



Trail to the Past. Road to the Future.

CITY COUNCIL MEETING
MANTORVILLE CITY COUNCIL CHAMBERS
21 5TH STREET E, MANTORVILLE, MN 55955
MONDAY, JANUARY 9, 2023
6:30 PM

**Swearing In Ceremony for Mayor Chuck Bradford
and Councilmembers Jeffrey Ingalls, Greg Rud, and Jessica Bradford
Will Take Place Prior to the Start of the Meeting**

1. Call to Order

2. Pledge of Allegiance

3. Adopt the Agenda

4. Consent Agenda

- A. Regular City Council Meeting Minutes of November 28, 2022
- B. Regular City Council and Truth In Taxation Meeting Minutes of December 14, 2022
- C. Accounts Payable Claims List for January 9, 2023
- D. Accounts Payable Claims Paid Through End of Year 2022
- E. Dodge County Board of Commissioners Meeting Minutes of December 13, 2022
- F. Wasioja Township Fire Contract for 2023-2025
- G. Engagement Letter with Smith, Schafer and Associates, Ltd. for 2022 Audit
- H. Chamber of Commerce Meeting Minutes of December 7, 2022
- I. Rental License Renewals for 2023

5. Proclamations, Presentations and Recognitions - None

6. Public Concerns

Individuals may address the City Council about any item not included on the regular agenda. Speakers are requested to come to the podium and state their name and address for the Clerk's record. Generally, the City Council will not take official action on items discussed at this time but may, typically, refer the matter to Staff for a future report or direct that the matter be scheduled on an upcoming agenda.

7. Public Safety Update

- A. Mantorville Fire and Rescue General Meeting Minutes of January 4, 2023
- B. Donation to Mantorville Fire and Rescue; Resolution No. 2023-07
- C. Dodge County Sheriff's Office Report for December 2022

8. Public Hearing

- A. Master Fee Schedule for 2023; Ordinance No. 2023-01, Resolution No. 2023-06
- B. Assessment Fees for 408 West Street
- C. Amending Section 50.03 of the Code of Ordinances Regarding Delinquent Utility Accounts; Ordinance No. 2023-02, Resolution No. 2023-04

9. Old Business/New Business

- A. City Council Bylaws, Code of Ethics and Conduct
- B. Designation of Deputy Mayor for 2023
- C. Appointments to Commissions and Committees for 2023
- D. Designation of Official Depositories for 2023; Resolution No. 2023-01
- E. Annual Excess Insurance, Resolution No. 2023-02
- F. Designation of Fiscal Consultants for 2023
- G. Designation of City Consultants for 2023; Resolution No. 2023-03
- H. Designation of Official Newspaper for 2023
- I. Amending Chapter 70 of the Code of Ordinances Regarding Excessive Vehicle Noises; Ordinance No. 2023-03

10. Tabled Items – *These are items that the Council has previously discussed and voted to table, take action on, or continue discussion of at a later date. These items may be brought back by the Council for discussion at any future meeting.*

- A. Area 15 Preliminary Plat Application (PID 130210401) (January 23, 2023)
- B. Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Sale of Certain Edible Cannabinoid Products; Ordinance No. 2023-04, Resolution No. 2023-05

11. Reports

- A. Public Works Report
- B. City Clerk Report
- C. Consultant Report
- D. Committee Reports
Chamber, EDA, Finance/Budget, Fire Department, Infrastructure, KM Joint Powers, MRA, Park Board, Personnel, Relief, Township
- E. Councilmember Reports
- F. Mayor’s Report

12. Executive Session - None

13. Adjourn

<i>Upcoming Meetings and Events in Mantorville:</i>		
<i>January 11, 2023</i>	<i>6:30 pm</i>	<i>Mantorville Fire & Rescue EMR Training</i>
<i>January 16, 2023</i>	<i>City Offices Closed to Observe Martin Luther King Jr. Day</i>	
<i>January 23, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>January 31, 2023</i>	<i>7:00 pm</i>	<i>Mantorville Fire & Rescue Officer’s Meeting</i>
<i>February 1, 2023</i>	<i>6:30 pm Training; 8:30 pm Members Meeting</i>	<i>Mantorville Fire & Rescue General Meeting</i>
<i>February 7, 2023</i>	<i>6:30 pm</i>	<i>Economic Development Authority Meeting</i>
<i>February 8, 2023</i>	<i>6:30 pm</i>	<i>Mantorville Fire & Rescue EMR Training</i>
<i>February 13, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>February 20, 2023</i>	<i>City Offices Closed to Observe Washington’s Birthday (President’s Day)</i>	
<i>February 27, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>February 28, 2023</i>	<i>7:00 pm</i>	<i>Mantorville Fire & Rescue Officer’s Meeting</i>
<i>Members of the City Council and other Boards may be in attendance at all meetings and community events in Mantorville</i>		

Certificate of Election

STATE OF MINNESOTA

CITY OF MANTORVILLE

This is to certify that:

Chuck Bradford

Of the City of Mantorville and State of Minnesota, having received the highest number of votes cast for the office of

Mayor

at the General Election held on the 8th day of November 2022, in the City of Mantorville and State of Minnesota, as appears from the official election returns and canvass, is hereby declared duly elected to said office for a two-year term to begin on January 1, 2023.

Witness my hand and official seal this 12th day of December 2022.



Shirley R Buecksler

Shirley R Buecksler, City Clerk-Treasurer

Oath of Office

STATE OF MINNESOTA

CITY OF MANTORVILLE

I, Chuck Bradford, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Minnesota, and I will faithfully and impartially discharge the duties of the office of Mayor for the City of Mantorville, Minnesota, to the best of my knowledge and ability, so help me God.

Chuck Bradford, Mayor

Witness my hand and official City seal
this 9th day of January 2023.

Shirley R Buecksler, City Clerk-Treasurer

Certificate of Election

STATE OF MINNESOTA

CITY OF MANTORVILLE

This is to certify that:

Jeffrey Ingalls

of the City of Mantorville and State of Minnesota, having received the highest number of votes cast for the office of

City Councilmember

at the General Election held on the 8th day of November 2022, in the City of Mantorville and State of Minnesota, as appears from the official election returns and canvass, is hereby declared duly elected to said office for a four-year term to begin on January 1, 2023.

Witness my hand and official seal this 12th day of December 2022.



Shirley R Buecksler

Shirley R Buecksler, City Clerk-Treasurer

Oath of Office

STATE OF MINNESOTA

CITY OF MANTORVILLE

I, Jeffrey Ingalls, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Minnesota, and I will faithfully and impartially discharge the duties of the office of City Councilmember for the City of Mantorville, Minnesota, to the best of my knowledge and ability, so help me God.

Jeffrey Ingalls, Councilmember

Witness my hand and official City seal
this 9th day of January 2023.

Shirley R Buecksler, City Clerk-Treasurer

Certificate of Election

STATE OF MINNESOTA

CITY OF MANTORVILLE

This is to certify that:

Greg Rud

of the City of Mantorville and State of Minnesota, having received the highest number of votes cast for the office of

City Councilmember

at the General Election held on the 8th day of November 2022, in the City of Mantorville and State of Minnesota, as appears from the official election returns and canvass, is hereby declared duly elected to said office for a four-year term to begin on January 1, 2023.

Witness my hand and official seal this 12th day of December 2022.



Shirley R Buecksler

Shirley R Buecksler, City Clerk-Treasurer

Oath of Office

STATE OF MINNESOTA

CITY OF MANTORVILLE

I, Greg Rud, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Minnesota, and I will faithfully and impartially discharge the duties of the office of City Councilmember for the City of Mantorville, Minnesota, to the best of my knowledge and ability, so help me God.

Greg Rud, Councilmember

Witness my hand and official City seal
this 9th day of January 2023.

Shirley R Buecksler, City Clerk-Treasurer

Certificate of Election

STATE OF MINNESOTA

CITY OF MANTORVILLE

This is to certify that:

Jessica Bradford

of the City of Mantorville and State of Minnesota, having received the highest number of votes cast for the office of

City Councilmember

at the General Election held on the 8th day of November 2022, in the City of Mantorville and State of Minnesota, as appears from the official election returns and canvass, is hereby declared duly elected to said office for a two-year term to begin on January 1, 2023.

Witness my hand and official seal this 12th day of December 2022.



Shirley R Buecksler

Shirley R Buecksler, City Clerk-Treasurer

Oath of Office

STATE OF MINNESOTA

CITY OF MANTORVILLE

I, Jessica Bradford, do solemnly swear that I will support the Constitution of the United States, the Constitution of the State of Minnesota, and I will faithfully and impartially discharge the duties of the office of City Councilmember for the City of Mantorville, Minnesota, to the best of my knowledge and ability, so help me God.

Jessica Bradford, Councilmember

Witness my hand and official City seal
this 9th day of January 2023.

Shirley R Buecksler, City Clerk-Treasurer

**City of Mantorville
City Council Minutes
November 28, 2022**

1. Call to Order

Mayor Bradford called the meeting to order at 6:30 p.m.

Present: Mayor Chuck Bradford
Councilmembers Lyle Hoaglund,
Jeffrey Ingalls, Kent Keller, and Bill Kinney

Absent: None

Others Present: City Clerk-Treasurer Shirley Buecksler
Public Works Lead Joe Adams
Fire Chief Steve Fairchild (via phone)

2. Pledge of Allegiance

Everyone stood and recited the Pledge of Allegiance.

3. Changes to the Agenda

Council approved the agenda, as presented.

4. Consent Agenda

- A. Accounts Payable Claims List for November 28, 2022
- B. Special City Council Meeting Minutes of November 14, 2022
- C. Planning Commission Meeting Minutes of October 24, 2022
- D. Dodge County Board of Commissioners Meeting Minutes of November 8, 2022
- E. Delta Dental Rates for 2023
- F. Rental License Renewals for 2023

Owner Name	Rental Property
Clark	120 5 th Street West
Guenther	916 Walnut Street
Elm Care Inc.	81 County Road 21
Fjerstad	414 6 th Street West
Fjerstad	606 Washington Street
Heublein	601 Monroe Street
Legacy Property Investors LLC	102 North Main Street
Legacy	600 Washington Street, Lot #8
Legacy	600 Washington Street, Lot #12
Overson	817 & 817 ½ West Street
Overson	821 & 821 ½ West Street
SEMMCHRA	220 3 rd Street West
Fjerstad	616 West Street

G. Trash Hauler License Renewals for 2023

Company Name
Hometown Haulers LLC
Waste Management of Rochester

Motion was made by Councilmember Hoaglund and seconded by Councilmember Keller to approve the Consent Agenda, as presented.

Vote: 5 ayes / 0 nays. Motion carried.

5. Public Concerns

The following citizen(s) addressed the Council:

- Richard Balcome, 620 6th Street West, regarding water bills, late fees and the short time period for disconnect notices.
 - Mayor Bradford recommended that Mr. Balcome call or stop in to City Hall and our Staff will be willing to work with him. Online payment opportunities, including the option to set up automatic payments, are also available by visiting the City’s website at www.mantorville.com.
 - Council directed the City Clerk to look at the utility billing policy and bring back examples from other communities for discussion at a future Council meeting.

6. Old Business/New Business

A. 2023 Preliminary Budget Discussion

Council reviewed and edited the 2023 preliminary budget.

2023 Public Works proposed budget:

1) Streets

The following item was included in the 2023 preliminary budget.

<u>\$10,800.00</u>	Repair of adjustment rings for manholes on 9 th Street and Walnut Street
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2) Water

\$4,100.00	Replacement of well house #2 door
<u>\$2,000.00</u>	Hydrant repair
<u>\$6,100.00</u>	

Motion was made by Councilmember Kinney and seconded by Councilmember Ingalls to pay for the replacement of the well house #2 door and the hydrant repair, in the amount of \$6,100.00 from the 2022 Water Fund (601.49400.220).

Vote: 5 ayes / 0 nays. Motion carried.

3) Parks

The following items were included in the 2023 preliminary budget. Community Tree Management (\$10,000.00) is listed as a separate budget line item.

\$ 2,800.00	Mulch
\$ 4,360.00	Tractor Lease (Year 2/5)
\$ 5,000.00	Hockey/Basketball Court
\$ 750.00	Pole Saw
\$ 3,000.00	Rock for Ball Fields
\$10,000.00	Park Tree Management
<u>\$ 5,000.00</u>	Denneson Park
<u>\$30,910.00</u>	

4) Miscellaneous

\$ 400.00	Deep cleaning of carpet in Council Chambers
\$ 5,100.00	1,000 gallon fuel barrel
\$ 5,228.00	Forks for CAT loader
\$ 2,000.00	Tires for skid loader
\$ 750.00	Rebuild and repair street sweeper broom for loader
<u>\$ 1,600.00</u>	Regular (non-heated) pressure washer
<u>\$15,078.00</u>	

Motion was made by Councilmember Kinney and seconded by Councilmember Ingalls to authorize the use of \$15,078.00 in American Rescue Plan Act (ARPA) funds for the above miscellaneous items from the Public Works 2023 budget.

Vote: 5 ayes / 0 nays. Motion carried.

Tires for the 2017 Chevy truck, quoted at \$1,250, will be purchased from the 2022 Streets budget.

2023 Economic Development Authority proposed budget:

The following items were included in the 2023 preliminary budget.

\$ 500.00	City Branding
\$ 75.00	Cross-Community Chamber Membership
\$ 1,000.00	Paper and Online Brochures
\$ 6,000.00	Citywide Event Support
\$20,868.00	Contract with CEDA for Economic Development
\$ 650.00	Administrative Support
<u>\$ 2,000.00</u>	Miscellaneous Items
<u>\$31,093.00</u>	

2023 Fire Department Budget

Council reviewed the Fire Department budget with Chief Fairchild via phone. Council asked questions and received answers.

B. 2023 Enterprise Funds Discussion

Council reviewed the 2023 Enterprise Funds.

7. Tabled Items

A. Area 15 Preliminary Plat Application (PID 130210401)

8. Reports

A. Public Works Report

1) Discussion on Snow Emergencies

- Leave the ordinance as it reads at 4:00 am; Joe Adams will work with Dodge County Sheriff's Office
- Council directed the City Clerk to find out what Kasson, Byron and other Cities do for notifications – radio and television stations?

2) Boom truck sold at auction for \$4,700.00

3) Christmas lights sold for \$75.00, less the 10% seller fee

4) Playground equipment arrived last week; installation planned for the first week of April

B. City Clerk Report

1) Council directed the City Clerk to bring the following items to a future agenda:

- Noise ordinance – work with the City Attorney for a draft ordinance; perhaps include the Minnesota standard noise ordinance
- THC legalization – work with the City Attorney
- Golf carts and ATVs – need to revisit this ordinance; work with the City Attorney and Sheriff
- Utility Billing policy and disconnect notices – Staff can do their own analysis

C. Consultant Report

No report

D. Committee Reports

1) Chamber

2) Economic Development Authority

3) Finance/Budget

4) Fire Department

5) Infrastructure

6) Kasson Mantorville Joint Powers

7) Mantorville Restoration Association

8) Park Board

- Meets November 29, 2022

9) Personnel

10) Fire Relief

11) Township

E. Councilmember Reports

Councilmember Kinney – teams meeting with Zumbro River Trail folks. It may not be in Mantorville but, long-term, they will be adding entries to the east onto the river where there currently are none.

F. Mayor's Report
No report

9. Tabled Items

A. Area 15 Preliminary Plat Application (PID 130210401)

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to pull this item from the table.

Vote: 5 ayes / 0 nays. Motion carried.

Council directed the City Clerk to contact the City Attorney for an update on this item and a resolution for consideration and adoption.

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to return this item to the table.

Vote: 5 ayes / 0 nays. Motion carried.

10. Adjourn

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to adjourn the meeting at 9:07 p.m.

Vote: 5 ayes / 0 nays. Meeting adjourned.

Respectfully Submitted,

Shirley R Buecksler
City Clerk-Treasurer

**City of Mantorville
City Council Minutes
December 12, 2022**

1. Call to Order

Mayor Bradford called the meeting to order at 6:30 p.m.

Present: Mayor Chuck Bradford
Councilmembers Lyle Hoaglund,
Jeffrey Ingalls, Kent Keller, and Bill Kinney

Absent: None

Others Present: City Clerk-Treasurer Shirley Buecksler
Public Works Lead Joe Adams
Public Works Wade Schroeder
Fire Chief Steve Fairchild
Assistant Officer Duke Harbaugh

2. Pledge of Allegiance

Everyone stood and recited the Pledge of Allegiance.

3. Changes to the Agenda

Council added the following items to the agenda:

- 4J. Hubbell House 2023 Liquor License Renewal, 502 Main Street North
- 4K. Mantorville Saloon 2023 Liquor License Renewal, 509 Main Street North
- 4L. Mantorville Saloon 2023 Liquor License Renewal, 501 Main Street North

Council approved the agenda, as amended.

4. Consent Agenda

- A. Regular City Council Meeting Minutes of September 26, 2022
- B. Regular City Council Meeting Minutes of October 10, 2022
- C. Regular City Council Meeting Minutes of October 24, 2022
- D. Regular City Council Meeting Minutes of November 14, 2022
- E. Accounts Payable Claims List for December 12, 2022
- F. Designating Polling Place for 2023 City Elections; Resolution No. 2022-51
- G. Milton Township Fire Contract 2023-2025
- H. Trash Hauler License Renewal for 2023 – Lakeshore Recycling Systems LLC
- I. Dodge County 2023 Assessment Agreement
- J. Hubbell House 2023 Liquor License Renewal, 502 Main Street North;
Resolution No. 2022-56
- K. Mantorville Saloon 2023 Liquor License Renewal, 509 Main Street North;
Resolution No. 2022-57

L. Mantorville Saloon 2023 Liquor License Renewal, 501 Main Street North;
Resolution No. 2022-58

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to approve the Consent Agenda, as presented.

Vote: 5 ayes / 0 nays. Motion carried.

5. Public Concerns

The following citizen(s) addressed the Council:

1) Mike Bolster and John Buckingham in regards to assessments for 408 West Street.

(At their September 12, 2022 regular meeting, City Council adopted Resolution No. 2022-38, Approving the Re-Assessment of Charges in Relation to 408 West Street, and reduced the amount by \$2,000.00 from \$28,792.59 to \$26,792.59.)

