

Regular City Council Meeting
Via Conference Call
Monday, April 6, 2020
6:30 p.m.
Call 763-710-3959 ID: 792830 and press #

The Mayor and City Administrator determine that an in-person meeting or a meeting conducted under MN Statute section 13D.02 is not practical or prudent because of a health pandemic or an emergency declared under Chapter 12 as stated in 13D.021. MN Statute 13D.021 will be followed for this meeting.

AGENDA

1. Meeting Called to Order *Additional information on agenda item is attached or at City Hall
2. Approval of Agenda and Consent Agenda
 - a. Bills: Checks #23499 – 23556, 663E – 664E (1-6)
 - b. Payroll: Checks #65246 – 65260
 - c. Approve February 24 EDA Board Minutes (7-8)
 - d. Approve March 12 Utilities Commission Minutes (9-10)
 - e. Approve March 16 City Council Minutes (11-15)
 - f. Approve March 26 Special City Council Minutes (16-20)
3. Public – A total of ten (10) minutes is allotted for individuals to briefly discuss a topic of concern or provide comments to the Council.
4. Street Department Report – Daron Friesen, Street Superintendent (21)
5. Economic Development Authority
 - a. Resolution – #7-20 Calling for Public Hearing on Proposed Property Tax Abatements (22-24)
6. Ambulance/Fire Department
 - a. Discussion/Action – Covered Hours Policy for City Employees that Take Calls (25-26)
 - b. Discussion/Action – Pre-Planning Services Offer from Robert W. Carlstrom Co. Inc. (27-28)
7. City Attorney
 - a. First Reading – Ordinance #3-20 Amending Section 11.04 Off-Street Parking Regulations (29-31)
8. City Administrator
 - a. First Reading – Ordinance #4-20 Repealing & Replacing Section 6.31 Tobacco Regulations (32-40)
 - b. Discussion/Action – Approve Lowest Responsible Bidder for Tree Removals (41-43)
 - c. Update – COVID-19
9. Adjourn

***Check Detail Register©**

*April 6, 2020 mtg
ck# 23499-23550
603E-604E*

March 2020 to April 2020

			Check Amt	Invoice	Comment
10100 United Prairie					
Paid Chk#	023499	3/16/2020			CITIZEN PUBLISHING
E 608-46330-430	Miscellaneous		\$1,171.29		APT FOR RENT AD
	Total CITIZEN PUBLISHING		\$1,171.29		
Paid Chk#	023500	3/16/2020			COTTONWOOD COUNTY AUD/TREAS
E 608-46330-354	Real Estate Taxes		\$3,100.75		PILOT--HERITAGE ESTATES BLDG
E 607-46330-354	Real Estate Taxes		\$1,461.00		PILOT--HERITAGE ESTATES BLDG
	Total COTTONWOOD COUNTY AUD/TREAS		\$4,561.75		
Paid Chk#	023501	3/16/2020			COTTONWOOD COUNTY AUD/TREAS
E 609-46330-354	Real Estate Taxes		\$1,623.25		PILOT-MASON MANOR
	Total COTTONWOOD COUNTY AUD/TREAS		\$1,623.25		
Paid Chk#	023502	3/16/2020			DANIEL MELHEIM
E 607-46330-402	Repairs/Maint- Ground		\$320.00		FEBRUARY SNOW REMOVAL
E 608-46330-402	Repairs/Maint- Ground		\$640.00		FEBRUARY SNOW REMOVAL
E 609-46330-402	Repairs/Maint- Ground		\$320.00		FEBRUARY SNOW REMOVAL
	Total DANIEL MELHEIM		\$1,280.00		
Paid Chk#	023503	3/16/2020			HOLT S CLEANING SERVICE INC.
E 608-46330-401	Repairs/Maint Buildings		\$220.01	3815	CLEAN CARPET AT 1621 5TH AVE
	Total HOLT S CLEANING SERVICE INC.		\$220.01		
Paid Chk#	023504	3/16/2020			HOMETOWN SANITATION SERVICE
E 608-46330-401	Repairs/Maint Buildings		\$294.85	360942	DUMPSTER FOR FLOORING #1619
	Total HOMETOWN SANITATION SERVICE		\$294.85		
Paid Chk#	023505	3/16/2020			KDOM RADIO
E 205-46500-343	Busnes Recrut/Comm Dev		\$229.50	20020490	WEB ADV
E 205-46500-343	Busnes Recrut/Comm Dev		\$50.49	20020490	MONTHLY ADV
	Total KDOM RADIO		\$279.99		
Paid Chk#	023506	3/16/2020			LEACH DECORATING CENTER LLC
E 608-46330-401	Repairs/Maint Buildings		\$4,481.65	44844	FLOORING #1619
	Total LEACH DECORATING CENTER LLC		\$4,481.65		
Paid Chk#	023507	3/16/2020			MINNESOTA CHILD SUPPORT PAY CE
E 608-46330-401	Repairs/Maint Buildings		\$528.00		REMITTANCE #0014609014
	Total MINNESOTA CHILD SUPPORT PAY CE		\$528.00		
Paid Chk#	023508	3/16/2020			MINNESOTA ENERGY RESOURCE CORP
E 608-46330-383	Gas Utilities		\$52.89		GAS--1619 5TH AVE
	Total MINNESOTA ENERGY RESOURCE CORP		\$52.89		
Paid Chk#	023509	3/16/2020			MUNICIPAL UTILITIES
E 608-46330-380	Elec,Water,Sewer		\$111.45		UT-1621 5TH AVE
	Total MUNICIPAL UTILITIES		\$111.45		
Paid Chk#	023510	3/16/2020			MUNICIPAL UTILITIES
E 608-46330-380	Elec,Water,Sewer		\$17.18		UT-HERITAGE DRIVE ST LITE
E 607-46330-380	Elec,Water,Sewer		\$8.85		UT-HERITAGE DRIVE ST LITE
	Total MUNICIPAL UTILITIES		\$26.03		
Paid Chk#	023511	3/16/2020			TIM BRUNNER
E 608-46330-401	Repairs/Maint Buildings		\$2,067.00		FEBRUARY MAINTENANCE

***Check Detail Register©**

March 2020 to April 2020

			Check Amt	Invoice	Comment
Total		TIM BRUNNER	\$2,067.00		
Paid Chk#	023512	3/16/2020	SOUTH CENTRAL COLLEGE		
E	231-42154-308	Training & Instruction	\$7,407.00		EMT REFRESHER-18 EMT'S
E	231-42154-308	Training & Instruction	\$1,722.92	00172145	RANDY CURRY EMT COURSE
Total		SOUTH CENTRAL COLLEGE	\$9,129.92		
Paid Chk#	023513	3/16/2020	MINNESOTA WEST-JACKSON CAMPUS		
E	231-42154-308	Training & Instruction	\$389.76		EMT REFRESHER-ASHLEY JENSEN
Total		MINNESOTA WEST-JACKSON CAMPUS	\$389.76		
Paid Chk#	023514	3/16/2020	WALKER PHOUMIVONG		
R	101-45186-36221	Rent	\$150.00		REFUND OF COMMUNITY CENTER
Total		WALKER PHOUMIVONG	\$150.00		
Paid Chk#	023515	3/16/2020	DUERKSEN ELECTRIC INC.		
E	211-45500-401	Repairs/Maint Buildings	\$70.80	4834	LIBRARY-REPLACE BREAKER FOR LIGHTSQ
Total		DUERKSEN ELECTRIC INC.	\$70.80		
Paid Chk#	023516	3/16/2020	DOUG BRISTOL		
E	101-42100-205	Uniforms	\$31.16		PD-HANDCUFF KEY,LOGO LIGHT
E	101-42100-430	Miscellaneous	\$191.26		PD-OTTERBOX PHONE CASE,PHONE HOLDER
E	101-42100-430	Miscellaneous	\$160.38	3/12/20	MILEAGE TO ST. PAUL
Total		DOUG BRISTOL	\$382.80		
Paid Chk#	023517	3/16/2020	VERIZON		
E	101-42100-321	Telephone	(\$7.40)		POLICE CELL PHONE
E	231-42154-321	Telephone	\$9.13		AMB CELL PHONE
E	101-42100-321	Telephone	\$34.99		PD TABLET
E	101-42100-321	Telephone	\$34.99		PD TABLET
E	231-42154-321	Telephone	\$35.14		AMB JET PACK
Total		VERIZON	\$106.85		
Paid Chk#	023518	3/26/2020	AFLAC		
G	101-21713	AFLAC	\$237.51		
Total		AFLAC	\$237.51		
Paid Chk#	023519	3/26/2020	AFSCME COUNCIL 65		
G	101-21707	Union Dues	\$101.32		
Total		AFSCME COUNCIL 65	\$101.32		
Paid Chk#	023520	3/26/2020	COMMISSIONER OF REVENUE		
G	101-21702	State Withholding	\$750.93		
Total		COMMISSIONER OF REVENUE	\$750.93		
Paid Chk#	023521	3/26/2020	FURTHER/SELECT		
G	101-21714	HSA	\$686.60		
Total		FURTHER/SELECT	\$686.60		
Paid Chk#	023522	3/26/2020	GISLASON & HUNTER		
G	101-21712	Garnishments	\$413.29		
Total		GISLASON & HUNTER	\$413.29		
Paid Chk#	023523	3/26/2020	INTERNAL REVENUE SERVICE		
G	101-21701	Federal Withholding	\$1,683.84		
G	101-21703	FICA Tax Withholding	\$2,347.50		

