

Regular City Council Meeting
Mountain Lake City Hall
Tuesday, September 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 # 28568-28645, 1120E-1135E (1-13)
 - b. Payroll: Checks #68228-68283
 - c. Approve June 11 Library Board Minutes & June & July Expenditures/Report (14-20)
 - d. Approve July 8 Lake Commission Minutes (21-22)
 - e. Approve July 22 EDA Minutes (23-24)
 - f. Approve July 25 Utilities Commission Minutes (25-26)
 - g. Approve August 5 City Council Minutes (27-28)
 - h. Approve August 8 Utilities Commission Minutes (29-30)
 - i. Approve Resolution #12-24 Unpaid Utility Charges (31)
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
 - a. Discussion/Action – City Park
5. 2025 Budget
 - a. Discussion/Action – 2025 Budget (Sent in separate email)
 - b. Discussion/Action – Resolution 13-24 - 2025 Preliminary Levy (32)
6. City Administrator
 - a. Discussion/Action – Assessment Policy (33-51)
 - b. Discussion/Action – Ambulance Mutual Aid Request (52-58)
 - c. Discussion/Action – Employee Recognition Program (59-60)
 - d. Discussion/Action – Tiny Homes
7. Roundtable
 - a. Discussion/Action – Commissions/Boards Update
8. Adjourn

MOUNTAIN LAKE PUBLIC LIBRARY BOARD MINUTES
June 11th, 2024

14

Members Present: Rick H., Carol L., Rachel S., Rachel B.

Members Absent: Rochelle M.,

Staff Present: Daniel Mick

Others Present: Andy Ysker

Others Absent: Michael Mueller

The meeting was called to order at 4:40 PM by Library Chairperson Rachel S.

Reports: Rachel B. / Carol L. approved minutes for May 14th, 2024 meeting minutes.

Daniel M. presented the May Monthly reports indicating 2705 total circulation. The expenses for February was \$3907.38. M/S Rachel S. / Carol L. to accept the May reports as given and to approve the May expenditures, Motion carried.

Additions: Jon Mewes grandson to Ellen Heibert one of the original founders and supports of the library in the early 1900s. He has been in contact with Daniel M. for a month discussing the plans of financing a large project for the library. After compiling a list of projects the list was sent to him to review. After a short discussion this same day, it seems like the projects he is leaning towards is either a new roof to combat the growing divots in our roof and or a new sign for the public library. Daniel M. will need to conduct research to get exact prices but it is hopes that by the end of their in person meeting in September the project will be chosen and we can begin to work on it.

Unfinished Business: Daniel M. reported that the Zoo Man program went smoothly and continues to pull in a full crowd. It was also reported that the bikes from the city had arrived, after a discussion about them it was agreed to return to the topic of the bikes after 1 year (June 11th, 2025) and determine if the program would continue or if we should start selling the bikes. The bikes have been fitted with a strong bike lock that supposedly takes a welding torch to cut through it. Once Daniel M. has a usable Iphone device he will install the airtags in each bike to make sure they can be tracked when they are not returned.

In New Business: Daniel M. reached out to the board for any volunteers to help with the Pow Wow booth. The board will check their schedules and get back to Daniel M. . It was also reported that Daniel M. has started to expand the Spanish collection in the library in the areas of juvenile and teen to help bring in recent immigrants to the community. He hopes to begin to see more non-English speakers coming to the library and asking for materials to help learn English. Finally the board was reminded there will not be a July meeting and they would meet again August 13th.

Director Check In: Daniel M. has reported that donations for the Memorial Bench has reached \$30, it is lower then what he was hoping for. But Daniel M. believes more will come after reminders and the exposure of Pow Wow.

Materials Suggested: NONE

The meeting was adjourned at 5:05 PM

Respectfully submitted,

Daniel Mick

Mountain Lake
Public Library
July 2024

Children	
Audio	35
Books	2072
DVDs	211
Non Print	15
Multi Media	13
Periodicals	25
ADULT	
Audio	8
Books	651
DVDs	116
Non Print	12
Multi Media	0
Periodicals	13
Other Physical Media	0
SUBTOTAL:	3171
Ebooks	56
Downloadable Audio	106
TOTAL CIRCULATION:	3972
ILLN(MNLlink)	38
Interlibrary Loan Sent	253
Interlibrary Loan Received	348

REVENUE	
Cash Income	\$ -
County Revenue	\$ -
Donations (Monetary)	\$ -
Fines	
Misc. Revenue	\$ 14,869.03
Meeting Room Rental	\$ -
Sale of supplies	\$ -
TOTAL REVENUE	\$ -
EXPENDITURES	
Books	\$ 898.50
Periodicals	\$ -
Audio/Visual	\$ 406.58
Gas Utilities	\$ -
Janitorial Supplies	\$ 48.19
Office Supplies	\$ 6.40
Library Supplies	\$ -
Postage	\$ -
Project Expense	\$ 654.57
Repairs & Maintenance Building	\$ 15,468.42
Repairs & Maint-Materials	\$ -
Tech/Automation Expense	\$ -
Telephone	\$ -
Training & Instruction	\$ -
MISC.	\$ -
PCLS Delivery	\$ -
TOTAL EXPENDITURES	\$ 17,482.66

Mountain Lake
Public Library
June 2024

Children	
Audio	28
Books	1723
DVDs	144
Non Print	9
Multi Media	9
Periodicals	12
ADULT	
Audio	7
Books	542
DVDs	115
Non Print	16
Multi Media	0
Periodicals	59
Other Physical Media	0
SUBTOTAL:	2664
Ebooks	45
Downloadable Audio	117
TOTAL CIRCULATION:	3279
ILLN(MNLink)	30
Interlibrary Loan Sent	200
Interlibrary Loan Received	223

REVENUE	
Cash Income	\$ -
County Revenue	\$ -
Donations (Monetary)	\$ -
Fines	
Misc. Revenue	\$ -
Meeting Room Rental	\$ -
Sale of supplies	\$ -
TOTAL REVENUE	
EXPENDITURES	
Books	\$ 756.72
Periodicals	\$ -
Audio/Visual	\$ 249.51
Gas Utilities	\$ -
Janitorial Supplies	\$ 222.31
Office Supplies	\$ 32.02
Library Supplies	\$ -
Postage	\$ -
Project Expense	\$ 1,391.66
Repairs & Maintenance Building	\$ -
Repairs & Maint-Materials	\$ -
Tech/Automation Expense	\$ 30.00
Telephone	\$ -
Training & Instruction	\$ -
MISC.	\$ -
PCLS Delivery	\$ -
TOTAL EXPENDITURES	\$ 2,682.22

July LIBRARY EXPENDITURES

Expenditure	Description	Budget #	Total
1000 Books Founda	Restock of Books	434	\$250.00
Amazon	Amazon - Slime Activator-0545857	434	\$38.99
Amazon	Amazon-Clay-8700250	434	\$21.82
Amazon	Amazon-Book-2449862	590	\$9.99
Amazon	Amazon-Paper Towels-7061856	400	\$31.10
Amazon	Amazon-Tape Players-2157848	592	\$68.33
Amazon	Amazon-DVDs-1406621	592	\$71.57
Amazon	Amazon-Book-3954615	590	\$12.99
Amazon	Amazon-DVD-1113852	592	\$39.92
Amazon	Amazon-DVD-4340267	592	\$62.83
Amazon	Amazon-DVD-3349816	592	\$17.96
Amazon	Amazon-Book-8337832	590	\$22.11
Amazon	Amazon-DVD-2308215	592	\$24.08
Amazon	Amazon-SRP Supplies-0463434	434	\$153.26
Amazon	Amazon-DVD-4954635	592	\$19.95
Amazon	Amazon-Button Supplies-4093008	434	\$39.99
Amazon	Amazon-Book-9065823	590	\$16.46
Amazon	Amazon-DVD-6629059	592	\$29.99
Amazon	Amazon-DVD-0994661	592	\$19.95
Amazon	Amazon-SRP Supplies-0549034	434	\$49.63
Amazon	Amazon-SRP Supplies-1072200	434	\$60.82
Amazon	Amazon-Book-5660205	590	\$50.60
Amazon	Amazon-Book-8501035	590	\$21.99
Amazon	Amazon-Book-0113041	590	\$21.59
Amazon	Amazon-Pony Beads-8420222	434	\$17.99
Amazon	Amazon-Keychain-4589023	434	\$8.99
Amazon	Amazon-Tub	200	\$6.40
Care and Share	Stirring Tools & Bowls	434	\$6.68
Care and Share	Supplies	434	\$6.68
Country Pride	Hose	300	\$17.09
Elite Mechanical	Furnace Door Repair	404	\$125.00
Fairmont Glass	Auto Opener Repair	404	\$474.39
Ingram	Monthly Ingram Bill	590	\$742.77
Nobles County Lib	Disc Repair and Clean	592	\$52.00
Perterson Pharm.	Cotton Balls	434	\$6.40
Sub-Total:			\$2,620.31