Mr. Bolster asked Council if they would reconsider the assessment amount charged on this lot. He stated that a lot of people stop by and feel that a young couple should not be accountable for these assessments charged by the City for demolishing the house that was there. The amount he paid for this lot from Dodge County was \$6,000.00.

Councilmember Ingalls said the lot was valued at \$58,000 and you paid \$32,000 total, which is below market value. When asked by Councilmember Ingalls, Realtor John Buckingham agreed that the lot was at market value at \$32,000.

Councilmember Ingalls said if we forgave the \$26,792.59 and there are 370 households in Mantorville, for demonstrative purposes, everyone in Mantorville would need to pay \$70.00 per household so that your lot value could be compensated. Just looking at it that way, or we could raise taxes by two percent (2%) to cover that difference. For public opinion, they have to understand the context. The lot was valued at \$58,000, even with the \$26,000 because we gave you \$2,000, you paid \$32,000 for it, which is below market value. If we go to our constituents, we need to put those amounts in there so they can come in and say yes, they're willing to kick in \$70 per household to offset a lot that was already below market value.

Mr. Bolster said he never asked for it to be forgiven. Who dictated market value? The \$58,000 wasn't market value.

Councilmember Ingalls said the \$34,000 was below market value and asked Mr. Bolster if he thought the lot was worth \$34,000.

Mr. Bolster said it is worth \$34,00 but that he is just stating public opinion.

Councilmember Ingalls said he won't vote on it tonight but wants it in the minutes to ask the constituents how much you're willing to raise your taxes or how much you're willing to kick in per household to offset a lot that went under market value.

Councilmember Keller commented that it's an interesting way of presenting it, that young people are paying for taking down a house, but that's not the concept we're talking about here. If you present it that way to someone, they will be sympathetic. But at the same time telling them that you got a lot in Mantorville way below market value. Let's not present it that way. We are not here for sympathy; we are here for economic value. Is there a house or a lot in Mantorville that you can buy for \$6,000? There is not. You're asking for a \$6,000 lot when no one else in Mantorville can have that. You got a good value, even your realtor says you got a good value.

Mr. Bolster asked how much of the \$29,000 was for the removal of the house? Councilmember Keller said we are selling you a lot and you're asking for it way under market value.

Mr. Bolster claimed that Councilmember Keller made comment during a phone conversation that offended him and his family.

Councilmember Keller said the fact is he got an extremely good value on a lot in Mantorville and you're asking for an even better deal.

Mayor Bradford said the City paid real money that we paid to clean it up. One avenue for the City to get money back that we invested into projects that should be handled through the private sector is through assessments. Assessments had been advertised when the property went up for sale. I think both points are valid. We want to recoup as much money as we can of those real dollars that we spent. When this item was last discussed, we spoke about, if you have to pay market value for the property, let's see what we can do. But if you get a substantial discount from market value, up and to the point where you're paying at market value, there would be less of an appetite for bringing that down. We still chose to bring the assessment down by \$2,000. That's the history, if you will, of how we got here. I understand the motivation for a young couple just getting started with their first house and trying to save money. What I'm hearing from the Council is, if you look at the project as a whole and say, what will it take for this family to get a lot in Mantorville, and is that in comparison to what other buyers in the market have to pay to get a lot in Mantorville? That's the viewpoint I've heard so far.

Councilmember Kinney said he has felt all along that we should be doing more for you. I didn't say any of the comments you referred to, but I want to apologize to you and your family. If any comments were ever said in a public forum on record, I'm truly sorry if that ever occurred. They took what was an empty and, at one point, an ugly eyesore property and are building a very nice home on it that will add to our tax base. I really thought that we should have met them somewhere in

the middle. I can appreciate needing to recover some of the money that was put into the demolition but I also think there should be some incentive for young families to get started. They took the eyesore and built something beautiful on it that will add to our city and I think we missed that opportunity here.

Councilmember Hoaglund said he was the one that made the motion to reduce the purchase price for that lot by \$2,000. I don't think it was unanimous but it carried. We did get some heat over that. The people you talk about walking down your street, I've talked to some of them, and they didn't think we were fair. My response to them was that I wasn't elected to give the city's taxpayers money. That's exactly what we did that night. We gave you \$2,000 off the top and you still got a good buy and a good lot and you put a nice house on it. You bought a lot with a blacktop alley in the back, a blacktop street in the front paid for with stubbed in water and sewer. I think you got a really good steal there. I'm sorry you don't think you got a good buy, but I think you did.

Mr. Bolster stated, I never said I didn't think we got a good buy. What I said was that I asked if you would entertain the idea of rethinking this and give them a little bit more of a discount. Mr. Bolster said the comment Councilmember Keller said was very insulting.

Councilmember Keller said you're asking for special consideration, which one asks for when they are in trouble. I asked a very logical question, if there is some reason here that we should help this family. I don't know who they are or if we should be considering something special.

Mr. Bolster said he is doing the same thing anyone else would have done and never asked for it for free.

Councilmember Hoaglund asked Mr. Bolster if they have closed on it yet. Mr. Bolster said no, they have not.

Councilmember Keller asked John Buckingham if he has anything to add. Mr. Buckingham said he came along because Mr. Bolster asked the question and he said he would come along to the meeting.

Councilmember Ingalls said he would like to get feedback from constituents on whether or not we should do this, but I want them to understand what it means to them.

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to table this item.

Vote: 5 ayes / 0 nays. Motion carried.

Mayor Bradford said we have the records from tonight's meeting, we will solicit input, we will each think about this some more, and we will let you know when we want to pull this item from the table so you can be present at that meeting, as well. He added that he completely understands the motivation for coming and asking for consideration because it gives us an opportunity to look at this again.

Mr. Bolster said that they are looking to close near the end of January.

6. Public Safety Update

A. Dodge County Sheriff's Office, November 2022 Report

B. Mantorville Fire and Rescue

1) Update from the Fire Chief

Fire Chief Fairchild introduced Duke Harbaugh. Chief Fairchild said he has moved to Wabasha, and being the Chief in Mantorville is little difficult being over an hour away. At the last Fire Board meeting, there was discussion and a nomination to appoint Duke Harbaugh as our next Fire Chief. Looking for the Council's acceptance for him to start January 1. Chief Fairchild said he will still be on the Department, is still planning on retiring from here, and he works in Dodge Center every day and is here frequently.

Motion was made by Councilmember Hoaglund and seconded by Councilmember Keller to accept Duke Harbaugh as Fire Chief effective January 1, 2023.

Vote: 5 ayes / 0 nays. Motion carried.

The Fire Department held a Toys for Tots collection and received three truckloads of toys and \$1,550 in cash donations. Mantorville is awesome when it comes to Toys for Tots. It's a wonderful thing and we absolutely love it.

The Fire Board approved to add one more alarm on Pumper 1 to be sure the apparatus is plugged in for power. The alarm notifies the Captain with an email if the truck doesn't have power. We are also going to look at some new cold-water suits. Ours are all over 13 years old. Looking for pricing.

For the shed, Chief Fairchild said we are looking at replacing the original doors. Concrete floor is in. Betsy is there, as well as all of our tables and chairs. The skylights need to be replaced, and we're trying to find the right panel to put back on. It's great because there is a lot more room in the Hall and it's organized now. It's very nice, and we needed it. The doors are about \$6,000 so it's a lot right away. We want to be sure we have the funds to cover it and then we will get it done.

Chief Fairchild said he appreciates the year that he was Chief, something that he never thought he would have the opportunity to do, and he's thankful for it. Councilmember Kinney said we appreciate you.

Mayor Bradford thanked both Steve Fairchild and Duke Harbaugh for their service not only in the Fire Department, but for also taking a leadership position.

2) 2023 Fire Department Billing Rates

The Fire Department is proposing new rates for 2023, which are in the Council's packet for review. The Master Fee Schedule, of which this is a part, will be considered at a public hearing at the next regular City Council Meeting on January 9, 2023.

Councilmember Hoaglund asked about the motion made regarding the shed and about updates and improvements that they make. He said they are doing a fantastic job on the shed. When they're spending money, should they be coming to Council for approval? The City owns the shed, not the Fire Department, he said. The motion, I believe, was to bring improvements to City Council. Was it simply for updates or approval?

Mayor Bradford directed the City Clerk to look at the original motion and make sure we are in line with what was passed.

Councilmember Hoaglund added that the Fire Department had a terrific meeting with CPR training. Everyone had a chance to perform CPR on a mannequin.

3) Minutes of General Meeting December 2022

7. Old Business/New Business

A. Truth In Taxation Meeting and Public Input on Final General Levy Budget for 2023

1) Final 2023 General Fund Budget

Mayor Bradford asked if anyone from the audience would like to comment on the 2023 General Fund budget. There was no response.

2) Resolution No. 2022-54 Adopting the Final Tax Levy Collectible in the Year 2023

Council discussed that American Rescue Plan Act (ARPA) funds will not be issued to the City in 2023, that there needs to be a contingency fund, and the City also needs to be fiscally responsible.

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to lower the rate from nine percent (9%), set as the preliminary rate in September 2022, to eight percent (8%) or \$595,334.00 and adopt Resolution No. 2022-54, Adopting the Final Tax Levy Collectible in the Year 2023.

Vote: 5 ayes / 0 nays. Motion carried.

3) Resolution No. 2022-55 Setting the Monthly Water and Sewer Rates for 2023

Motion was made by Councilmember Hoaglund and seconded by Councilmember Ingalls to adopt Resolution No. 2022-55, Setting the Monthly Water and Sewer Rates for 2023:

2022 Rates		2023 Rates	
Water Base	\$18.75	Water Base	\$19.31
Water Usage	\$ 4.66	Water Usage	\$ 4.80
Sewer Base	\$34.74	Sewer Base	\$35.78
Sewer Usage	\$ 8.20	Sewer Usage	\$ 8.45

Vote: 5 ayes / 0 nays. Motion carried.

4) Final Enterprise Budgets for 2023

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to approve the Enterprise Budgets for 2023.

Vote: 5 ayes / 0 nays. Motion carried.

B. Utility Billing Policy Regarding Delinquent Accounts

Discussion included billing for water and sewer charges on the 1st of the month, bills due on the 15th of the month, and late fees applied if not paid by the due date. Disconnect notices to be issued after three (3) months of non-payment or past due bill of \$300.00 or more, whichever comes first.

Council directed the City Clerk to bring this back for discussion and a public hearing at the January 9, 2023 regular City Council meeting.

C. Resolution No. 2022-52 Approving the Delegation of Authority for Paying Claims Through Month End 2022

Motion was made by Councilmember Ingalls and seconded by Councilmember Keller to adopt Resolution No. 2022-52, Approving the Delegation of Authority for Paying Claims Through Month End in 2022.

Vote: 5 ayes / 0 nays. Motion carried.

D. 2023 Meetings Calendar

Council discussed the 2023 Meeting Calendar and the question from Staff regarding Juneteenth. Discussion also included the idea of a floating holiday. Consensus was to wait for the State to recognize June 19th as an official holiday for Minnesota cities.

Motion was made by Councilmember Kinney and seconded by Councilmember Ingalls to adopt the City of Mantorville 2023 Meetings Calendar, as presented.

Vote: 5 ayes / 0 nays. Motion carried.

E. Local Regulation of Recently Legalized THC Products

Mayor Bradford said he spoke with our City Attorney. A lot of communities have decided not to do anything on this subject. The moratorium would allow us time to gather information. The Legislature may make changes in the next legislative session. We could consider licensing or zoning restrictions. Banning THC would get focus from the state, since it has already been legalized by the state. The moratorium would not affect any retailer currently selling THC.

Councilmember Ingalls said he would like to hear from the public.

Councilmember Kinney said we need a stop gap between now and when legislation passes July 1st. It should be cleaner and clearer because the state is not.

Motion was made by Councilmember Kinney and seconded by Councilmember Ingalls to table this item and look for clarification from the City Attorney if the ordinance drafted is THC only or if it includes CBD. The focus is on THC products only.

Vote: 5 ayes / 0 nays. Motion carried.

8. Reports

A. Public Works Report

- 1) It is too cold for the contractor to install the gutter at Bill Reding's property. Mr. Reding is on board with work to be finished in the spring, and the contractor said they will hold true to the price.
- 2) Carr's Tree Service was here last week and took out 17 trees for Emerald Ash Borer.
- 3) There has been some discussion recently regarding purchasing a television for the Chambers to replace the small projector that hasn't worked.

Motion was made by Councilmember Hoaglund and seconded by Councilmember Ingalls for Joe Adams to purchase a television for the Council Chambers with air cast, wall mount, and any necessary cables using ARPA funds.

Vote: 5 ayes / 0 nays. Motion carried.

- 4) Snow removal – there were a couple posts on Facebook about plows getting out late. But with snow starting at 5:00 pm, we came in and plowed 5th Street and through town and then shut down until 9:00 pm and came back. There were quite a few vehicles out there and we contacted the Sheriff's Department. The City Clerk set up an email group, which includes the Sheriff and several Deputies, that worked well. Joe Adams mentioned others that should be added to the list, as there was a

miscommunication between day and night patrol shifts. We found other Cities do not notify the local television stations but rather post to Facebook and their websites. When the Clerk contacted one station, the information listed on the tv banner looked as if City Offices were closed. This time, we posted to Facebook and the City's website but not the tv stations. Councilmember Ingalls said the Facebook post for the Snow Emergency was the first thing to come up and it worked well.

- 5) The door for the well house, which he was going to use the Water Building Maintenance Fund, they cannot get it in until after the first of the year. Same for the hydrant work. Requesting approval to carry over \$5,000 from Water Fund, Building Repairs (601.49400.200) to 2023 so we're not using next year's budget but use the surplus in this account from 2022.

Motion was made by Councilmember Ingalls and seconded by Councilmember Kinney to carry over \$5,000 from 2022 Water Fund, Building Repairs, to be used in 2023 for the well house door and hydrant repair.

Vote: 5 ayes / 0 nays. Motion carried.

B. City Clerk Report

- 1) A meeting is scheduled for tomorrow between Mayor Bradford, Councilmember Kinney, Sheriff Rose and the City Clerk to discuss an ordinance regarding golf carts, ATVs, and UTVs. Information will be brought back for Council at the next meeting.
- 2) Information on the noise ordinance will also be brought back to the next meeting. Waiting to hear back from the Prosecuting Attorney and Sheriff Rose for their feedback.
- 3) Follow-up on the Tabled Item (Area 15 Preliminary Plat – the Developer granted an extension to January 13, 2023, allowing the City Council to discuss the preliminary plat at their January 9, 2023 regular meeting.
- 4) Shirley Buecksler will be on vacation December 19-22.

C. Consultant Report

- Merge Between Construction Management Systems and WSE Engineering Services Ltd – informational only

D. Committee Reports

1) Chamber

- Discussed Olde Fashioned Christmas, and it was a complete success. Looking at ways to improve the event. Trolley program – people signed up but did not show up. Looking for ways to improve, but weather had an effect.

2) Economic Development Authority

- Discussed brochures – printing 500 more. CEDA update on what Alexandria has been working on over the year. Discussed revolving loans. Looking at a grant for the trolley.

- 3) Finance/Budget
- 4) Fire Department
- 5) Infrastructure
- 6) Kasson Mantorville Joint Powers
- 7) Mantorville Restoration Association
 - Meeting was cancelled for tomorrow.
- 8) Park Board
 - Repair of the covered bridge will take place over the winter. A citizen wants to pay for the labor; Joe Adams will bring the dollar amount.
 - Park benches – Councilmember Hoaglund received a call from Mark Packard with the Kasson-Mantorville Lions. The Lions voted to take one project and donate recycled plastic to TREX to make boards. A 501(C)3 can apply to that with 500 pounds of recyclable plastic and TREX will provide a bench in return. At Highway 57 and County Road 15, there is a two-person bench at the flower garden that was donated. The Lions have asked Mantorville if we want to partner with Kasson. We need to let them know if we are interested and would like some benches. We would need to supply them with the cement pad and location – Joe Adams already has the pads made.

Motion was made by Councilmember Hoaglund and seconded by Councilmember Kinney to buy into this park bench project with the Lions and TREX.

Vote: 5 ayes / 0 nays. Motion carried.

- 9) Personnel
- 10) Fire Relief
- 11) Township

E. Councilmember Reports
No reports.

F. Mayor's Report

Mayor Bradford wished everyone a Merry Christmas. He also thanked Councilmember Kinney and Councilmember Keller for their service to the citizens and the City of Mantorville.

9. Tabled Items

A. Area 15 Preliminary Plat Application (PID 130210401)

10. Adjourn

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to adjourn the meeting at 8:19 p.m.

Vote: 5 ayes / 0 nays. Meeting adjourned.