***Check Detail Register©**

March 2020 to April 2020

			Check Amt	Invoice	Comment
Total INTERNAL REVENUE SERVICE			\$4,031.34		
Paid Chk#	023524	3/26/2020 PERA			
G 101-21704	PERA		\$4,635.18		
Total PERA			\$4,635.18		
Paid Chk#	023525	3/26/2020 SW/WC SERVICE COOPERATIVES			
G 101-21708	Employee Paid Health Insurance		\$2,395.86		
Total SW/WC SERVICE COOPERATIVES			\$2,395.86		
Paid Chk#	023526	3/26/2020 VALIC			
G 101-21705	VALIC		\$63.00		
Total VALIC			\$63.00		
Paid Chk#	023527	4/6/2020 AMAZON			
E 211-45500-590	Capital Outlay Books		\$64.41		LIBRARY BOOKS
E 211-45500-592	A.V. Materials		\$133.27		LIBRARY AV
Total AMAZON			\$197.68		
Paid Chk#	023528	4/6/2020 BANYON DATA SYSTEMS			
E 101-41400-414	Banyon Computer Contract		\$795.00	00160136	PAYROLL & FUND SUPPORT
Total BANYON DATA SYSTEMS			\$795.00		
Paid Chk#	023529	4/6/2020 BERKLEY RISK ADMINISTRATORS CO			
E 101-00000-430	Miscellaneous		\$1,000.00	5728	DEDUCTIBLE ON CLAIM
Total BERKLEY RISK ADMINISTRATORS CO			\$1,000.00		
Paid Chk#	023530	4/6/2020 CASEYS BUSINESS MASTERCARD			
E 101-42100-212	Motor Fuels		\$596.39		PD GAS
E 231-42154-212	Motor Fuels		\$101.50		AMB FUEL
E 101-43100-212	Motor Fuels		\$132.04		ST DEPT GAS
E 205-46500-430	Miscellaneous		\$32.54	3/16/20	EDA LUNCH
Total CASEYS BUSINESS MASTERCARD			\$862.47		
Paid Chk#	023531	4/6/2020 COALITION OF GREATER MN CITIES			
E 101-41400-308	Training & Instruction		\$70.00		CGMC-LEGISLATIVE ACTION DAY-MICHAEL
Total COALITION OF GREATER MN CITIES			\$70.00		
Paid Chk#	023532	4/6/2020 DAVID WATKINS			
E 231-42154-210	Operating Supplies		\$39.56		GOWNS FOR AMB-COVID-19
Total DAVID WATKINS			\$39.56		
Paid Chk#	023533	4/6/2020 DENNIS HULZEBOS			
E 211-45500-400	Janitor-Repairs/Maint		\$345.00		APRIL MAINT AT LIBRARY
Total DENNIS HULZEBOS			\$345.00		
Paid Chk#	023534	4/6/2020 DOUG BRISTOL			
E 101-42100-430	Miscellaneous		\$25.00		RECHARGABLE BATTERIES-PD
Total DOUG BRISTOL			\$25.00		
Paid Chk#	023535	4/6/2020 EMILY ADRIAN			
E 231-42154-210	Operating Supplies		\$26.52		AMB SUPPLIES
Total EMILY ADRIAN			\$26.52		
Paid Chk#	023536	4/6/2020 FARM & HOME PUBLISHERS			
E 221-42200-430	Miscellaneous		\$57.00	F656632	FD-COTTONWOOD COUNTY PLAT BOOKS
Total FARM & HOME PUBLISHERS			\$57.00		

***Check Detail Register©**

March 2020 to April 2020

			Check Amt	Invoice	Comment
Paid Chk#	023537	4/6/2020	FRONTIER		
E 101-41400-321	Telephone		\$113.18		CITY HALL PHONE-427-2999
E 101-42100-321	Telephone		\$177.20		POLICE DEPT PHONE-427-3403
E 101-43100-321	Telephone		\$73.88		STREET DEPT PHONE-427-2997
E 101-45186-321	Telephone		\$72.87		SR CTR PHONE-427-2151
E 205-46500-321	Telephone		\$37.50		EDA PORTION OF DSL & 427-2999
E 101-00000-430	Miscellaneous		\$65.96		UT-PHONE
	Total FRONTIER		\$540.59		
Paid Chk#	023538	4/6/2020	FRONTIER		
E 211-45500-321	Telephone		\$67.58		LIBRARY PHONE-507-427-2506
	Total FRONTIER		\$67.58		
Paid Chk#	023539	4/6/2020	GREATAMERICA FINANCIAL SVCS		
E 101-00000-430	Miscellaneous		\$8.43		CHAMBER-MONTHLY COLOR COPY MACHINE LEASE
E 101-41400-200	Office Supplies		\$26.35		OFFICE-MONTHLY COLOR COPY MACHINE LEASE
E 101-42100-200	Office Supplies		\$8.78		PD-MONTHLY COLOR COPY MACHINE LEASE
E 101-00000-430	Miscellaneous		\$91.31		UT-MONTHLY COLOR COPY MACHINE LEASE
E 205-46500-200	Office Supplies		\$5.62		EDA-MONTHLY COLOR COPY MACHINE LEASE
	Total GREATAMERICA FINANCIAL SVCS		\$140.49		
Paid Chk#	023540	4/6/2020	INDOFF INCORPORATED		
E 101-41400-200	Office Supplies		\$21.17	3342943	MARKER,WIRE FILE SORTER
E 101-41400-570	Office Equip and Furnishings		\$288.57	3350177	CHAIR-DAWN
E 101-41400-200	Office Supplies		\$18.41	3352780	STAPLES, BATTERIES
E 231-42154-210	Operating Supplies		\$16.13	3352780	FOLDERS FOR AMB
	Total INDOFF INCORPORATED		\$344.28		
Paid Chk#	023541	4/6/2020	INDOFF INCORPORATED		
E 211-45500-200	Office Supplies		\$50.39		LIBRARY OFFICE SUPPLIES
	Total INDOFF INCORPORATED		\$50.39		
Paid Chk#	023542	4/6/2020	INPANH PHOMMAHAXAY		
R 101-45186-36221	Rent		\$150.00		REFUND COMM CTR RENT
	Total INPANH PHOMMAHAXAY		\$150.00		
Paid Chk#	023543	4/6/2020	MACQUEEN EQUIPMENT		
E 101-43100-404	Repairs/Maint Machinery/Equip		(\$99.00)	P25925	PART RETURN
E 101-43100-404	Repairs/Maint Machinery/Equip		\$520.22	P26032	SUPPLIES FOR SWEEPER
	Total MACQUEEN EQUIPMENT		\$421.22		
Paid Chk#	023544	4/6/2020	MAYNARDS FOOD CENTER		
E 205-46500-430	Miscellaneous		\$92.35	3/12/20	EDA LUNCH
E 101-41410-200	Office Supplies		\$8.78	3/2/20	ELECTION SUPPLIES
E 101-41400-200	Office Supplies		\$18.98	3/23/20	TP & HAND SOAP-OFFICE
E 205-46500-430	Miscellaneous		\$61.81	3/4/20	EDA MEETING SUPPLIES
	Total MAYNARDS FOOD CENTER		\$181.92		
Paid Chk#	023545	4/6/2020	MINNESOTA ENERGY RESOURCE CORP		
E 101-41400-383	Gas Utilities		\$291.63		CITY HALL GAS-ACCT#0505387558
E 221-42200-383	Gas Utilities		\$301.87		FIRE DEPT PORTION OF FIREHALL GAS-ACCT#0507634940
E 231-42154-383	Gas Utilities		\$148.68		AMB PORTION OF FIREHALL GAS-ACCT#0507634940
E 101-43100-383	Gas Utilities		\$486.32		STREET GARAGE GAS-ACCT#0503270939
E 211-45500-383	Gas Utilities		\$184.40		LIBRARY GAS-ACCT#0502593301
E 101-45186-383	Gas Utilities		\$216.72		COMM CTR GAS-ACCT#0504742031

***Check Detail Register©**

March 2020 to April 2020

			Check Amt	Invoice	Comment
al MINNESOTA ENERGY RESOURCE CORP					
			\$1,629.62		
<hr/>					
Paid Chk#	023546	4/6/2020	MINNESOTA MUTUAL LIFE		
E 101-42100-135	Employer Paid Other		\$1.70		BRIAN LUNZ LIFE INSURANCE
E 101-42100-134	Employer Paid Life		\$6.80		LIFE INS-POLICE DEPT
E 211-45500-134	Employer Paid Life		\$1.70		LIFE INS-LIBRARY
E 101-43100-134	Employer Paid Life		\$1.53		LIFE INS-ST DEPT
E 101-41400-134	Employer Paid Life		\$3.40		LIFE INS-OFFICE
E 101-45200-134	Employer Paid Life		\$1.02		LIFE INS-PARKS DEPT
E 101-46200-134	Employer Paid Life		\$0.85		LIFE INS-CEMETERY
E 205-46500-134	Employer Paid Life		\$1.70		LIFE INS-EDA ROB ANDERSON
G 101-21706	Hospitalization/Medical Ins		\$29.30		LIFE INS-ROBB ANDERSON
G 101-21706	Hospitalization/Medical Ins		\$10.90		LIFE INS-DARON FRIESEN
G 101-21706	Hospitalization/Medical Ins		\$12.00		LIFE INS-STEVE PETERS
E 101-42100-134	Employer Paid Life		\$1.70		JON BECK--MARCH LIFE INS
Total MINNESOTA MUTUAL LIFE			\$72.60		
<hr/>					
Paid Chk#	023547	4/6/2020	MUNICIPAL UTILITIES		
E 101-45200-380	Elec,Water,Sewer		\$27.70		LAWCON PARK LIGHT
E 101-41400-380	Elec,Water,Sewer		\$291.96		CITY HALL UT
E 101-45200-380	Elec,Water,Sewer		\$167.76		CITY PARK RESTROOMS UT
E 101-45186-380	Elec,Water,Sewer		\$352.24		SR CTR UT
E 101-43100-380	Elec,Water,Sewer		\$232.93		ST DEPT UT
E 221-42200-380	Elec,Water,Sewer		\$157.66		FIRE DEPT PORTION OF FIREHALL UT
E 231-42154-380	Elec,Water,Sewer		\$77.66		AMB PORTION OF FIREHALL UT
E 211-45500-380	Elec,Water,Sewer		\$421.61		LIBRARY UT
E 101-45200-380	Elec,Water,Sewer		\$24.36		UT AT CITY PARK SHELTERHOUSE
E 101-45171-380	Elec,Water,Sewer		\$361.67		UT AT SKATING RINK
Total MUNICIPAL UTILITIES			\$2,115.55		
<hr/>					
Paid Chk#	023548	4/6/2020	MUNICIPAL UTILITIES		
E 101-41400-200	Office Supplies		\$180.30		CITY-POSTAGE-1/1/20 TO 3/27/20
E 101-42100-200	Office Supplies		\$6.60		PD-POSTAGE-1/1/20 TO 3/27/20
E 205-46500-200	Office Supplies		\$30.00		POSTAGE-1/1/20 TO 3/27/20
Total MUNICIPAL UTILITIES			\$216.90		
<hr/>					
Paid Chk#	023549	4/6/2020	MUNICIPAL UTILITIES		
E 101-43160-381	Electric Utilities		\$3,812.56		FEB ST LIGHTING
E 101-43100-430	Miscellaneous		\$10.00		PRESSURE VESSEL FEE
Total MUNICIPAL UTILITIES			\$3,822.56		
<hr/>					
Paid Chk#	023550	4/6/2020	MUSKE, MUSKE, SURHOFF		
G 101-15506	PREPAID-LEGAL FEES		\$1,400.00		APRIL LEGAL RETAINER
Total MUSKE, MUSKE, SURHOFF			\$1,400.00		
<hr/>					
Paid Chk#	023551	4/6/2020	PETERSON DRUG & GIFTS		
E 101-43100-200	Office Supplies		\$12.62	11128	ST DEPT OFFICE SUPPLIES
E 231-42154-210	Operating Supplies		\$29.90	12185	AMB OFFICE SUPPLIES
E 231-42154-210	Operating Supplies		\$2.44	12392	AMB OFFICE SUPPLIES
E 231-42154-210	Operating Supplies		\$311.74	12899	GLUCAGON, GLUCOSE-AMB
Total PETERSON DRUG & GIFTS			\$356.70		
<hr/>					
Paid Chk#	023552	4/6/2020	PLUNKETT S		
E 101-45186-400	Janitor-Repairs/Maint		\$224.09	6591035	YEARLY SERVICE AT COMM CTR
Total PLUNKETT S			\$224.09		

