the city's municipal boundaries do not extend to the riverine area north or west of the town, a more simplified version might be more appropriate from an administrative standpoint. If the city ever annexed into these areas, we would be notified, and I would reach out to the city to amend the floodplain ordinance to accommodate for these riverine flood hazards.

I am attaching a copy of your official floodplain map. Please let me know what your anticipated timeline for approval is. I am available for any assistance you may need during this process.

Sincerely,

Matt Bauman, AICP
Floodplain and Shoreland Planner | MNDNR

RE: Zaremba Group/Dollar General

The Utility Commission has been in discussion with the Zaremba Group/Dollar General (ZG/DG) regarding the extension of water and sewer to a property they are interested in purchasing on west Third Avenue.

See either attached Option map for the intended sewer extension.

The Option 1 water extension meets the needs of the ZG/DG. In the long term Option 3 is a better choice, and is being recommended by the city engineer, because it prepares the lots to the southwest of the ZG/DG lot for future development; and is a step toward looping the water main that serve the new commercial park.

The Utility Commission is recommending that the ZG/DG pay for the entire project (Option 1) and be reimbursed for the difference between Option 1 and Option 3 through tax abatement.

Preliminary Project Cost Estimate

Sanitary Sewer Main from the Proposed sewer being installed by City now

Water Main Extension from across County State Aid Hwy 27

3-Oct-17

Option #1

No.	Item Description	Unit	Price	Quantity	Total Cost
Surface Restoration					
1	Mobilization	LS	\$1,500	1	\$1,500
2	Topsoil and seeding	LS	\$2,500	1	\$2,500
Sanitary Sewer System					
3	8" Sanitary Main	LF	\$40	185	\$7,400
4	Sanitary Sewer manhole	EA	\$3,500	1	\$3,500
5	Tap & Core Drill manhole	EA	\$1,000	1	\$1,000
Watermain					
5	6" PVC Watermain	LF	\$40	425	\$17,000
6	6" 90 degree elbow	EA	\$350	3	\$1,050
7	6" Watermain/Bore no casing	LF	\$120	80	\$9,600
8	Hydrant Assembly w/ gate valve	EA	\$5,200	1	\$5,200
9	Connect to existing live tap	EA	\$3,500	1	\$3,500
10	Test & Flush	EA	\$1,500	1	\$1,500
Subtotal Estimated Construction Cost					\$53,750
10% Contingency					\$5,375
Total Estimated Construction Cost					\$59,125

UTILITY EXTENSION: OPTION 1

MOUNTAIN LAKE, MN Scale: 1"=100'



Preliminary Project Cost Estimate

Sanitary Sewer Main from the Proposed sewer being installed by City now
Water Main Extension from across County State Aid Hwy 27

3-Oct-17

Option #3

No.	Item Description	Unit	Price	Quantity	Total Cost
Surface Restoration					
1	Mobilization	LS	\$1,500	1	\$1,500
2	Topsoil and seeding	LS	\$2,500	1	\$2,500
Sanitary Sewer System					
3	8" Sanitary Main	LF	\$40	185	\$7,400
4	Sanitary Sewer manhole	EA	\$3,500	1	\$3,500
5	Tap & Core Drill manhole	EA	\$1,000	1	\$1,000
Watermain					
5	6" PVC Watermain	LF	\$40	265	\$10,600
6	6" 90 degree elbow	EA	\$350	1	\$350
7	Hydrant Assembly w/ gate valve	EA	\$5,200	1	\$5,200
8	Connect to existing live tap	EA	\$3,500	1	\$3,500
9	Test & Flush	EA	\$1,500	1	\$1,500
10	12" Sleeve	EA	\$1,000	1	\$1,000
Subtotal Estimated Construction Cost					\$38,050
10% Contingency					\$3,805
Total Estimated Construction Cost					\$41,855

UTILITY EXTENSION: OPTION 3

MOUNTAIN LAKE, MN Scale: 1"=100'