Respectfully Submitted,

Shirley R Buecksler
City Clerk-Treasurer

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Payments

Current Period: December 2022

Payments Batch 2022 AP 1.9.23				Total
Refer 0 PAYMENT SERVICE NETWORK, IN		Ck# 058091		
Cash Payment	E 602-49450-300 Professional Svcs (GENE January Billing 023			\$98.01
Invoice	01/03/2023 1/9/2023			
Cash Payment	E 601-49400-300 Professional Svcs (GENE January Billing 023			\$65.34
Invoice	01/03/2023 1/9/2023			
Transaction Date	1/5/2023	Citizens State Bank	10100	Total \$163.35
Refer 0 CARRS TREE SERVICE INC		-		
Cash Payment	E 101-45200-500 Capital Outlay Tree Removal			\$8,885.85
Invoice	130153 1/9/2023			
Transaction Date	1/5/2023	Citizens State Bank	10100	Total \$8,885.85
Refer 0 MINNESOTA REVENUE		Ck# 005807 1/9/2023		
Cash Payment	G 101-21702 State Withholding PR 27-MN Withholding Tax 2022 Batch			\$391.59
Invoice	12/27/22 1/9/2023			
Transaction Date	1/5/2023	Citizens State Bank	10100	Total \$391.59
Refer 0 INTERNAL REVENUE SERVICE		Ck# 005808		
Cash Payment	G 101-21703 FICA Tax Withholding PR27 Social Security			\$1,060.20
Invoice	12/27/2022 1/9/2023			
Cash Payment	G 101-21709 Medicare PR27 Medicare			\$247.94
Invoice	12/27/2022 1/9/2023			
Cash Payment	G 101-21701 Federal Withholding PR27 Federal Withholding			\$809.27
Invoice	12/27/2022 1/9/2023			
Transaction Date	1/5/2023	Citizens State Bank	10100	Total \$2,117.41
Refer 0 MN PERA		Ck# 005809		
Cash Payment	G 101-21704 PERA emloyee 608900			\$1,280.22
Invoice pd	12/28/2022 1/9/2023			
Transaction Date	1/5/2023	Citizens State Bank	10100	Total \$1,280.22
Refer 0 MAXSON ELECTRIC		-		
Cash Payment	E 101-45200-401 Repairs/Maint Buildings Park Pole Work			\$1,091.48
Invoice	7059 1/9/2023			
Transaction Date	1/5/2023	Citizens State Bank	10100	Total \$1,091.48
Refer 0 JACOBSEN LAW FIRM, P.A.		-		
Cash Payment	E 101-41600-304 Legal Fees Noise Ordinance			\$330.00
Invoice	3753 1/9/2023			
Transaction Date	1/5/2023	Citizens State Bank	10100	Total \$330.00
Refer 0 HAWKINS, INC		-		
Cash Payment	E 601-49400-216 Chemicals and Chem Pr Chlorine Cylindars			\$20.00
Invoice	6359889 1/9/2023			
Transaction Date	1/5/2023	Citizens State Bank	10100	Total \$20.00
Refer 0 BADGER METER		-		
Cash Payment	E 601-49400-228 Equip. Repair and Mainte CELLULAR LTE SERVICE UNIT			\$386.26
Invoice	80115701 1/9/2023			
Transaction Date	1/5/2023	Citizens State Bank	10100	Total \$386.26

Payments

Current Period: December 2022

Fund Summary

	10100 Citizens State Bank	
101 GENERAL FUND		\$14,096.55
601 WATER FUND		\$471.60
602 SEWER FUND		\$98.01
		<hr/>
		\$14,666.16

Pre-Written Checks	\$3,952.57
Checks to be Generated by the Computer	\$10,713.59
Total	<hr/>
	\$14,666.16

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Payments

Current Period: December 2022

Payments Batch 2023 AP1/9/23		\$124,951.91	
Refer	0 <u>AMAZON</u>	Ck# 005798	1/9/2023
Cash Payment	E 101-41500-200 Supplies	Office Supplies	\$63.63
Invoice	1/9/2023		
Transaction Date	1/4/2023	Citizens State Bank 10100	Total \$63.63
Refer	0 <u>CMS - CONSTRUCTION MGMT. SE</u>		
Cash Payment	E 101-42400-300 Professional Svcs (GENE Acct MN000		\$169.41
Invoice	12/31/22 1/9/2023		
Transaction Date	1/4/2023	Citizens State Bank 10100	Total \$169.41
Refer	0 <u>DELTA DENTAL</u>		
Cash Payment	G 101-21708 Dental Insurance	client 8912090001	\$139.18
Invoice	RIS0004619465 1/9/2023		
Transaction Date	1/4/2023	Citizens State Bank 10100	Total \$139.18
Refer	0 <u>DODGE COUNTY ASSESSORS OF</u>		
Cash Payment	E 101-41550-310 Other Professional Servi	2023 Assessment Agreement	\$6,360.00
Invoice	2023 Funds 1/9/2023		
Transaction Date	1/4/2023	Citizens State Bank 10100	Total \$6,360.00
Refer	0 <u>DODGE COUNTY INDEPENDENT</u>		
Cash Payment	E 101-41110-352 Publishing	2023 Water & Sewer Rates	\$37.72
Invoice	15194 1/9/2023		
Cash Payment	E 101-41110-352 Publishing	Assessment on 408 West St Hearing	\$37.72
Invoice	15195 1/9/2023		
Cash Payment	E 101-41110-352 Publishing	Saster fee Schedule Adoption	\$47.15
Invoice	15196 1/9/2023		
Cash Payment	E 101-41110-352 Publishing	Resolution for Water/Sewer Rates	\$56.58
Invoice	15197 1/9/2023		
Transaction Date	1/4/2023	Citizens State Bank 10100	Total \$179.17
Refer	0 <u>GOPHER STATE ONE CALL</u>		
Cash Payment	E 601-49400-300 Professional Svcs (GENE Acct MN 00515		\$1.62
Invoice	2120569 1/9/2023		
Cash Payment	E 602-49450-300 Professional Svcs (GENE Acct MN 00515		\$1.08
Invoice	2120569 1/9/2023		
Transaction Date	1/4/2023	Citizens State Bank 10100	Total \$2.70
Refer	0 <u>HOMETOWN HAULERS</u>		
Cash Payment	E 101-41940-384 Refuse/Garbage Dispos	PW Dumpster	\$102.84
Invoice	7514 1/9/2023		
Cash Payment	E 101-41940-384 Refuse/Garbage Dispos	FD	\$43.71
Invoice	7514 1/9/2023		
Cash Payment	E 101-42200-384 Refuse/Garbage Dispos	FD	\$43.70
Invoice	7514 1/9/2023		
Transaction Date	1/4/2023	Citizens State Bank 10100	Total \$190.25
Refer	0 <u>KMTELECOM</u>		
Cash Payment	E 101-41940-321 Communications Phone/	CITY HALL MAIN 5170	\$132.22
Invoice	10144119 1/9/2023		
Cash Payment	E 101-41940-321 Communications Phone/	CITY HALL - 5176 - 2ND LINE	\$20.79
Invoice	10144119 1/9/2023		

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Current Period: December 2022

Cash Payment	E 601-49400-321 Communications Phone/	New Well House Fiber			\$25.00
Invoice	10144119	1/9/2023			
Cash Payment	E 101-42200-321 Communications Phone/	FD 5440			\$25.78
Invoice	10144119	1/9/2023			
Cash Payment	E 101-41940-321 Communications Phone/	STREETS - SHOP 5119			\$80.77
Invoice	10144119	1/9/2023			
Cash Payment	E 601-49400-321 Communications Phone/	WATER TOWER ALARM 3588			\$45.89
Invoice	10144119	1/9/2023			
Cash Payment	E 602-49450-321 Communications Phone/	LIFT STATION ALARM 5066			\$35.89
Invoice	10144119	1/9/2023			
Cash Payment	E 602-49450-321 Communications Phone/	WWTP 5463 ALARM			\$35.89
Invoice	10144119	1/9/2023			
Cash Payment	E 101-41940-321 Communications Phone/	LONG DISTANCE/TAXES/FEES			\$5.85
Invoice	10144119	1/9/2023			
Cash Payment	E 101-46500-437 Other Miscellaneous	EDA 800 NUMBER			\$0.15
Invoice	10144119	1/9/2023			
Transaction Date	1/4/2023	Citizens State Bank	10100	Total	\$408.23
Refer	0 MANTORVILLE TOWNSHIP	-			
Cash Payment	E 101-41550-310 Other Professional Servi	2022 Taxes Payable On Annexed Land-Ordinance 2022-02			\$242.44
Invoice		1/9/2023			
Transaction Date	1/4/2023	Citizens State Bank	10100	Total	\$242.44
Refer	0 NORTHLAND TRUST SERVICES, IN	-			
Cash Payment	E 311-47000-601 Debt Srv Bond Principal	MANTV10A 2019A Bond			\$90,000.00
Invoice Series 2019A		1/9/2023			
Cash Payment	E 311-47000-611 Bond Interest	MANTV19A 2019A Bomds			\$20,400.00
Invoice Series 2019A		1/9/2023			
Transaction Date	1/4/2023	Citizens State Bank	10100	Total	\$110,400.00
Refer	0 PITNEY BOWES GLOBAL FINANCI	-			
Cash Payment	E 101-41500-322 Postage	Acct 0017334079 Lease			\$194.04
Invoice	3105888032	1/9/2023			
Transaction Date	1/4/2023	Citizens State Bank	10100	Total	\$194.04
Refer	0 PITNEY BOWES PURCHASE POWE	-			
Cash Payment	E 101-41500-322 Postage	Acct *9701			\$402.50
Invoice	12/26/2022	1/9/2023			
Transaction Date	1/4/2023	Citizens State Bank	10100	Total	\$402.50
Refer	0 QUILL	Ck# 005799 1/9/2023			
Cash Payment	E 101-41500-200 Supplies	Office Supplies			\$52.97
Invoice	12/26/22	1/9/2023			
Transaction Date	1/4/2023	Citizens State Bank	10100	Total	\$52.97
Refer	0 XCEL ENERGY	-			
Cash Payment	E 101-43160-381 Electric Utilities	STREET LIGHTS			\$1,879.61
Invoice	808944846	1/9/2023			
Cash Payment	E 101-43160-381 Electric Utilities	300 MAIN N BRIDGE LIGHTS			\$29.81
Invoice	808944846	1/9/2023			
Cash Payment	E 101-43160-381 Electric Utilities	130 ST.HWY 57 S.CITY SIGN			\$11.36
Invoice	808944846	1/9/2023			

Payments

Current Period: December 2022

Cash Payment	E 101-43160-381 Electric Utilities	60003 ST.HWY 57 N CITY SIGN	\$16.28
Invoice	808944846 1/9/2023		
Cash Payment	E 101-42200-380 Utility Services	21 5TH STREET SIREN	\$14.03
Invoice	808944846 1/9/2023		
Cash Payment	E 101-42200-380 Utility Services	21 5TH STREET E FH/CH/PUMP	\$245.44
Invoice	808944846 1/9/2023		
Cash Payment	E 101-42200-380 Utility Services	701 CHESTNUT SIREN	\$0.00
Invoice	808944846 1/9/2023		
Cash Payment	E 101-43160-381 Electric Utilities	410 CLAY POLE ON EDA LOT	\$16.76
Invoice	808944846 1/9/2023		
Cash Payment	E 101-41940-380 Utility Services	600 7TH STREET WEST MANTORFIEL	\$16.68
Invoice	808944846 1/9/2023		
Cash Payment	E 101-41940-380 Utility Services	340 CLAY RIVERSIDE W CENTER	\$34.19
Invoice	808944846 1/9/2023		
Cash Payment	E 101-41940-380 Utility Services	342 MAIN ST N RIVERSIDE NE	\$16.68
Invoice	808944846 1/9/2023		
Cash Payment	E 101-41940-380 Utility Services	601 GOLFVIEW DENNISON FIELD	\$18.44
Invoice	808944846 1/9/2023		
Cash Payment	E 101-41940-380 Utility Services	1008 EAST CITY SHOP	\$68.14
Invoice	808944846 1/9/2023		
Cash Payment	E 602-49450-380 Utility Services	121 BLANCH WWTF+SEC+PUMP	-\$182.36
Invoice	808944846 1/9/2023		
Cash Payment	E 601-49400-380 Utility Services	841 BLANCH WTR WELL HOUSE	\$596.53
Invoice	808944846 1/9/2023		
Cash Payment	E 601-49400-380 Utility Services	924 JEFFERSON WATER TOWER	\$31.39
Invoice	808944846 1/9/2023		
Cash Payment	E 603-45183-381 Electric Utilities	324 MAIN ST N CAMPGROUND	-\$55.13
Invoice	808944846 1/9/2023		
Cash Payment	E 101-41940-380 Utility Services	101 BLANCH NEW SHOP	\$0.00
Invoice	808944846 1/9/2023		
Cash Payment	E 101-41940-380 Utility Services	15 4TH STREET WEST RIVERSIDE	\$17.53
Invoice	808944846 1/9/2023		
Cash Payment	E 602-49450-380 Utility Services	601 JEFFERSON LIFT STATION	\$26.03
Invoice	808944846 1/9/2023		
Cash Payment	E 602-49450-380 Utility Services	121 BLANCH AUTO PROTECT LIGHT	\$10.67
Invoice	808944846 1/9/2023		
Cash Payment	E 101-43160-381 Electric Utilities	CHRISTMAS LIGHTS	\$0.00
Invoice	808944846 1/9/2023		
Transaction Date	1/4/2023	Citizens State Bank 10100	Total \$2,812.08
Refer	0 CASEYS	<u>Ck# 058092</u>	
Cash Payment	E 101-42200-212 Motor Fuels	11.18.23 Acct BY695	\$139.68
Invoice	1/9/2023		
Cash Payment	E 101-42200-212 Motor Fuels	11.18.23 Acct BY695	-\$2.43
Invoice	1/9/2023		
Cash Payment	E 101-43125-212 Motor Fuels	11.18.23 Acct BY695	\$585.38
Invoice	1/9/2023		
Cash Payment	E 101-43125-212 Motor Fuels	11.18.23 Acct BY695	-\$7.66
Invoice	1/9/2023		
Transaction Date	1/5/2023	Citizens State Bank 10100	Total \$714.97

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Payments

Current Period: December 2022

Refer	0	SOUTHEAST SERVICE COOPERAT	Ck# 000001		
Cash Payment	G	101-21706 Hospitalization/Medical Ins	January 2023 Health Insurance		\$2,516.34
Invoice		1/9/2023			
Transaction Date		1/5/2023	Citizens State Bank 10100	Total	\$2,516.34
Refer	0	SOUTHEAST SERVICE COOPERAT	-		
Cash Payment	E	101-41500-120 Benefits	Employee Assistance Program Cuct #1009		\$64.00
Invoice	SINV000004379	1/9/2023			
Transaction Date		1/5/2023	Citizens State Bank 10100	Total	\$64.00
Refer	0	KASSON LASER GRAPHICS	-		
Cash Payment	E	101-41110-430 Miscellaneous	Black Plastic Name Plates		\$40.00
Invoice	10181	1/9/2023			
Transaction Date		1/5/2023	Citizens State Bank 10100	Total	\$40.00

Fund Summary

	10100 Citizens State Bank	
101 GENERAL FUND		\$13,979.41
311 GO SERIES BOND 2019A		\$110,400.00
601 WATER FUND		\$700.43
602 SEWER FUND		(\$72.80)
603 RV PARK		(\$55.13)
		<u>\$124,951.91</u>

Pre-Written Checks	\$3,347.91
Checks to be Generated by the Computer	\$121,604.00
Total	<u>\$124,951.91</u>

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Payments

Current Period: December 2022

Payments Batch 122122PAY-2		\$67,704.87	
Refer	0	-	
Invoice			
Transaction Date	12/27/2022	Citizens State Bank 10100	Total
Refer	0 AFLAC	-	
Cash Payment	G 101-21710 AFLAC	Ins Payment for December 12/25/22 acct P8873	\$33.12
Invoice	935149 12/27/2022		
Transaction Date	12/21/2022	Citizens State Bank 10100	Total \$33.12
Refer	0 BOWMAMS DOOR SOLUTIONS	-	
Cash Payment	E 101-41940-220 Bldg.Repair and Mainten	Install Exit device on Firehouse Door ARPA Funds	\$1,215.00
Invoice	WO-4090 12/27/2022		
Transaction Date	12/21/2022	Citizens State Bank 10100	Total \$1,215.00
Refer	0 CULLIGAN - DRIESSEN WATER, IN	-	
Cash Payment	E 101-41940-200 Supplies	Acct 22069509	\$17.50
Invoice	-11202022 12/27/2022		
Transaction Date	12/21/2022	Citizens State Bank 10100	Total \$17.50
Refer	0 DODGE COUNTY SHERIFF	-	
Cash Payment	E 101-42100-310 Other Professional Servi	Qtr 4 - 2022 Law Enforcement Protection	\$25,240.80
Invoice	12/27/2022		
Transaction Date	12/21/2022	Citizens State Bank 10100	Total \$25,240.80
Refer	0 INTERNAL REVENUE SERVICE	<u>Ck# 005794 12/27/2022</u>	
Cash Payment	G 101-21701 Federal Withholding	Federal Tax-PR 26	\$668.74
Invoice	12/13/2022 12/27/2022		
Cash Payment	G 101-21709 Medicare	Medicare Staff-PR 26	\$226.70
Invoice	12/13/2022 12/27/2022		
Cash Payment	G 101-21709 Medicare	Medicare Council	\$226.80
Invoice	12/13/2022 12/27/2022		
Cash Payment	G 101-21703 FICA Tax Withholding	Social Security Staff-PR 26	\$969.40
Invoice	12/13/2022 12/27/2022		
Cash Payment	G 101-21703 FICA Tax Withholding	Social Security Council	\$1,140.80
Invoice	12/13/2022 12/27/2022		
Transaction Date	12/21/2022	Citizens State Bank 10100	Total \$3,232.44
Refer	0 LINCOLN NATIONAL LIFE INS. CO.	-	
Cash Payment	G 101-21711 Life Insurance Payable	Acct ATCMNTRVL-BL-1557985 January 2023	\$207.15
Invoice	12/27/2022		
Transaction Date	12/21/2022	Citizens State Bank 10100	Total \$207.15
Refer	0 MN PERA	<u>Ck# 005792 12/22/2027</u>	
Cash Payment	G 101-21704 PERA	PR 26	\$1,184.65
Invoice	12/13/22 12/27/2022		
Transaction Date	12/21/2022	Citizens State Bank 10100	Total \$1,184.65
Refer	0 MINNESOTA REVENUE	<u>Ck# 005793 12/27/2022</u>	
Cash Payment	G 101-21702 State Withholding	PR 26 Withholding Tax	\$342.15
Invoice	12/13/22 12/27/2022		