CASH EXPENDITURES

Expenditure	Description		Total
		Sub-Total:	\$0.00
			Final Total:
			\$0.00

LIBRARY REVENUE

Revenue	Description	Budget #	Total
Minnesota Energy Res.	Rebate from New Furnace/Air	404	\$400.00
Total:			\$400.00

June LIBRARY EXPENDITURES

Expenditure	Description	Budget #	Total
Amazon	Masking Tape-4225064	200	\$16.99
Amazon	Pens-4010644	200	\$15.03
Evers Technology	Laptop Repair	309	\$30.00
Amazon	Rubbing Alcohol-4349837	400	\$29.95
Runnings	Dehumidifier	400	\$192.36
Country Pride	Zip Ties	434	\$18.16
Amazon	Apple Tags-6360200	434	\$79.00
Amazon	Bike & Craft Supplies-9331438	434	\$197.62
Amazon	Air Tag Mounts-2956215	434	\$43.80
Coast to Coast	I Love to Read Tattoos	434	\$150.15
Coast to Coast	SRP Bags	434	\$557.07
Fiverr	Logo Development	434	\$137.15
Amazon	Button Film-6115426	434	\$26.02
Amazon	(Sneer)SRP Prizes-4844275	434	\$63.37
Etsy	Battleship Replacment Pieces	434	\$16.02
Amazon	(Sneer)SRP CRAFTS-5883421	434	\$103.30
Ingram	Monthly Order	590	\$625.03
Chase Radtke	Hatred & Ideology	590	\$45.00
Amazon	Book Order-5562666	590	\$24.96
Amazon	Book Order-2997851	590	\$14.95
Amazon	Book Order-9809855	590	\$26.04
Amazon	Book Order-4316202	590	\$9.00
Amazon	Book Order-3102638	590	\$11.74
Amazon	DVD Order-9604253	592	\$34.92
Amazon	DVD Order-9104256	592	\$19.96
Amazon	DVD Order-0324205	592	\$56.88
Amazon	DVD Order-0002664	592	\$13.99
Amazon	DVD Order-4631419	592	\$19.95
Amazon	DVD Order-0622653	592	\$6.99
Amazon	DVD Order-2308215	592	\$19.96
Amazon	DVD Order-1113852	592	\$58.91
Amazon	DVD Order-7576267	592	\$17.95
		Sub-Total:	\$2,682.22

CASH EXPENDITURES			
Expenditure	Description		Total
		Sub-Total:	\$0.00
		Final Total:	\$0.00
LIBRARY REVENUE			
Revenue	Description	Budget #	Total
		Total:	\$0.00

Lake Commission Meeting
Monday, July 8, 2024, 6:30 p.m.

Members Present: Dave Bucklin, Randy Lowen, Janell Bargen, Chad Klassen, Stan Bennett, Jean Haberman

Members Absent: Jon Beyer

Guests Present: Michael Mueller, City Admin., Luke Ewald, Rachel and Ken Yoder

Chair Bucklin called the meeting to order at 6:30 p.m. M/S/P Bennett/Loewen to approve the agenda and minutes of the June 10, 2024 meeting, with one correction. The Lake Commission has not received permission from the DNR to mow up to and around the old bench on the north side of the trail.

Treasurer’s Report (7/3/2024)

Weed Harvester Income/Expense:

Beginning Balance:	\$19,768.36
Weed Harvester Grant from Cottonwood County	<u>20,000.00</u>
Ending Balance:	\$39,768.36

Trail Income/Expense:

Beginning Balance:	\$2,179.48
Fuel for hauling Aluminum cans to Mankato	(74.34)
1st Half 2024 Property Taxes	3,725.00
Interest Income (April 2024)	<u>75.70</u>
Ending Balance:	\$1,546.88

M/S/P Bargen/Loewen to approve the Treasurer’s Report.

Lake Projects:

Boat Motor - Randy wants to hold off on the purchase of a new boat motor until prices decrease. Dave will explain the situation to the Mountain Lake Foundation. Luke Ewald will look for a grant to cover the second half of the motor.

Can Bin: The date is set for Wed., July 24, at 4:30 to clean out the can bin. Jean will contact Daron for the compressor and will remind the members.

Beach: Janell tilled the beach again. Jean and Janell will look into getting a permit to clean out some of the cattails to restore the beach to 50 feet.

Harvester - The old harvester is in the process of being sold to Tri-State General Contracting in Bingham Lake for \$12,500. Jean will research when the old harvester was purchased, the price paid, and where the funds came from.

Boat Landing on West End: Jean will contact the DNR about cleaning out the encroaching cattails at the boat landing on the west end of the lake.

Trail:

- The #1 Point of Interest post has not been returned to the City. Yoders are working with the City as to where it should be placed when it is returned.
- The City will clean up the mud slick on the trail on Yoder's property. Installing a culvert to alleviate the run-off problem was discussed. It was tabled until a maintenance agreement is in force.
- The three culverts and channel on the trail (SW) need to be cleaned out after the recent flooding. We will need to apply for a DNR permit.
- There is concern about bikers going too fast on the trail. This situation will be addressed at the next meeting.

Luke Ewald informed the Lake Commission about a MnDOT Active Transportation Grant that would help our community create an active transportation plan with help from a consultant. This planning process will: Analyze existing conditions; Engage the community; Identify ways to improve trail development; and Identify ways to encourage active transportation. After discussion, it was M/S/P Bucklin/Loewen to get approval from the City Council to apply for this grant.

Next meeting date is Monday, August 12, 2024 at 6:30 p.m.

Respectfully submitted,
Jean Haberman, Secretary/Treasurer

Economic Development Authority
Monday, July 22, 2024
Mt. Lake City Hall
Council Chambers

PRESENT: Darla Kruser, Eileen Augustin, Steve Syverson (via phone), Mike Nelson (via phone), Phil Skow. Vern Peterson and Clara Johnson, Advisors.

ABSENT: Jerry Haberman

STAFF: Rod Hamilton and Tabitha Garloff

GUESTS: Jean Fast, Exit Realty and Jason Kruser, Six Gun Sally's

1. CALL TO ORDER: Vice-President Syverson called the meeting to order at 11:59 p.m.
2. Motion to Approve Consent Agenda
Consent Agenda:
 - a. Approval of June 10th, 2024, Meeting Minutes.
 - b. Approval of Financial Reports and Bills. Motion made by Darla to approve the consent agenda as presented. Seconded by Eileen. Motion carried.
3. Purchase agreement for 301 Prairie Lake, Block 2 Lot 1. Motion made by Mike to accept the offer of \$10,000 for lot 301 Prairie Lane and approve sale. Seconded by Darla. Motion carried.
4. Jason Kruser, Six Gun Sally's Loan Request. Jason gave a brief overview of the business and business loan request. Motion made by Mike to approve the loan application request of \$12,000 with a 7-year term and 4% interest rate. Seconded by Eileen. Darla abstained from voting. Motion carried.
5. Ratzloff Building & Rent Small Cities Loan Request. Rod reviewed the loan application request from John Ratzloff/Ratzloff Building & Rent. The request is a small cities loan for \$11,520 with a 10-year term and 4% interest rate, \$3,840 deferred, \$3,840 loan and \$3,840 borrower's portion. Motion made by Phil to approve the loan application request. Seconded by Darla. Motion carried.
6. Krienke Foods International, Inc. Update. June payment has been made. July payment is past due. Maryellen has sent the monthly notice of default and intent to evict notice.
7. Hotel Update/Discussion. Rod stated that discussions are continuing with several banks and USDA loans are being researched. Interest rates and inflation continue to be the hurdle. There are 2 banks expressing interest and the developer is negotiating the terms.
8. 12-Unit Apartment Update. Grant funding awards are expected to be announced in August.

9. EDA 2025 Budget. Tabitha will email the 2025 EDA Budget to board members for approval. Email vote will be ratified at the August EDA Board Meeting.
10. Commercial Park. Update if time allows
11. Business Leads. Update if time allows. Rod and Tabitha continue to follow up on business leads and inquiries.
12. Open Board Position Recommendations. Nothing new to discuss.
13. GENERAL DISCUSSION:
 - a. Next Regular Board Meeting is August 19th, 2024
 - b. Other Business.
 - Water intrusion 403. Motion made by Phil to approve no rent charged for September due to water intrusion and repairs. Seconded by Darla. Motion carried.
 - Hiebert & Herrig driveway at truck turn around. Herrig and Hiebert are requesting permission to add an additional driveway extending to the truck turn around. Motion made by Phil to approve the additional driveway. Seconded by Darla. Motion carried. They will also be installing a sign and are aware of the setbacks.
 - Legal Council. The City of Mountain Lake will be changing City Attorney's; however, the EDA has requested to continue with Maryellen.
 - Welcome Sign. Rod and Tabitha will gather information for the welcome sign and bring to the August board meeting.
14. ADJOURN. Vice-President Syverson adjourned the meeting at 1:06 p.m.