***Check Detail Register©**

March 2020 to April 2020

Check Amt Invoice Comment

Paid Chk#	Date	Vendor	Check Amt	Invoice	Comment
Paid Chk# 023553	4/6/2020	PRAXAIR			
E 231-42154-210		Operating Supplies	\$120.94	95625144	OXYGEN FOR AMB
		Total PRAXAIR	\$120.94		

Paid Chk#	Date	Vendor	Check Amt	Invoice	Comment
Paid Chk# 023554	4/6/2020	STREICHERS			
E 101-42100-205		Uniforms	\$1,281.00	11418480	VEST-WILL POHLMAN
		Total STREICHERS	\$1,281.00		

Paid Chk#	Date	Vendor	Check Amt	Invoice	Comment
Paid Chk# 023555	4/6/2020	THIRD AVENUE AUTO PARTS			
E 101-42100-430		Miscellaneous	\$1.49	S179130	PD-WHITE PAINT STICK
E 101-43100-404		Repairs/Maint Machinery/Equip	\$19.50	S179171	MUD FLAP-PAYLOADER
E 101-43100-404		Repairs/Maint Machinery/Equip	\$26.89	S179182	ST DEPT-10PC SAE CRWFT
E 101-42100-430		Miscellaneous	\$17.99	S179525	PD-12OZ LUBRICANT
		Total THIRD AVENUE AUTO PARTS	\$65.87		

Paid Chk#	Date	Vendor	Check Amt	Invoice	Comment
Paid Chk# 023556	4/6/2020	TIM CONERS			
E 221-42200-210		Operating Supplies	\$111.67		DISINFECTANT FOR FD-COVID19
		Total TIM CONERS	\$111.67		
		10100 United Prairie	\$56,975.52		

Fund Summary

10100 United Prairie		
101 GENERAL FUND		\$27,609.46
205 ECONOMIC DEVELOPMENT AUTHORITY		\$541.51
211 LIBRARY FUND		\$1,339.16
221 FIRE DEPT FUND		\$628.20
231 AMBULANCE FUND		\$10,439.02
607 EDA---4 PLEX FUND		\$1,789.85
608 EDA---8 PLEX FUND		\$12,685.07
609 EDA-- MASON MANOR		\$1,943.25
		\$56,975.52

Paid Chk#	Date	Vendor	Check Amt	Invoice	Comment
Paid Chk# 000663E	3/23/2020	SELECT/FURTHER			
E 101-41400-141		Admin Fees-HSA	\$5.90		HSA ADMIN FEES
E 101-42100-141		Admin Fees-HSA	\$8.85		HSA ADMIN FEES
E 205-46500-141		Admin Fees-HSA	\$2.95		HSA ADMIN FEES
E 211-45500-141		Admin Fees-HSA	\$2.95		HSA ADMIN FEES
E 101-43100-141		Admin Fees-HSA	\$2.65		HSA ADMIN FEES
E 101-45200-141		Admin Fees-HSA	\$1.77		HSA ADMIN FEES
E 101-46200-141		Admin Fees-HSA	\$1.48		HSA ADMIN FEES
		Total SELECT/FURTHER	\$26.55		

Paid Chk#	Date	Vendor	Check Amt	Invoice	Comment
Paid Chk# 000664E	3/31/2020	UNITED PRAIRIE BANK			
E 101-41400-301		Auditing and Acct g Services	\$25.00		MARCH ACH FEE
		Total UNITED PRAIRIE BANK	\$25.00		

ECONOMIC DEVELOPMENT AUTHORITY

Monday, February 24, 2020

12:00 Noon

Mt. Lake Public School

PRESENT: Darla Kruser, Vern Peterson, Jerry Haberman, Steve Syverson, Jason Flanagan, Mike Nelson. Dean Janzen and Clara Johnson, Advisors.

ABSENT: Chuck Stevensen.

STAFF: Rob Anderson and Tabitha Garloff

GUEST: Deanna Anderson, Observer/Advocate and Karen Stoesz. Michelle Larson, Pam Hoek, Joann Karschnik, Chad Peterson, Dave Bucklin, Julie Brugman, Lois Herrig and Jon Harder, MLPS Staff/Board Members.

1. Call to Order: Jerry called the meeting to order at 12:08 p.m.
2. Motion to Approve Consent Agenda
Consent Agenda:
 - a. Approval of January 13, 2020 Regular EDA Meeting Minutes.
 - b. Approval of Financial Reports and Bills. Motion made and seconded by Vern and Mike to approve the consent agenda as presented. Carried.
3. 2020 Proposed Work Plan. Motion made and seconded by Jason and Darla to approve the proposed 2020 Work Plan. Carried.
4. Resolution 2-24-2020 Approving the Terms of up to a \$111,000 Interfund Loan in Connection with Tax Increment Financing District 1-6 and Proposed Refunding Bonds Schedule of Events and Letter to Mt. Power Hydraulics. Rob gave a brief overview of the proposed bond refunding and interfund loan request. Motion made and seconded by Darla and Jason to approve the \$111,000 interfund loan. Carried.
5. Community Asset Foundation Housing Project-Update. Rob reported that the feasibility study showed the project is not feasible to move forward.
6. Mt. Lake Commercial Park:
 - a. Subway. Plans continue to move forward. Rob stated the project is making progress and he is waiting for final approval on the site and floor plan from PJ Miller (Miller Group). Plans will move forward when approval is received. The estimated total project cost is \$600,000. Project will be funded with a \$400,000 20-year mortgage loan from United Prairie Bank and \$200,000 EDA loan. Subway will sign a 10-year lease agreement.
 - b. Potential Food Service Business. Monday, March 2nd Rob and Jerry will meet with a potential food service business that is interested in a lot in the commercial park.
 - c. Business Visits. Rob reviewed the business visits to United Prairie Bank and Mountain Lake Christian School.
 - d. Cold Storage. Karen Stoesz gave a brief update on cold storage.
 - e. Other

7. Bill Strom, MLPS Superintendent.
 - a. Construction Project Q& A. Bill Storm gave a brief overview of what is happening at the school and introduced the school board members and staff present.
 - b. Day Care and Head Start Needs in School/Community. Discussion took place on how the school and EDA can work together on ideas of how to get adequate daycare in the community. Joanne Karschnik provided detailed information on how the school daycare operates and what is required to have the daycare. Chad talked about the head start program in Mountain Lake and the importance of keeping it in Mountain Lake. Chad stated keeping the head start program in Mountain Lake helps insure those children will transition into Mountain Lake's public school system. The current head start building needs repairs. A committee was appointed to gather more information and ideas of how to fulfill the daycare needs in the community. The committee will be Chad Peterson, Darla Kruser, Vern Peterson, Joanne Karschnik, Bill Strom, Julie Brugman and Rob Anderson. Rob will set up a meeting time with Bill.
 - c. Work Force Development. Michelle Larson gave an overview of the work force development that the school provides. The school offers a Get Ready Curriculum, Career Exploration Day, college visits, trade school visits, job shadowing for seniors and an occupation class. There is also a Grow Your Own program to help get students back into the work force in the communities they grew up in.
8. GENERAL DISCUSSION:
 - a. Hanson Agency Potential SCDP Project for Office Space. Brad Hanson has inquired about a SCDP loan for \$17,000 for flooring and to renovate a storage space into office space. Board gave approval to move forward with the request.
 - b. Next Regular Board Meeting is March 16, 2020
 - c. Other Business
9. ADJOURN. Jerry adjourned the meeting at 1:34 p.m. The school provided a tour of the school remodel to board members and board meeting attendees interested following the EDA meeting.

Mountain Lake Municipal Utilities Commission Meeting
Mountain Lake City Hall
Thursday, March 12, 2020
7 AM

Members Present: Dean Janzen, Todd Johnson, Mark Langland, Council Liaison David Savage

Members Absent: Sue Garloff, Randy Sawatzky

Staff Present: Michael Schulte, Administrator/Clerk; Lynda Cowell, Utilities Office Manager; Ron Melson, Electric Superintendent; David Watkins, Electric Lineman; Lane Anderson, Electric Lineman

Others Present: Lee Martin – Metering & Technology Solutions

Call to Order

The meeting was called to order at 7:00 a.m.

Approval of Agenda, Minutes, and Bills

Motion by Janzen, seconded by Johnson, to approve the agenda, February 29 Minutes, and Bills #019689 - 019737. Motion carried 3 – 0.

Electric Department

The department generated the 3 Fairbanks as part of the URGE test. There was a leak on the turbo that may need to be fixed. Feeder 3 was repaired, batteries were replaced in the CAT engines, and meter reading was completed. A customer was placed from large commercial to small commercial because of their adjusted demand meter reading over the past 12 months. Staff will look into the transformer that was upgraded years ago and whether the utility or the customer should be responsible for paying for the upgrade. Staff will contact Missouri River Energy Services to determine how costs are recouped.

Water/Wastewater Department

Nesmoe and Pankratz were not present due to a water main break on 10th Street. Lee Martin of Metering & Technology Solutions was present to discuss Badger meters. Martin focuses solely on water meters. They provide a web based service that collects meter readings and places the readings into the utility's billing system. Badger meters run on cell phone tower coverage called LTEM. There are various styles of meters. The battery that reads and sends the meter reading has a lifespan of 20 years. Costs are near \$130 for the meter and \$130 for the battery. There is also a \$.89/per customer per month charge for the service of the readings and web and app based

technology. Meters, coverage, billing, references, installation, and costs were all discussed. Direction was given to have the water staff receive quotes of ordering all new meters and batteries and quotes of ordering smaller amounts of both over a span of years.