Community	Lot size in sq. ft.	Building size in sq. ft.	2016 land value for 2017 taxes	2016 building value for 2017 taxes	2016 total value for 2017 taxes	Property taxes paid in 2017	2017 land values for 2018 taxes	2017 building value for 2018 taxes	2017 total value for 2018 property taxes	Assistance
Windom	52,875 (1.2 acres)	8,400			\$535,300	\$19,254	\$109,800	\$526,300	\$636,100	None, utilities were already at edge of property
Madelia	29,906 (.7 acres)	9,100	\$20,500	\$272,600	\$293,100	\$10,300	\$20,500	\$266,900	\$287,400	Built in 2006; None, utilities were already at edge of property
Tracy	92,347 (2.1 acres)	9,000			\$392,800	\$19,508	\$33,900	\$466,600	\$500,500	None taxes payable in 2018 will be first time entire building value is included
Springfield	63,162 (1.45 acres)	9,200			\$268,300	\$11,232	\$11,300	\$258,110	\$269,410	None
Blue Earth	48,787 (1.12 acres)	9,100	\$29,300	\$389,100	\$418,400	\$14,285	\$29,300	\$389,100	\$418,400	Built in 2002, 10 year tax increment district
Lakefield	48,787 (1.12 acres)	9,100	\$15,800	\$123,100	\$138,900	\$2,530	\$15,800	\$494,400	\$510,200	None, company moved a sewer main that crossed the property to another location on the property, main was 20 ft. deep; company also paid \$20,000 electrical upgrades; taxes payable in 2018 will be first time entire building value is taxed
Sherburn	103,237 (2.37 acres)	9,220	\$42,900	\$34,000	\$76,900	\$3,320	\$50,100	\$559,700	\$609,800	None, Water and sewer connections are at property's edge; the road in front of the lot was gravel; company surfaced road with asphalt only, no curb and gutter; taxes payable in 2018 will be first time entire building value is taxed
Minneota	Under construction									None; water and sewer connections are at property's edge although city employee said it is the city's policy to provide water and sewer at no cost to any location in Tracy

Property Tax Abatements for Economic Development

What is economic development property tax abatement?

Minnesota law authorizes political subdivisions to grant property tax abatements for economic development (e.g., to encourage a business to locate or expand at a location or to redevelop an area). [Minn. Stat. §§ 469.1813-469.1816](#).

Abatements may be either permanent forgiveness or temporary deferral of property tax. Abatements can serve similar purposes to tax increment financing (TIF), a widely used development tool. The legislature enacted the abatement law in 1997 to provide an alternative to TIF and to supplement it.

These economic development tax abatements should be distinguished from property tax abatements that are granted by the county board primarily to correct errors (e.g., to reduce the assessor's market value or to change the classification of the property). [Minn. Stat. § 375.192](#).

For what purposes may abatements be used?

The law allows abatements to be used for a broad range of projects and purposes, if the political subdivision finds that public benefits exceed the costs. Permitted uses of abatements include the following:

- General economic development, such as increasing the tax base or the number of jobs in the area
- Construction of public facilities or infrastructure (e.g., streets and roads)
- Redevelopment of blighted areas
- Providing access to services for residents (e.g., housing or retail would be common examples)
- Deferring or phasing in a large (over 50 percent) property tax increase
- Stabilizing the tax base resulting from the updated utility valuation administrative rules
- Providing relief for businesses with estimated market value of \$250,000 or less who have disrupted access due to public transportation projects

Which local governments can grant abatements?

Counties, cities, towns, and school districts may grant abatements of the taxes they impose. The governing body grants an abatement by resolution. For towns, action at the town meeting is not required. Taxes imposed by special taxing districts (e.g., watersheds or regional agencies) cannot be abated. Similarly, the state general property tax (on commercial/industrial and seasonal-recreational properties) cannot be abated. In the Twin Cities metropolitan area and on the Iron Range, the fiscal disparities tax cannot be explicitly abated. However, a political subdivision may increase its abatement amount to reflect the amount of the tax imposed under fiscal disparities. The abatement does not directly enter into the fiscal disparities calculations.

How long does an abatement apply?