**Mountain Lake Utilities Commission Meeting
Mountain Lake City Hall
Thursday, July 25, 2024
7 AM**

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

Members Absent: David Savage

Staff Present: Jill Falk; Utilities Office Manager; 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 Janzen seconded by Johnson to approve the July 11th Minutes and Check Numbers 23559-23585 (569E-572E). Motion carried.

Electric Department

Peters advised that they have been working around the rain to get the underground project completed. There is one house remaining which should be completed this week. He also mentioned that they were in Windom yesterday, aiding with sandbag removal.

Water/Wastewater Department

On Tuesday there was a water main break on Sixth Avenue. A quarter-sized hole was found in the pipe. The repairs were made and flowing normally again. Also on Tuesday, Electric Pump was here for the Lift station maintenance check. One of the pumps was taken in for service. Langland wanted to know the status of the aerators and if they had been canceled yet. Pankratz said they are still operating, but he will follow up with Nesmoe to see what needs to be done. He also mentioned that they have been staying busy with mowing and locates.

City Administrator

A copy of the YTD expenses and revenue was presented. Langland decided that the discussion would be postponed until Mueller returned. A utility customer was disconnected for non-payment. This customer is upset because the services are disconnected and is unhappy with how they feel they are being treated. They then reached out to Garloff individually and shared concerns and requested a copy of the last two years of bills. They would like a breakdown of all of the late fees and believe there are duplicate charges. Currently, the account is several months past due, and no decision was made to reconnect the services. The customer is welcome to attend the next commission meeting with any concerns.

Adjourn

The meeting was adjourned at 7:42 a.m.

ATTEST:

Jill Falk, Utilities Office Manager

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

Members Present: Andrew Ysker, Darla Kruser, Dean Janzen, Mike Nelson

Members Absent: Bryan Borgen

City Staff Present: Michael Mueller City Administrator; Louis Norell Assistant Police Chief

Others Present: Joel Alvstad, Rachel Yoder, Luke Ewald, Doug Regehr

Call to Order

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

Approval of Agenda & Consent Agenda

Motion by Kruser, seconded by Ysker to add City Park Overlay/Layout to the agenda. Motion carried 4 – 0. Motion by Kruser, seconded by Janzen to approve the agenda and consent agenda as amended. Motion carried 4 – 0.

Bills: Checks # 28508-28567, 1113E-1119E

Payroll: Checks # 68209-68227

Approve July 11 Utilities Commission Minutes

Approve July 15 City Council Minutes

Approve July 22 Special City Council Minutes

Approve July Street Department Report

Public

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

Active Living

The Active Living Plan was reviewed. Motion by Kruser, seconded by Ysker to approve applying for a grant to update the Active Living Plan. Motion carried 4 – 0.

City Attorney

There was a third reading for restricting the use of shipping and storage containers in residential areas. Motion by Janzen, seconded by Kruser to approve Ordinance #2-24 Shipping & Storage Containers. Motion carried 4 – 0.

City Administrator

Discussion/Action – Assessment Policy

Discussion/Action – City Park Overlay/Layout

The city assessment policy was reviewed, no changes will be made to the ratios paid by the city and benefited property owners. City Council agreed that the City Park basketball court should be overlaid, but there was discussion on whether one or two pickleball courts should be installed. No action was taken.

2025 Budget

The 2025 budget was reviewed.

Roundtable

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

Adjourn

The meeting was adjourned at 7:00 p.m.

ATTEST:

Michael Mueller, Administrator/Clerk

Mountain Lake Utilities Commission Meeting
Mountain Lake City Hall
Thursday, August 8th, 2024
7 AM

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

Members Absent:

Staff Present: Michael Mueller, City Administrator; Jill Falk; Utilities Office Manager;
 Dave Watkins; Electric Superintendent; 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 Langland seconded by Garloff to approve the July 25th Minutes, with the name correction, and Check Numbers 23586-23621 (573E-577E). Motion carried.

Electric Department

Watkins advised that a Farabee mechanic was working on Engine #2 this week. It was found that this is a liner leaking as well as a burnt valve. While the mechanic was here, Engine #5 also had maintenance completed, and the estimate for the repairs for the engine should be available soon. Watkins also stated that the final changes are being done to the underground project and they will continue to work on the teardown of the overhead. On Monday 8/5, there was a power outage that affected City Hall, the Power plant, and a few houses as well as part of the City Park were also affected. It was determined there was a fault in the feeder line at the park. All power has been restored; however, it still has not been decided if the line will be replaced. As the new concrete has been laid for the sidewalk, it is not recommended to destroy it to dig.

Water/Wastewater Department

Nesmoe said that they are attempting to keep up with the mowing. He has looked into quotes for the trailer to haul the mowers. After viewing Blackhawk Trailers in Lake Crystal, he believes the trailer will run between \$3,000 and \$5,000. As the summer has almost ended, it may be necessary to include this in the 2025 budget. Nesmoe also mentioned that he will attend a meeting in Mankato with the DNR to discuss issues with the Rifle range.

City Administrator

Copies of the YTD expenses and revenue were presented. All three utilities are currently in decent shape with receivables and should exceed the budget. The bond for the water treatment plant should be paid in full next month. Questions were brought up regarding the expenditure

accounts for Truck #1 and Truck #6. It was believed that the charges were for upgrades to the new trucks as well as the storage boxes. The expenditure for the aerators was also questioned. A breakdown of the charges for these accounts will be reviewed. A discussion was brought up regarding the previously mentioned customer who filed a complaint due to non-service. No payment has been made as of yet and services are still off. All documentation requested has been made available for pick up. Mueller stated the customer did say they retained legal representation. Mueller mentioned that they are looking into upgrading voltage from the 4160 transformers to 13.8 KV transformers, however, no action was taken at this time.

Adjourn

The meeting was adjourned at 7:56 a.m.

ATTEST:

Jill Falk, Utilities Office Manager

Resolution # 12-24
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
22.443.0340	\$1,138.85
22.611.1200	\$2,245.87

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 September 2024.

Mike Nelson, Mayor

ATTEST: _____
Michael Mueller, City Administrator

**City of Mountain Lake
Mountain Lake City Council
Resolution #13-24**

Resolution Adopting Proposed Preliminary Property Tax Levy

Be it resolved by the Council of the City of Mountain Lake, County of Cottonwood, Minnesota, that the following sum of money be levied for the current year, collectible in 2024, upon taxable property in the City of Mountain Lake:

Total levy: \$1,070,748.70

The Administrator/Clerk is hereby instructed to transmit a certified copy of this resolution to the county auditor of Cottonwood County, Minnesota.

And setting the date for the Truth in Taxation Hearing for December 3, 2024, at 5:45 pm at City Hall, 903 3rd Avenue.

Motion by Member:
Seconded by Member:
Voting Aye:
Voting Nay:
Absent:

Whereupon, said Resolution is hereby declared passed.

Adopted by the City Council on September 3, 2024

Mayor Mike Nelson

ATTEST:

Michael Mueller, City Administrator/Clerk



CITY OF MOUNTAIN LAKE

SPECIAL ASSESSMENT POLICY

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I. INTRODUCTION

The purpose of this policy is to establish a fair and equitable manner of assessing the special benefit associated with public improvements. The procedures used by the City for levying special assessments are those specified by Minnesota Statutes, Chapter 429 which provides that all or a part of the cost of improvements may be assessed against benefiting properties.

Three basic criteria must be satisfied before a particular parcel can be assessed. The criteria are as follows:

1. The land must have received special benefit from the improvement.
2. The amount of the assessment must not exceed the special benefit.
3. The assessment must be uniform in relation to the same class of property within the assessment area.

It is important to recognize that the actual cost of extending an improvement past a particular parcel is not the controlling factor in determining the amount to be assessed. However, in most cases the method for assigning the value of the benefit received by the improvement, and therefore the amount to be assessed, shall be the cost of providing the improvement.

This shall be true provided the cost does not demonstrably exceed the increase in the market value of the property being assessed. The entire project shall be considered as a whole for the purpose of calculating and computing an assessment rate.

The assessment policy is intended to serve as a guide for a systematic assessment process in the City. There may be exceptions to the policy or unique circumstances or situations which may require special consideration and discretion by city staff and the City Council.