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Payments

Current Period: December 2022

Transaction Date	12/21/2022	Citizens State Bank	10100	Total	\$342.15
Refer	0 <u>MENARDS - NORTH ROCHESTER</u>	-			
Cash Payment	E 101-41940-200 Supplies	Acct 33140256 Ice Melt, Paint, Tote			\$63.83
Invoice	15556	12/27/2022			
Transaction Date	12/21/2022	Citizens State Bank	10100	Total	\$63.83
Refer	0 <u>MINNESOTA ENERGY</u>	-			
Cash Payment	E 101-41940-380 Utility Services	4016467-5 STREETS			\$0.00
Invoice	4392316952	12/27/2022			
Cash Payment	E 101-41940-380 Utility Services	4300149-4 STREETS			\$340.53
Invoice	4392316952	12/27/2022			
Cash Payment	E 101-41940-380 Utility Services	4028156-0 STREETS			\$297.73
Invoice	4392316952	12/27/2022			
Cash Payment	E 101-42200-380 Utility Services	4229566-7 FIRE DEPT			\$128.05
Invoice	4392316952	12/27/2022			
Cash Payment	E 602-49450-380 Utility Services	4299022-6 WWTP			\$227.78
Invoice	4392316952	12/27/2022			
Cash Payment	E 101-41940-380 Utility Services	5121503-6 NEW SHOP			\$0.00
Invoice	4392316952	12/27/2022			
Transaction Date	12/21/2022	Citizens State Bank	10100	Total	\$994.09
Refer	0 <u>MCNEILUS STEEL INC</u>	-			
Cash Payment	E 602-49450-220 Bldg.Repair and Mainten	Iron Cust 0112188			\$110.00
Invoice	01900585				
Transaction Date	12/21/2022	Citizens State Bank	10100	Total	\$110.00
Refer	0 <u>ON-SITE COMPUTERS, INC</u>	-			
Cash Payment	E 601-49400-300 Professional Srvs (GENE	12/06/2022 Monthly Billing for December			\$12.00
Invoice	CW83102	12/27/2022			
Cash Payment	E 101-41500-300 Professional Srvs (GENE	12/06/2022 Monthly Billing for December			\$233.00
Invoice	CW83102	12/27/2022			
Transaction Date	12/21/2022	Citizens State Bank	10100	Total	\$245.00
Refer	0 <u>POMPS TIRE SVC INC</u>	-			
Cash Payment	E 101-43100-228 Equip. Repair and Mainte	Tires & Skidsteers			\$1,197.58
Invoice	230119985	12/27/2022			
Cash Payment	E 101-43100-228 Equip. Repair and Mainte	Tires & Skidsteers ARPA Fund			\$1,414.90
Invoice	230119985	12/27/2022			
Transaction Date	12/21/2022	Citizens State Bank	10100	Total	\$2,612.48
Refer	0 <u>SIMPLY TIDY, LLC</u>	-			
Cash Payment	E 101-41940-439 Janitors	Cleaning 12/12/22			\$65.00
Invoice	3931	12/27/2022			
Cash Payment	E 101-41940-439 Janitors	Carpet Claeaning 12/20/22			\$220.00
Invoice	4016	12/27/2022			
Transaction Date	12/21/2022	Citizens State Bank	10100	Total	\$285.00
Refer	0 <u>DODGE COUNTY HIGHWAY DEPA</u>	-			
Cash Payment	E 101-43125-406 Snow/Ice Removal	Salt/Sand & Delivery 11/29/2022			\$1,203.04
Invoice	476	12/27/2022			
Transaction Date	12/22/2022	Citizens State Bank	10100	Total	\$1,203.04
Refer	0 <u>METERING & TECHNOLOGY SOLU</u>	-			

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Payments

Current Period: December 2022

Cash Payment	E 601-49400-228 Equip. Repair and Mainte	Orion LTE Endpoints			\$2,312.46
Invoice	INV1173	12/27/2022			
Cash Payment	E 601-49400-228 Equip. Repair and Mainte	5/8 X 3/4 Plastic E-Series Meter, couplings			\$1,172.73
Invoice	1172.73	12/27/2022			
Transaction Date	12/22/2022	Citizens State Bank	10100	Total	\$3,485.19
Refer	0 NAPA				
Cash Payment	E 101-43125-404 Repairs/Maint Machinery	2.5 DEF (1)			\$38.98
Invoice	454879	12/27/2022			
Transaction Date	12/22/2022	Citizens State Bank	10100	Total	\$38.98
Refer	0 QUALITY FLOW SYSTEMS				
Cash Payment	E 602-49450-220 Bldg.Repair and Mainten	Pump Replacement 12/18/22			\$5,275.00
Invoice	12/19/2022	12/27/2022			
Transaction Date	12/22/2022	Citizens State Bank	10100	Total	\$5,275.00
Refer	0 SAMS CLUB	Ck# 005796	12/27/2022		
Cash Payment	E 101-41110-430 Miscellaneous	ARPA 12/13/22 Television for council			\$718.98
Invoice		12/27/2022			
Transaction Date	12/27/2022	Citizens State Bank	10100	Total	\$718.98
Refer	0 THE HANDY MAN SAM				
Cash Payment	E 101-43100-228 Equip. Repair and Mainte	Door handle replacement w/labor			\$365.12
Invoice	20221220.1	12/27/2022			
Transaction Date	12/27/2022	Citizens State Bank	10100	Total	\$365.12
Refer	0 ZIEGLER, INC.				
Cash Payment	E 101-43100-228 Equip. Repair and Mainte	Fork & Tine Work Acct 5449300			\$5,228.00
Invoice	IN000809411	12/27/2022			
Transaction Date	12/27/2022	Citizens State Bank	10100	Total	\$5,228.00
Refer	0 WHKS & COMPANY				
Cash Payment	E 457-41950-303 Engineering Fees	TH 57 Improvements Oct-Nov 2022			\$6,626.08
Invoice	47220	12/27/2022			
Cash Payment	E 313-47000-303 Engineering Fees	2022 St Improvements Oct-Nov 2022			\$4,938.36
Invoice	47218	12/27/2022			
Cash Payment	E 101-41950-303 Engineering Fees	General Engineering Oct-Nov 2022			\$975.00
Invoice	47163	12/27/2022			
Cash Payment	E 312-47000-303 Engineering Fees	2021 Street Improvements Jan-Nov 2022			\$1,136.76
Invoice		12/27/2022			
Transaction Date	12/27/2022	Citizens State Bank	10100	Total	\$13,676.20
Refer	0 PAYMENT SERVICE NETWORK, IN	Ck# 005803	12/27/2022		
Cash Payment	E 601-49400-300 Professional Srvs (GENE	Jan 2022			\$95.68
Invoice	249028	12/27/2022			
Cash Payment	E 602-49450-300 Professional Srvs (GENE	Jan 2022			\$143.52
Invoice	249028	12/27/2022			
Cash Payment	E 601-49400-300 Professional Srvs (GENE	Mar 2022			\$63.48
Invoice	254141	12/27/2022			
Cash Payment	E 602-49450-300 Professional Srvs (GENE	Mar 2022			\$95.22
Invoice	254141	12/27/2022			
Cash Payment	E 601-49400-300 Professional Srvs (GENE	Apr 2022			\$63.58
Invoice	255786	12/27/2022			

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Payments

Current Period: December 2022

Cash Payment	E 602-49450-300 Professional Svcs (GENE Apr 2022)				\$95.37
Invoice 255786	12/27/2022				
Transaction Date	12/27/2022	Citizens State Bank	10100	Total	\$556.85
Refer	0 PAYMENT SERVICE NETWORK, IN Ck# 005805 12/27/2022				
Cash Payment	E 601-49400-300 Professional Svcs (GENE May 2022)				\$63.58
Invoice 257441	12/27/2022				
Cash Payment	E 602-49450-300 Professional Svcs (GENE May 2022)				\$95.37
Invoice 257441	12/27/2022				
Cash Payment	E 601-49400-300 Professional Svcs (GENE Jun 2022)				\$62.52
Invoice 259069	12/27/2022				
Cash Payment	E 602-49450-300 Professional Svcs (GENE Jun 2022)				\$94.78
Invoice 259069	12/27/2022				
Cash Payment	E 601-49400-300 Professional Svcs (GENE Jul 2022)				\$64.68
Invoice 260687	12/27/2022				
Cash Payment	E 602-49450-300 Professional Svcs (GENE Jul 2022)				\$97.02
Invoice 260687	12/27/2022				
Transaction Date	12/27/2022	Citizens State Bank	10100	Total	\$477.95
Refer	0 PAYMENT SERVICE NETWORK, IN Ck# 005806 12/27/2022				
Cash Payment	E 601-49400-300 Professional Svcs (GENE Aug 2022)				\$65.22
Invoice 262292	12/27/2022				
Cash Payment	E 602-49450-300 Professional Svcs (GENE Aug 2022)				\$97.83
Invoice 262292	12/27/2022				
Cash Payment	E 601-49400-300 Professional Svcs (GENE Sep 2022)				\$64.24
Invoice 263900	12/27/2022				
Cash Payment	E 602-49450-300 Professional Svcs (GENE Sep 2022)				\$96.36
Invoice 263900	12/27/2022				
Cash Payment	E 601-49400-300 Professional Svcs (GENE Oct 2022)				\$64.24
Invoice 265435	12/27/2022				
Cash Payment	E 602-49450-300 Professional Svcs (GENE Oct 2022)				\$96.36
Invoice 265435	12/27/2022				
Cash Payment	E 601-49400-300 Professional Svcs (GENE Nov 2022)				\$63.80
Invoice 266959	12/27/2022				
Cash Payment	E 602-49450-300 Professional Svcs (GENE Nov 2022)				\$95.70
Invoice 266959	12/27/2022				
Transaction Date	12/27/2022	Citizens State Bank	10100	Total	\$643.75
Refer	0 PAYMENT SERVICE NETWORK, IN Ck# 005804 12/27/2022				
Cash Payment	E 601-49400-300 Professional Svcs (GENE Nov 2022)				\$101.04
Invoice 268486	12/27/2022				
Cash Payment	E 602-49450-300 Professional Svcs (GENE Nov 2022)				\$151.56
Invoice 268486	12/27/2022				
Transaction Date	12/27/2022	Citizens State Bank	10100	Total	\$252.60

Payments

Current Period: December 2022

Fund Summary

10100 Citizens State Bank

101 GENERAL FUND	\$43,962.55
312 GO EQPMT AND UTIL NOTE 2021A	\$1,136.76
313 GO SERIES BOND 2022A	\$4,938.36
457 STATE HIGHWAY 57 PROJECT	\$6,626.08
601 WATER FUND	\$4,269.25
602 SEWER FUND	\$6,771.87
	<hr/>
	\$67,704.87

Pre-Written Checks	\$7,409.37
Checks to be Generated by the Computer	\$60,295.50
Total	<hr/>
	\$67,704.87

***Check Detail Register©**
10100 Unposted

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
10100 Citizens State Bank					
28931	12/30/22	UNITED STATES TREASURY			
G 101-21709		Medicare	\$691.06		941-X QTR3 2021 41-0850501, MEDICARE
G 101-21703		FICA Tax Withholding	\$2,741.25		941-X QTR3 2021 41-0850501, SOCIAL SECURITY
		Total	\$3,432.31		
		10100 Citizens State Bank	\$3,432.31		

Fund Summary

10100 Citizens State Bank	
101 GENERAL FUND	\$3,432.31
	\$3,432.31

***Check Detail Register©**
10100 Unposted

Check #	Check Date	Vendor Name	Amount	Invoice	Comment
10100 Citizens State Bank					
0	12/30/22	UNITED STATES TREASURY			
G 101-21709		Medicare	\$972.37		941-X QTR 4 2021 41-0850501, MEDICARE
G 101-21703		FICA Tax Withholding	\$4,157.78		941-X QTR 4 2021 41-0850501, SOCIAL SECURITY
G 101-21701		Federal Withholding	(\$553.79)		941-X QTR 4 2021 41-0850501, FEDERAL W/H
		Total	\$4,576.36		
		10100 Citizens State Bank	\$4,576.36		

Fund Summary

10100 Citizens State Bank	
101 GENERAL FUND	\$4,576.36
	<u>\$4,576.36</u>

Payments

Current Period: December 2022

Payments Batch 122122PAY					\$187.18
Refer	0 DELTA DENTAL	-			
Cash Payment	G 101-21708 Dental Insurance		2023 AP Batch for January Client # 891209		\$139.18
Invoice	CNS0001132240 12/27/2022				
Transaction Date	12/21/2022	Citizens State Bank	10100	Total	\$139.18
Refer	0 NCPERS GROUP LIFE INS.	-			
Cash Payment	G 101-21711 Life Insurance Payable		AP 2023 January Life insurance		\$48.00
Invoice	12/01/2022 12/27/2022				
Transaction Date	12/27/2022	Citizens State Bank	10100	Total	\$48.00

Fund Summary

	10100 Citizens State Bank	
101 GENERAL FUND		\$187.18
		<u>\$187.18</u>

Pre-Written Checks	\$0.00
Checks to be Generated by the Computer	\$187.18
Total	<u>\$187.18</u>

**UNAPPROVED MINUTES OF THE
DODGE COUNTY BOARD OF COMMISSIONERS REGULAR MEETING HELD
DECEMBER 13, 2022**

Chair

Convene County Board Meeting

The Dodge County Commissioners met in regular session December 13, 2022, in the County Board Room at the Dodge County Government Services Building, Mantorville, MN, at 5:00 p.m. Chair Tim Tjosaas called the meeting to order at 5:00 p.m.

Attendee Name	Title	Status	Arrived
John Allen	District 1	Present	5:00 PM
Tim Tjosaas	District 2	Present	5:00 PM
Rodney Peterson	District 3	Present	5:00 PM
Rhonda Toquam	District 4	Present	5:00 PM
David Kenworthy	District 5	Present	5:00 PM

Pledge of Allegiance

The pledge of allegiance was recited.

Determine Quorum

The Chair acknowledged those present and established there was a quorum.

Also present:

Jim Elmquist County Administrator
Becky Lubahn Deputy Clerk
Paul Kiltinen County Attorney

Establish Agenda

Agenda Approved

Motion by Kenworthy seconded by Peterson to approve and adopt the agenda as presented.

Motion Adopted [Unanimous]

Consent Agenda

Motion by Toquam seconded by Kenworthy to approve the following Consent Agenda items:

Motion Adopted [Unanimous]

- 1.1. Committee of the Whole - Committee Meeting - Nov 22, 2022 4:30 PM
- 1.2. Board of Commissioners - Regular Meeting - Nov 22, 2022 5:00 PM
- 1.3. Final Payment of Bills for 2022

Buffy Beranek, SEMMCHRA Executive Director

SEMMCHRA Final Certified Levy Request - 2023

Ms. Beranek met with the Board remotely and presented for the Board's consideration SEMMCHRA's final certified levy request.

Commissioner Peterson offered the following resolution (#2022-56), seconded by Commissioner Toquam:

**Resolution Approving Final Special Benefit Tax Levy of
Southeastern Minnesota Multi-County Housing and Redevelopment Authority Pursuant
to Minnesota Statutes, Section 469.033, Subd. 6, and Approving a Budget for Fiscal Year
2023**

WHEREAS, the Southeastern Minnesota Multi-County Housing and Redevelopment Authority (the "Authority") was created by action of the Boards of Commissioners of Dodge, Goodhue, Wabasha and Winona Counties (collectively referred to as the "Counties") pursuant to Minnesota Statutes, Section 469.004; and

WHEREAS, pursuant to such action on the part of the Counties and Minnesota Statutes, Sections 469.001 to 469.047 (the "Act"), the Authority was granted all of the same functions, rights, powers, duties, privileges, immunities and limitations as are provided for housing and redevelopment authorities created for cities under the Act; and

WHEREAS, Section 469.033, subd. 6, of the Act permits the Authority to levy and collect a special benefit tax of up to .0185% of taxable market value upon all taxable property, both real and personal, within the Authority's area of operation; and

WHEREAS, the Authority has requested that the Board of Commissioners of Dodge County approve the final levy of such a special benefit tax in the amount of \$52,555.00 to be levied upon all taxable market value of taxable property within the Authority's area of operation contained within Dodge County; and

WHEREAS, the Board of Commissioners of Dodge County has considered such request by the Authority and believes that consenting to such a special benefit tax levy by the Authority is in the best interests of Dodge County and its residents; and

WHEREAS, the Authority is also required pursuant to Section 469.033, subd. 6, of the Act to, in connection with the levy of such a special benefit tax, formulate and file a budget in accordance with the budget procedures of the Counties in the same manner as required of executive departments of the Counties and the amount of the tax levy for the following year shall be based upon that budget and approved by the Counties; and

WHEREAS, the Authority has presented to the Board of Commissioners of Dodge County a copy of a proposed budget for its operations for fiscal year 2023.

NOW, THEREFORE, be it resolved by the Board of Commissioners of Dodge County as follows:

Section 1. That the budget for fiscal year 2023 for the operations of the Authority as presented for consideration by the Board of Commissioners of Dodge County is hereby in all respects approved.

Section 2. That the levy of a special benefit tax pursuant to Minnesota Statutes, Section 469.033, subd. 6, is hereby consented to with respect to taxes payable in calendar year 2023 in the amount of \$52,555.00 to be levied upon all taxable market value of taxable property within the Authority's area of operation within Dodge County.

Resolution Adopted [Unanimous]

Catherine Grondin, Zoning Administrator

Appointment of Planning Commission Members

Ms. Grondin informed the Board the following Planning Commission member's term expires on December 31st, 2022:

Darren Durst (Milton/Mantorville)

Jim Checkel (Ashland/Canisteo)

Kevin Asprey (Hayfield/Vernon)

The vacancy was advertised on the Dodge County website with a closing date of 4:30 p.m. on November 23rd, 2022. Under zoning ordinance provisions, members of the Planning Commission are eligible for reappointment. Mr. Durst, Mr. Checkel, and Mr. Asprey have submitted their applications to be reappointed as representative of their given townships on the Planning Commission. There were no other applicants as of the closing date.

Motion by Allen seconded by Kenworthy to reappoint Darren Durst, Jim Checkel, and Kevin Asprey to the Dodge County Planning Commission for the January 1st, 2023 to December 31st, 2025 term as requested.

Motion Adopted [Unanimous]

Appointment of Board of Adjustment Members

The Zoning Administrator reported the following Board of Adjustment members' terms expire on December 31st, 2022.

Dean Schuette

James Hruska

The vacancies were advertised on the Dodge County website with a closing date of 4:30 p.m. on November 23rd, 2022. Under zoning ordinance provisions, members of the Board of Adjustment are eligible for reappointment. Mr. Schuette has submitted an application to be reappointed to the Board of Adjustment. Mr. Klevos has applied to be appointed as a

representative on the Board of Adjustment. There were no other applicants as of the closing date.

Motion by Peterson seconded by Allen to reappoint Dean Schuette and appoint Greg Klevos to the Dodge County Board of Adjustment for the January 1st, 2023 to December 31st, 2025 term as requested.

Motion Adopted [Unanimous]

Jackson Miller, Environmental Project Manager

2022 Water Quality Update

Mr. Miller informed the Board that Dodge County conducts bi-annually nitrate monitoring through the Volunteer Nitrate Monitoring Network (VNMN) program. The presentation provided a summary of 2022 sampling results, as well as an in-depth visual and statistical look into our County's VNMN sampling results from 2008-2022.

Commissioner Kenworthy stated he'd like to see more involvement from property owners in well water sampling. Mr. Kenworthy suggested Gretta Becay do an article regarding the need for additional property owners to participate in well water sampling and that this article be posted on our social media pages.

