

Regular City Council Meeting
Mountain Lake City Hall – 930 Third Avenue
Monday, June 3, 2024
5:45 p.m.
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 #28347 – 28395, 1083E – 1086E (1-7)
 - b. Payroll: Checks #68100 – 68116
 - c. Approve May 9 Utilities Commission Minutes (8-9)
 - d. Approve May 20 City Council Minutes (10-11)
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. Fire Department
 - a. Discussion/Action – Wages
5. Police Department
 - a. Discussion/Action – Hire Jordan Ellis, Police Officer
6. City Attorney
 - a. Discussion/Action – Greenhouse Update
7. City Administrator
 - a. Discussion/Action – Resolution #8-24 Unpaid Utility Charges (12)
 - b. Discussion/Action – Resolution #9-24 Tax Forfeited Property (13)
 - c. Discussion/Action – Assessment Policy (14-22)
 - d. Discussion/Action – Street Project Priorities (23)
8. Roundtable
 - a. Discussion – Commissions/Boards Update
9. Adjourn

**Mountain Lake Utilities Commission Meeting
Mountain Lake City Hall
Thursday, May 9, 2024
7 AM**

Members Present: Todd Johnson; Mark Langland; David Savage; Brian Janzen; Sue Garloff;
City Council Liaison Dean Janzen

Members Absent:

Staff Present: Jill Falk; Utilities Office Manager; Dave Watkins; Electric
Superintendent; Lane Anderson; Lineman; Steve Peters; Lineman; Taylor
Nesmoe; Water/Wastewater Superintendent; Scott Pankratz;
Water/Wastewater

Others Present:

Call to Order

The meeting was called to order at 7 AM.

Approval of Minutes and Bills

Motion by Garloff seconded by Langland to approve the April 25th Minutes and Check Numbers 23398-23426 (549-553E). Motion carried.

Electric Department

Watkins stated that they are continuing work on the underground project. The power plant project is slowly moving forward. They will also meet with Barr next week to discuss the building design for the new plant. There was a slight language issue with the transformer agreement from Virginia. There will be a few changes in the contract which should be completed this week.

Water/Wastewater Department

With the extensive rain, mowing has been a necessity. Nesmoe is interested in purchasing a small trailer for the lawnmower to help transport back and forth. He has not obtained any quotes for prices yet but will look into them for the next meeting. Pankratz mentioned that they met with Mountain Power regarding a new cleaning process. Nesmoe said they are looking into dipping tanks for cleaning parts, which could run up to 750 gallons of water per day. They will be avoiding using phosphates so dumping should not be an issue. However, they will provide test samples, and Nesmoe confirmed he will get copies of the results as well. At this time, no SIU will be put in place, but they are working closely with John Graupman in case it leads to that in the future. Mueller had previously requested that Nesmoe provide quotes for the hotel project to take the lines directly to the building. This would be approximately 280 feet of line as well as two trenches. The only quote that came in was for \$15,000, however, the quote provided did not include the right size for the lines. Nesmoe is waiting for two more quotes but assumes the cost will be around \$25,000. At this time, the commission does not want to change its guidelines for

one business. Nickel Construction reached out, as they will be connecting to the sewer for the county shop. If they are not already being charged for sewer, the rate will need to be updated, as well as invoicing for the tapping fee.

City Administrator

Mueller was absent from the meeting, so he had nothing to add.

Adjourn

The meeting was adjourned at 7:18 a.m.

ATTEST:

Jill Falk, Utilities Office Manager

**City of Mountain Lake
Regular City Council Meeting
Mountain Lake City Hall – 930 Third Ave
Monday, May 20, 2024
5:45 p.m.**

Members Present: Andrew Ysker, Dean Janzen, Bryan Bargen, Mike Nelson

Members Absent: Darla Kruser

City Staff Present: Michael Mueller City Administrator

Others Present: Rachel Yoder

Call to Order

The meeting was called to order by Mayor Nelson at 5:45 p.m.

Approval of Agenda & Consent Agenda

Motion by Bargen, seconded by Janzen to approve the agenda and consent agenda as presented.

Motion carried 4 – 0.

- Bills: Checks #28316 – 28346, 1075E – 1082E
- Payroll: Checks #68063 – 68099
- Approve April 8 Lake Commission Minutes
- Approve April 15 EDA Minutes
- Approve April 16 Library Board Minutes, Expenditures, & Library Report
- Approve April 25 Utilities Commission Minutes
- Approve May 6 City Council Minutes

Public

Rachel Yoder spoke during the public comment section of the meeting.

City Attorney

Maryellen Suhrhoff City Attorney was not able to be present, no update was given.

City Administrator

Discussion continued from the previous City Council meeting, mills, and overlays on city streets. Many of the streets in our city are 35 to 40 years old, and an overlay could extend our roads to another 20 years of life without a full street reconstruction. The project could be assessed and bonded, and the City Administrator will bring back for further discussion the city’s assessment policy.