II. IMPROVEMENTS AND MAINTENANCE COSTS ELIGIBLE FOR SPECIAL ASSESSMENT

The following public improvements and related acquisition, construction, extension, and maintenance of such improvements authorized by Minnesota Statutes, Sections 429.021 and 459.14, subd. 7, are eligible for special assessment within the City:

1. Streets, sidewalks, pavement, curbs and gutters, including the beautification thereof.
2. Parking lots.
3. Water works systems and appurtenances, within and without the corporate limits.
4. Sanitary sewer and storm sewer systems including appurtenances, within and without the corporate limits.
5. Street boulevard trees.
6. Street lights, street lighting systems and special lighting systems.
7. Steam heating mains.
8. Parks, playgrounds, and recreational facilities, including the purchase of equipment, within or without the corporate limits.
9. Abatement of nuisances; including but not limited to, draining and filling swamps, marshes, and ponds on public and private property.
10. Dikes and other flood control works.
11. Retaining walls and area walls.
12. A pedestrian skyway system upon a petition pursuant to section 429.031, subdivision
13. Underground pedestrian concourses.
14. Public malls, plazas or courtyards.
15. District heating systems.
16. Fire protection systems in existing buildings upon a petition pursuant to section 429.031, subdivision 3.
17. Highway sound barriers.
18. Electric distribution facilities.

The City of Mountain Lake also retains authority to recover, through special assessment, certain other costs and expenses, some being associated with ordinance violations. These include, but are not limited to, the following:

1. Snow, ice, or rubbish removal from sidewalks.
2. Weed elimination from streets or private property.
3. Removal or elimination of public health or safety hazards from private property excluding any structure included under the provisions of Minnesota Statutes, sections 463.15 to 463.26.
4. Installation or repair of water and sewer service lines.
5. The trimming and care of trees and the removal of unsound trees from any street.
6. The treatment and removal of insect infested or diseased trees on private property.
7. The repair of sidewalks and alleys.
8. Sump pump provision or rectification.
9. Certain delinquent utility bills.
10. Any other cost or expenses as allowed by State Statute.

III. GENERAL DEFINITIONS

1. Initiation of Improvements:

Improvements may be initiated either by the City Council or by petition of not less than 35% of the affected properties.

2. Project Cost:

The project cost shall be deemed to include all construction costs required to accomplish the improvement, plus expenses incurred or to be incurred in making the improvement, including engineering, legal, administrative, financing, right-of-way, and other contingent costs.

3. Assessable Cost:

The assessable cost of an improvement shall be defined as those costs which, in the opinion of the City Council, are attributable to the need for service in the areas served by the improvement and are not in excess of the special benefit conveyed to the property by the improvements.

4. City Costs:

The City cost is defined as the portion of the project cost that, in the opinion of the City Council, exceeds the assessable cost and will be paid by the City using funds other than special assessments.

5. City Property:

City owned property, including building sites, parks, and playgrounds, but not public streets and alleys shall be regarded assessable on the same basis as if such property was privately owned.

6. Distribution of Assessments:

The assessable costs of the improvement shall be distributed among the affected property owners according to one of the procedures outlined in the following section - DISTRIBUTION OF ASSESSMENTS.

7. Application of Policy:

In the event the literal application of the provisions outlined herein would result in an inequitable distribution of special assessments or would result in a special assessment amount that exceeds the benefit (increase to market value) to the properties as a result of the improvements, the City council reserves the right to adjust the individual assessments so as to achieve a more equitable distribution or to reduce or cap the special assessments as a whole to reduce the assessment to an amount equal to or less than the benefit (increase to market value). Such adjustment may be based on current or anticipated land use.

8. Time of Assessments:

Levying of assessments generally occurs in the current year of construction. In some cases where construction extends into two calendar years, the levying of assessments may be delayed until the following year.

9. Assessment Rate:

The assessable cost for each type of improvement divided by the assessable unit for each type of improvement (adjusted front footage, area, or unit/lot).

IV. DISTRIBUTION OF ASSESSMENTS

Several methods exist for assessing property benefited by local improvement projects. It is the policy of the City to use the method that most equitably distributes the project costs as determined by the City Council. A description of the common methods generally used by the City appears in this section. Other methods may be used if they are determined to be more equitable. How these methods will be used in relation to specific types of improvements will be described in later sections. The City may choose to use more than one of these methods for assessment on the same project.

1. Front Foot Method:

Improvement costs are commonly distributed according to the "adjusted front footage" of a parcel or lot. In this method, the City determines a rate of assessment per front foot. This rate applies to each parcel as follows:

Assessment = Assessment rate multiplied by the Parcel's adjusted front footage

The City will choose from among the following methods to calculate adjusted front footage based on which method best reflects the benefit it received from the improvement. In every case, measurements are based upon actual lot line measurements as shown on recorded platting data. In the absence of recorded plat data for a lot, County tax parcel data may be used.

- a) Rectangular Interior Lots: For rectangular interior lots, the footage equals the dimension of the side of the lots abutting the improvement.
- b) Cul-de-sac Lots: For cul-de-sac lots, the larger of the following shall apply:
 - 1) Footage equals the lot width at the building setback line; or,
 - 2) Footage equals the average of the front and rear lot lines.
- c) Curved Frontage: For other lots with curved frontage, the larger of the following shall apply:
 - 1) Frontage equals lot width at the building setback line; or
 - 2) Frontage equals lot width at the front lot line.
- d) Irregular Shaped Lots: For lots with irregular shapes frontage equals the average width of the lot, or a calculation determined by the City Council to be equitable.
- e) Corner or Through Lots: When improvements are made to a corner or through lot, including parcels abutting three streets, adjusted frontage will be determined by one of the following methods:
 - 1) 100% of lineal footage, if the side of the lot abutting the improvement is the short side of the lot
 - 2) 50% of the lineal footage if the side of the lot abutting the improvement is the long side of the lot
 - 3) 0% of rear yard lineal footage, unless there is an access from a street being improved with the project, in which case a 50% of rear yard lineal footage shall apply

2. Area Method:

Assessments may be distributed according to the gross area of the benefited lot or parcel. In this method, the City determines the rate of assessment per number of acres or the number of square feet. The rate applies to each parcel as follows:

$$\text{Assessment} = \text{Assessment rate multiplied by the Parcel's area}$$

Where appropriate, a reduction to the assessable area will be made for right-of-way:

3. Unit/Lot Method:

When the City Council determines that the assessable cost for items such as sewer or water laterals would be more equitably distributed on a unit basis, all lots in the area to be included will be assessed equally.

$$\text{Assessment} = \text{Assessment rate multiplied by the number of Units or Lots}$$

V. PAYMENT OF ASSESSMENT

Unless otherwise authorized by the City Council the following shall apply:

1. Pre- Payment:

After the adoption by the City Council of the assessment roll, the owner of any property specially assessed in the preceding, may pay to the City Treasurer all or any portion of the assessment. The full or partial pre-payment of the assessment shall be made within the timeframes specified in the assessment resolution adopted by the City Council and in the assessment notices. The remaining unpaid balance shall be spread over the period of time established by the Council for installment payment of the assessment. No interest shall be charged on the paid portion of the assessment.

2. Interest:

The City of Mountain Lake will charge interest on Special Assessments at a rate specified by resolution. If bonds were sold to finance the improvement project, the interest rate shall be two percent (2%) greater than the average coupon interest rate of the bonds, rounded to the nearest quarter of a percent. If no bonds were sold, the interest rate shall be set at the rate as determined by the City Council.

3. Length of Assessment:

Unless otherwise authorized by the City Council, assessment payments will be extended over a period of 15 years, unless a lesser term is requested by the property owner. Unless otherwise approved by the City Council, the length of the assessment will not exceed the term of the bond financing the improvement.

VI. WASTEWATER SYSTEM

Portions of the wastewater system provide for the collection of wastewater from individual parcels while other portions of the system provide collection, pumping and treatment for the entire system. In wastewater system assessments, the City Council will try to strike a balance between individual and system-wide benefits.

The wastewater system is divided into two types of improvements: primary and secondary. Primary improvements include major trunk sanitary sewers and the main lift stations including associated forcemains and other facilities. The secondary improvements include sanitary sewers systems and service lines that collect the wastewater from individual parcels or neighborhoods, and in some cases, neighborhood lift stations.

Primary Wastewater System Improvements:

Unless the City Council determines there is a direct benefit to individual parcels, the costs for improvements to the primary wastewater system as defined above will be paid for by the City through user fees.

Secondary Wastewater System Improvements:

1. Sanitary Sewer Systems:

Sanitary sewer systems are defined as sanitary sewer pipes, manholes and associated improvements necessary to collect wastewater from individual properties or neighborhoods for transporting to a treatment facility.

- a) The cost for installation of sanitary sewers to serve new developments is 100% assessable to the benefited properties.
- b) The cost of replacement, upgrading and/or rehabilitation of sanitary sewer systems is 0% assessable to the benefited properties.
- c) If the sanitary sewer is not constructed in conjunction with street reconstruction, the cost of any required restoration of the street, curb and gutter, sidewalk, sodded areas and other restoration items will be included in the assessable cost.
- d) When system oversizing is needed to accommodate growth, a greater share of the system cost may be borne by the City. When a system oversizing is needed due to the nature of an individual property, a greater share of the system cost may be borne by the individual property owner.

