

Regular City Council Meeting
Mountain Lake City Hall – 930 Third Avenue
Monday, June 5, 2023
6:30 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 #27235 – 27287, 900E – 911E (1-9)
 - b. Payroll: Checks #67367 – 67401
 - c. Approve January 24 Police Commission Minutes (10)
 - d. Approve May 11 Utilities Commission Minutes (11-12)
 - e. Approve May 15 City Council Minutes (13-15)
 - f. Approve May Street Department Report – *Daron Friesen, Street Superintendent* (16)
 - g. Approve Pow Wow Street Closure Request (17)
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. 2022 City Audit – Sara Oberloh, Oberloh & Oberloh, Ltd.
 - a. Review – 2022 Audit & Financials (at meeting)
 - b. Discussion/Action – Approve 2022 Audit
5. City Attorney
 - a. Discussion/Action – Third & Final Reading- Ordinance #3-23 Parking Regulation Amendment (18-20)
6. City Administrator
 - a. Discussion/Action – Third & Final Reading – Ordinance #2-23 City Park Hours (21)
 - b. Discussion/Action – Resolution #14-23 Unpaid Fire Service Charge (22)
 - c. Discussion/Action – Resolution #15-23 Tax Forfeited Property (23)
 - d. Discussion/Action – Resolution #16-23 2024 Capital Budget Request (24)
 - e. Discussion/Action – Negotiations to Hire Louis Norell, Assistant Police Chief. May be Closed Per MN Statute § 13D.03
7. Roundtable
 - a. Discussion – Commissions/Boards Update
8. Adjourn

Police comm minutes

Jason Kruser <jkruser@yahoo.com>

Mon 5/22/2023 7:44 PM

To: D Bristol <dbristol@mountainlakemn.com>

Minutes of police commission meeting
January 24, 2023

Meeting was called to order by Chief Doug Bristol

Discussion was held on bills and budget for 2022.

Donation to the HEAT team for a new bus was discussed.

Discussion was held on new computer for one of the squads

New game cameras were discussed and how they are working.

The Zuercher report was looked at and discussed.

A motion was made by Randy J to have meetings of Police commission every third month, unless a need arises for equipment or other urgent needs. 2nd by Jamie B. Motion carried.

A discussion was held about police officers and how the department was doing with help. Currently there are 4 full time officers and no part time officers.

Next meeting to be held in April.

Meeting was adjourned.

Submitted by Jason Kruser

Sent from Yahoo Mail on Android

**Mountain Lake Utilities Commission Meeting
Mountain Lake City Hall
Thursday, May 11, 2023
7 AM**

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

Members Absent: Brian Janzen, Sue Garloff

Staff Present: Michael Mueller; Clerk/Administrator; Jill Falk; Utilities Office Manager; Dave Watkins; Electric Superintendent; Lane Anderson; Lineman; Steve Peters; Lineman.

Others Present:

Call to Order

The meeting was called to order at 7 AM.

Approval of Minutes and Bills

Motion by Johnson seconded by Savage to approve the April 27th Minutes, and Check Numbers 22525-22554 (466E-470E). Motion carried.

Electric Department

1. Watkins mentioned that they are hoping to start working on underground projects, however, the rain and weather have postponed the project until the ground is dry enough.
2. A meeting was held at Barr last week to define the scope of the work to be assigned. Mike Thielen, Alex Martin with CMPAS, and Barr Engineering will be working on the project together. Also, while discussing the new power plant, Watkins stated that they were hoping to reuse the fuel tank at the current plant. The soil at the new site was determined not to have contamination, but the site of the original tank is contaminated. To avoid the risk of any possible contamination of the fuel tank during transfer, a new fuel tank will be included with the project.
3. Farabee has been working on the generators this week. Generator #2 did not pass emissions testing due to issues with the exhaust. Even though Generator #5 did pass emissions, it was producing an excessive amount of black smoke.
4. The Wind Tower was having internet issues and Watkins had previously purchased a teleline card, as WAPA requires a phone line to monitor their meter. CMPAS would like to install a remote cell device that would cover the cell service for WAPA as well as provide the internet services that they need. Once this is completed, then the internet and phone services with Frontier may be canceled. This would be a savings of approximately \$200 per month.

Water/Wastewater Department

Neither Nesmoe nor Pankratz was able to attend the meeting. Watkins mentioned that they are currently working on adjusting the sand filter settings and are completing a backwash.