Wastewater Ponds Project

The city administrator presented the PFA loan agreement and loan amortization schedule. The city will receive \$2,582,152 in a Point Source Implementation Grant, and a PFA loan of \$8,018,787 for a total project of \$10,600,939. The PFA contacted the city administrator and presented two loan amortization schedules. One schedule had payments near \$465,000 each year for the next 19 years starting in 2021 with a payment near \$27,000 later in 2020. The second schedule added a payment in 2040 near \$465,000 but only had a payment near \$80,000 in 2021. The added interest on the second schedule was just under \$80,000. Milk Specialties will begin to pay their base charge when the new wastewater ponds are operating which will begin likely in the fall of 2021. The utility can afford the debt service payment in 2021 without Milk Specialties contribution. With this schedule, debt services payments will stop in 2039 but Milk Specialties will still be paying their base charge into 2041. The administrator contacted Savage and Langland last week and they both agreed to go with the first schedule to save on interest. In addition to the agreements, a PSIG grant fee was sent to the city in which the fee needs to be paid to receive the grant. Motion by Janzen, seconded by Johnson, to pay the \$12,910.76 PSIG grant fee to the PFA and recommend to the City Council to approve the PFA loan agreement, resolution, and loan amortization schedule. Motion carried 3 – 0.

Survey of Parcel ID #11.028.0201.

The city attorney contacted the city administrator and stated the legal description found on the said parcel was sufficient to use for the sale of the parcel and no new survey is needed.

Adjourn

The meeting was adjourned at 8:11 a.m.

Approved March 26, 2020

ATTEST:

Michael Schulte, Administrator/Clerk

**Regular City Council Meeting
Mountain Lake City Hall
Monday, March 16, 2020
6:30 p.m.**

Members Present: Dana Kass, Darla Kruser (6:37p.m.), Mike Nelson, David Savage, Andrew Ysker

Members Absent: None

City Staff Present: Michael Schulte, City Administrator/Clerk; Maryellen Suhrhoff, City Attorney; Jon Beck, Police Officer, David Watkins, Ambulance Director; Carol Lehman, Library Director

Others Present: Doug Regehr, Rachel Yoder, Jay Schied, Tammy Omdal, Northland Securities (conference call), Amber Hughes, Emily Adrian

Call to Order

The meeting was called to order by Mayor Nelson at 6:30 p.m.

Approval of Agenda & Consent Agenda

Motion by Savage, seconded by Kass, to add 2.K – Resignation of Audi Nickel from Mountain Lake Ambulance effective March 31, 2020 to the consent agenda and 8.B – Discussion/Action of COVID-19 Pandemic. Motion carried 4 – 0. Motion by Kass, seconded by Ysker, to approve the consent agenda and agenda as amended. Motion carried 4 – 0.

Bills: Checks #23444 – 23498, 661E – 662E

Payroll: Checks #65214 – 65245

Approve January 13 Tree Commission Minutes

Approve January 13 EDA Board Minutes

Approve January 28 Police Commission Minutes

Approve February 10 Lake Commission Minutes

Approve February 20 Utilities Commission Minutes

Approve March 2 City Council Minutes

Approve to Submit Grant Application to Big Bend Wind for \$2,000 on Behalf of the Active Living Committee

Approve Resolution #6-20 Accepting Donations to the City

Accept Resignation of Audi Nickel from Mountain Lake Ambulance effective March 31, 2020

Public

Jay Schied asked if there was going to be an ordinance to require new businesses in the commercial park to utilize solar panels for energy consumption. Nelson and Savage responded that the city did not want to hinder development in the commercial park as solar panels may be an added cost as not all solar panel installations are cost effective. Schied asked if they could provide an update on businesses interested in the commercial park. Nelson responded that they could not provide business names except that the EDA has been working with Subway on a possible project where the EDA will be constructing a building in which Subway would lease. Schied asked if there was an ordinance on wearing reflectors while riding bike as he stated there was an incident where he was backing up from his driveway and almost hit a biker as it was dark in the early morning. Schied reported it to Chief Bristol but did not know if was addressed. It will be reviewed.

Series 2020A, Taxable General Obligation Refunding Bonds & Resolution #3-20

Tammy Omdal, Northland Securities, over a conference call explained to the council the finance plan of Taxable General Obligation Refunding Bonds, Series 2020A. The plan involves refunding Series 2013B, 2014A, and 2016A. Refunding of the bonds would not need to change the lease agreements of the tenants involved with Series 2013B and 2014A. Refunding would save an estimated \$267,000 in gross savings. Omdal explained that as we are in the middle of a pandemic with various changes in the market, savings and rates could fluctuate throughout the refunding process. Resolution #3-20, which was also explained by Omdal, approves the issuance of taxable general obligation refunding bonds and gives the mayor and the administrator authorization to approve the sale of the bonds in an aggregate principal not to exceed \$2,700,000 and to execute a bond purchase agreement for the purchase of the bonds with Northland Securities provided that the total net savings is at least \$200,000. The administrator explained the resolution was updated from what was sent in the council packet to reflect these numbers. Motion by Savage, seconded by Kass, to approve Resolution #3-20 as newly presented. Motion carried 5 – 0.

Resolution #4-20 Calling for a Public Hearing for Establishment of TIF District 9

The EDA is working on a project to build a building in which Subway would lease in the commercial park. The resolution calls to set a public hearing at 6:30pm on April 20, 2020 to discuss Redevelopment Project #1 and the establishment of Tax Increment Financing District #1-9 among other related items. Motion by Kruser, seconded by Kass, to approve Resolution #4-20. Motion carried 5 – 0.

Minnesota Public Facilities Authority Bond Purchase and Project Loan Agreement with Point Source Implementation Grant

The city administrator presented the PFA loan agreement and loan amortization schedule. The city will receive \$2,582,152 in a Point Source Implementation Grant, and a PFA loan of \$8,018,787 for a total project of \$10,600,939. The PFA contacted the city administrator and presented two loan amortization schedules. One schedule had payments near \$465,000 each year for the next 19 years starting in 2021 with a payment near \$27,000 later in 2020. The second schedule added a payment in 2040 near \$465,000 but only had a payment near \$80,000 in 2021. The added interest on the second schedule was just under \$80,000. Milk Specialties will begin to pay their base charge when the new wastewater ponds are operating which will begin likely in the fall of 2021. The utility can afford the debt service payment in 2021 without Milk Specialties contribution. With this schedule, debt services payments will stop in 2039 but Milk Specialties will still be paying their base charge into 2041. The administrator contacted Councilmember Savage and Commissioner Langland earlier in the month and they both agreed to go with the first schedule to save on interest. In addition to the agreements, a PSIG grant fee was sent to the city in which the fee needs to be paid to receive the grant. The utilities commission approved a motion to recommend to the council to approve the bond purchase and project loan agreement. Motion by Savage, seconded by Kass, to approve the Minnesota Public Facilities Authority Bond Purchase and Project Loan Agreement with Point Source Implementation Grant. Motion carried 5 – 0.

Resolution #5-20 Accepting Offer of PFA to Purchase General Obligation Note

Resolution #5-20 was prepared by Bond Council which accepts the offer of PFA to purchase the general obligation note. Motion by Ysker, seconded by Kruser, to approve Resolution #5-20. Motion carried 5 – 0.

Ambulance On-Call Wages

Ambulance Director David Watkins, Amber Hughes, and Emily Adrian discussed recruitment for EMTs and the status of the Ambulance Department. The Ambulance Department is attempting to recruit new members for the department to fill various on-call shifts but have struggled in recent efforts. Other communities are struggling for new members as well and have made adjustments to on-call wages and call-outs along with other policies to help recruit and retain members. Watkins listed other cities on-call and call-out wages and discussed shifts, budget numbers, and capital purchases for the department. The department has been under budget the past two years for wages and salaries but that unused expenses has been put into savings for new equipment such as new ambulances. Watkins stated that he rather push capital purchases out another year or two and focus on recruiting and retaining members. Watkins requested if the on-call wage could be \$5.00/hour whether effective this year or achieved in tiers. The Ambulance budget will be reviewed during budget season this summer to determine if additional changes will be needed. Motion by Nelson, seconded by Savage, to change the on-call wage from \$2.00/hour to \$3.50/hour and change the \$5.00 per meeting attendance to \$10.00 per meeting attendance effectively immediately (will be applied for Ambulance checks for the month

of March). Voting aye: Nelson, Savage, Kass. Voting nay: None. Abstain: Kruser, Ysker. Motion carried 3 – 0.

Covered Hours Policy for City Employees

Councilmember Kruser requested if discussion could ensue about implementing a policy that allows employees that work for the city or the utility to be able to take call during normal work hours and have a certain amount of hours over a period of time to be paid their normal wage and the call-out wage. Currently, staff will be on call and if they get called out, they will either take vacation time or work additional hours to make up the difference. As the Ambulance Department attempts to talk to businesses to recruit members for the department, a policy would set the example of allowing employees to take on-call time and not worry about having to use vacation time or work longer hours. Direction was given to the administrator to write a policy to review before the next regular meeting in which exact numbers could be discussed further.

Emergency Ambulance Drivers

Due to COVID-19 and the governor declaring a peacetime emergency during this pandemic, there have been restrictions lifted on who can drive ambulances. During this time, individuals who are not EMTs are allowed to drive ambulances in emergency situations if other EMTs are not available. Watkins asked if this would occur, what we would pay the emergency drivers. Discussion on wages ensued. Motion by Savage, seconded by Kass, to pay \$15.00/hour for emergency ambulance drivers. Motion carried 5 – 0.

City Attorney

Due to COVID-19, the courts have postponed court cases which will cause many delays for various court cases the city normally is involved with. Discussion ensued on a property on 10th Street. There have been reports of more than 4 cars on the property and more than 2 cars on the street which violates the agreement between the property owner and the city. The city attorney explained what she knew about the property and possible actions. The attorney will work with the police chief on addressing the current issue.

Minnesota Legislation

The City/EDA has legislation in the House and Senate that extends the lifespan of TIF District 1-8 which is the vacant downtown lot. The administrator and community development director were scheduled to testify today and tomorrow but due to the COVID-19 crisis, all hearings have been postponed until April.