The Board thanked Mr. Miller for the information.

Motion No Vote

Amy Evans, Public Health Director & Madison Snitker, Health Educator

Public Hearing for Ordinance #98-01

Ms. Evans and Ms. Snitker met with the Board to discuss proposed updates to ordinance #98-01.

Motion by Allen seconded by Toquam to open the Ordinance #98-01 public hearing at 5:33 p.m.

Tobacco ordinance #98-01 was approved on October 25, 2022 to comply with Tobacco 21 state statute changes in 2020. At the same meeting, the County Board requested data and proposed language changes to the ordinance related to the retailer proximity of youth-oriented facilities, pharmacies within retailers and advertising of tobacco products near youth-oriented facilities.

On November 9, 2022, Public Health presented data to the County Board along with proposed language changes. Youth who live or attend school in neighborhoods with the highest density of tobacco outlets or retail tobacco advertising have higher smoking rates compared to youth who live or attend school in neighborhoods with fewer or no tobacco outlets. In Dodge County, per the 2019 Minnesota Student Survey, over 45% of 11th grade students (compared to 5% statewide) and over 20% of 8th grade students (compared to

2.4% statewide) used any type of tobacco products in the past 30 days. This was an increase of over 16% since 2016.

In preparation for the public hearing on December 13, 2022, a notice of hearing was created and mailed to each tobacco retailer in Dodge County. In addition to the letter, a copy of the Ordinance #98-01 and the proposed changes was included. The notice of hearing has been placed in the Dodge County Independent for two weeks.

The Public Health Director informed the Board that although a new Kwik Trip is being proposed across the street from the Kasson-Mantorville High School, they feel they can still meet the designated setback requirements.

Motion Adopted [Unanimous]

Ordinance #98-01 Public Hearing Closed

Motion by Toquam seconded by Kenworthy to close the Tobacco Ordinance #98-01 to the public at 5:38 p.m.

Motion Adopted [Unanimous]

Approval of Amendments to Ordinance #98-01

The Public Health Director requested approval of the proposed amendments to Ordinance #98-01 per Board recommendation on October 25, 2022.

Commissioner Allen stated this new rule will make someone either decide to close their business or move. Mr. Allen pointed out tobacco sales in the Hy-Vee store have been grandfathered in, while the tobacco shop in Plaza 57 isn't. Commissioner Allen doesn't feel this is fair and reported that he struggles with this. Mr. Allen informed the Board that he doesn't like the fact that they're jeopardizing a business.

Ms. Evans stated she appreciates Commissioner Allen's comments however it is their job to protect the health of our community. The Public Health Director indicated that she understands this jeopardized a business but noted we need to protect our youth. Ms. Evans informed the Board the number of Dodge County students using tobacco products is higher than the state average. The Public Health Director noted they did adjust the distance requirement to try to accommodate businesses.

Commissioner Peterson thanked Ms. Evans and Ms. Snitker for their work. Mr. Peterson reported the amended ordinance will have a long term affect in Dodge County and noted he is ok with the amended ordinance.

Motion by Peterson seconded by Kenworthy to approve and authorize the amendments to Ordinance #98-01 as presented.

Motion Adopted [4 to 1]

Paul Kiltinen, County Attorney

Legal Update

Mr. Kiltinen provided the Board with a legal update.

Motion No Vote

Public Health Committee Report - Commissioner David Kenworthy

Commissioner Kenworthy presented a summary of the Public Health Committee report and action items.

Commissioner Kenworthy briefly discussed the following Public Health items:

Provide update on COVID-19.

Provide an update on tobacco ordinance revisions.

Provide general update on public health operations as follow-up to previous public health updates.

Motion No Vote

Lisa Kramer, Finance Director

Bills Reviewed

Ms. Kramer reviewed bills with the Board.

The Finance Director informed the Board that a payment of \$40.00 to the County Engineer on page 15 for a meeting registration is being pulled, this is a duplicate payment.

Motion by Peterson seconded by Toquam to approve the bills as discussed in the following amounts from the appropriate funds as determined by Finance:

01	Revenue Fund	\$ 57,275.29
13	Road and Bridge Fund	\$ 43,035.85
16	Environmental Quality Fund	<u>\$ 134,824.55</u>
	Total	\$ 235,135.69

Motion Adopted [Unanimous]

Jim Elmquist, County Administrator

Per Diem Rate 2023

Included in the Board packet was a resolution setting the per diem rate for 2023 for all boards and commissions.

The recommendation is for the per diem rate to stay the same as 2022.

Commissioner Allen offered the following resolution (#2022-57), seconded by Commissioner Toquam:

WHEREAS, the Dodge County Board appoints members to different boards and commissions to perform work for the county; and

WHEREAS, these boards and commissions are eligible to receive a per diem for the work that they perform.

NOW THEREFORE BE IT RESOLVED, that the Dodge County Board sets the 2023 per diem rate at \$80.00.

Resolution Adopted [Unanimous]

2023 Elected Salaries

Mr. Elmquist reported that as determined at a previous meeting, the County Board is now presented with a resolution with a 5% increase to each elected position in the county. This is consistent with other increases given to personnel for 2023.

Commissioner Peterson offered the following resolution (#2022-58), seconded by Commissioner Kenworthy:

WHEREAS, the Dodge County Board of Commissioners are responsible for setting the salaries of the elected officials in the county including the County Board, County Board Chair, County Sheriff, and the County Attorney; and

WHEREAS, the Dodge County Board received requests from their elected officials and reviewed work responsibilities and salary information from other counties; and

WHEREAS, the Dodge County Board of Commissioners appreciates the work performed by its elected department heads in Dodge County.

NOW THEREFORE BE IT RESOLVED, that the salaries of elected officials in Dodge County for 2023 are set as follows:

County Board	\$25,233
County Board Chair	\$25,733
County Attorney	\$58,823
County Sheriff	\$115,260

Resolution Adopted [Unanimous]

Mr. Elmquist did not have a County Administrator update to provide.

Motion No Vote

Administration Committee Report - Commissioner Tim Tjosaas Resolution for Premises Permit Application

It was reported that Ms. Marquardt needs to update the address on the Kasson Mantorville Youth Basketball (KMYB) premises permit application for Hidden Pines Bar & Grill. Kasson Mantorville Youth Basketball (KMYB) would like to operate a pull tab machine at the Hidden Pines Bar & Grill. Dodge County has previously approved this type of Premises Permit Application to Mantorville Restoration Association. The address for Hidden Pines has been update to include Suite B in it. This is to show the difference between Hidden Pines and the Zumbro Valley Golf Course.

It was the Accounting Services Director's recommendation that the County Board pass a resolution to update the address on the Premises Permit Application for the Kasson Mantorville Youth Basketball (KMYB) to operate a pull tab machine at the Hidden Pines Bar & Grill.

Commissioner Allen offered the following resolution (#2022-59), seconded by Commissioner Toquam:

BE IT RESOLVED that approval for Premises Permit Application has been given to the following:

1. Kasson Mantorville Youth Basketball (KMYB), Kasson, Minnesota to conduct gambling at Hidden Pines Bar & Grill, 25202 615th Street, Suite B, Mantorville, Minnesota.

Resolution Adopted [Unanimous]

Jim Elmquist, County Administrator

Personnel Agenda Reviewed

Mr. Elmquist presented the Personnel Agenda for the Board's consideration.

Motion by Kenworthy seconded by Peterson to approve the following personnel actions:

- A. Environmental Services**
 - A.1 Lauren Cornelius - Environmental Services Director
Step increase from D63 step 7 \$46.43 to D63 step 6 \$50.09.
Effective Date: 12/1/22
- B. Sheriff's Office**
 - B.1 Tyler Vermeersch - Deputy Sheriff
Step increase from C41 step 7 \$33.89 to C41 step 8 \$34.56.
Effective Date: 10/31/22
 - B.2 Brady Kunkel - 911 Dispatcher
Step increase from B23 step 5 \$24.30 to B23 step 6 \$25.02.
Effective Date: 12/7/22
 - B.3 Dawn Frieberg - Dispatch Supervisor
Step increase from C41 step 6 \$30.18 to C41 step 5 \$31.03.
Effective Date: 11/19/22
 - B.4 Joseph Master - On-Call Deputy Sheriff

- No longer employed.
Effective Date: 12/2/22
- B.5 Deputy Sheriff - On-Call
Authorization to post and fill vacancy.
Effective Date: 12/13/22
- C. Administration**
- C.1 Juan Trejo - Custodian
Regular status and step increase from A13 step 6 \$17.71 to A13 step 5 \$18.24.
Effective Date: 11/29/22

Motion Adopted [Unanimous]

Break

The Chair recessed the meeting at 5:54 p.m.

The Chair reconvened the meeting at 6:00 p.m.

Jim Elmquist, County Administrator

Truth in Taxation Presentation 2023

Included in the Board packet were documents pertaining to the Truth in Taxation (TNT) hearing. Mr. Elmquist reported the hearing reflects the preliminary levy for the county as this directly correlated with the TNT notices residents received at the end of November.

The County Administrator noted as a separate item on the agenda, Lisa Kramer will provide two final certification resolutions showing levy increases of 3.5% and 4.1% with the difference being FTE inclusions in the latter resolution.

The final levy must be certified by the county to the county auditor on or before five working days after December 20th. The Board's next meeting is outside that time-frame.

Mr. Elmquist informed those present that the hearing was intended to:

1. Explain the 2023 proposed budget and tax levy
2. Show factors impacting the budget
3. Provide the public with an opportunity to ask questions

The County Administrator briefly discussed:

- Assessed Property Values
- Dodge County Budget History to Levy History
- What is driving the 5.8% levy increase for 2023?
- Tax Capacity in Millions
- Tax Capacity Tax Rate

Mr. Elmquist informed the Board there were no written comments from the public.

Motion by Kenworthy seconded by Peterson to open the Truth in Taxation Public Hearing at 6:16 p.m.

A member of the public wanted to know whether or not taxes will go down.

The County Administrator reported while there is a reduction county taxes, taxes are based on where you live and could go up or down depending on what the other taxing authorities are doing in the area you live in.

Property values were briefly discussed. The Director of Land Records was available to comment on market values in Dodge County.

Road concerns were voiced. The County Engineer was available to comment on construction funds and the Highway Department's budget.

A taxpayer wanted to know what happens when we reach the obligation of the school, will the tax end?

Ms. Kramer reported that tax will end but noted the school could decide to bond again.

Richard Erpelding wanted to know what type of property values didn't increase.

Ryan DeCook reported residential values increase in average 22%, commercial/industrial increased by 15%, apartments increased by 12% and agricultural increased by 5%.

Other increases were briefly discussed including conservation and natural resources.

Motion Adopted [Unanimous]

TNT Public Hearing Closed

Motion by Peterson seconded by Toquam to close the Truth in Taxation Public Hearing at 7:03 p.m.

Commissioner Tjosaas thanked those in attendance for coming to the meeting and asking questions.

Motion Adopted [Unanimous]

2023 Certified Budget Resolution A + 1.5 FTE

Mr. Elmquist informed the Board the first budget submitted for their review and consideration is a 4.2% levy increase from 2022 and a 1.6% decrease from what was used for the TNT notices.

Earlier this evening, the TNT hearing was presented to the public which is required by statute and needs to be held at a night meeting. The County Administrator is now asking

for formal approval by the Board of a budget for 2023.

Ms. Elmquist stated there have been no adjustments made to the budget since the last meeting. Included in the Board packet was budget A including 1.5 new FTE for positions in I/T and Extension for the Board’s consideration and budget B without the new FTE positions. The Board supported moving forward with budget A.

Commissioner Kenworthy offered the following resolution (#2022-60), seconded by Commissioner Peterson:

WHEREAS, Minnesota Statute 275.07 requires the County Board to certify the certified final budget to the County Finance Director (Auditor) each year; and

WHEREAS, the Dodge County Board of Commissioners, department heads and staff have conducted a lengthy and detailed budget process; and

WHEREAS, the County Board considered all funding requests, correspondence and information submitted during the budget development process and said proposed budget represents the best efforts to provide sound financial management and planning for Dodge County.

NOW THEREFORE BE IT RESOLVED, that the Dodge County Board of Commissioners approves the following 2023 budget totaling \$37,163,183. The 2023 expenditures, revenues and levy requests by fund are detailed below:

Fund	2023 Expenditure	2023 Revenues/ Fund Balance	2023 Gross Tax Levy
Revenue	\$14,808,606	\$4,479,585	\$10,329,021
EDA/HRA	\$29,762	\$0	\$29,762
Environmental Quality	\$2,707,799	\$2,539,356	\$168,443
Highway	\$14,739,153	\$12,779,968	\$1,959,185
Human Services	\$3,839,251	\$0	\$3,839,251
GO Debt Fund	\$1,038,612	\$0	\$1,038,612
TOTALS			
		County Program Aid	\$855,175
		Final Net Tax Levy	\$16,509,099

Resolution Adopted [Unanimous]

Guy Kohlhofer, County Engineer
CSAH 3 Signal Installation Agreement

Mr. Kohlhofer reported that with the construction of new TH 14 and installation of the interchange at CSAH 3 in Claremont the traffic crossing the railroad has increased substantially. MnDOT has taken the lead in having signal lights and arms installed on the crossing with an expected 2023 construction. The total cost of construction is expected to be a little over \$292,000. Dodge is expected to partner in at 10% of the construction costs at an estimated \$29,203.72.

This does not include the upgrade to the crossing surface. That will be done under a separate agreement with CP Rail. That design and agreement is not completed and the county's share is unknown.

Included in the Board packet was a proposed agreement for the county's 10% participation and the resolution giving the County Engineer authorization to sign the final agreement and any amendments for the crossing lights project.

Commissioner Toquam offered the following resolution (#2022-61), seconded by Commissioner Kenworthy:

Local Agency Resolution

BE IT RESOLVED, that Dodge County (Local Agency), enter into an agreement with the Dakota, Minnesota & Eastern Railroad Company d/b/a Canadian Pacific (Company), and the Commissioner of Transportation (State) for the installation and maintenance of railroad crossing signals at the intersection of CSAH 3 (130th Ave) with the tracks of the Company, and appointing the State agent for the Local Agency to supervise said project and administer available Federal Funds in accordance with Minnesota Statute, Section 161.36. The Local Agency's share of the cost shall be 10 % of the total signal cost.

BE IT FURTHER RESOLVED, that the County Engineer be and they are hereby authorized to execute said agreement and any amendments thereto for and on behalf of Dodge County.

Resolution Adopted [Unanimous]

Closed Session - Property Negotiations Related to Parcel #21.177.0131

The County Engineer met with the Board to discuss pending negotiations related to parcel #21.177.0131.

Motion by Allen seconded by Peterson to close the meeting to the public at 7:16 p.m. to discuss property negotiations for parcel #21.177.0131.

Motion Adopted [Unanimous]

Meeting Opened to the Public

Motion by Toquam seconded by Kenworthy to open the meeting to the public at 7:33 p.m.

Motion No Vote

Jim Elmquist, County Administrator & Lisa Hager, Employee Relations Director

Closed Session - Collective Bargaining

Ms. Hager and the County Administrator met with the Board to discuss the latest with the Transfer Station employees.

Motion by Peterson seconded by Allen to close the meeting to the public at 7:33 p.m. to discuss collective bargaining with the Transfer Station employees.

Motion Adopted [Unanimous]

Meeting Opened to the Public

Motion by Allen seconded by Toquam to open the meeting to the public at 7:38 p.m.

Motion No Vote

Union Contract Highway Union Local #49

Included in the Board packet was a tentative agreement with the AFLCIO Local 49 - Highway Union or 2023-2025. The Union has voted and approved this agreement.

A summary of issues includes the following:

1. Wages - View attached wage scale with adjustments and 2.25% in 2023, 2.5% in 2024, and 3% in 2025.
2. Change job classification:
 - 1) Equipment Operator II and III change to Equipment Operator
 - 2) Engineering Technician II and III change to Engineering Technician

It was the Employee Relations Director's recommendation that the proposed contract be approved and signed.

Motion by Allen seconded by Toquam to approve the proposed Labor Agreement Between Dodge County and the International Union of Operating Engineers Local Union No. #49 and authorize the Chair, County Administrator and Employee Relations Director to sign the agreement.

Motion No Vote

Administration Committee Report - Commissioner Tim Tjosaas

Commissioner Tjosaas presented a summary of the Administration Committee report and action items.

Commissioners provided their agency reports. Commissioner Allen didn't have any meetings to report. Commissioner Kenworthy attended a DFO Task Force meeting, a DFO Joint Powers meeting, an AMC conference, a Dodge County Park Community Input meeting, a SEMMS meeting, a SEECB meeting and a Dodge County Historical Society Fundraiser at the Creamery in Wasioja. Commissioner Peterson attended an AMC Annual conference. Commissioner Tjosaas attended a SCHRC meeting, a DFO meeting, a Township Officers meeting, an AMC conference, a Semcac Executive Board meeting and a MnPrairie Finance Committee meeting. Commissioner Toquam attended a SCHRC meeting, a SCHA Joint Powers Board meeting, an AMC conference and a County Board meeting.

Motion No Vote

There were no Other Deferred Business items to discuss.

Motion No Vote

Adjourn

Meeting Adjourned

Motion by Peterson seconded by Allen to adjourn the 7:52 p.m.

The next regular meeting of the Dodge County Board of Commissioners will be held on December 27 at 5:00 p.m.

Motion No Vote

**MANTORVILLE FIRE AND RESCUE
FIRE PROTECTION CONTRACT FOR 2023 - 2025**

THIS AGREEMENT MADE BY and between the Township of Wasioja in the County of Dodge, State of Minnesota; hereinafter referred to as "Township" and the City of Mantorville in the County of Dodge, State of Minnesota hereinafter referred to as "City".

WHEREAS the Township is desirous of securing fire protection and response from Emergency Medical Responders (EMR) from the City, and the City agrees to afford the same with its existing Fire Department.