The City Park Beautification Project is to renovate the city park. Our trails and pavilion serve as a vital community space for various events throughout the year, such as our annual Pow Wow celebration. Over time it has suffered from wear and tear and structural issues. This project is essential for revitalizing our community space and promoting social cohesion among residents. Before any developments or decisions will be made, the city will need estimates on costs and apply for grants.

Roundtable

An update was given to the council regarding board and commission meetings.

Adjourn

The meeting was adjourned at 6:34 p.m.

ATTEST:

Michael Mueller, Administrator/Clerk

Resolution # 8-24
Certification of Unpaid Utility Charges
City of Mountain Lake, MN

WHEREAS the City Council of the City of Mountain Lake, Minnesota acknowledges that the Mountain Lake Utilities Accounts listed below have unpaid utility charges; and

Parcel Identification Number	Amount Attached
22.610.0770	\$687.23

WHEREAS the cost of the utilities has been billed to the account holders and to this date remain unpaid; and

WHEREAS Minnesota Statutes, Chapter 444.075 (Subd. 3e) allows unpaid utility charges to be certified to the county auditor for collection as other taxes are collected and provides a procedure for such certification; and

WHEREAS City Ordinance 3.05 Subd. 8 allows unpaid utility charges to be made a lien upon the premises served and provides a procedure for certification;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain Lake, Minnesota that it approves the certification as listed above, payable in a single installment at an annual rate of 4% interest beginning on January 1, 2025.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized and directed to certify the same to the County Auditor.

Adopted by the Council this 3rd day of June 2024.

Mike Nelson, Mayor

ATTEST: _____
Michael Mueller, City Administrator

CITY OF MOUNTAIN LAKE, MINNESOTA**RESOLUTION #9-24****TAX FORFEITED PROPERTY**

WHEREAS, there is non-conservation land within the city limits of Mountain Lake, Minnesota as follows:

Parcel #22.520.0600; Lot 9, Block 9, MT LAKE ORIG TWNST, 209 9th ST

WHEREAS, the parcel described above have been forfeited to the State of Minnesota for non-payment of property taxes.

NOW THEREFORE, BE IT RESOLVED, that the City of Mountain Lake approves for sale the parcel listed above; and

BE IT FURTHER RESOLVED that the City of Mountain Lake intends to reassess special assessments on said parcel, and

BE IT FURTHER RESOLVED that the City of Mountain Lake waives the 60 day period as provided in MN Statute 282.01.

Adopted this 3rd day of June, 2024.

Mike Nelson, Mayor

ATTEST: _____
Michael Mueller, City Administrator/Clerk

adopted - Aug 27, 2001

Introduction

Special assessment is a device used primarily by municipal government as a means to finance specific improvements. The use of the special assessment dates back to colonial times, and during the past years as an essential and considerable portion of municipal finance.

It is important to recognize that although special assessments are billed to the property owner along with real estate taxes, there is a distinct difference between taxes and special assessments. Real estate taxes are a function of the real estate as determined by the County Assessor, while special assessments are a direct function of the enhancement of value or the benefit, which a special improvement gives the property.

Once initiated the assessment is dependent upon equitable and consistent methods of levying costs of specific improvements. State statutes and the courts have extended wide latitudes of authority to municipal councils for deterring assessment methods and policies. It is therefore possible that assessment methods and policies vary from one municipality to another and the resulting lack of uniform methods and policies on a statewide or at lease area wide basis tends to create confusion among citizens.

In view of the foregoing, it has been deemed desirable to set forth the updated general assessment methods and policies practiced in the City of Mountain Lake. It is emphasized that the following summarization is general in nature and that certain circumstances may justify deviations from stated policy, as determined by the City Council.

1. Curb and Gutter and Sidewalk

The cost of construction of the above items will be charged in total on a per foot basis against the abutting property owner.

2. Catch Basins and Catch Basin Leads:

The cost of construction of the above items will be charged in total on a per foot basis against the benefiting property owner.

3. Streets:

The cost of the street is allocated to the property owners at 25 % of the total running foot frontage on each side and the City of Mountain Lake paying the other 50%. If the street is to be more than a 7-ton street the City will determine the assessment on a case-by-case basis.

The general method of assessment will be on a per foot basis, however, in order to assure that costs are equitably assessed, it may be necessary for the City Council to assess on a per lot or square footage basis.

Ordinary maintenance of such streets shall be the responsibility of the City but overlays of the bituminous materials periodically required shall be assessed using this policy.

The cost of street intersections and those portions of the street, which abut alley right-of-way, will be paid for by the City of Mountain Lake.

4. Sanitary Sewer

Sewer hookup fees will be determined, collected and administered by the Mountain Lake Sewer Department. Sewer hook up fees for all single-family dwellings, mobile homes, and multiple family dwellings up to and including four plexes shall be established by the utility commission.

5. Storm Sewer

The City of Mountain Lake currently does not assess storm sewer

6. Water main

Water hookup fees will be determined, collected and administered by the Mountain Lake Water Department.