COVID-19 Crisis

The administrator explained the most updated information and recommendations from the Centers for Disease Control and Prevention, Minnesota Department of Health, and the state and federal government. The state and federal government are recommending limiting large group

gatherings, keeping social distances, and preventing as much face-to-face interactions that could potentially spread COVID-19. Carol Lehman, Library Director, explained the large number of users at the library today and had concerns about being open during this pandemic and not being equipped properly to follow state and federal recommendations. Lehman presented a list of other public libraries in which many of them are closing until further notice or until the end of the month. Discussion ensued on closing city hall, the community center, and the library and waiting till later in the month to re-evaluate closings and further actions as more information becomes known from state and federal entities. Utility billing, permits, and miscellaneous items were discussed on how to properly handle public services. The administrator asked how to handle paid leave if an employee would become diagnosed with COVID-19 or have symptoms of the virus. The council wants to have employees to stay home and work with their clinic or doctor if they feel ill but did not have enough information at this time to decide if additional paid leave would be permitted. If an emergency situation were to occur, it would be reviewed on how to address it. Discussion ensued on city operations and closings. Motion by Kass, seconded by Ysker, to close City Hall, Mountain Lake Public Library, and the Mountain Lake Community Center to the public at 5:00pm on March 17, 2020 through March 27, 2020 and to schedule a Special City Council meeting at 12:00pm on Thursday, March 26 to re-evaluate the information known at that time, re-evaluate the closings, review plans moving forward, and other items involved with crisis. Motion carried 5 – 0. Staff will continue to work normal schedules. The food shelf at the community center can decide to stay open or close. Senior Dining can use the kitchen to prepare meals on wheels but not host in-house dining. Library services will be evaluated at the special council meeting on possibly allowing appointments to use the computers to gain internet access.

Adjourn

The meeting was adjourned at 8:53 p.m.

ATTEST:

Michael Schulte, Administrator/Clerk

Special City Council Meeting
Via Conference Call
Thursday, March 26, 2020
12:00 p.m.
Call 763-710-3959 ID: 792830 and press #

The Mayor and City Administrator determine that an in-person meeting or a meeting conducted under MN Statute section 13D.02 is not practical or prudent because of a health pandemic or an emergency declared under Chapter 12 as stated in 13D.021. MN Statute 13D.021 will be followed for this meeting.

Members On-Call: Dana Kass, Darla Kruser, Mike Nelson, David Savage, Andrew Ysker

Members Absent: None

City Staff On-Call: Michael Schulte, City Administrator/Clerk; Maryellen Suhrhoff, City Attorney

Others On-Call: Dirk Abraham, KDOM Radio

Call to Order

The meeting was called to order by Mayor Nelson at 12:00 p.m.

Approval of Agenda

Motion by Savage, seconded by Kass, to approve the agenda as presented. Motion carried 5 – 0.

City of Mountain Lake COVID-19 Virus Continuity of Operations Plan

An operation plan was reviewed and discussed. Yesterday, Governor Tim Walz signed Executive Order 20-20 which directs a two-week stay-at-home order beginning at 11:59 p.m. on March 27 and ends at 5:00 p.m. on April 10. In addition, the League of Minnesota Cities and Coalition of Greater Minnesota Cities have been providing resources, advice, and guidance on city operations during the COVID-19 pandemic and the stay-at-home order. Edits and additions by the council were included. The plan is as follows:

1. The City needs to protect its available workforce in order to maintain government services while doing its part to contain the outbreak and reduce its impact on public health. Depending upon the severity of the outbreak, these measures will be implemented and amended as necessary.
2. As information and recommendations become available from The Centers for Disease Control and Prevention, Minnesota Department of Health, and the state and federal

government, operation plans and actions may be amended as recommended or mandated. This plan will be adjusted as needed.

3. **City Hall** will remain closed to the public until further notice. Office staff will continue to work to carry out critical city operations. City staff will implement social distancing as allowed, clean and sanitize work areas, practice hygiene guidelines, stay home when ill, and take other pre-cautions as they become available. Staff can be contacted by the public via telephone or email during normal working hours.
 - Utility Billing – Utility billing will be sent at its normal mailing dates. Utility bills will still be due on its normal due dates. Bills can be paid online on our website via credit or debit card. Processing fees will arise when customers pay but the Utility will take the fee paid and apply it as a credit to the customer’s next bill. The drop box outside city hall is available to drop off payments. Late fees will still be applied unless the customer contacts staff prior to the due date to arrange a payment agreement. More information will be posted on the city’s website.
 - Energy Rebate Forms – Energy rebate forms are available on our website to print and fill out. Forms can be dropped off in the city drop box, mailed to city hall, or scanned and emailed to city staff. Forms can be mailed to requester if desired.
 - Employment Opportunities – Employment opportunities are posted on our website. City applications are available on our website or can be mailed if requested. Applications can be dropped off in the city drop box, emailed to staff, or mailed to city hall.
 - Building Permits – Building permits will be made available online for residents to print and fill out. Building permits will be sent via mail or email to residents if requested. Residents can contact city staff on proper procedures to fulfill permit requirements and will be handled in a timely manner by staff.
 - Cemetery – Sale of cemetery plots and opening/closing of graves will continue and be processed as much as reasonably possible over the phone or email but will be handled on a case-by-case basis with scheduled appointments at city hall.
 - Dog Licenses – Dog license forms can be mailed or emailed to residents. Residents can call city staff on how to properly obtain a dog license.
 - Golf Cart Permits – A golf cart permit is available on our website to print and fill out. Forms can be dropped off in the city drop box, mailed to city hall, or scanned and emailed to city staff. Forms can be mailed to requester if desired. Proof of insurance is required with the application.

- Data Requests – Members of the public can contact city staff via phone or email on data requests.
 - Other Permits & Licenses – Residents can contact city staff on other permits and licenses.
 - Other Requests – Residents can contact city staff on all other requests.
4. **Mountain Lake Public Library** will be closed to the public until further notice. Online resources (e-books, audio books, etc.) will still be made available. Books can be dropped off in the drop-box at the library at any time. Pick-ups will be discontinued from Saturday, March 28 through Friday, April 10. Library staff will re-evaluate to determine if pick-ups will resume after April 10. A Mountain Lake Library Facebook page will be established to post virtual and e-learning items for residents to do from their homes.
 5. **Mountain Lake Community Center** is closed to the public until further notice and no reservations or events will be allowed through April 30. All scheduled reservations through April 30 will be refunded. The food shelf will have the option to remain open or closed during this time. No in-house meals for Senior Dining will be allowed but the kitchen can be utilized to deliver meals on wheels. Reservations past April 30 will be reviewed at a later date.
 6. **City Parks & Public Spaces** – According to Governor Walz’s Emergency Executive Order 20-20, park equipment will be off-limits from March 28 to April 10. Park bathrooms will remain locked until further notice. Groups larger than 10 are discouraged from gathering in city parks and public spaces. No group reservations are allowed at city park shelters until further notice.
 7. **City-Wide Cleanup** originally scheduled for May 2, 2020, as requested by Hometown Sanitation, will be postponed to a later date to be determined.
 8. **City Campground** – The campground usually opens in early May, depending on weather conditions. Opening or keeping the campground closed will be determined at a future date.
 9. **Outside Employees** – Residents are asked to keep distance of at least 6 feet from public employees working on public infrastructure outside.
 10. **Utilities** – Normal operations for electric, water, and wastewater will continue to ensure reliable service for all customers. Projects or items involving face-to-face interactions will be avoided as much as possible or require social distancing of at least 6 feet. In drastic emergencies, neighboring communities (such as members in Central Municipal Power Agency/Services) will be contacted to help assist carrying out critical functions.

- 11. Streets/Storm Sewers** –Streets and storm sewers will be maintained as normal to ensure reliable street access and proper drainage of storm water. Projects or items involving face-to-face interactions will be avoided as much as possible or require social distancing of at least 6 feet. In drastic emergencies, neighboring communities (such as members in Central Municipal Power Agency/Services) will be contacted to help assist carrying out critical functions.
- 12. Emergency Services (Ambulance, Fire, Police)** Emergency services will continue operations to keep the public safe during this pandemic. Responders may ask the caller if they have been diagnosed with COVID-19 or have symptoms of COVID-19 to properly prepare and address the situation. For police calls, non-life threatening matters may be reviewed on a case-by-case basis on whether face-to-face interaction or social distancing is needed to address the situation or if phone or email interactions can be utilized to protect police officer health.
- 13. Public Meetings** will be conducted via conference call or other electronic means (MN Statute 13D.021) until further notice. Proper notices and procedures will still apply as stated in Minnesota Statutes. Non-critical meetings will be reviewed on a case-by-case basis to be postponed to a later date.
- 14. Temporary COVID-19 Employee Sick Leave Policy (separate document)** will be implemented as a supplement to normal personnel policies until further notice. Changes and amendments as more information becomes available can be implemented as needed.
- 15. Local Declaration of Emergency** may occur if determined necessary by the mayor to be able to provide services and continue operations as allowed in Minnesota Statutes.
- 16. Items Not Addressed** – Items not directly addressed in this plan will be reviewed and determined by the city administrator, mayor, or department head on the best course of action or require an emergency or special city council meeting to determine solutions if needed.

Councilmember Kruser left the meeting at 1:14 p.m.

Temporary COVID-19 City Employee Sick-Leave Policy

The policy states the City will follow the recently enacted federal Emergency Family and Medical Leave Expansion (EFML) and Emergency Paid Sick Leave Acts (EPSL), provides guidance on staying home when sick, when to return to work, working from home requests for office staff, hygiene protocols, and other information. The policy goes into effect from April 2, 2020 until December 31, 2020 or determined otherwise by federal orders.

Motion by Ysker, seconded by Kass, to approve the City of Mountain Lake COVID-19 Virus Continuity of Operations Plan and Temporary COVID-19 City Employee Sick-Leave Policy.
Motion carried 4 – 0.

Adjourn

The meeting was adjourned at 1:36 p.m.

ATTEST:

Michael Schulte, Administrator/Clerk

MARCH / Street Dept / Report

- Sweep Streets
- BLADE @ Drag Gravel ROADS
- Shop Maint @ Clearing
- New Door OPENER, South Door (Mankato Overhead)
- #14 DOT Prep, Bring To Miller Sellner Cracked Springs
- DEB @ Glose 2 Graves
- Pick up Branches in Cemetery, Trim Trees
- OPEN storm Sewers Vactor Truck 15th St / 3rd AVE
- LOCATES
- 1 Plowable Snow in March, Plow Streets, Clean Sidewalks
- Haul Sweeping Debris, County Land Fill
- Help With 2 Watermain Breaks 10th St N @ 10th St S
- Broom Trail
- Re-Plumb Main line in shop (Fix leak)
- Caution Tape @ Barracade Playground EQ
in City Park @ Hocon Park

Resolution #7-20
RESOLUTION CALLING FOR A PUBLIC HEARING
ON PROPOSED PROPERTY TAX ABATEMENTS
City of Mountain Lake, MN

BE IT RESOLVED by the City Council (the "Council") of the City of Mountain Lake, Minnesota (the "City"), as follows:

1. Recitals.

(a) Minnesota Statutes, Sections 469.1812 through 469.1815, as amended, inclusive, authorize the City, upon satisfaction of certain conditions, to grant an abatement of all or a part of the taxes levied by the City on real property within its boundaries.