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. The City agrees to provide fire protection, with the use of its existing Fire Department, to the Township for a period of three (3) year, commencing January 1, 2023 at the rate of \$95.00 per address for the year 2023, \$100.00 per address for the year 2024, and \$105.00 per address for the year 2025 for 92 locations. In consideration thereof, said Township will pay the agreed amount of \$8,740.00 for the year 2023, \$9,200.00 for the year 2024, and \$9,660.00 for the year 2025, as agreed.
2. Fire protection shall consist of Mantorville Fire and Rescue being subject to call at all times, in the event of an emergency within the Township limits, as defined by the Dodge County E911 system. The Township agrees that the City shall, at all times, have one (1) truck available to the municipal limits of the city of Mantorville.
3. Fire protection afforded to the Township shall be at all times when a fire truck is available from said City. In the event that a truck is not available, Mantorville Fire and Rescue will contact another Fire Department for assistance, in accordance with Mutual Aid Pacts with area Fire Departments.
4. Individual response calls will be billed out directly by Mantorville Fire and Rescue to owners of property within the Township to which the City provides fire service and in accordance with Chapters 96.01 and 33.01 of the Mantorville City Code.

IN WITNESS WHEREOF, the City of Mantorville has caused these presents to be signed by its Mayor and City Clerk, and the Township has caused these presents to be signed by its Chairman and Clerk.

City of Mantorville

Township of Wasioja

Chuck Bradford
Mayor

Date


Township Chairman

12-12-22
Date

Shirley R Buecksler
City Clerk-Treasurer

Date


Township Clerk

12/12/22
Date

December 20, 2022

Honorable Mayor and
Members of the City Council
City of Mantorville, Minnesota
21 5th Street East
Mantorville, Minnesota 55955

You have requested that we audit the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Mantorville, Minnesota, as of December 31, 2022 and for the year then ending, and the related notes, which collectively comprise City of Mantorville, Minnesota's basic financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Accounting principles generally accepted in the United States of America, (U.S. GAAP), as promulgated by the Governmental Accounting Standards Board (GASB) require that certain required supplementary information (RSI) be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America, (U.S. GAAS). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP. This RSI will be subjected to certain limited procedures but will not be audited:

1. Management's discussion and analysis
2. Schedule of funding progress for the retiree health plan
3. Schedule of City's Proportionate Share of Net Pension Liability
4. Schedule of City Contributions to Pension Plans

The supplementary information other than RSI will be presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information, which is the responsibility of management, will be subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. Our auditor's report will provide an opinion on the following supplementary information in relation to the basic financial statements as a whole:

1. Financial data included in the letter of transmittal and the management's discussion and analysis
2. The Combining and Individual Non-Major Fund financial statements and schedules
3. Supplemental financial and statistical information

City of Mantorville, Minnesota

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Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the basic financial statements:

1. Introductory section, including elected and appointed officials

Auditor Responsibilities

We will conduct our audit in accordance with U.S. GAAS. As part of an audit in accordance with GAAS we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about City of Mantorville, Minnesota's ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS.

As part of our audit process, we may request written representations from your attorneys, and they may bill you for responding. At the conclusion of our audit, we will also request certain written representations from you about the financial statements and related matters.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

Compliance with Laws and Regulations

As previously discussed, as part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we will perform tests of City of Mantorville, Minnesota's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Management Responsibilities

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance acknowledge and understand that they have responsibility:

- a. For the preparation and fair presentation of the basic financial statements in accordance with accounting principles generally accepted in the United States of America;
- b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of basic financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements; and
- c. To provide us with:
 - i. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the basic financial statements, such as records, documentation, and other matters;
 - ii. Additional information that we may request from management for the purpose of the audit;
 - iii. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence;
- d. For including the auditor's report in any document containing basic financial statements that indicates that such financial statements have been audited by the entity's auditor;
- e. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities;
- f. For adjusting the basic financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year under audit are immaterial, both individually and in the aggregate, to the basic financial statements as a whole; and
- g. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work;
- h. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
- i. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in internal control and others where fraud could have a material effect on the financials; and
- j. For the accuracy and completeness of all information provided.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited basic financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited basic financial statements readily available to the intending users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management and, when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

Nonattest Services

With respect to any nonattest services, we will perform the following:

- Assist in preparing the financial statements and related notes of City of Mantorville, Minnesota in conformity with U.S. generally accepted accounting principles based on information provided by you
- Maintain the capital asset depreciation schedules
- Recommend Bookkeeping adjustments
- Assist entity in documenting their procedures related to implementation of ASC 842, Lease Accounting
- Provide other general consultation as requested by you from time to time

City of Mantorville, Minnesota

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Nonattest Services (Continued)

We will not assume management responsibilities on behalf of City of Mantorville, Minnesota. However, we will provide advice and recommendations to assist management of City of Mantorville, Minnesota in performing its responsibilities.

City of Mantorville, Minnesota's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Our responsibilities and limitations of the nonattest services are as follows:

- We will perform the services in accordance with applicable professional standards.
- The nonattest services are limited to the services previously outlined. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries.

With regard to including the auditor's report in an exempt offering document, you agree that the aforementioned auditor's report, or reference to Smith, Schafer & Associates, LTD's, will not be included in any such offering document without our prior permission or consent. Any agreement to perform work in connection with an exempt offering document, including an agreement to provide permission or consent, will be a separate engagement.

With regard to an exempt offering document with which Smith, Schafer & Associates, LTD's is not involved, you agree to clearly indicate in the exempt offering document that Smith, Schafer & Associates, LTD's is not involved with the contents of such offering document.

Reporting

We will issue a written report upon completion of our audit of City of Mantorville, Minnesota's basic financial statements. Our report will be addressed to the governing body of City of Mantorville, Minnesota. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Other

We understand that your employees will prepare all confirmations we request and will locate any documents or support for any other transactions we select for testing.

If you intend to publish or otherwise reproduce the basic financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

Provisions of Engagement Administration, Timing, Fees

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Jason Boynton is the engagement principal for the audit services specified in this letter. Their responsibilities include supervising the engagement team's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

The fee for the audit of the City's financial statements for the year ending December 31, 2022 will not exceed \$19,750, including expenses. The fee estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

During the course of the audit we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

You agree to inform us of facts that may affect the financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

It is our policy to keep records related to this engagement for seven years. However, Smith, Schafer & Associates, LTD does not keep any original client records, so we will return those, if any, to you at the completion of the services rendered under this engagement. When records are returned to you, it is your responsibility to retain and protect your records for possible future use, including potential examination by any government or regulatory agencies.

At the conclusion of our audit engagement, we will communicate to those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

Provisions of Engagement Administration, Timing, Fees (continued)

The audit documentation for this engagement is the property of Smith, Schafer & Associates, LTD and constitutes confidential information. However, we may be requested to make certain audit documentation available to regulators pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Smith, Schafer & Associates, LTD's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to regulators. The regulators may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

By your signature below, you acknowledge and agree that upon expiration of the seven year period Smith, Schafer & Associates, LTD shall be free to destroy our records related to this engagement.

To ensure that Smith, Schafer & Associates, LTD's independence is not impaired under the AICPA *Code of Professional Conduct*, you agree to inform the engagement principal before entering into any substantive employment discussions with any of our personnel.

Any dispute (other than our efforts to collect an outstanding invoice) that may arise regarding the meaning, performance or enforcement of this engagement or any prior engagement that we have performed for you, will, prior to resorting to litigation, be submitted to mediation, and the parties will engage in the mediation process in good faith. Any mediation initiated as a result of this engagement shall be administered within Olmsted County, Minnesota, by a mutually agreed upon mediator, according to its mediation rules, and any ensuing litigation shall be conducted within said county, according to Minnesota law. The results of any such mediation shall be binding only upon agreement of each party to be bound. The parties participating in the mediation shall bear their own costs, except that any charges assessed by the mediation organization shall be shared equally by the participating parties.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Very truly yours,



Jason P. Boynton, CPA
SMITH, SCHAFFER & ASSOCIATES, LTD
Principal

RESPONSE:

This letter correctly sets forth our understanding of City of Mantorville, Minnesota.

Acknowledged and agreed on behalf of City of Mantorville, Minnesota by:

By: _____
Chuck Bradford

Title: _____
Mayor

Mantorville Chamber of Commerce

December 7, 2022

Greek Revival House

President Terry Eckstein called the December meeting of the Mantorville Chamber of Commerce to order.

In attendance were Bill Kinney, Marilyn Lermon, Lynnette Nash, Wendy Schleeter, Paul Larsen, Terry Eckstein, Tom Monson, Stacia Round, Jennifer Galloway and Barbara Loquai

The secretary's report was emailed to each member. Lynette Nash made the motion to accept November meeting minutes and seconded by Marilyn Lermon. Motion Passed.

Treasure Report: None

Farmers Market- This will be the last two weekends that Farmers Market will be at the Welcome Center. There will be no Farmers Market in January or February.

Old Fashion Christmas: There was much discussion about Old Fashion Christmas. It was decided there will be a committee put together to look into the good and bad of Old Fashion Christmas and things we can do better in the future.

Trolly: There will be 4 more weeks for the trolley. As of the first of the year the Hubbell house will not be open on Monday and Tuesday. There also will be no lunch on Friday.

Old Business: Annual Dinner – Terry has picked the date of January 19, 2022 to be held at the Hubbell House for the Annual Meeting Dinner. Jennifer told that there is a After Hours get together with the Kasson Chamber at McKern Financial in Kasson on January 19th. Terry will check on different dates. Email will be sent to let every one know. She will also send the email about the After Hours get together.

No other business to come before the chamber at this time the meeting was adjourned.

Secretary, Barbara Loquai



City Council Report

To: Mayor and Council
From: Gretchen Lohrbach, Deputy City Clerk
Date: January 9, 2023

Rental License Renewals for 2023

BACKGROUND INFORMATION:

The following Rental License renewals have been submitted for approval:

Owner Name	Rental Property
Sonja Thompson	605 Clay St #2
	605 Clay St #5
	605 Clay St #6
	605 Clay St #7

STAFF RECOMMENDATION:

Staff recommends Council approval of the enclosed rental license renewals for 2023.

CITY OF MANTORVILLE
RENTAL CERTIFICATE RENEWAL

City of Mantorville
21 5th Street East PO BOX 188
Mantorville, MN. 55955
507-635-5170

<u>Property Name/Address (Legal Name)</u> MARIGOLD MANOR # 2,5,6,7			
<u>Property Owner</u>	<u>First/MI/Last</u>	<u>Telephone</u>	
SAT IPI	SONJA C. THOMPSON		
<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
504 16 TH ST NE	KASSON	MN	55944

I hereby certify no changes have been made in my rental unit/s since the original Rental Certificate Application or the previous renewal and the unit/s is/are in Compliance with the City code.


Signature of Property Owner (Applicant)

12/28/2022
Date

Renewal Fees

- \$25.00 – 1 Building/Site Less than four (4) units
- \$30.00 – 1 Building/Site Four (4) to eight (8) units

Make check payable to the City of Mantorville.

paid ck # 2076

MANTORVILLE FIRE DEPARTMENT

January 2023 General Meeting

Call to Order:

- The meeting was called to order at: 20:50

Member's in Attendance:

- JJ, Jeff, Dave, Rog, Paul, Don, Jim, Russ, Scott K., Joey, Troy, Brett, Annabelle, Kyle, Duke, Nate S. Orion, Ryan, Logan, Annika, Angel, Scott S.

Chief's Report:

Door Code

- Has anyone looked into this?

Officer Meeting

- Meeting to be held Tuesdays
- Except the following July move the 3rd and August move to the 31st of July

Fee Schedule

- The new fee for service schedule will be before the Council on the 9th for their approval

MN Fire Initiative

- Experience meaningful health and wellness training at the second-annual Firefighter Health Forum
- January 21st in Onamia grand casino mille lacs
- Hotel is around 107 for Friday night and they are providing a hospitality room Friday evening.

Officers

- Last year with creating an assistant officer I would like to circle back and ensure this is actually working
- Have the assistant officers perhaps step up into the main role for this year so they can get the guidance needed??
- Need someone to step up the first responder officer role

Training vs meetings?

- Just tossing out ideas to think about as it seems we are always rushing a training session to get to dinner and the meeting? Most Dept are holding meetings on a separate night than training?
- Idea of having the meeting night after maintenance as it seems we lack maintenance? Just tossing ideas out to get people thinking...

FDIC

- April 23-29
- Interest in attending?

Annual Dinner

- January 28

Relief Notes

- Troy taking over for Logan as secretary is the reason for a relief meeting tomorrow...2
- Run Reports, Turning them in and filling them out in full.
- AFG Grant we got turned down for new radios.

Assistant Chief:

- Nothing

Deputy Chief:

- Grain Rescue Tools. Check?
- Meeting up with a company for overhead doors for the shed.

Fire Marshall:

- 1 Co/ Gas Leak
- 1 MVA (Kasson Canceled)
- 2 Calls in total.

Training Officer:

- Riverland came for Right to Know Training/ Hazmat.
- Next Month we are doing segment 2 for cancer awareness training.
- Working on the next year's training schedule.
- Angel is doing in person fire school.

Equipment:

- Mustang suit is back in service.
- Mustang suit in Rescue has a leak.
- Possibly looking to get a new mustang suit. New one is about \$850.
- Looking into a different product to make sure trucks are plugged in and charging. About \$125 to outfit all of the trucks.
- Most cities are putting storks fitting fire hydrants in. Ask the city to put them in on the new hydrants they are having put in this summer.
- New captain helmets are in and new chief helmets are in.
- 2 Small SCBA masks are in.

Vehicles:

- Betsy- In our Shed.
- Pumper 1-
- Pumper 2 -
- Chevy Pick Up -
- Tanker 1 -
- Tanker 2 -
- Grass Rig -
- Rescue Truck -
- Got bulkhead fittings in for the air compressor system.

First Responder's:

- Need everyone's CPR certification once you get it.
- Make sure you're using QR codes.
- CEVO certifications.
- SEAMS coming next Wednesday.

Treasures

- Bills to be approved \$3,116.05.
- Motion Made to pay bills: Russ
- Seconded by: Kyle
- Motion Carries

Clerk/ Calendar

- Jan 11 1830 1st Responder Training
- Jan 18 1830 Maintenance
- Jan 28 1700 Annual Supper
- **FEB Lunch: Orion, Jeff, Curt**
- Jan 31 1900 Officer Meeting (note move to Tuesdays)
- Feb 1 1800 Relief Board of Trustees meeting
- Feb 1 1830 1st Wed Drill , Monthly meeting

See General Members meeting minutes

Meeting Adjourned at: 21:21

Followup note (Rog)

Fire Department received \$1,000 check from Paradigm Liaison Services.

Regional winner for Rog attending 2021 Pipeline and Safety Awareness virtual class.

Motion made to pay up to \$150 for charging computers on trucks by JJ.

Second by Jim

Motion Carries.

Motion made to approve Points Report by: Russ

Seconded By: Rog

Motion Carries.

Motion to adjourn by: Russ

Seconded By: Jim

Motion Carries.

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION 2023-07

**A RESOLUTION ACCEPTING DONATION
TO MANTORVILLE FIRE AND RESCUE**

WHEREAS, the below listed individual/business has donated to Mantorville Fire and Rescue:

MNCAER PIPELINE ASSOCIATION has generously donated \$1,000.00 to Mantorville Fire and Rescue. The Department was selected as a regional winner during the 2021 virtual Pipeline Safety & Awareness Program.

NOW THEREFORE BE IT RESOLVED, that Mayor Chuck Bradford and the Mantorville City Council accept this donation and express their sincere appreciation and thanks on behalf of the City of Mantorville and Mantorville Fire and Rescue and all of the communities they serve.

Adopted by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer



December 2022

Congratulations! Your agency was selected as a regional winner of \$1,000 from the MNCAER Pipeline Association for your attendance during the 2021 virtual Pipeline Safety & Awareness Program. Our apologies in advance for the delay in distributing these funds. The temporary transition from in-person meetings to virtual interrupted some established production processes. We truly appreciate your attendance and participation in our annual MNCAER Association and Paradigm Liaison Programs.

We would like to share your accomplishment on the MNCAER website for association members to recognize your award. If you are willing and able, please send us a photo (using your phone or camera) of you and your award for us to post online. You can send the photos via email to Shawn Leeth at Paradigm (shawnl@pdigm.com) or by cell phone (316) 617-4162.

On behalf of MNCAER association member operators, we thank you for your support! We look forward to seeing you again in 2023!

Sincerely,

Shawn Leeth
Public Awareness Consultant
Paradigm Liaison Services



877.477.1162



pdigm.com



222 S Ridge Road
Wichita, KS 67209

City **Mantorville**
 Date **12/1/2022** thru **12/31/2022**

<u>Agency</u>	<u>Incident_Nr</u>	<u>Location</u>	<u>LocCity</u>	<u>Activity</u>
S	202200008848	910 Adams St	Mantorville	Ambulance Run
S	202200008862	511 Blanch St	Mantorville	Vandalism/mailbox
S	202200008926	320 Main St N	Mantorville	Alarm
S	202200008933	48 Clover St	Mantorville	Weapons Offense
S	202200008942	611 East St	Mantorville	Residence/business Ck
S	202200008956	321 Main St N	Mantorville	Juvenile Complaint
S	202200009003	21 Cr 21	Mantorville	Restricted DI Violati
S	202200009075	15 5th St E	Mantorville	Snow Removal
S	202200009077	16 5th St W	Mantorville	Snow Removal
S	202200009078	415 West St	Mantorville	Snow Removal
S	202200009081	901 Walnut St	Mantorville	Snow Removal
S	202200009091	314 6th St W	Mantorville	Other Complaint
S	202200009196	22 6th St E	Mantorville	Paper Service
S	202200009221	904 Clay St	Mantorville	Abandoned Vehicle
S	202200009222	22 6th St E	Mantorville	Mental Case
S	202200009225	22 6th St E	Mantorville	Miscellaneous
S	202200009249	415 Main St N	Mantorville	Suspicious Activity
S	202200009254	706 West St	Mantorville	Ambulance Run
S	202200009274	5 5th St W	Mantorville	Snow Removal
S	202200009277	5 5th St W	Mantorville	Snow Removal
S	202200009278	16 5th St W	Mantorville	Snow Removal
S	202200009279	602 Clay St	Mantorville	Snow Removal
S	202200009280	401 West St	Mantorville	Snow Removal
S	202200009331	22 6th St E	Mantorville	Terroristic Threats
S	202200009341	22 6th St E	Mantorville	Warrants- Out of Co.
S	202200009370	502 Main St N	Mantorville	Welfare Check
S	202200009386	5 5th St W	Mantorville	Found Property
S	202200009404	611 East St	Mantorville	Residence/business Ck
S	202200009449	620 Walnut St	Mantorville	Domestic
S	202200009479	910 Adams St	Mantorville	Ambulance Run
S	202200009494	501 Clay St	Mantorville	9-1-1 Hang Up Call
S	202200009629	901 Chestnut St	Mantorville	Disturbance
S	202200009647	910 Adams St	Mantorville	Ambulance Run
S	202200009736	22 6th St E	Mantorville	Civil

Total

34



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Ordinance Amending Master Fee Schedule

BACKGROUND INFORMATION:

Enclosed for Council review is the 2023 Master Fee Schedule. The Fire Department reviewed their fees and have made changes as indicated. There are no other changes at this time. Chief Harbaugh will be attending tonight's meeting if Council has any questions.