The political subdivision sets the length of the abatement, which cannot exceed 15 years. The term can be extended to 20 years if only two of the three political subdivisions (city/town, county, and school district) grant an abatement.

What is the limitation on abatements?

The total amount of property taxes abated may not exceed the larger of:

- 10 percent of the net tax capacity of the political subdivision, or
- \$200,000.

How do the mechanics of abatement work?

The abatement resolution, approved by the political subdivision, specifies the duration and the amount of property taxes that will be abated. The political subdivision has considerable flexibility in setting the terms of the abatement; for example, it may set the abatement as a percentage of tax payable, a dollar amount, tax attributable to a portion of the parcel’s market value, or something else. The local government adds the abatement to its property tax levy for the year. (The abatement levy is not subject to levy limits.) The owner pays property tax on a parcel and the political subdivision uses the payments as provided by the abatement resolution. For example, the abatement may be used to pay bonds or be given back to the property owner.

May abatements be used to pay bonds?

The abatement law authorizes the issuance of bonds to be paid back with the abatements. For example, bonds could be issued to construct public improvements or to pay for a site for a business. As the property owners pay the abated taxes, they are used to pay the bonds. These bonds can be general obligation bonds or revenue bonds. The abatement bond provisions parallel those in the TIF law: the abatement bonds are not subject to referendum approval and are excluded from debt limits.

How do abatements compare with TIF?

The legislature designed the abatement law as an alternative to and a supplement to TIF. The two programs can be used for similar purposes and both rely upon property tax funding. Both programs have very similar bonding powers. However, abatement and TIF differ in important respects. Some differences include:

- TIF can be used for longer durations (up to 25 years in some cases) than abatements (typically 15 years)
- TIF requires approval only by the municipality (usually the city) to capture all local property taxes, while abatement requires each entity’s approval to capture its taxes and cannot capture special district taxes
- TIF use is subject to more legal restrictions than abatement. These include a blight test for redevelopment districts, but-for findings, and stricter limits on what increments may be spent on. Abatement is more flexible.

How widely has abatement been used?

The following amounts of abatement levies were reported for property taxes payable in 2011, as reported to the Departments of Revenue (cities and counties) and Education (schools).

	Number	Amount
Cities	62	\$8,152,836
Counties	31	3,211,570
Schools	8	881,069
Total	101	\$12,245,475

For more information: Contact legislative analyst Joel Michael at joel.michael@house.mn. Also see the House Research publication *Tax Increment Financing*, October 2011.

The Research Department of the Minnesota House of Representatives is a nonpartisan office providing legislative, legal, and information services to the entire House.

RELEVANT LINKS:

Minn. Stat. §§ 469.1812 to 469.1815.

Minn. Stat. § 469.1813.

Minn. Stat. ch. 462A. For more information about MHFA programs, contact MHFA at 400 Sibley Street Suite 300, St. Paul, MN 55101-1998 (651) 296-7608 or (800) 657-3769.

F. Property tax abatement

A city may use this development tool to segregate some or all of the taxes (or the increase in taxes) it imposes on a parcel of property if the city expects the benefits of the proposed abatement agreement at least to equal the costs of the proposed development. The term “abatement” is somewhat misleading, as in most cases the tax is not forgiven; it is paid normally, but the amount of property tax levied by the city is used to pay for the bonds. The city must determine that the agreement is in the public interest because it will increase or preserve tax base, provide employment opportunities, provide or help acquire or construct public facilities, help redevelop or renew blighted areas, or help provide access to services for residents of the city. Property taxes in a TIF district cannot be abated unless the period of the abatement will not occur until after the district is decertified.

A resolution must be adopted after notice and public hearing, specifying the terms of the abatement.

A city may issue bonds or other obligations to provide an amount equal to the sum of the abatements granted for a specific property. The maximum principal amount of these bonds may not exceed the estimated sum of the abatements for the property for the years authorized. The bonds may be general obligations of the city if the city council chooses to pledge the full faith and credit of the city in the resolution issuing the bonds. The law limits property tax abatements to 15 years. School districts and counties have similar abatement powers. A city, county, and school district can agree to abate their taxes on the same property.