(b) It is a legal requirement that the City hold a public hearing prior to adoption of a resolution granting any property tax abatements.

2. Hearing. A public hearing on the consideration of the property tax abatement and business subsidy will be held at the time and place set forth in the Notice of Hearing attached hereto as Exhibit A and hereby made a part hereof.

3. Notice. The City Clerk is hereby authorized and directed to cause notice of said hearing in substantially the form attached hereto as Exhibit A to be given one publication in a newspaper of general circulation in the City at least once more than 10 days but not more than 30 days before the hearing. The newspaper must be one of general interest and readership in the City, and the notice must be published at least once.

Councilmember _____ moved for the adoption of the foregoing resolution, and said motion was duly seconded by Councilmember _____, and upon a vote being taken thereon after full discussion thereof, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Adopted on _____, 2020, by the Mountain Lake City Council.

Mike Nelson, Mayor

Attest:

Michael Schulte, City Administrator/Clerk

CITY CLERK CERTIFICATE

I, the undersigned, being the duly qualified and acting Clerk of the City of Mountain Lake, Minnesota (the "City"), DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council of the City, duly called and held on the date therein indicated, insofar as such minutes relate to the calling of a public hearing on a proposed property tax abatement.

WITNESS my hand this ____ day of _____, 2020.

City Administrator/Clerk
Mountain Lake, Minnesota

EXHIBIT A

CITY OF MOUNTAIN LAKE, MINNESOTA

NOTICE OF PUBLIC HEARING
REGARDING PROPOSED PROPERTY TAX ABATEMENTS

NOTICE IS HEREBY GIVEN that the City Council of the City of Mountain Lake, Minnesota, will hold a public hearing at a regular meeting of the City Council beginning at 6:30 p.m. on Monday, April 20, 2020, on the proposal that the City abate property taxes levied by the City on the property identified as tax parcel number: 22.525.0060.

PLEASE NOTE, due to COVID-19, the public hearing will be conducted via telephone or other electronic means as allowed under Minnesota Statutes 13D.021. Please refer to the City of Mountain Lake's website at www.mountainlakemn.com or call City Hall at 507-427-2999 to learn how to attend the public hearing via telephone or electronically.

The purpose of the proposed abatement is to finance a portion of the property acquisition and/or construction of an approximate 2,400 square foot construction of a commercial-retail building for operation of a restaurant by Lakeside Land, LLC (the Project). The City Council will consider approving an abatement resolution and business subsidy agreement.

The proposed abatement will collect the City's share of property taxes from the Abatement Parcels for a maximum of fifteen (15) years beginning with tax collection year 2022 and ending with tax collection year 2036 and use those revenues to pay for eligible costs associated with the Project. The total property tax abatement of City taxes over the 15-year period will not exceed \$475,000.

Copies of the Abatement Resolution and the Business Subsidy Agreement as proposed to be adopted will be on file and available for public inspection at City Hall.

Persons living in or owning taxable property in the City may file a written complaint with the City if it fails to comply with the provisions of Minnesota Statutes, Sections 116J.993 to 116J.995. No action may be filed against the City for the failure to comply unless a written complaint is filed.

All interested persons may appear at the hearing and present their views orally or in writing. Also, written comments may be submitted to the City Administrator for receipt prior to the meeting.

Prepared this 8th day of April, 2020

Michael Schulte, City Administrator/Clerk

City of Mountain Lake, Minnesota

To be published no later than April 9, 2020

DRAFT

AMENDMENT TO UNION/NON-UNION POLICY

Union Policy: ARTICLE XIII LEAVES OF ABSENCE

Non-Union Policy: ARTICLE IX LEAVES OF ABSENCE

“New Section”

Section D. Employees Serving as Volunteer Emergency Personnel

The City of Mountain Lake recognizes the importance of emergency services, is committed to making sure staffing needs are met, and encourages employees to serve as a volunteer firefighter or emergency medical technician. Therefore, it is the policy of the City of Mountain Lake that all permanent full-time City/Utility employees who are secondarily members of the Mountain Lake volunteer fire department and/or Mountain Lake ambulance service and are firefighters and/or emergency medical technicians may be on-call and may respond to emergency fire and ambulance calls while on duty if their normal work allows.

Employees shall work with their department head/supervisors prior to being on schedule for on-call. Department head/supervisors shall allow as appropriate employee firefighters and emergency medical technicians to be on-call for fire and ambulance emergency activities. Department head/supervisors have the authority to not allow an employee to be on-call (prior to scheduling) if being on-call will interrupt or drastically effect a planned work project or interfere with City/Utility scheduling or operations.

Department heads/supervisors may require the employee to submit a written statement from the chief of the volunteer fire department and/or ambulance service verifying that the employee responded to a fire and/or medical emergency specifying the date, time and duration of the response.

Employees responding to fire and/or ambulance calls while on duty during their regular work schedule shall receive their primary job wages in addition to the normal fire and/or ambulance pay up to 8 hours per pay period. After 8 hours in a pay period, employees must use their vacation or accrued comp time to substitute their lost time or work additional hours within the work week. Employees shall account for time served as a firefighter and/or emergency medical technician on their timesheets. This procedure shall apply to those situations whereby employees respond from and return to their regular worksite.

Employees responding to fire and/or ambulance calls outside the course of their regular work schedule shall receive the normal fire or ambulance pay.

Employees may participate in voluntary firefighter and/or emergency medical technician training activities. If these activities are scheduled during an employee’s regular work

schedule, the employee shall follow all required City procedures to request time off and shall account for the absence from work by using vacation and/or comp time.

Employees may use City/Utility vehicles to respond to calls provided the employee is on duty.

Passed and adopted by the City Council this 6th day of April, 2020.

Mike Nelson, Mayor

ATTEST:

Michael Schulte, City Administrator



March 27th 2020

Scott Pankratz
Mountain Lake Fire Department
356 11th Street North
Mountain Lake, MN 56159

RE: Mountain Lake Fire Department Expansion

Scott:

Thank you for the opportunity to meet with you and your colleagues this week to discuss your needs for expanded operations within the Fire Department in Mountain Lake, MN. Based on our meeting, I am writing this letter to describe the construction pre-planning services we will provide in order to help you plan for and budget the options you have for improvements to the fire department facilities in Mountain Lake to be performed by Robert W. Carlstrom Co., Inc. Below I will lay out the services we described to you on Tuesday and the cost for what was proposed.

Services

- Provide Concept Floor Plans and Elevations for a renovation and expansion at the current facility.
- Provide Concept Floor Plans and Elevations for a new facility to be constructed in town at a site to be determined.
- Provide a Cost Estimate for the Renovation and Expansion Project.
- Provide a Cost Estimate for the New Facility option to be constructed at a site to be determined.
- Provide you with documentation of all the above for presentation to city council.

We propose to provide the services above for a fee capped at **\$500.00**. We know we will incur more costs than this in putting this information together but our main interest is to help you through this process and to earn a chance to be involved in this project should it move forward. Our fee is in place only to ensure we receive some compensation for our services should this project not come to fruition.

We appreciate the opportunity to provide this pricing for our construction pre-planning services and for the opportunity to be involved in this project. If you have any questions regarding this proposal please give me a call at any time. Please let me know if you would like us to move forward with this work. We will wait for your response before doing any further work.

Respectfully Submitted,

Jeremy Hatlevig

CITY OF MOUNTAIN LAKE, MN

ORDINANCE #3-20

AN ORDINANCE OF THE CITY OF MOUNTAIN LAKE AMENDING CHAPTER 11:
SECTION 11.04

The City Council of the City of Mountain Lake ordains that *Section 11.04, Residential Off-Street Parking* be amended as follows:

Added language is *italicized*.

Subdivision 1. Definitions.

1. Vehicle- any device in, upon, or by which any person or property is or may be transported or drawn upon a street, except devices used exclusively upon stationary rails or tracks.
2. Parking Space- A suitably surfaced and permanently maintained area on private property, either within a building or outside that consists of crushed rock, rock, gravel, cement or blacktop or other material as pre-approved by the City Council on a case by case basis.
3. Setback Line- The minimum horizontal distance between a structure and a lot line.
4. Front Yard- The yard extending the width of the lot from the front lot line to the building setback line.
5. Rear Yard Line- the yard extending the width of the lot extending from the rear lot line to the rear setback line.
6. Lot Line- a line bounding a lot, except that where any portion of a lot extends into a street, the line of such street shall be the lot line.
7. Front Lot Line- The boundary of a lot which abuts a street. For any lot other than a corner lot, which abuts more than one street, all boundaries abutting and parallel to the streets shall be front line lots.
8. Rear Lot Line- the boundary of a lot, which is opposite or most distant from the front lot line.
9. Side Yard- the yard extending along the side lot between the front and rear yards, extending perpendicularly from the side lot line to the side yard setback.
10. Recreational Devices – *includes but is not limited to, boats, boat trailers, flat-bed trailers, any other water craft, snowmobiles, golf carts, mini-trucks, dune buggies, go-carts, ice-houses, and all-terrain vehicles as defined by MN Statute 84.92, Subd. 8*

Subdivision 2. Off-Street Parking Regulations

1. Any vehicle parked at a residence, the off-street parking space must be within a building or outside on a space, which is maintained with crushed rock, rock, gravel, cement or blacktop and kept neatly.
2. Required off-street automobile parking space shall not be utilized for open storage or for the storage of vehicles, which are inoperable, for sale or for rent.
3. The parking area shall have vehicular access to a street, alley, or roadway with such use and shall not be encroached upon in any manner.
4. Required off-street vehicle parking space shall not be utilized for open storage or for the storage of vehicles, which are inoperable, wrecked, partially dismantled or junked condition.
5. Off-street parking in a residential zone shall not be located in the front yard setback or in a street side yard setback.
6. The vehicle must have affixed to it valid, current motor vehicle registration/license, unless housed in a lawfully erected building defined by Minnesota State Building Standards/Code.
7. Off-street parking in a residential zone shall have five (5) feet setback between the parking space and the property line.
8. *Vehicles, recreational devices, and other articles stored on the outside on residential property for periods of time longer than occasional visits of guests must be owned by a person who resides on that property. Students who are away at school for periods of time but still claim the property as their legal residence will be considered residents on the property.*

Subdivision 3. Declaration of Nuisance: The outside parking and storage of residentially-zoned property of vehicles, recreational devices, materials, supplies, or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance and subject to the provisions of Section 8.03 because:

1. *Obstructs views on streets and private property.*
2. *Creates cluttered and otherwise unsightly areas.*
3. *Prevents the full use of residential streets for residential parking.*
4. *Introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited.*

5. *Decreases adjoining landowners and occupants' enjoyment of their property and neighborhood.*

6. *Otherwise adversely affects property values and neighborhood patterns.*

Subdivision 4. Penalty In addition to other penalties provided for the violation of an ordinance, if the owner or occupant of the real property parks, stores, or keeps a vehicle in violation of the provisions of this section, it may be removed and stored by the City at the title owner's expense.