2. Sanitary Sewer Service Lines:

Sanitary sewer service lines are defined as the sewer system components that allow connection of individual properties to the wastewater system and include pipe extending from the sanitary sewer to the property line and associated fittings.

- a) The cost of a sanitary sewer services in new developments is 100% assessable to the benefited property.
- b) The cost of replacement/upgrading of sanitary sewer service lines as part of a City project is 100% assessable to the benefited property.
- c) If the sanitary sewer service is not constructed in conjunction with street reconstruction, the cost of any required restoration of the street, curb and gutter, sidewalk, sodded areas and other restoration items will be included in the assessable cost.
- d) Maintenance of service lines is the responsibility of the property owner. The cost of repair, maintenance or replacement of service lines shall be assessed to the property owner. The replacement/upgrading of sanitary sewer service that is not part of a larger City project shall be considered maintenance.

3. Lift Stations:

Wastewater lift stations are defined as facilities designed to move wastewater from lower to higher elevation, particularly where the elevation of the source is not sufficient for gravity flow and/or when the use of gravity conveyance will result in excessive excavation depths and high sewer construction costs.

- a) The cost for installation of lift stations to serve new development areas is 100% assessable to the benefited properties.
- b) Unless the City Council determines there is a direct benefit to individual parcels, the costs for replacement, upgrading and/or rehabilitation of existing lift stations will be paid for by the City through user fees.

4. Assessments:

Unless otherwise specified by the City Council:

- a) Assessable costs for sanitary sewer systems will be distributed to benefited property on a unit basis.
- b) Assessable costs for sanitary sewer services will be distributed to benefited property on a unit basis.
- c) Assessments for lift stations, if the City Council determines there is direct benefit to individual parcels, will be distributed to benefited property on a unit basis.
- d) Assessments will be levied at the same time against all benefited property in the area, even if some parcels do not connect to the system at the time of assessment.

VII. WATER SYSTEM

It is recognized that water distribution improvements benefit both the individual property and the entire water system. The improvements bring water service to individual parcels while also improving flow and pressure conditions at other locations. In distribution assessments, the City Council will try to strike a balance between individual and system-wide benefits.

Water systems improvements are divided into two types: primary and secondary. Primary improvements are those improvements attributable to water supply, treatment and storage, including wells, water towers, ground storage reservoirs, treatment facilities, etc. Secondary improvements are those improvements which are attributable to the distribution of water to the individual properties, including watermains, hydrants, valves, service lines, etc.

Primary Water System Improvements:

Unless the City Council determines there is a direct benefit to individual parcels, the costs for improvements to the primary water system as defined above will be paid for by the City through user fees.

Secondary Water System Improvements:

1. Watermain Systems:

- a) The cost for the installation of secondary water system improvements serve new developments is 100% assessable to the benefited properties.
- b) The cost of replacement/upgrading of secondary water system improvements is 0% assessable to the benefited properties.
- c) If the watermain improvements are not constructed in conjunction with street reconstruction, the cost of any required restoration of the street, curb and gutter, sidewalk, sodded areas and other restoration items will be included in the assessable cost.
- d) When system oversizing is needed to accommodate growth, a greater share of the system cost may be borne by the City. When a system oversizing is needed due to the nature of an individual property, a greater share of the system cost may be borne by the individual property owner.

2. Water Service Lines:

Water service lines are defined as the water system components that allow connection of individual properties to the water system and include water pipe extending from the watermain to the property line, valves, and associated fittings.

- a) The cost of installation of a new services lines in new developments is 100% assessable to the benefited property.

- b) The cost of replacement/upgrading of water service lines as part of a City project is 100% assessable to the benefited property.
- c) If the water service is not constructed in conjunction with street reconstruction, the cost of any required restoration of the street, curb and gutter, sidewalk, sodded areas and other restoration items will be included in the assessable cost.
- d) Maintenance of service lines is the responsibility of the property owner. The cost of repair, maintenance or replacement of service lines shall be assessed to the property owner. The replacement/upgrading of water service that is not part of a larger City project shall be considered maintenance.

3. Assessments:

Unless otherwise specified by the City Council:

- a) Assessable costs for watermain improvements will be distributed to benefited property on a unit basis.
- b) Assessable costs for water service lines will be distributed to benefited property on a unit basis.
- c) All assessments will be levied at the same time against all benefited property in the area, even if some parcels do not connect to the system at the time of assessment.

VIII. STORM SEWER

Storm sewer systems are defined as storm sewer pipes, drain tile, catch basins, manholes, open drainage ways, wet and dry basin areas designed to provide for the control and quality treatment of storm water and ground water over a particular area.

Storm sewers serving private parcels or lots or new developments are 100% assessable to those properties. Exceptions to this are as follows:

- o When a system oversizing is needed to accommodate growth, a greater share of the system cost may be borne by the City.
- o When a system oversizing is needed due to the nature of an individual property, a greater share of the system cost may be borne by the individual property owner.

The City shall determine the area to be benefited by the storm sewer improvements.

Assessable costs for such improvements shall be distributed on an area or unit basis to benefited properties.

The City may adopt an ordinance creating a storm sewer improvement tax district, pursuant to the requirements of Minnesota Statutes 444.16 - 444.21 as it may be amended from time to time. The purpose of such a district will be to provide for the financing of storm sewer improvements.

1. Assessments:

Unless otherwise specified by the City Council:

- a) The cost for storm sewer construction serving private parcels or new developments is 100% assessable to the benefited properties. Assessable costs for such improvements shall be distributed on an area or unit basis to benefited properties.
- b) The cost of upsized, new, or repaired storm sewer in previously developed areas is 0% assessable to the benefited parcel(s). Unless otherwise specified by the Council, the assessable costs for storm sewer shall be included with the street improvement costs and distributed among benefited properties on an adjusted frontage basis.

- c) If the storm sewer is not constructed in conjunction with street reconstruction, the cost of any required restoration of the street, curb and gutter, sidewalk, sodded areas and other restoration items will be included in the assessable cost.
- d) In the case where the Council determines additional capacity is necessary, 100% of the cost of such additional capacity shall be borne by the parcel(s) that require such additional capacity.
- e) Assessments will be levied at the same time against all benefited property in the area, even if some parcels are not currently developed.

IX. STREETS

1. Street Construction and Reconstruction:

Street construction and reconstruction is defined as all necessary removals, grading, base, subsurface drainage, hard surfacing (such as bituminous or concrete), storm sewer (when not assessed separately), curb and gutter, driveways, restoration, signage, striping, and other miscellaneous work necessary to construct streets in new developments or to reconstruct existing deteriorated streets.

- a) No street construction shall be approved for less than both sides of a street except as necessary to complete the improvement of a block which has previous partial completion.
- b) Typical street design standards are as follows:
 - 1) Residential areas – in accordance with the standard residential street width and pavement section as determined by the City Administrator or his/her designee.
 - 2) Commercial and Industrial areas – Street width, pavement section and other design details will be as determined by the City Administrator or his/her designee for the anticipated types or volumes of traffic.
- c) Whenever possible new street construction will occur only after all utilities and utility service lines have been installed to the edge of right of way to serve each known and assumed location.

2. Street Overlays:

An overlay is defined as the construction of a new layer of pavement (typically bituminous) applied over an existing deteriorated street or roadway surface. On streets with curb and gutter, edge milling is done adjacent to the curb and gutter to maintain the current surface elevations and then a pavement overlay is placed. Isolated pavement patching and replacement of deteriorated curb and gutter may also be included with a street overlay project.

3. Bituminous Seal Coating:

A bituminous seal coat is defined as the application of bituminous material on the roadway followed by a coating of fine aggregate. This treatment method extends the life of the pavement by to minimizing the infiltration of water through the surface, reducing surface oxidation, and restoring skid resistance/surface roughness of the pavement.

4. Crack Filling:

A crack fill repair consists of routing out the crack to create a reservoir that is filled with a hot bituminous sealant. This procedure also extends the pavement life by reducing the infiltration of moisture and debris through the pavement surface and into the subgrade.