IV. State-sponsored development tools

A. Minnesota Housing Finance Agency

The goals of the Minnesota Housing Finance Agency (MHFA) are to provide decent, affordable housing to low- and moderate-income people; preserve the existing housing stock in Minnesota; preserve existing neighborhoods and prevent them from deteriorating; and prevent mortgage foreclosures while promoting energy conservation in residential housing.

The Minnesota Legislature created the MHFA in response to a shortage of affordable housing for low- and moderate-income people. Private enterprise and private investment were unable, without public assistance, to provide an adequate supply of safe, sanitary, and decent housing at affordable prices and rents.

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Computer Lodge
 1039 oxford street
 Worthington, MN 56187
 Phone: 507-727-2000

QUOTE

DATE:	10/13/2017
QUOTE #	1258
Customer ID	
Valid Until:	11/13/2017

Customer
 Mountain Lake

DESCRIPTION	TAXED	AMOUNT
Option 1 Ipad pro 12.9 inch display 256 gb storage	x	\$ 1,138.00
Option 2 Ipad 9.7 Inch display 128 gb storage	x	\$ 557.99
Mevo Camera	x	\$ 480.00
Tech Time 2 hours		\$ 170.00

Subtotal	\$ 2,345.99
Taxable	\$ 2,175.99
Tax rate	6.50%
Tax due	\$ 141.44
Other	\$ -
TOTAL Due	\$ 2,487.43

If you have any questions about this price quote, please contact
 Shane Spiker at sspiker@computerlodge.com

Option 1
 1138
 480
 \$1,618
 +
 tech
 time

Opt. 2
 557.99
 480.00
 \$1,037.99 + tech time

Thank You For Your Business!

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C.R. Construction Services of Mt Lake
 LLC
 1620 Prince Street
 Mountain Lake, MN 56159

Estimate

Date	Estimate #
10/09/2017	499

Name / Address
City of Mountain lake Mountain lake, Mn 56159

			Project
Description	Qty	Cost	Total
Total cost to install entry door to senior citizen center including tearing out old door and install new door Material cost \$ 1162.43 Labor cost \$720.00 <i>door is - aluminum clad; pre-finished and <u>not</u> standard size</i>	1	1,882.43	1,882.43
Total			\$1,882.43

Customer Signature _____

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COUNTRY PRIDE TRUE VALUE BUILDING CENTER
1100 3RD AVE

MOUNTAIN LAKE MN
PHONE: (507) 427-2333

VILLAGE OF MTN. LAKE

CUST#: 157500
TERMS: NET DUE 15TH
P.O.#: Mohawk

DOC #: 841044
DATE : 9/20/17 TIME : 3:06
CLERK: 9 TERM#552

EXP. DATE: 9/ 8/17

TAX : 001 MN SALES TAX

Senior Center Kitchen

EST.#: 841044

* ESTIMATE *

LN#	QTY	UM	SKU	DESCRIPTION	UNITS	SUGG	PRICE/PER	EXTENSION
1	21	EA	55	Mohawk 'Bowman' LVT	21		70.00 /EA	1,470.00
2				36 sqft per ctn / Full ctns only				
3				This is a commercially rated LVT				
4				wood plank visual. 12mm				
5				Urethane wear layer, glue down				
6				product. Eased edge and ends				
7				6 yr commercial warranty				
8				Slip resistant				
9	1	EA	55	M700 Adhesive 4gal.	1		189.00 /EA	189.00
10				220-260 sqft/gallon				
11	84	EA	LABOR	Labor charge per yard	84	50.00	15.00 /EA	1,260.00
12				Labor will be billed by Steve				
13				Finnistad.				
14				Labor price is included on this				
15				estimate for your convenience				
16				only.				

TAXABLE 2919.00
NON-TAXABLE 0.00
SUBTOTAL 2919.00

** ESTIMATE ** ESTIMATE ** ESTIMATE ** ESTIMATE **

TAX AMOUNT 200.68
TOTAL AMOUNT 3119.68

X

Received By

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