Passed by the City Council of Mountain Lake, Minnesota this 4th day of May, 2020.

Mike Nelson, Mayor

Attest:

Michael Schulte, City Administrator

CITY OF MOUNTAIN LAKE, MN

ORDINANCE #4-20

AN ORDINANCE OF THE CITY OF MOUNTAIN LAKE REPEALING AND REPLACING CHAPTER 6 SECTION 31 TOBACCO REGULATIONS

The City Council of the City of Mountain Lake ordains that *Section 6.31, Tobacco Regulations*, be repealed in its entirety and replaced as follows:

SECTION 6.31. TOBACCO.

Subdivision 1. Purpose. Because the city recognizes that the sale of commercial tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products to persons under the age of 21 violates federal law; that the sale of commercial tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products to persons under the age of 18 violates state law; and because studies, which the city accepts and adopts, have shown that youth use of any commercial tobacco product has increased to 26.4% in Minnesota; and because nearly 90% of people who smoke begin smoking before they have reached the age of 18 years, and that almost no one starts smoking after age 25; and because marketing analysis, public health research, and commercial tobacco industry documents reveal that tobacco companies have used menthol, mint, fruit, candy, and alcohol flavors as a way to target youth and young adults and that the presence of such flavors can make it more difficult to quit; and because studies show that youth and young adults are especially susceptible to commercial tobacco product availability, advertising, and price promotions at tobacco retail environments; and because commercial tobacco use has been shown to be the cause of many serious health problems which subsequently place a financial burden on all levels of government, this ordinance is intended to regulate the sale of commercial tobacco, tobacco-related devices, electronic delivery devices, and nicotine or lobelia delivery products for the purpose of enforcing and furthering existing laws, to protect youth and young adults against the serious health effects associated with use and initiation, and to further the official public policy of the state to prevent young people from starting to smoke, as stated in Minn. Stat. § 144.391, as it may be amended from time to time.

Subdivision 2. Definitions and Interpretations. Except as may otherwise be provided or clearly implied by context, all terms are given their commonly accepted definitions. For the purpose of this ordinance, the following definitions apply unless the context clearly indicates or requires a different meaning:

1. “Child-Resistant Packaging” shall mean packaging that meets the definition set forth in Code of Federal Regulations, title 16, section 1700.15(b), as in effect on January 1, 2015, and was tested in accordance with the method described in Code of Federal Regulations, title 16, section 1700.20, as in effect on January 1, 2015.

2. “Cigar” shall mean any roll of tobacco that is wrapped in tobacco leaf or in any other substance containing tobacco, with or without a tip or mouthpiece, which is not a cigarette as defined in Minn. Stat. § 297F.01, subd. 3, as may be amended from time to time.

3. “Compliance Checks” shall mean the system the city uses to investigate and ensure that those authorized to sell licensed products are following and complying with the requirements of this ordinance. Compliance checks shall involve the use of persons under the age of 21 who purchase or attempt to purchase licensed products. Compliance checks may also be conducted by the city or other units of government for educational, research, and training purposes or for investigating or enforcing Federal, State, or local laws and regulations relating to licensed products.

4. “Electronic Delivery Device” shall mean any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through the inhalation of aerosol or vapor from the product. Electronic delivery device includes, but is not limited to, devices manufactured, marketed, or sold as e-cigarettes, e-cigars, e-pipes, vape pens, mods, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified by the U.S. Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is marketed and sold for such an approved purpose.

5. “Indoor Area” shall mean all space between a floor and a ceiling that is bounded by walls, doorways, or windows, whether open or closed, covering more than 50 percent of the combined surface area of the vertical planes constituting the perimeter of the area. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

6. “Licensed Products” shall mean the term that collectively refers to any tobacco or tobacco products, tobacco-related device, electronic delivery device, or nicotine or lobelia delivery product.

7. “Loosies” shall mean the common term used to refer to single cigarettes, cigars, and any other licensed product that have been removed from their original retail packaging and offered for sale. Loosies does not include premium cigars that are hand-constructed, have a wrapper made entirely from whole tobacco leaf, and have a filler and binder made entirely of tobacco, except for adhesives or other materials used to maintain size, texture, or flavor.

8. “Moveable Place of Business” shall refer to any form of business operated out of a truck, kiosk, van, automobile, or other type of vehicle or transportable shelter and not a fixed address store front or other permanent type of structure authorized for sales transactions.

9. “Nicotine or Lobelia Delivery Product” shall mean any product containing or delivering nicotine or lobelia intended for human consumption, or any part of such a product, that is not a tobacco or an electronic delivery device as defined in this section. Nicotine or lobelia delivery

product does not include any product that has been approved or otherwise certified for legal sale by the U.S. Food and Drug Administration as a tobacco-cessation product, a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for that approved purpose.

10. "Retail Establishment" shall mean any place of business where licensed products are available for sale to the general public. Retail establishments shall include, but not be limited to, grocery stores, tobacco products shops, convenience stores, gasoline service stations, restaurants, bars, and lounges.

11. "Sale" shall mean any transfer of goods for money, trade, barter, or other consideration.

12. "Self-Service Display" shall mean open displays of licensed products in any manner where any person shall have access to the licensed products, without the assistance or intervention of the licensee or the licensee's employee. The assistance or intervention shall entail the actual physical exchange of the licensed product between the customer and the licensee or employee. Self-service display shall not include vending machines.

13. "Smoking" shall mean inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking also includes carrying or using an activated electronic delivery device.

14. "Tobacco" or "Tobacco Products" shall mean any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including but not limited to cigarettes; cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco or tobacco product does not include any product that has been approved by the U.S. Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

15. "Tobacco-Related Devices" shall mean any rolling papers, wraps, pipes, or other device intentionally designed or intended to be used with tobacco products. Tobacco-related device includes components of tobacco-related devices or tobacco products, which may be marketed or sold separately. Tobacco-related devices may or may not contain tobacco.

16. "Vending Machine" shall mean any mechanical, electric or electronic, or other type of device which dispenses licensed products upon the insertion of money, tokens, or other form of payment directly into the machine by the person seeking to purchase the licensed product.

Subdivision 3. License. No person shall sell or offer to sell any licensed product without first having obtained a license to do so from the city.

1. Application. An application for a license to sell licensed products shall be made on a form provided by the city. The application shall contain the full name of the applicant, the applicant's residential and business addresses and telephone numbers, the name of the business for which the license is sought, and any additional information the city deems necessary. Upon receipt of a completed application, the City Clerk shall forward the application to the City Council for action at its next regularly scheduled council meeting. If the City Clerk shall determine that an application is incomplete, the application will be returned to the applicant with notice of the information necessary to make the application complete.
2. Action. The City Council may either approve or deny the license, or it may delay action for such reasonable period of time as necessary to complete any investigation of the application or the applicant it deems necessary. If the City Council approves the application, the City Clerk will issue the license to the applicant. If the City Council denies the application, notice of the denial will be given to the applicant along with notice of the applicant's right to appeal the decision.
3. Term. All licenses issued under this ordinance shall be valid for one calendar year from the date of issue.
4. Revocations or Suspension. Any license issued under this ordinance may be revoked or suspended as provided in the Violations and Penalties section of this ordinance.
5. Transfers. All licenses issued under this ordinance shall be valid only on the premises for which the license was issued and only for the person to whom the license was issued. No transfer of any license to another location or person shall be valid without the prior approval of the City Council.
6. Movable place of business. No license shall be issued to a moveable place of business. Only fixed location businesses shall be eligible to be licensed under this ordinance.
7. Display. All licenses shall be posted and displayed at all times in plain view of the general public on the licensed premises.
8. Renewals. The renewal of a license issued under this section shall be handled in the same manner as the original application. The request for a renewal shall be made at least thirty days but no more than sixty days before the expiration of the current license.
9. Issuance as privilege and not a right. The issuance of a license under this ordinance shall be considered a privilege and not an absolute right of the applicant and shall not entitle the license holder to an automatic renewal of the license.
10. Minimum clerk age. Individuals employed by a licensed retail establishment under this ordinance must be at least [18 or 21] years of age to sell licensed products.

11. Smoking prohibited. Smoking, including smoking for the purpose of the sampling of licensed products, is prohibited within the indoor area of any retail establishment licensed under this ordinance.

Subdivision 4. Fees. No license shall be issued under this ordinance until the appropriate license fee shall be paid in full. The fee for a license under this ordinance shall be ~~\$25.00~~ determined by the city council by ordinance.

Subdivision 5. Basis for Denial of License. The following shall be grounds for denying the issuance or renewal of a license under this ordinance:

1. The applicant is under 21 years of age.
2. The applicant has been convicted within the past five years of any violation of a Federal, State, or local law, ordinance provision, or other regulation relating to licensed products.
3. The applicant has had a license to sell licensed products suspended or revoked within the preceding twelve months of the date of application.
4. The applicant fails to provide any information required on the application, or provides false or misleading information.
5. The applicant is prohibited by Federal, State, or other local law, ordinance, or other regulation, from holding such a license.

Except as may otherwise be provided by law, the existence of any particular ground for denial does not mean that the city must deny the license

If a license is mistakenly issued or renewed to a person, it shall be revoked upon the discovery that the person was ineligible for the license under this Section.

Subdivision 6. Prohibited Acts

1. In general. It shall be a violation of this ordinance for any person to sell or offer to sell any licensed product:

A. By means of any type of vending machine.

B. By means of loosies as defined in Subdivision 2 of this Section.

C. Containing opium, morphine, jimson weed, bella donna, strychnos, cocaine, marijuana, or other deleterious, hallucinogenic, toxic, or controlled substances except nicotine and other substances found naturally in tobacco or added as part of an otherwise lawful manufacturing process. It is not the intention of this provision to ban the sale of lawfully manufactured cigarettes or other products subject to this ordinance.