5. Assessments:

Unless otherwise specified by the City Council:

- a) The cost for street construction serving new developments is 100% assessable to the benefited properties.
- b) The reconstruction/upgrading of existing streets shall be assessed as follows:
 - 1) 50% of the costs of reconstructing existing streets shall be assessed to the benefiting property owners.
 - 2) 50% of the costs for reconstructing existing concrete curb and gutter and driveway approaches shall be assessed to the benefiting property owners.
 - 3) Gravel streets: Upgrading of existing gravel street by adding pavement, curb and gutter is considered new construction, and all costs are assessed 50%.
 - 4) Unless the City Council determines there is a direct benefit to adjacent parcels, the costs of constructing overlays on existing streets as defined above will be performed as routine street maintenance and will not be assessed to adjacent properties.
 - 5) Unless the City Council determines there is a direct benefit to adjacent parcels, the costs of crack filling and seal coats will be performed as routine street maintenance and will not be assessed to adjacent properties.
 - 6) Assessable costs for street reconstruction in residential areas will be based on the standard residential street section as determined by the City Administrator or his/her designee. In cases where the City Administrator or his/her designee determines additional width or pavement section is necessary, the additional costs thereof may be borne by the City, at the discretion of the City Council.
 - 7) Assessable costs for street reconstruction in commercial and industrial areas will be based on a street width and a design pavement section as determined to be required by the City Administrator or his/her designee based on the type and volume of traffic
- c) Alleys maintained by the City shall be assessed the same as public streets.
- d) For the purposes of determining assessable costs, no distinction will be made between City streets and streets designated as County Highways, County State-Aid Highways, Municipal State Aid Streets, or State Trunk Highways. The participating funds from the county or state will be applied to offset the City portion of the costs.
- e) Unless otherwise specified by the Council, the assessable costs for streets shall be distributed among benefited properties on an adjusted frontage basis.
- f) Assessments will be levied at the same time against all benefited property in the area, even if some parcels are not currently developed.

X. STREET LIGHTING

The City Council may assess benefited property owners for the cost of a street lighting system, including lighting units (poles, fixtures, outlets, accessories and foundations), underground electrical circuits (wiring, conduit, hand holes, etc.), overhead electrical lines, service panels, and other necessary system components.

1. Assessments:

- a) Unless otherwise specified by the City Council, 0% of the City costs for street lighting improvements along streets constructed to serve new developments shall be assessed to benefiting properties.

- b) Unless otherwise specified by the City Council, 0% of the City costs for street lighting improvements on streets that are reconstructed and/or rehabilitated shall be assessed to benefiting properties on unit basis. Unless otherwise specified by the Council, the assessable costs for street lighting shall be included with the street improvement costs and distributed among benefited properties on an adjusted frontage basis.
2. The City may adopt an ordinance creating a street lighting district, pursuant to the requirements of Minnesota Statutes 444.16 - 444.21 as it may be amended from time to time. The purpose of such a district will be to provide for the financing of street lighting improvements. If a street lighting district is established, the assessable costs for street lighting improvements may be distributed to benefiting properties within the established district an area or a unit basis.

XI. SIDEWALKS AND TRAILS

Sidewalks are defined as a paved path (concrete or bituminous) parallel to the street for use by pedestrians and/or bicyclists.

New sidewalks shall be constructed to meet standards determined by the City Administrator or his/her designee.

1. Replacement:

- a) Replacement is defined as the rehabilitation of an existing sidewalk which, for any reason, does not meet construction requirements outlined above and has become unsafe or a nuisance to the public as defined by local ordinance.
- b) Replaced sidewalks shall meet the standards determined by the City Administrator or his/her designee.

2. Assessments:

Unless otherwise specified by the City Council:

- a) The cost of sidewalks in new developments shall be 100% assessed to the benefiting properties
- b) The reconstruction of existing sidewalks or the construction of new sidewalks along an existing street, either as a stand-alone project or as part of a street reconstruction project, shall be 100% assessed on a front foot basis. Unless otherwise specified by the Council, the assessable costs for sidewalks shall be included with the street improvement costs and distributed among benefited properties on an adjusted frontage basis.
- c) If sidewalk is constructed on only one side of the street, the sidewalk costs will be assessed against the adjusted front footages on both sides of the street.
- d) If the sidewalk is not constructed in conjunction with street reconstruction, the cost of any required restoration of the street, curb and gutter, sodded areas and other restoration items will be included in the assessable cost.
3. Trails: Bituminous walkways or bicycle trails to be installed will not be assessed, but rather funded 100% by the City. Trail reconstruction projects will be 100% City funded.

XII. HOOK UP FEES

If the City advances its own funds to pay for improvement costs benefiting a property whether abutting or non-abutting but not initially assessed for the improvement, the City may include all or any portion of the costs originally advanced into hookup charges which will be collected at such time when the property is connected to the improvements.

It is the intent of the City that the hook-up fees collected in combination with any assessments shall in no case exceed the total actual costs incurred by the City for construction of the improvements.

XIII. REDUCTIONS IN ASSESSMENT

1. Street, Sanitary Sewer, Watermain and Storm Sewer:

Credit will be given for assessments paid on previous street, sanitary sewer, watermain, and storm sewer rehabilitation projects that took place not more than 20 years prior to the start of the current project. A method determined by the City Council to be equitable will be used to calculate the applicable credit for each infrastructure element.

2. Sidewalks:

Credit will be given for the cost of reconstructing existing sidewalks less than five years old.

- a) This credit will be for 100% of assessed cost of sidewalks less than one year old and the credit will be reduced by 20% for each year of age.
- b) A building permit must have been taken out for the sidewalk and the age of the sidewalk will be based on the date stated on the building permit.

3. Assessment Cap:

If the City Council determines that the total assessment on a parcel or parcels on an improvement project as computed on the basis outlined herein results in a total assessment that do not reflect the benefit received by the property owner(s) for the improvements, the Council, at their sole discretion may adjust the assessment(s) to more closely represents the benefit received.

XIV. APPORTIONMENT OF ASSESSMENTS UPON LAND LATER SUBDIVIDED

If a special assessment is levied against a tract of land which is later subdivided, the installments remaining unpaid can be apportioned among the various lots and parcels in the tract upon a finding that such apportionment will not materially impair collection of the balance due.

This may be done upon application of the property owner or by the Council acting upon its own motion, but notice of such apportionment and of the right to appeal must be mailed to or personally served upon all owners of any part of the tract. If the action is requested by the property owner(s), all costs associated with public notice shall be paid by the property owner(s) making the request.

The Council may, and if the assessment has been pledged towards payment of improvement warrants the Council must, require the owner(s) to furnish a cash surety or letter of credit toward total payment of all assessments.

XV. SUPPLEMENTAL ASSESSMENT AND REASSESSMENT

The City Council may, subject to legal notice and hearing requirements, make supplemental assessments to correct errors or omissions related to the total cost of the improvement or any other particular item.

In addition, if an assessment is set aside by a Court for any reason or if the City Council finds that the assessment or any part of it is excessive or determines on advice of the City Attorney that it is or may be invalid for any reason, the City Council may upon notice and hearing as required for the original assessment, make a reassessment or a new assessment as to such parcel(s).

XVI. SPECIAL ASSESSMENT FOR CURRENT SERVICES

The City Council may provide for the collection of certain service charges as a special assessment against the property benefiting from the service. The City of Mountain Lake will charge interest on Special Assessments for Current Services at a rate set by the City Administrator and specified by resolution. Special charges that may be assessed include those for:

1. Snow, ice or rubbish removal from sidewalks, mowing or weed elimination from streets or private property.
2. Removal or elimination of public health or safety hazards from private property (except hazardous buildings as defined by M.S. 463.15 to 463.26.
3. Installation or repair of water or sanitary sewer service lines.
4. The trimming and care of trees and the removal of trees from any street and the treatment and removal of insect-infested or diseased trees on private property.

XVII. DEFERRED ASSESSMENTS

1. Outside City Limits:
 - a) If the City installs utility facilities which benefit property which lies outside the corporate limits, that area and the allocable costs shall be included in the original public hearing for the improvement.
 - b) The City may attempt to negotiate a contract with the property owner of the property lying outside the City which will provide for payment to the City on the same basis as if the property were within the City and to be assessed for the improvement as a prepayment upon completion of the project.
 - c) If such a contract cannot be executed, the City will assume the temporary responsibility for payment of the cost allocable to the property lying outside the City limits. Upon annexation this property shall be assessed under the provisions provided in this policy. Unless otherwise determined by the City Council, interest on deferred assessments shall be included in the total cost to be assessed.
 - d) When property lies outside the City limits, no physical connection to the City's utility or drainage system will be permitted until a utility agreement and contract, including satisfaction of costs or assessments, is executed.
 - e) Termination of Deferment.

The option to defer the payment of special assessments pursuant to this Ordinance shall terminate and all installment amounts previously deferred, plus applicable interest, shall become due upon the occurrence of any of the following events:

- 1) Annexation of the property
 - 2) Request of property owner;
 - 3) Death of the eligible property owner, providing any surviving owner is otherwise not eligible for the deferral;
 - 4) Sale, transfer or subdivision the property or any part thereof.
 - 5) Period of deferment shall not exceed 20 years.
2. Unimproved Property Inside City Limits:
 - a) The Minnesota Agriculture Property Tax Law (M.S. 273.111), commonly referred to as the Green Acres Law, was designed for the preservation of agricultural land should it be

annexed by a municipality. This law delineates specific guidelines for deferment of taxes and assessments and states that real estate consisting of 10 acres or more shall be entitled to deferment of assessment under this section if it meets the classification of class 2a under M.S. 273.13 if it is primarily devoted to agricultural use as defined in Subdivision 3 of M.S. 273.111.