STAFF RECOMMENDATION:

Based on discussion, motion to approve:

- Ordinance No. 2023-01, Adopting the City of Mantorville Master Fee Schedule for 2023
- Resolution No. 2023-06, Authorizing Publication of Ordinance No. 2023-01 by Title and Summary

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

ORDINANCE NO. 2023-01

**AN ORDINANCE ADOPTING THE CITY OF MANTORVILLE
MASTER FEE SCHEDULE FOR 2023**

The City Council of the City of Mantorville, Minnesota, hereby ordains:

Section 1. The City of Mantorville Master Fee Schedule, which was adopted pursuant to Mantorville City Code, Section 32.02 and is contained in Exhibit A to the Mantorville City Code, is hereby amended by replacing it in its entirety with the attached Exhibit A entitled, “Exhibit A City of Mantorville 2023 Master Fee Schedule; and

Section 2. This ordinance shall be in full force and effect upon its passage and publication.

Passed by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer

EXHIBIT A
CITY OF MANTORVILLE
20223 MASTER FEE SCHEDULE

Fees shall be hereby established. In the event of a conflict, this Fee Schedule shall prevail:

ADMINISTRATIVE FEES:

Copies	25¢ per page black and white; (10¢ if paper furnished) 40¢ double-sided \$1.00 per page, color
NSF/Closed Account/Stop Payment	\$30.00 per check
Copy of Council Meeting recording (disk)	\$5.00 per disk
Duplicate License/Permit (any type)	\$10.00
Mileage Reimbursement	@ IRS allowed rate
Maps	\$1.00 black and white \$2.00 color
Assessment Search	\$30.00
Copy of City Code	\$65.00 - Binder \$50.00 - Non-binder
Affidavit of Candidacy Filing Fee	\$2.00
Open Records/Public Information Request	\$15.00 per hour
Document Recording	\$50.00
Mowing/Yard Cleanup/Other	\$100 per hour with a 1 hour minimum

BUILDING PERMIT FEES:

Administrative Fee	\$75.00 (not applied to flat fee permits)
Building Permit	30% of 1997 UBC rates
Plan Check Fee	65% of building permit fee
State Surcharge	.0005 of valuation
Commercial Reshingle	Contact CMS to determine, if flat fee
Door Replacement-Entire Frame-Unlimited	\$105.00
Flat Fee Permits: Reroof, reside, replace water heater, replace furnace, add fireplace, etc.	\$55.00
Mechanical Permit	\$55.00
Plumbing Permit	\$55.00
Window Replacement (Unlimited)-Entire Frame	\$105.00 (if vinyl inserts replacement - No Permit)
Ingress Windows - Flat Fee	Egress Windows - NOT FLAT FEE

Reissue of Expired Permit	Equal to original permit fee
Failure to Obtain Building Permit	\$150.00 or a sum equal to two times the building permit fee applicable to the project, whichever is greater

LAND USE FEES:

An additional fee of up to two (2) hours of consultant time may be added to land use applications. See specific application for consultant costs. Consultant time beyond two (2) hours will be discussed with the Applicant prior to the City proceeding with the application.	
Preliminary Plat	\$350.00 + \$1.00/lot
Final Plat	\$150.00
Minor Subdivision	\$200.00 (less than 3 lots)
Variance	\$250.00
Rezone	\$250.00
Conditional Use Permit	\$250.00
Parkland Dedication	\$100.00 per lot
Annexation	\$300.00 + all associated costs
Appeal	\$150.00
Metes & Bounds Lot Split	\$250.00

UTILITIES:	
Water/Sewer Accessibility Charge to Developers	
Water (WAC)	\$1,000.00 per developable acre
Sewer (SAC)	\$2,000.00 per developable acre
Connection Fee for Residential and Commercial Construction	
Water	\$614.00 per building
Sewer	\$2,639.00 per building
2022 Utility Rates	
Water Base	\$18.75
Water per Thousand Gallons	\$ 4.66
Sewer Base	\$34.74
Sewer per Thousand Gallons Water	\$ 8.20
Water Shut Off/Reconnection	\$100.00
<i>**Residents that leave for the winter months and request their water to be shut-off at the curb will be charged the \$100 fee when the water is turned back on. Monthly Base fees are not charged when the water is shut off at the curb.</i>	
STORM WATER	
Residential – Less than 2 Acres	\$3.00 per month
Residential – More than 2 Acres	\$4.00 per month

Non-Residential	\$15.00 per acre with a \$5.00 minimum charge
Sump Pump Violations	\$100.00 per day of non-compliance
FAILURE TO INSTALL A WATER METER	\$50.00 per month, in addition to regular utility charges
Outside Water Meter/Meter Replace	\$300.00
MDH Fee (set by State)	\$.81 per month
UB Late Fee	20% of outstanding current month bill
Bulk Water Rate	\$10.00 per thousand gallons + Water Base Fee

LICENSE & PERMIT FEES:

Alcoholic Beverages – Set by State Statute	
3.2% Malt Liquor On Sale	\$200.00
3.2% Malt Liquor Off Sale	\$100.00
Consumption & Display	\$250.00 (check made out to State of Minnesota)
Intoxicating On Sale	\$2,500.00
Intoxicating Off Sale	\$100.00
Club On Sale	\$100.00
Sunday Intoxicating On Sale	\$200.00
Wine On Sale	\$500.00
Investigation	Associated Costs
Temporary Liquor	\$25.00 per day
Mantorville Brewery	\$142.00
Mechanical Amusement Devices	\$50.00 (1-4 devices); \$15.00 each additional
Dog License	
Lifetime License	\$25.00
Replacement Tag	\$5.00
Dog Impound Fees 2022	See attached impound form
Kennel License	\$150.00; Renewal N/C
Chicken Permit	\$25.00; Renewal N/C
Garbage Haulers Permit	\$500.00 annually
Fireworks Display	\$25.00 each show
Peddlers/Solicitor	
Per day, per applicant	\$10.00
Background Investigation	\$100.00
Excavation Permit (right-of-way)	\$30.00

Water/Sewer Contractor Permit	\$30.00 (Contractor's License to do work)
Bond Amount	\$25,000.00 (copy of State required bond)
Park Shelter Reservation	\$30.00 per day
Permanent Sign Permit	\$50.00 + any required Building Permit
Rental Property License	\$25.00 each dwelling containing less than 4 units; \$30.00 each dwelling for 4 to 8 units; \$3.50 per day (up to 20 days) for failure to renew license
Golf Cart Permit	\$5.00 (handicapped)

**MANTORVILLE FIRE DEPARTMENT
2023 BILLING RATES**

	Cost
Fire (e.g., Structure, Grass, Vehicle, etc.) - First two hours	\$500 <u>750.00</u>
Hours beyond first two hours	\$150 <u>250.00</u> per hour
Incident where major equipment and manpower used	\$500 <u>750.00</u>
Hours beyond first two hours	\$150 <u>250.00</u> per hour
Request for Assistance (minimal or no equipment used)	\$250.00 per hour
Request for Assistance (cancelled before arrival)	NO CHARGE
Alarm Investigation (e.g., carbon monoxide, smoke/odor)	\$250 <u>500.00</u>
False House Alarm System Triggered (investigate)	\$250 <u>500.00</u>
False House Alarm System Triggered (cancelled before arrival)	NO CHARGE
Hazardous Material Spill (e.g., fuel spill, etc.)	\$250 <u>500.00</u>
Motor Vehicle Accident (<u>per vehicle involved</u>)	\$500 <u>750.00</u>
First Responder Only Request	NO CHARGE
<u>Charge for Foam</u>	<u>\$250.00 per 5 gallons</u>

**** Multiple vehicles involved – total bill divided among all vehicles**

Direct Expense Additions

~~Replacement Cost for Foam~~

Mutual Aid Bills from Other Fire Departments
(typically fuel, foam)

Mutual Aid Provided to Other Departments --- cost of fuel and foam

Travel time is not included in any billing hours.

202~~2~~3 CAMPSITE FEE SCHEDULE
WATER – SEWER – ELECTRIC
SITES 1 – 10

All fees listed include required State tax

1 NIGHT	\$30.00
2 NIGHTS	\$60.00
3 NIGHTS	\$90.00
4 NIGHTS	\$120.00
5 NIGHTS	\$150.00
6 NIGHTS	\$180.00
WEEKLY	\$210.00
MONTHLY	\$840.00

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION NO. 2023-06

**RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 2023-01 BY TITLE AND SUMMARY**

WHEREAS, the City Council of the City of Mantorville has adopted Ordinance No. 2023-01, An Ordinance Adopting the 2023 Master Fee Schedule, Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mantorville that City Staff shall cause the following summary of Ordinance No. 2023-01 to be published in the official newspaper in lieu of the ordinance in its entirety:

Public Notice

The City Council of the City of Mantorville has adopted Ordinance No. 2023-01, an ordinance adopting the 2023 Master Fee Schedule, Exhibit A. The ordinance amends fees charged by the Mantorville Fire Department for 2023. The full text of the ordinance is available at City Hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Mantorville that the City Clerk keep a copy of the ordinance in their office at City Hall for public inspection and that they post a full copy of the ordinance in a public place within the city.

Adopted by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Re-Assessment Charges for 408 West Street

BACKGROUND INFORMATION:

On May 23, 2022, Mike Boelster addressed the City Council regarding the sale of the empty lot at 408 West Street and the City's assessment charges against it. A Special Work Session was scheduled to discuss the sale of this lot and whether any change to the assessment amount would be made and, if so, before or after purchase of the lot.

At the May 31st Special Work Session, Council discussed the City's option of re-assessing charges of \$28,792 for costs the City incurred for demolition and cleanup of the property. A motion to leave the assessment charges at \$28,792.59 did not pass (motioned by Keller, seconded by Hoaglund; vote: 2 ayes / 2 nays – Kinney and Bradford voted against; Ingalls absent). Minutes of May 31, 2022 are attached for review.

At their September 12th City Council meeting, a motion was made to reduce the charges by \$2,000.00 (vote: 4 ayes / 1 nay; Kinney voted against), and Council adopted Resolution No. 2022-38, Approving the Re-Assessment of Charges in Relation to 408 West Street, at an amount of \$26,792.59. Minutes of September 12, 2022 are attached for review. According to the County Auditor, \$26,792.59 was paid in full in September 2022.

On December 12, 2022, Mike Boelster approached the City Council, asking if they would entertain the idea of reducing the amount further for the young couple that purchased this lot and are building a home. Council discussion included gathering feedback from the citizens of Mantorville. A public hearing was scheduled for this evening. Notice was published in the Dodge County Independent and on the City's website and Facebook page requesting public comment at tonight's public hearing.

STAFF RECOMMENDATION:

Based on discussion.

ATTACHMENTS:

- May 31, 2022 Special Work Session Minutes
- September 12, 2022 City Council Minutes
- Resolution No. 2022-38 Approving the Re-Assessment of Charges in Relation to 408 West Street, City of Mantorville, Dodge County, Minnesota, PID 25.100.0160
- December 12, 2022 City Council Minutes (included in packet under Consent Agenda)

**City of Mantorville
Special City Council Minutes
May 31, 2022**

1. Call to Order

Mayor Bradford called the meeting to order at 6:00 p.m.

Present: Mayor Chuck Bradford
Councilmembers Lyle Hoaglund,
Kent Keller and Bill Kinney

Absent: Councilmember Jeffrey Ingalls

Others Present: City Clerk-Treasurer Shirley Buecksler
Public Works Lead Joe Adams
City Engineer Tim Hruska, WHKS

2. Pledge of Allegiance

Everyone stood and recited the Pledge of Allegiance.

3. Changes to the Agenda

Council approved the agenda, as presented.

9. Old Business/New Business

A. Discussion Regarding Special Assessments on Lot Located at 408 West Street

This lot is up for auction from Dodge County. The County discussed lowering their price. The City has the option of re-assessing \$28,792.00.

Discussion included:

- Is it too early to do anything?
- Do we take “x” amount off of our assessment?
- Do we wait to see the sale price versus market value?
- Do we need to recoup all of our expenses?
- A potential buyer knows what we have into it, which is real taxpayer’s money. Want to see a figure from the potential buyer.
- Councilmember Kinney recommended reducing it to get it back on the tax rolls and give this potential buyer an answer to move forward.
- Mayor Bradford agreed. Should we get it to market value?
- Lynette Nash agreed. The buyer would not pay above fair market value. Could state that the City won’t ask for assessments beyond total cost.
- Realtor John Buckingham estimated the lot value at \$35,000.
- Mayor Bradford thinks the City is best served to increase the value of that property over the long run and get it build on soon. Likes the market value approach; for

instance, within 115% of fair market value, we would do what we can on discounting our assessment to get it there.

- Lynette Nash said it could be valued at \$35,000 to \$40,000.
- Mayor Bradford said we have an expert opinion from John Buckingham.
- Mike Bolster asked if the City would settle for half?

Motion was made by Councilmember Keller and seconded by Councilmember Hoaglund to leave the assessment at the current price of \$28,792.00.

Vote: 2 ayes / 2 nays – Councilmember Kinney and Mayor Bradford voted against. Councilmember Ingalls was absent. Motion did not pass.

B. Street Project Evaluation

Mayor Bradford said he has reviewed with the City Attorney and City Engineer. Drainage is as it should be, per our legal counsel. DeCook came out – they looked at it and said there are two options:

- 1) Overseed and fertilize
- 2) Scrape all up and bring in fill and reseed.

He may have mentioned sod, but we have had better success with seed on projects. He also suggested getting bore samples. Need a sub-surface sample. Waiting for results and then we will have more information on what to do going forward.

Councilmember Keller discussed PH balances, which should be below seven for most plants. 5.8 to 6.5 is optimum for grass. He provided his findings of samples he took in different areas. Netting, rocks and hard soil. PH lowest was 7.4 and highest was 8.2. Not optimum for grass growth. There was a question at the last meeting about adding lime, but that would raise the PH. Netting is in there because there are two different ways of making sod. Netting holds it together when there are not enough roots. It's not bad, just why it's there. It's very difficult to bring the PH back down.

Mayor Bradford reached out to Elcor Construction, who shared the same comments. An email from Elcor Construction was read by Mayor Bradford: *"Hello Mayor, I visited with Nagel sod regarding Mantorville sod. Her advice is as follows: Overseed with Kentucky bluegrass at 100 lbs/acre. Fertilize with 19-19 fertilizer. Water seeded areas. Do not mow too low in dry conditions. If using a lawn spray service, do not reseed until 2 months after spraying. Thanks, Matt Smith, Vice President."* Mayor Bradford did not share the PH findings when he spoke with him.

Joe Adams took samples in on Friday. Expect five days for results.

Mayor Bradford asked if we did overseed; Joe Adams said yes, two weeks ago.

Mayor Bradford said we went out last week and looked at the area. Thinks something is not quite right that needs to be identified and resolved.

City Engineer Hruska said we sodded because of Marigold Days but we usually seed. After Marigold Days, there was no damage. Don't recall any issues during the summer of 2020 but there were issues in 2021. The drought of 2021 brought that to fruition. It

was overseeded last fall and this spring. Wait for the test results for the best alternative to move forward.

Councilmember Keller said the overseeding this year didn't take right away. But later, a lot of it was taking. We added topsoil that will help it take root and grow. But the nutrients will stay below, they won't go up (in theory).

Cost estimates for:

- 1) Seed and fertilizer – already done
- 2) Complete redo – DeCook estimate and others needed
- 3) WHKS – put together information on Nash's property. Hruska said \$18,000 to \$20,000 to put in a culvert, intake near alley driveway and turf establishment.

Discussion continued with comments from citizens regarding ditches, sod, grass, and water run-off to the river.

The following citizens addressed the Council:

- Karen Steele – the park used to be the City dump.
- John Olson – steep ditch east of Nash's property
- Virgil Andrist – contacted the Department of Natural Resources and the Minnesota Pollution Control Agency regarding the pipe that leads into the river.

Mayor Bradford talked with the DNR and the City Attorney.

City Engineer Hruska said there were some exceptions but we will be getting that permit.

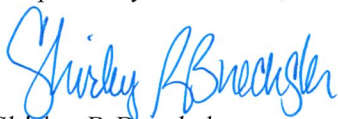
- Jim Potter
- Resident at 201 3rd Street West
- Bill Reding
- Lynette Nash, 302 West Street – it is now within five feet of my house and I could go after the City. If anything effects a property or property value, land owners should be contacted.

Mayor Bradford said we will bring updated information for further discussion to the June 13, 2022 City Council Meeting.

10. Adjourn

Mayor Bradford declared the meeting adjourned at 7:09 p.m.

Respectfully Submitted,



Shirley R Buecksler
City Clerk-Treasurer

**City of Mantorville
City Council Minutes
September 12, 2022**

1. Call to Order

Mayor Bradford called the meeting to order at 6:30 p.m.

Present: Mayor Chuck Bradford
Councilmembers Lyle Hoaglund,
Jeffrey Ingalls, Kent Keller (attended remotely
via phone), and Bill Kinney

Absent: None

Others Present: City Clerk-Treasurer Shirley Buecksler
Public Works Lead Joe Adams
Public Works Wade Schroeder

2. Pledge of Allegiance

Everyone stood and recited the Pledge of Allegiance.

3. Changes to the Agenda

Council approved the agenda, as presented.

Vote: 5 ayes / 0 nays. Motion carried.

4. Consent Agenda

- A. Regular City Council Meeting Minutes of August 29, 2022
- B. Accounts Payable Claims List for September 12, 2022

Motion was made by Councilmember Hoaglund and seconded by Councilmember Ingalls to approve the Consent Agenda, as presented.