7. **General:**

The assumed life expectancy of curb, gutter and sidewalk, catch basins and catch basin leads, streets sanitary sewer, storm sewer and water main shall be for a period of 50 years. The City shall be responsible for general repair and replacement, which is not a result of negligence of the property owner, during that time.

The above policy statements supersede all previous assessment policies and will be in effect upon adoption by the Council and all storm and sanitary sewers, curb and gutter, sidewalk, water main, and catch basins and catch basin leads, and streets will be deemed to be new construction commencing upon the date they were originally installed.

These are policy guides alone and shall not constitute reason of public knowledge or otherwise a contract or agreement binding upon the City of Mountain Lake.

Such City within the extent permitted by law shall have full power to modify, change or abrogate any part of portion of these policy standards.

When aid or grant funding is received for an improvement, the applicable assessments shall be reduced by the amount commensurate with aid or grant funding received.

Alleyways and sidewalks. Property owners may petition the City to improve alleyways and sidewalks. Petitioned street improvements will be assessed at the same rate as any other improvements. The cost would be assessed 25% over a maximum of a twenty-year period. Alleyway petitions may arrange an assessment allocation in a manner agreed upon by the abutting neighbors. Alternatively, alleyway petitions may be accepted by the City Council when at least 51% of the abutting frontage property owners sign the petition. The assessment allocation would be 25 % assessed on a per foot basis for those with a direct benefit (garage access) and a 25 % assessed on a per foot basis for those with an indirect benefit (potential garage access). The total assessment to all property owners would have to cover 50 % of the costs. Sidewalks may petition for by individual property owners. The total assessment to the property owner would have to cover 100% of the costs, except for the sidewalk improvement in the boulevard that would install handicap accessible approaches.

Dust Control

The City Council has determined that dust control is only a temporary measure to alleviate the problem of dust on unsurfaced streets or alleys. The City will only do one application of dust control in any year.

Where the City approves a request for dust control, the cost will be billed to the abutting property in proportion to the footage similar to a street or alley assessment procedure. Homeowners must apply to the City of Mountain Lake for dust control before March 31 of each year. The homeowner will be responsible for 100% of the cost of the dust control application. In no case shall dust control cover less than one block.

2004 SPECIAL ASSESSMENT POLICY

IMPROVEMENT	NEW CONSTRUCTION ASSESSMENT RATE	RECONSTRUCTION ASSESSMENT RATE
Seal Coat	NA	0%
Bituminous Overlay	NA	50%
Alleys (Bituminous)	100%	0% When Council Initiated
Street Surface	100%	50%
Concrete Curb & Gutter	100%	100%
Driveway Approach & Service Walk	100%	100%
Boulevard Walk	100%	100%
Storm Sewer	100%	0%
Sanitary Main	100%	20%
Sanitary Service	100%	100%
Water Main	100%	20%
Water Service	100%	100%
Street Landscaping	100%	Project Specific
Electrical Service	0%	0%
Street Lighting	0%	0%

2006 Special Assessment Policy

IMPROVEMENTS	NEW CONSTRUCTION ASSESSMENT RATE	RECONSTRUCTION ASSESSMENT RATE
Seal Coat	NA	0%
Bituminous Overlay	NA	50%
Alleys (Bituminous)	100%	0% When Council Initiated
Street Surface	100%	50%
Concrete Curb & Gutter	100%	100%
Driveway Approach & Service Walk	100%	100%
Boulevard Walk	100%	100%

2006 Special Assessment Policy

IMPROVEMENTS	NEW CONSTRCTION ASSESSMENT RATE	RECONSTRUCTION ASSESSMENT RATE
Storm Sewer	100%	0%
Sanitary Main	100%	0%
Sanitary Service	100%	0%
Water Main	100%	0%
Water Service	100%	0%
Street Landscaping	100%	Project Specific
Electrical Service	0%	0%
Street Lighting	0%	0%

2012 - 2014

Special Assessment Policy

IMPROVEMENTS	NEW CONSTRUCTION ASSESSMENT RATE	RECONSTRUCTION ASSESSMENT RATE
Seal Coat	N.A.	0%
Bituminous Overlay	N.A.	50%
Alleys (Bituminous)	100%	50%
Street Surface	100%	50% Assessed to Front Lots 25% Assessed to Side Lots
Concrete Curb & Gutter	100%	100%
Driveway Approach & Service Walk	100%	100%
Boulevard Walk	100%	100%

2012 - 2014

Special Assessment Policy

IMPROVEMENTS	NEW CONSTRUCTION ASSESSMENT RATE	RECONSTRUCTION ASSESSMENT RATE
Storm Sewer Main	100%	0%
Catch Basins & Leads	100%	0%
Sanitary Main	100%	0%
Sanitary Service	100%	0%
Water Main	100%	0%
Water Service	100%	0%
Street Landscaping	100%	Project Specific
Electrical Service	0%	0%
Street Lighting	0%	0%

Proposed Projects
Mountain Lake

Figure 1
June 2023