- b) The payment of special assessments levied under this policy for improvements benefiting this property together with any interest thereon shall, on timely application as provided in the Subdivision 8 of M.S. 273.111 shall be deferred as long as such property meets the conditions contained in M.S. 273.111.
3. Senior Citizens/Disabled Persons:
- a) The Council may defer the payment of any special assessment on homestead property owned by a person who is 65 years of age or older, or who is retired by virtue of permanent and total disability, and the City Clerk is hereby authorized to record the deferment of special assessments where the following conditions are met:
 - 1) The applicant must apply for the deferment not later than 90 days after the assessment is adopted by the City Council.
 - 2) The applicant must be 65 years of age or older, or one or more of the owners of such property must meet the definition of a "disabled person" as defined by Section 223 of the Federal Social Security Act.
 - 3) The applicant must be the owner of the property.
 - 4) The applicant must occupy the property as his principal place of residence.
 - 5) In determining whether or not a senior citizen/disabled person is eligible for deferral of special assessment installment payments, the following criteria are established:
 - i. The average annual payment for assessments levied against the subject property exceed one percent of the adjusted gross income of the applicant as evidenced by the applicant's most recent federal income tax return.
 - ii. The average annual payment of an assessment shall be defined as the total cost of the assessment divided by the number of years over which it is spread.
 - b) The deferment shall be granted for as long a period of time as the hardship exists and the conditions aforementioned have been met. However, it shall be the duty of the applicant to notify the City Clerk of any change in his status that would affect eligibility for deferment.
 - c) The entire amount of deferred special assessments shall be due within sixty days after loss of eligibility by the applicant. If the special assessment is not paid within the sixty (60) days, the City Clerk shall add thereto interest at a per annum interest rate of two percent (2%) above the bond interest rate and the total amount of principal and interest shall be certified to the County Auditor for collection with taxes the following year. Should the applicant demonstrate to the satisfaction of the Council, that full repayment of the deferred special assessment would cause the applicant particular undue financial hardship, the Council may order that the applicant pay within sixty days a sum equal to the number of installments of deferred special assessments outstanding and unpaid to date, including principal and interest, with the balance thereafter paid according to the terms and conditions of the original special assessments.
 - d) The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any one of the following:
 - 1) The death of the owner when there is no spouse who is eligible for deferment.

- 2) The sale, transfer or subdivision of all or any part of the property.
 - 3) Loss of homestead status on the property.
 - 4) Determination by the Council for any reason that immediate or partial payment would impose no hardship.
 - 5) Period of deferment shall not exceed 20 years unless, after 20 years the hardship as defined herein still exists and the deferment is extended.
4. Interest on Deferred Assessments.

Unless otherwise directed in this Policy or by the City Council, interest shall be charged on any assessment deferred pursuant to this Ordinance at a rate equal to the rate charged on other assessments for the particular public improvement project the assessment is financing. Such interest shall also be deferred.

XVIII. LOCAL IMPROVEMENT PROCESS

The Mountain Lake City Council has adopted the following process for the initiation, review, and assessment of local public improvement projects:

1. Project Initiation:

Projects may be initiated in two ways:

- a) Petition by 35% of the affected property owners; or
- b) By order of the City Council.
- c) Unless otherwise directed by the City Council, project for which petitions for improvements area accepted by the City Council by August 31st will be constructed in the following calendar year.

2. Petition Review:

If project is petitioned, the City Council must determine if the petition conforms to the guidelines of M.S. 429.035.

3. Feasibility Report:

The Council instructs the City Engineer to prepare a preliminary report on the proposed improvement. The report will indicate feasibility of proceeding with improvement and estimated total project costs.

4. Accept Feasibility Report/Call for Hearing:

The City Engineer will submit the feasibility report to the Council. The Council may then schedule a date for a public hearing on the improvement. The Council may hold a public hearing on the proposed improvement following two publications in the Official newspaper of a notice stating the time and place of the hearing, the general nature of the improvement, the estimated cost, and the area proposed to be assessed. The two publications shall be a week apart and the hearing shall be at least three days after the last publication. Not less than ten days before the hearing, notice thereof shall also be mailed to the owner of each parcel within the area proposed to be assessed, but failure to give mailed notice or any defects in the notice shall not invalidate the proceedings.

5. Public Hearing on Improvement:

The purpose of the hearing is to give all interested property owners a chance to make comment on the proposed improvement. If the project is petitioned by 100% of the affected property owners, then this step may be omitted, provided the City has secured the necessary

waiver documents from all petitioning property owners. At its discretion, the Council may consider any objection to the amount of a proposed individual assessment at an adjourned meeting. The purpose of such additional inquiry is to determine objectively and in an adversary proceeding whether the amount of the assessment exceeds the benefit conveyed to the property. At such an adjourned meeting, both the City and the property owner will be given the opportunity to present oral and written testimony.

6. Assessment Hearing:

- a) Notification for the assessment hearing will be published in the official newspaper and shall include the following statements at a minimum:
 - 1) The date, time, and place of the assessment hearing;
 - 2) The general nature of the improvement;
 - 3) The area proposed to be assessed;
 - 4) The total amount of the proposed assessment (not the amount on each parcel);
 - 5) That the proposed assessment roll is on file with the Clerk;
 - 6) That written or oral objections will be considered;
 - 7) That no appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the Clerk prior to the hearing or presented to the presiding officer at the hearing;
 - 8) That an appeal to district court may be made by serving notice upon the Mayor or Clerk of the City within 30 days after adoption of the assessment and filing such notice with the District Court within ten days after service upon the Mayor or Clerk; and
 - 9) Whether the City has adopted any deferment ordinance or resolution and the basic substance of that ordinance or resolution.
- b) Affected property owners will also receive mailed notices which will include not only the nine items included in the published notice, but also the following information:
 - 1) The amount to be assessed against that particular lot, piece, or parcel of land;
 - 2) The right of the property owner to prepay the entire assessment and the person to whom prepayment must be made;
 - 3) Whether partial prepayment of the assessment has been authorized by ordinance;
 - 4) The time within which prepayment may be made without the assessment of interest; and
 - 5) The rate of interest to be accrued if the assessment is not prepaid within the required time period.
- c) In accordance with Minnesota State Law, the City Clerk will notify an affected property owner by mail if their adopted assessment differs from the proposed assessment as to any particular lot, piece or parcel of land. Property owners will also be notified by mail of any changes adopted by the Council in interest rates or prepayment requirements from those contained in the notice of the proposed assessment.

7. Adopting Assessment:

Upon determination of final assessment amounts, the Council shall adopt the assessment roll. Any property owner who has formally objected to the assessment has 30 days to appeal the assessment to District Court.

8. Awarding Bids:

When the City Council has completed all necessary review and hearings, it may award the bid to the lowest acceptable bidder.

9. Construction:

Once the City has entered into a contract with the successful bidder, construction of the improvement may begin.

10. Assessment Process:

In those cases where the City has not undertaken the appropriate assessment proceedings, the Council shall initiate the assessment process.

11. Certification of Assessments:

After the adopting of any special assessment by the Council, the City Clerk/Treasurer shall transmit a certified duplicate of the assessment roll with each installment, including interest, to the County Auditor to be extended on the County property tax lists.

Sunde Olson

KIRCHER & ZENDER P.L.C.

ATTORNEYS AT LAW

Steven R. Sunde* Michael P. Kircher Zachary R. Strom

Suzann M. Olson (Retired) Margaret K. Koberoski (1969-2022) Jan M. Zender (1956-2018)

July 9, 2024

VIA E-MAIL ONLY

amanda.knoll@ci.stjames.mn.us

Amanda Knoll

St. James City Manager

RE: Mutual Aid Agreement - Ambulance Service Dear Amanda:

I have attached hereto the Mutual Aid Agreement which I have updated regarding signature lines. Please feel free to circulate the document for signature.

As always, should you have any questions or comments, do not hesitate to contact me.

Very truly yours,

Michael. Kircher mkircner@sundeolson.com

MPK/yms Enclosu

St. James Office:

108 Armstrong Blvd. S.

P.O. Box 506

St James, MN 56081

Phone (507) 375-3352

Fax (507) 375-4483

Reply to:

P.O. Box 506

St. James, MN 56087

www.sundeolson.com

*Boord Certified Trial Advocate

By the Notional Boord of Trial Advocacy and the Minnesota State Bar Association

MUTUAL AID AGREEMENT

THIS AGREEMENT is entered into by and between St. James Volunteer Ambulance Service, P.O. Box 70, St. James, Minnesota 56081, hereinafter referred to as "ST. JAMES," Madelia Health Ambulance Service, 106 Drew Avenue Southeast, Madelia, Minnesota 56062, hereinafter referred to as "MADELIA" and Mountain Lake Ambulance Service, 531 - 11th Street North, Mountain Lake, Minnesota 56159, hereinafter referred to as "MOUNTAIN LAKE."