City Administrator

Continuing with the discussion of the new power plant build, Mueller wanted to know if the commission would like to approve any purchases before a decision is finalized. At this time, transformers, switchgear, and engines are the first priorities for bidding. It was decided that the commission should be notified as the project progresses, however, the utilities can approve bids of choice. Mueller also stated that MISO will be closing on 5/19, so the new values will be available at the next meeting.

Adjourn

The meeting was adjourned at 7:15 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 15, 2023
6:30 p.m.**

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

Members Absent: Darla Kruser

City Staff Present: Michael Mueller City Administrator; Maryellen Suhrhoff City Attorney;
Ben McHenry Police Officer

Others Present: Joel Alvstad, Doug Regehr, Tom Appel

Call to Order

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

Approval of Agenda & Consent Agenda

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

Motion carried 3 – 0.

Bills: Checks #27184 – 27234, 893E – 899E

Payroll: Checks #67338 – 67366

Approve April 10 Lake Commission Minutes

Approve April 11 Library Board Minutes, Expenditures, & Library Report

Approve April 3 & 17 EDA Minutes

Approve April 27 Utilities Commission Minutes

Approve May 1 & 4 City Council Minutes

Approve May 4 Board of Appeal & Equalization Minutes

Approve Library Street Closure Requests

Public

No comments

City Administrator

Discussion/Action – Request from Pow Wow Road Race and Fitness Walk

Discussion/Action – Ordinance #2-23 City Park Hours (2nd Reading)

Discussion/Action – Labor Negotiations/ Employment

Discussion/Action – Juneteenth

Motion by Janzen, seconded by Ysker to approve the request from Pow Wow Road Race and Fitness Walk. Motion carried 3 – 0.

Councilman Bryan Barga arrived.

Michael Mueller, City Administrator read the second reading on the proposed ordinance change regarding city park hours, parks would be open from 5:00 A.M to 11:00 P.M., and shall be considered closed after 11:00 P.M.. No person should be in any park between the hours of 11:00 P.M. and 5:00 A.M unless they have written permission from the City Administrator.

LELS union accepted the updated pay scales for the police officers. An update, Dawn Fast Deputy Clerk notified the City Administrator that she will no longer be retiring in July 2023, and will retire in 2024, date unknown.

The MN legislature and Governor Walz signed into law a new state holiday Juneteenth (June 19). The holiday commemorates the end of slavery. No public business shall be transacted on state holidays, city hall must be closed. This new state holiday becomes effective in 2024, however, there are two omnibus bills in the legislature that could make Juneteenth a state holiday in 2023, if passed. Motion by Janzen, seconded by Barga to approve updating the personnel policy and union contracts, by adding Juneteenth as a holiday effective in 2024, unless MN recognizes it as a state holiday in 2023. Motion carried 4 – 0.

City Attorney

An update was given to the council regarding civil processes on various properties, public nuisances, current processes, court procedures, agreements, and plans. There was a second reading for parking regulation amendment.

Maryellen Suhrhoff City Attorney updated the City Council on the greenhouse, and recommended approving Resolution #13-2023, Ordering The Repair Or Removal of Hazardous Buildings Under The MN Statute 463.15 to 463.61. Motion by Barga, seconded by Janzen to approve Resolution #13-2023. Motion carried 4 – 0.

Roundtable

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

Adjourn

The meeting was adjourned at 7:22 p.m.

ATTEST:



Michael Mueller, Administrator/Clerk

STREET DEPT - MAY Report

- ADD Gravel to All Gravel Rds / Blade - Drag
- Fix storm Sewer 10th ST N
- Mow All City Propertys
- Banners 3rd Ave
- Flags 3rd Ave
- Calum starts 5-15-23
- OPEN storm Drains
- Sweep streets
- Library Signs Parking Lot, Trim Bushes, Clean Roof
- WEED Whip Cemetery
- Overlay One way Rd 10th ST / 2nd Ave to 3rd Ave, Re Stripe

Mt. Lake Pow Wow Committee
Pow Wow, 2023 Request for Street Closings:

June 18th

Pow Wow 3 on 3 Basketball Tournament

9th Street between 3rd Ave. and 4th Ave. and 4th Ave. from 9th Street to 10th Street 10:00 a.m.
to 4:00 p.m.