D. By any other means, to any other person, or in any other manner or form prohibited by Federal, State, or other local law, ordinance provision, or other regulation.

2. Legal age. It shall be a violation of this ordinance for any person to sell any licensed product to any person under the age of 21.

A. Age verification. Licensees must verify by means of government-issued photographic identification that the purchaser is at least 21 years of age. Verification is not required for a person over the age of 30. That the person appeared to be 30 years of age or older does not constitute a defense to a violation of this subsection.

B. Signage. Notice of the legal sales age and age verification requirement must be posted prominently and in plain view at all times at each location where licensed products are offered for sale. The required signage, which will be provided to the licensee by the city, must be posted in a manner that is clearly visible to anyone who is or is considering making a purchase.

3. Self-service sales. It shall be unlawful for a licensee under this ordinance to allow the sale of licensed products by means of self-service display. All licensed products shall be stored behind the sales counter, in a locked case, in a storage unit, or in another area not freely accessible to the general public. Any retailer selling licensed products at the time this ordinance is adopted shall comply with this section within ninety (90) days following the effective date of this ordinance.

4. Liquid Packaging. It shall be unlawful for any person to sell or offer to sell any liquid, whether or not such liquid contains nicotine, which is intended for human consumption and use in an electronic delivery device, in packaging that is not child-resistant. Upon request by the city, a licensee must provide a copy of the certificate of compliance or full laboratory testing report for the packaging used.

Subdivision 7. Responsibility. All licensees under this ordinance shall be responsible for the actions of their employees in regard to the sale of licensed products on the licensed premises. The sale, offer to sell, or furnishing of any licensed product by an employee shall be considered an act of the license holder. Nothing in this section shall be construed as prohibiting the city from also subjecting the employee or clerk to any civil penalties that the city deems to be appropriate under this Ordinance, State or Federal law, or other applicable law or regulation.

Subdivision 8. Compliance Checks and Inspections. All licensed premises shall be open to inspection by local law enforcement or other authorized city official during regular business hours. From time to time, but at least twice per year, the city shall conduct compliance checks. In accordance with state law, the city will conduct ~~[at least one compliance check that involves the participation of two persons: one person between the ages of 15 and 17 and one person between the ages of 18 and 20]~~ [at least one compliance check that involves the participation of a person between the ages of 15 and 17 and at least one compliance check that involves the participation of a person between the ages of 18 and 20] to enter licensed premises to attempt to purchase licensed products. Prior written consent is required for any person under the age of 18 to

participate in a compliance check. Persons used for the purpose of compliance checks will be supervised by law enforcement or other designated personnel. No person used in compliance checks shall attempt to use a false identification misrepresenting their age, and all persons lawfully engaged in a compliance check shall answer all questions about their age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which they are asked. Nothing in this Section shall prohibit compliance checks authorized by State or Federal laws for educational, research, or training purposes, or required for the enforcement of a particular State or Federal law.

Subdivision 9. Other Prohibited Acts. Unless otherwise provided, the following acts shall be a violation of this ordinance.

1. Prohibited Furnishing or Procurement. It shall be a violation of this ordinance for any person 21 years of age or older to purchase or otherwise obtain any licensed product on behalf of a person under the age of 21. It shall further be a violation for any person 21 years of age and older to coerce or attempt to coerce a person under the age of 21 to illegally purchase or attempt to purchase any licensed product.

2. Use of False Identification. It shall be a violation of this ordinance for any person to use any form of false identification, whether the identification is that of another person or has been modified or tampered with to represent an age older than the actual age of the person using that identification.

Subdivision 10. Violations.

1. Notice. Upon discovery of a suspected violation, the alleged violator shall be issued, either personally or by mail, a citation that sets forth the alleged violation and which shall inform the alleged violator of his or her right to be heard on the accusation.

2. Hearings. If a person accused of violating this ordinance so requests, a hearing shall be scheduled, the time and place of which shall be published and provided to the accused violator. If a hearing is not requested by the accused violator within 15 (fifteen) days, the matter shall be submitted to a hearing officer for review to determine if a violation occurred and to determine the appropriate penalty.

3. Hearing Officer. A standing hearing panel consisting of three members shall be appointed by the City Council. The Mayor as the hearing officer shall appoint one of these panel members.

4. Decision. If the hearing officer determines that a violation of this ordinance did occur, that decision, along with the hearing officer's reasons for finding a violation and the penalty to be imposed under Subdivision 12 of this ordinance, shall be recorded in writing, a copy of which shall be provided to the accused violator by in-person delivery or mail as soon as practicable. Likewise, if the hearing officer finds that no violation occurred or finds grounds for not imposing any penalty, such findings shall be recorded and a copy provided to the acquitted accused violator by in-person delivery or mail as soon as practicable. The decision of the hearing officer is final, subject to an appeal as described in subdivision 10(5) of this Subdivision.

5. Appeals. Appeals of any decision made by the hearing officer shall be filed in the district court for the jurisdiction of the city in which the alleged violation occurred within 10 business days of the date of the decision.

6. Continued Violation. Each violation, and every day in which a violation occurs or continues, shall constitute a separate offense.

Subdivision 11. Administrative Penalties.

1. Licenses. Any licensee found to have violated this ordinance, or whose employee shall have violated this ordinance, shall be charged an administrative fine of [\$200] for a first violation; [\$500] for a second offense at the same licensed premises within a twenty-four month period; and [\$750] for a third or subsequent offense at the same location within a twenty-four month period. In addition, after the third offense, the license shall be suspended for not less than [30] consecutive days. Upon a fourth violation, the license shall be revoked.

2. Other Individuals. Individuals, other than persons under the age of 21 regulated by subdivision 11(3) of this Subdivision, found to be in violation of this ordinance shall be charged an administrative fine of \$50.

3. Persons under the Age of 21. Persons under the age of 21 who use a false identification to purchase or attempt to purchase licensed products shall only be subject to non-criminal, non-monetary civil penalties such as tobacco-related education classes, diversion programs, community services, or another penalty that the city determines to be appropriate. The City Council will consult with court personnel, educators, parents, children and other interested parties to determine an appropriate penalty for persons under the age of 21 in the city. The penalty may be established by ordinance and amended from time to time.

4. Misdemeanor. Nothing in this Section shall prohibit the city from seeking prosecution as a misdemeanor for any alleged violation of this ordinance by a person 21 years of age or older.

Subdivision 12. Exceptions and Defenses. Nothing in this ordinance shall prevent the providing of tobacco or tobacco-related devices to any person as part of an indigenous practice or a lawfully recognized religious, spiritual, or cultural ceremony or practice. It shall be an affirmative defense to the violation of this ordinance for a person to have reasonably relied on proof of age as described by State law.

Subdivision 13. Severability and Savings Clause. If any section or portion of this ordinance shall be found unconstitutional or otherwise invalid or unenforceable by a court of competent jurisdiction, that finding shall not serve as an invalidation or affect the validity and enforceability of any other section or provision of this ordinance.

Subdivision 14. Effective Date. This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191,

subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Passed by the City Council of Mountain Lake, Minnesota this 4th day of May, 2020.

Mike Nelson, Mayor

Attest:

Michael Schulte, City Administrator

Affordable Landscaping and Tree Care

Estimate

Affordable Landscaping and Tree Care
Ryan Aspelund
70952 Tiell DR.
Saint James, MN 56081
Phone # 507 995 0662 raspelund@hotmail.com

Date 3/20/2020
Estimate # 169

Name / Address

City of Mt. Lake

P.O. #
Terms

Due Date 3/20/2020
Other

Description	Qty	Rate	Total
Remove Trees and stump on provided list includes full clean up, grinding of stumps and includes backfilling with topsoil		9,590.00	9,590.00
MN state sales tax if applicable		0.00	0.00

Subtotal	\$9,590.00
Sales Tax (0.0%)	\$0.00
Total	\$9,590.00

Affordable Landscaping and Tree Care

Kolander Tree Service
 50359 930th St.
 Windom, MN 56101
 (507)822-2681
 Timberkts@gmail.com

Estimate

ADDRESS

City of Mt. Lake
 Drawer C
 Mt. Lake, MN 56159

ESTIMATE # 1026

DATE 03/30/2020

DATE	ACTIVITY	AMOUNT
03/30/2020	Tree's & Stump's Corner of 10th St. and Boxelder 3-Trees	1,300.00
	Tree's & Stump's Corner of 7th St and 5th Ave 1-Tree	500.00
	Tree's & Stump's 600 2nd Ave. 2-Trees	1,600.00
	Tree's & Stump's Corner of 10th St. and Boxelder 2-Trees	500.00
	Tree & Stump 412 9th St N.	150.00
	Tree's & Stump's 501 10th St. N. 2- Trees	1,400.00
	Tree's & Stump's 1409 2nd Ave 2-Trees.	900.00
	Tree's & Stump's 1317 2nd Ave. 1 -Tree	225.00
	Tree & Stump 1300 2nd Ave. 1-Tree	500.00
	Tree's & Stump's 706 4th Ave. 2-Trees	800.00
	Tree's & Stump's 315 8th St. 2-Trees	1,200.00
	Stump Removal 406 13th St.	75.00
TOTAL		\$9,150.00

Accepted By

Accepted Date

ZINNIEL TREE SERVICE
24002 Hwy 4 N
Sleepy Eye, MN 56085

CITY OF MT LAKE TREE REMOVAL BID

3/17/20

Ash Grant

<u>Owner</u>	<u>Address</u>	<u>Tree Removal</u>	<u>Bid</u>
Vacant Lot	Corner of 10 th St	3 trees near powerline	\$850.00
Esther Nelson	Corner of 7 th & 5 th Ave	1 tree	350.00

Utility Trees

Brandon & Kris Fast	600 2 nd Ave	2 trees N of house	1300.00
Vacant Lot	Corner of 10 th St	2 trees near powerline	250.00

Tree Program List

Ken & Becky Kramer	412 9 th St N	1 small tree	100.00
Jake Karschnik	501 10 th St N	1 E of driveway (5 th Ave) 1 on 10 th St	850.00
Bruce Prachampong	1409 2 nd Ave	2 Basswood	500.00
Mark Anderson	1317 2 nd Ave	1 Basswood	175.00
Cayden Ommodt	1300 2 nd Ave	1 Basswood	350.00
Anastasia O'Neil	706 4 th Ave	2 Silver Maples	525.00
Brad Freitag	315 8 th St	2 Maples	550.00
Jon Harder	406 13 St	Stump Removal	25.00

Total Bid \$5,825.00