WHEREAS, the purpose of this Agreement is to identify and record the willingness of the above-listed parties to mutually assist each other during periods of scheduling difficulties when one of the parties is unable to staff an ambulance crew in adherence to Minnesota Statutes Section 144E; and,

WHEREAS, the parties are desirous of reducing their understandings and agreements to writing.

NOW, THEREFORE, in exchange for the mutual covenants and considerations contained herein, the parties hereto agree as follows:

1. Service Fees. The parties agree and understand there will be no bill sent by the party covering the other party's primary service area under this Agreement. Each party agrees to be responsible for billing directly those patient(s) who are transported as a result of providing service area coverage. Usual and customary charges will apply. It shall be the responsibility of the transporting agency to collect reimbursement for patient transport services rendered.
2. Workers' compensation. Each party shall be responsible for injuries or death of its own personnel. Each Party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are providing assistance pursuant to this Agreement. Each party waives the right to sue any other party for any workers' compensation benefits paid to its own employees or volunteer or their dependents, even if the injuries were caused wholly or partially by the negligence of any other party or its officers, employees, or volunteers.
3. Damage to Equipment. Each party shall be responsible for damages to or loss of its own equipment. Each party waives the right to sue any other party for any damages to or loss of equipment, even if the damages or losses were caused wholly or partially by the negligence of any other party or its officers and employees.

4. Liability Coverage. Each party agrees to provide and maintain its own appropriate liability, auto, workers compensation and professional malpractice

insurance in amounts that, at a minimum, are equal to those that are required by law and state licensure.

a. For the purposes of the Minnesota Municipal Tort Liability Act (Minn. Stat. 466), the employees and officers of the responding party are deemed to be employees (as defined in Minn. Stat. 466-01, Subdivision 6) of the requesting party.

b. The requesting party agrees to defend and indemnify the responding party against any claims brought or actions filed against the responding party or any officer, employee or volunteer of the responding party for injury to, death of, or damage to the property of any third person or persons, arising from the performance and provision of assistance in responding to a request for assistance by the requesting party pursuant to this Agreement.

For purposes of determining total liability for damages pursuant to Minn. Stat. § 471.59, subd. 1a(b), the parties are considered a single governmental unit and the total liability of the parties shall not exceed the limits on governmental liability for a single governmental unit as specified in Minn. Stat. § 466.04, subd. 1.

The intent of this subdivision is to impose on each requesting party a duty to defend and indemnify a responding party for claims arising within the requesting party's jurisdiction subject to the limits of liability under Minnesota Statutes, Chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims by eliminating conflicts among defendants, and to permit liability claims against multiple defendants from a single occurrence to be defended by a single attorney.

c. No party to this Agreement nor any officer of any party shall be liable to any other party or to any other person for failure of any party to furnish assistance to any other party, or for recalling assistance.

5. Communications. Communications between ambulances and their Communication Center(s) will take place on their customary dispatch channels.

6. Process.

a. If one party identifies gaps in the duty schedule, the party needing coverage assistance will contact the other parties' signatory to this Agreement by the end of business office hours on the day prior to the day when coverage is needed. In the event scheduling assistance is needed throughout the weekend, notification will be made by the end of business office hours on the Friday preceding the weekend.

b. Notification will be made via email. Emails will be sent to the designated person(s) of the party being requested for coverage at an address agreeable to both parties. A confirmation email will be required to verify the party being requested for coverage can indeed facilitate this request. Copies of these emails will be retained for verification of this coverage. In the event email is not available, efforts will be made to contact the party's representative via phone. Records will be obtained when emails are available.

c. A process of notification of the County, City or private Public Safety Answering Point (PSAP) when the licensed ambulance service for the primary area will not be providing continual service.

i. Additional notifications of City, County, Townships, EMSRB and other neighboring ambulance services, Emergency

Medical Response Units, Fire Departments and Law Enforcement Agencies in the primary service area.

ii. These notifications will ensure that the appropriate ambulance is dispatched in a timely fashion and avoid unnecessary delays in patient response.

d. The parties will assure maps of the service areas are readily available for all service areas covered under this Agreement.

e. The parties shall determine the location of where they will position ambulances and ambulance personnel to meet primary service area size and travel time and shall comply with the provisions in Chapter 4690.3400, Subpart 3.

f. The parties understand coverage is restricted to no more than 24 hours per day, limiting the requesting service to no more than 108 hours per calendar week. This translates to a total of 4.5 days per week. Although no days or times are specifically excluded, the intended days and times are Monday through Friday 0800 through 2200 hours. For the purposes of this section, a calendar week is defined as Sunday through Saturday.

g. All Service Area Coverage and Mutual Aid Agreements are executed and signed by the owners of the licensed ambulance services and maintained in the licensee's files and have been appropriately forwarded to the EMSRB within 5 business days of being signed by all the parties.

7. Duration. This Agreement will be in force for a period of two (2) years from the date of execution. Any Party may withdraw from this Agreement upon thirty (30) days written notice to the other Party or Parties to the Agreement.

8. Miscellaneous. This writing contains the entire agreement between the parties, is contractual in nature and not a mere recital, cannot be amended without the express written consent of all parties hereto and is binding upon and inures to the benefit of the parties, their heirs, successors and assignees. This Agreement shall be interpreted under the laws of the State of Minnesota.

Dated: _____

St James Ambulance Service

By: _____

Holly Wallace, Director

By: _____

Amanda Knoll, City Manager

Dated: _____

Madelia Health Ambulance Service

By: _____

Ryan Marti, Ambulance Director

By: _____

Christine Fischer, City Administrator

Dated: _____

Mountain Lake Ambulance Service

By: _____

Emily Adrian, Ambulance Director

By: _____

Michael Mueller, City Administrator

City of Mountain Lake Employee Recognition Program

The City Council believes it is important to recognize employees for their service to the citizens of Mountain Lake through an employee recognition program. Minnesota Statute 15.46 gives the City authority for an employee recognition program. Said program is herein adopted as part of the City's compensation for its employees. Effective January 1, 2025, City employees (full-time and part-time), paid-on-call fire fighters and EMTs achieving five (5) or more years of service, will receive a recognition award to thank and honor them for their service to the City and its citizens. Initial awards will recognize eligible employees at their highest year of service completed according to the schedule herein.

Objective

1. At an Annual Employee Appreciation event, employees will be recognized for their years of service to the City of Mountain Lake and its citizens. The Annual Employee Appreciation event will be held the fourth quarter of each calendar year.
2. Milestone anniversaries are five year, ten year, fifteen year, twenty year, twenty-five year, and each five year increment beyond.
3. All non-temporary City Employees (full-time, permanent part-time), paid-on-call fire fighters and EMTs are eligible for this recognition program.

4. Awards shall be as follows:

Five (5) Year Service Anniversary:

- a. A certificate recognizing years of services
- b. A City logo coffee cup or equivalent (approximately a \$25.00 value).

Ten (10) Year Service Anniversary:

- a. A certificate recognizing years of services
- b. A City logo shirt or gift certificate or equivalent (approximately a \$50.00 value).

Fifteen (15) Year Service Anniversary:

- a. A certificate recognizing years of services
- b. Pen & Pencil Set, gift certificate or equivalent (approximately a \$75.00 value). The pen & pencil set will be engraved with the City name.

Twenty (20) Year Service Anniversary:

- a. A Certificate recognizing years of services
- b. Plaque, Desk clock, gift certificate or equivalent (approximately a \$100.00 value). The desk clock will be engraved with the City name.

Twenty Five (25) Year Service Anniversary:

- a. A Certificate recognizing years of services

- 60
- b. Watch, gift certificate or equivalent (approximately a \$150.00 value). The watch will be engraved with the City name.

Thirty (30) Year Service Anniversary:

- a. A Certificate recognizing years of services
- b. Gift certificate or equivalent (\$200.00 value).
- c. Any time after reaching 30 years, a retiring Police Officers will have the option of purchasing their service weapon for a nominal fee. This will be in lieu of the gift certificate or equivalent shown above.

Thirty Five (35) and Forty (40) Year Service Anniversary:

- a. A Certificate recognizing years of services
- b. Gift certificate or equivalent (\$250.00 value).

Gift Criteria

Any tangible personal property given to an employee as a length-of-service award is excluded from Federal and State tax laws. Cash awards or cash equivalent awards, such as gift certificates, vacation vouchers, tickets to theater or sporting events are subject to Federal and State taxes. Additional information can be found in IRS Publication 535.

APPROVED by City Council on September 3, 2024