Pow Wow Carnival

10th Street N. from 3rd Ave. to 4th Ave. and 9th Street to 11th Street
1:00 p.m. on 18th to 9:00 a.m. on June 21st

June 18th

Kiddie Parade 3rd Avenue from 11th Street to 9th Street

5:15 p.m. to 6:00 p.m.

Antique Car Parade 3rd Avenue from 10th Street to 11th St.

6:00 p.m. to 8:00 p.m.

June 19th

Pow Wow Grand Parade

3rd Avenue from Co. Hwy. 1 to corner of "Old Casey's"/Golf Course Road

5:00 p.m. to 9:00 p.m.

June 20th

Pow Wow Kids Tractor Pull

10th Street from 3rd Ave. to 2nd Ave.

2:00 p.m. to 4:00 p.m.

June 20th

Fireman's Water Fight

10th Street from 3rd Ave. to 2nd Ave.

5:00 p.m. to 7:00 p.m.

SECTION 11.04 RESIDENTIAL OFF-STREET PARKING.

Subdivision 1. Definitions. See Ordinance #3-10 See Ordinance #3-20

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 parking 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.

The City Council adds a new paragraph 9. to Subdivision 2 of Section 11.04 as follows:

Outside maintained parking areas shall be limited to 30% of the total square footage of any lot.

Ordinance #2-23
An Ordinance of the City of Mt. Lake
Amending Chapter 8 of the City Code

The City Council of City of Mt. Lake ordains that Section 8.18 be amended as follows :

Adopt a new regulation 1; renumber paragraphs 1-13 to 2-14

SECTION 8.18 PARKS AND PLAYGROUNDS

Subdivision 2. Regulations.

1. Parks are open from 5:00 A.M to 11:00 P.M., and shall be considered closed after 11:00 P.M.. No person should be in any park between the hours of 11:00 P.M. and 5:00 A.M unless they have written permission from the City Administrator.

Passed by the Council this 5th day of June 2023.

Mike Nelson, Mayor

Attest: _____
Michael Mueller, City Administrator/Clerk

Resolution # 14-23
Certification of Unpaid Fire Service Charge
City of Mountain Lake, MN

WHEREAS the City Council of the City of Mountain Lake, Minnesota acknowledges that the property located in the Mountain Lake Fire Service District listed below failed to pay the remaining amount of their fire service charge when notified of their existence, and

Parcel Number	Amount
22.611.0870	\$1,000.00
22.520.0600	\$1,000.00

WHEREAS Minnesota Statutes, Chapter 429.101 allows this unpaid cost to be certified to the county auditor for collection as other taxes are collected and provides a procedure for such certification; and

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 0% interest.

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 5th day of June, 2023.

Mike Nelson, Mayor

ATTEST: _____
Michael Mueller, Administrator/Clerk

CITY OF MOUNTAIN LAKE, MINNESOTA

RESOLUTION #15-23

TAX FORFEITED PROPERTY

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

Parcel #22.611.0870; Lot 11, Block 3, Prince's Second Addition, 807 6th Avenue

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 5th day of June, 2023.

Mike Nelson, Mayor

ATTEST:

Michael Mueller, City Administrator/Clerk

CITY OF MOUNTAIN LAKE

RESOLUTION NO. 16-23

A RESOLUTION AUTHORIZING A 2024 CAPITAL BUDGET REQUEST TO THE STATE OF MINNESOTA FOR A CAPITAL IMPROVEMENT PROJECT.

WHEREAS, under the provisions contained in Minnesota Statutes 16A.86, Subd. 3a (6) sets out the process by which local governments and political subdivisions may request state appropriations for capital improvement projects. The Governor and Legislature will consider these bonding requests in the 2024 session; and,

WHEREAS, Local governments should submit their capital budget requests to Minnesota Management and Budget (MMB) by June 16, 2023; and

WHEREAS, the City of Mountain Lake proposes a capital improvement project and has identified a substantial need for State financial assistance in addition to funding from the City which meets or exceeds the state funding; and,

WHEREAS, the City of Mountain Lake has the legal authority to apply for Capital Budget assistance, and has the financial, technical, and managerial capacity to ensure proper construction, operation and maintenance of the project for its design life.

NOW, THEREFORE, BE IT RESOLVED that the City of Mountain Lake is authorized to submit the necessary 2024 Capital Budget application and information to the Minnesota Management and Budget Office.

Adopted by the City Council this 5th day of June, 2023.

Approved:

Attest:

Mike Nelson, Mayor

Michael Mueller, City Administrator