Vote: 5 ayes / 0 nays. Motion carried.

5. Proclamations, Presentations and Recognitions

There were no proclamations, presentations or recognitions.

6. Public Safety Update

- A. Mantorville Fire Department
 - General Meeting Minutes of September 7, 2022

- Hiring of New Firefighter Scott Stockinger

Mantorville Fire and Rescue approved hiring Scott Stockinger at their General Members Meeting on September 7, 2022.

Motion was made by Councilmember Hoaglund and seconded by Councilmember Ingalls to approve the hiring of Scott Stockinger with Mantorville Fire and Rescue.

Vote: 5 ayes / 0 nays. Motion carried.

7. Public Concerns

The following citizen(s) addressed the Council:

- A question was raised about the charge of \$723.80 to WHKS. City Clerk Buecksler clarified that this charge is for 2022 Street Improvements, not the 3rd Street project.

8. Old Business/New Business

A. Assessment Charges for 408 West Street; Resolution No. 2022-38

Motion was made by Councilmember Hoaglund and seconded by Councilmember Ingalls to adopt Resolution No. 2022-38 Approving the Re-Assessment of Charges in Relation to 408 West Street, City of Mantorville, Dodge County, Minnesota, PID 25.100.0160.

Vote: 4 ayes / 1 nays – Councilmember Kinney voted against. Motion carried.

B. Gambling Premises Permit Application from KM Snowdrifters to Conduct Lawful Gambling at 509 Main Street North; Resolution No. 2022-39

Council discussed the gambling permit application from KM Snowdrifters and gambling permits, in general. Council would like applicants to attend the meeting to answer any questions from Council.

Motion was made by Councilmember Hoaglund and seconded by Councilmember Kinney to table this item until Council has more information on dates and gambling activity.

Vote: 5 ayes / 0 nays. Motion carried.

9. Reports

A. Public Works Report

- 1) A pre-construction meeting was held today regarding the 2022 Street Improvements project. The project will be starting this week, and neighbors will be notified door-to-door. The project is estimated to be complete in four weeks. No roads are anticipated to be closed, but there may be closures at intersections. The contractor will work with everyone. This is mostly mill and overlay.

- 2) Marigold Days went well with no issues. Thank you to everyone who helped clean up. Councilmember Hoaglund said the Marigold Days Committee wanted to thank Public Works Staff for all their hard work.

B. City Clerk Report
No report.

C. Consultant Report
No report.

D. Committee Reports

- 1) Chamber
- 2) Economic Development Authority
 - The EDA received an update from John Olive on the brewery restoration. They are getting some volunteer work from the Boy Scouts. The EDA was introduced to Alexandria Slocum from CEDA, who will be replacing Laura Qualey. Alexandria talked with them about grants, and she seems very enthusiastic and capable of doing the job.
- 3) Finance/Budget
- 4) Fire Department
- 5) Infrastructure
- 6) Kasson Mantorville Joint Powers
- 7) Mantorville Restoration Association
 - Meeting tomorrow night.
- 8) Park Board
 - The Park Board talked about the 2023 budget. Seeking permission to plant a tree (Japanese Lilac) in the campground in honor of Shelly Jensen-Germundson. This tree was donated with private funds, not from City or Park Board funds.

Motion was made by Councilmember Kinney and seconded by Councilmember Ingalls to approve the planting of a Japanese Lilac in the campground in honor of Shelly Jensen-Germundson.

Vote: 5 ayes / 0 nays. Motion carried.

- Martha Vrieze is interested in joining the Park Board.

Motion was made by Councilmember Hoaglund and seconded by Councilmember Kinney to approve the appointment of Martha Vrieze to the Parks and Recreation Committee, pending submission of the City application.

Vote: 5 ayes / 0 nays. Motion carried.

- 9) Personnel
- 10) Fire Relief
- 11) Township

E. Councilmember Reports

Councilmember Kinney

- 1) Stated that the grass at Walnut Street/3rd Street/Clay Street is growing nicely. Our last two rains have not caused any significant erosion along there. Interested if anyone in the audience that lives in this area has any residual concerns about the project. Other than those in the audience who shook their heads no, there was no response from the audience.
- 2) Asked about the ruts at Walnut and 3rd Streets. Is that to be taken care of by the City or a resident? Someone in the audience stated that this was done by a garbage truck.
- 3) Stated that the Park Board had a presentation on the potential review of the dam, and he encouraged members to think about asking Mark Gamm to come in and make a presentation for Council. This is for getting the evaluation, not for doing anything, but information never hurts. Since there is apparently a no cost offer by the Department of Natural Resources (DNR), we should take advantage of this, regardless of what we want to do with the dam.
 - Mayor Bradford said the ball is in their court and they were going to touch base with the City Clerk to get on the schedule.

Councilmember Kinney

- 1) Received more informal conversation that they are not in favor of potential things to be drawn up regarding the dam. They were very adamant of not taking the dam out.

Councilmember Hoaglund

- 1) The Mantorville Restoration Association (MRA) will be meeting tomorrow night to secure a gambling site at El Patron Café in Kasson. There should be no problem meeting the City of Kasson's gambling ordinance because the MRA already donates a lot. The MRA is making efforts to be more transparent. The public is welcome to join the meeting tomorrow night at the Opera House.

Discussion on this item included:

- Is there a report of where the funds go to? Councilmember Hoaglund said a list was published in the Dodge County Independent newspaper.
- Could it be posted on the website? Councilmember Hoaglund said he will bring this up at the meeting.

Mayor Bradford said the MRA did another fantastic job with Marigold Days. He also received many positive comments regarding clearing up of the brewery. It is really illuminating one of our past structures and maintaining Mantorville's history. Well done.

F. Mayor's Report

- 1) Great job by the Mantorville Restoration Association for Marigold Days – all events went well.

10. Adjourn

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to adjourn the meeting at 6:58 p.m.

Vote: 5 ayes / 0 nays. Meeting adjourned.

Respectfully Submitted,



Shirley R. Bucksler
City Clerk-Treasurer

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION 2022-38

**A RESOLUTION APPROVING THE RE-ASSESSMENT
OF CHARGES IN RELATION TO 408 WEST STREET,
CITY OF MANTORVILLE, DODGE COUNTY, MINNESOTA, PID 25.100.0160**

WHEREAS, the City of Mantorville (“City”) incurred charges in relation to the demolition, cleanup, and forfeiture of 408 West Street, Mantorville; and

WHEREAS, the legal description of this property is:

Original Plat Lot 2 & South 8 Feet of Lot 3 North 10 Feet of Lot 1 Block 2, City of Mantorville, Dodge County, Minnesota (the “Property”); and

WHEREAS, in 2016, the City incurred charges in the amount of \$24,902.00 for demolition of the property and, in 2017, cleanup costs in the amount of \$3,890.59, for a total of \$28,792.59; and

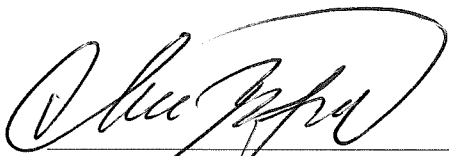
WHEREAS, the Property was forfeited in 2019 to Dodge County and offered at public sale; and

WHEREAS, Mike Bolster and Ben Bolster (“Property Owners”) requested that the City reduce the assessment fees, of which a reduction in the amount of \$2,000.00 was approved by City Council on June 13, 2022 for a final assessment amount of \$26,792.59.

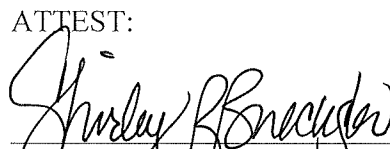
NOW, THEREFORE, BE IT RESOLVED, that the Mantorville City Council hereby approves the re-assessment of charges totaling \$26,792.59 against the property located at 408 West Street, Mantorville, Minnesota.

BE IT FINALLY RESOLVED, that the City Clerk-Treasurer is hereby authorized and directed to record this resolution in the office of the Dodge County Recorder.

Adopted by the City Council of the City of Mantorville, Minnesota, this 12th day of September 2022.



Chuck Bradford
Mayor

ATTEST:


Shirley R Bueckler
City Clerk-Treasurer



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Ordinance Amending Section 50.03 of the City Code of Ordinances Regarding Delinquent Utility Accounts

BACKGROUND INFORMATION:

Attached for Council review is an ordinance drafted by the City Attorney related to delinquent utility bills that is intended to do three things:

1. Remove any authority to turn off water during the winter months;
2. Clarify the process for shut-offs during non-winter months but only if they are 3+ months delinquent or \$300.00+ delinquent; and
3. Incorporate a process for certifying delinquent accounts to the County Auditor for collection with property taxes.

Enclosed for Council review is Ordinance No. 2023-02. If the ordinance is passed, a resolution is also enclosed authorizing Staff to publish a summary of Ordinance No. 2023-02 in lieu of the ordinance in its entirety.

STAFF RECOMMENDATION:

Based on discussion, motion to approve:

- Ordinance No. 2023-02, An Ordinance Amending Section 50.03 of the Code of Ordinances of the City of Mantorville Regarding Delinquent Utility Accounts
- Resolution No. 2023-04, Authorizing Publication of Ordinance No. 2023-02 by Title and Summary

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

ORDINANCE NO. 2023-02

**AN ORDINANCE AMENDING SECTION 50.03 OF THE CODE
OF ORDINANCES OF THE CITY OF MANTORVILLE
REGARDING DELINQUENT UTILITY ACCOUNTS**

THE CITY COUNCIL OF THE CITY OF MANTORVILLE, MINNESOTA, HEREBY ORDAINS:

Section 1. Chapter 50, Section 50.03(F) of the Mantorville City Code is hereby amended by adding the double-underlined material and deleting the ~~stricken~~ material as follows:

(F) *Shut off for nonpayment.*

~~(1) — *Shut off for nonpayment between October 15 and April 15.* The city Maintenance Department shall not disconnect the utility service of a residential customer if the disconnection affects the primary heat source for the residential unit when the following conditions are met:~~

- ~~(a) — The disconnection would occur during the period between October 15 and April 15;~~
- ~~(b) — The customer has declared inability to pay using forms provided by the city;~~
- ~~(c) — The household income of the customer is less than 185% of the federal poverty level, as documented by the customer; and~~
- ~~(d) — The customer's account is current for the billing period immediately prior to October 15 or the customer has entered into a payment schedule agreement and is reasonably current with payments under the schedule.~~

~~(2) — *Notification.* The city shall annually notify all residential customers and property owners of the provisions of division (1) above. Additionally, all affected property owners shall be notified if shut off for non payment is contemplated.~~

~~(3) — *Notice to residential customers facing disconnection.* Before disconnecting service to a residential customer during the period between October 15 and April 15, the city's administration office shall provide the following information to the customer:~~

- ~~(a) — A notice of proposed disconnection and date of the same;~~
- ~~(b) — A statement explaining the customer's rights and responsibilities;~~
- ~~(c) — A list of local energy assistance providers;~~

~~(d) — A form on which to declare inability to pay; and~~

~~(e) — A statement explaining available time payment plans and other opportunities to secure continued utility service.~~

~~(4) — Restrictions if disconnection is necessary.~~

~~(a) — If the service of a residential customer must be involuntarily disconnected between October 15 and April 15 for failure to comply with the provisions of division (1), the disconnection must not occur on a Friday or on the day before a holiday. Further, the disconnection must not occur until at least 20 days after the notice required in division (2) has been mailed to the customer or, in the alternative, 15 days after the notice has been personally delivered to the customer.~~

~~(b) — If prior to disconnection a customer appeals a notice of involuntary disconnection, the city maintenance department must not disconnect until the appeal is resolved.~~

~~(5)(1) Shut off for nonpayment between April 16 and October 14. If an account becomes delinquent during the period between April 16 and October 14 any utility account has been delinquent for more than 90 days or any delinquent amount exceeds \$300, and satisfactory arrangements for payment have not been made, the city maintenance department may, after the procedural requirements of division ~~(6)~~ (2) below have been complied with, discontinue service to the delinquent customer by shutting off the water at the stop box. When water service to any premises has been discontinued, a reconnection fee of \$50 will be added to the account balance. Service shall not be restored except upon the payment of all delinquent amounts and the reconnection fee. When an account becomes delinquent due to a returned check, the account will be charged a NSF fee of \$30. If that account becomes disconnected, cash only will be accepted for payment of the outstanding balance and reconnect fee.~~

~~(6)(2) For any utility bill not paid by the due date given If any utility account has been delinquent for more than 90 days or any delinquent amount exceeds \$300, a second bill will be mailed containing a cut off notice may be mailed to the account holder indicating that a failure to pay past due amounts will result in disconnection of the account holder's water service. The cut off notice shall include the following information:~~

~~(a) notice that the account is significantly delinquent (more than 90 days or in excess of \$300);~~

~~(b) the total delinquent amount due on the account and instructions for how to make payment;~~

~~(c) the right to dispute the amount due or disconnection at a hearing before the City Council, which can be requested by contacting the City Clerk no later than 10 days from the date of mailing; and~~

- (d) if the delinquent balance is not paid in full within 10 days or otherwise successfully disputed, the water service to the property will be disconnected.

~~If the bill past due amount is not paid within 10 days of the mailing date and the customer does not otherwise successfully dispute the matter before the City Council, service will be discontinued for nonpayment. Water service will not be discontinued between October 15 and April 15. Any customer disputing the correctness of his or her bill shall have a right to a hearing at which time he or she may be represented in person and by counsel or any other person of his or her choosing and may present orally or in writing his or her complaint and contentions to the City Council. In the event that the City Council finds that the amount owed is correct and no changes will be applied to the account, all amounts outstanding will be due and payable.~~

~~(7)(3) Costs.~~ Any and all costs incurred by digging to locate any shut off valve shall be borne by the property owner. All shut off valves shall be kept readily accessible for service by maintenance personnel. In the event that any concrete or bituminous surface must be removed in order to gain access to any shut off valve, all replacement costs shall be borne by the individual property owner.

~~(8)(4) Violations.~~ Any person who intentionally violates any of the provisions of this section shall be guilty of a misdemeanor as noted in § 10.99 herein.

Section 2. Chapter 50, Section 50.03 of the Mantorville City Code is hereby amended by adding a new subsection (G), which is double-underlined as follows:

(G) Certification of Delinquent Amounts.

(1) Certification authorized. In addition to any other method available to the City for the collection of unpaid accounts, the City may certify water and sewer charges that are considered delinquent as of October 1, plus any duly imposed late fees and penalties, to the county auditor for collection with taxes during the following year. The process for certification is outlined in this subsection (G).

(2) Notice required. Before certifying delinquent amounts, the City shall mail the account holder written notice of its intent to certify the unpaid charges to their property taxes, and such notice shall include the following information:

- (a) notice that the account is delinquent;
- (b) the total delinquent amount due on the account and instructions for how to make payment;
- (c) the right to dispute the amount due or its certification at a hearing before the City Council, which can be requested by contacting the City Clerk no later than 10 days from the date of mailing; and

(d) if the delinquent balance is not paid in full or otherwise successfully disputed, the amount due, including late fees, penalties, and any certification fee, will be certified to the county auditor for collection with the following year's property taxes.

(3) *Certification.* Prior to November 15 of each year, the city council may then adopt a resolution certifying delinquent amounts, including any previously imposed late fees, penalties and any established certification fee, to the county auditor for collection with the following year's property taxes. The resolution will thereafter be transmitted to the county auditor on or before November 30.

Section 3. This ordinance shall be in full force and effect upon its passage and publication.

Passed by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION NO. 2023-04

**RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 2023-02 BY TITLE AND SUMMARY**

WHEREAS, the City Council of the City of Mantorville has adopted Ordinance No. 2023-02, An Ordinance Amending Section 50.03 of the Code of Ordinances of the City of Mantorville Regarding Delinquent Utility Accounts; and

WHEREAS, Minnesota Statutes § 412.191, subdivision 4 allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mantorville that the City Clerk shall cause the following summary of Ordinance No. 2023-02 to be published in the official newspaper in lieu of the ordinance in its entirety:

Public Notice

The City Council of the City of Mantorville has adopted Ordinance No. 2023-02, An Ordinance Amending Section 50.03 of the Code of Ordinances of the City of Mantorville Regarding Delinquent Utility Accounts. The ordinance (i) amends the procedural requirements for shutting off water services for delinquent utility accounts, and (ii) establishes a new procedure for the City to utilize to certify delinquent utility accounts to the county auditor for collection with property taxes. The full text of the ordinance is available at City Hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Mantorville that the City Clerk shall keep a copy of the ordinance in their office at City Hall for public inspection and that they post a full copy of the ordinance in a public place within the city.

Adopted by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

City Council Bylaws, Code of Ethics and Conduct

BACKGROUND INFORMATION:

Council is required to annually review and approve the City Council Bylaws, Code of Ethics and Conduct, attached here for review.

STAFF RECOMMENDATION:

Based on motion, approval of City Council Bylaws, Code of Ethics and Conduct, as presented.

MANTORVILLE CITY COUNCIL BYLAWS, CODE OF ETHICS AND CONDUCT

A. REGULAR MEETINGS

Mantorville City Council Meetings are held the 2nd and 4th Mondays of every month at 6:30 pm. Exceptions are if that Monday falls on a holiday and there is not a scheduled meeting the 2nd Monday in December. The Council may cancel any scheduled meeting, however at least one (1) meeting per month must be held.

B. COUNCIL AGENDA

The agenda is generally closed to new material the Wednesday before the Council meeting. Packets for the Councilmembers are prepared and distributed on the Friday Noon before the Council meeting. Additions and deletions or changing items may be made at the beginning of the meeting as decided by the Mayor or by motion from the Council, if necessary.

C. COUNCIL PREPARATION

It is the expectation that each Councilmember read the agenda and accompanied materials before the commencement of each meeting.

D. ORDER

To accommodate persons waiting to be heard, the Mayor and Council may vary the agenda order; however, public hearings shall be heard no earlier than the time specified on the public hearing notice.

E. ORDER OF BUSINESS

1. Call to Order
2. Pledge of Allegiance
3. Adopt the Agenda
4. Consent Agenda
5. Proclamations, Presentations and Recognitions (if scheduled)
6. Public Concerns
7. Public Safety Update
8. Public Hearings (if scheduled)
9. Old Business/New Business
10. Tabled Items
11. Reports
 - a. Public Works Report
 - b. City Clerk Report
 - c. Consultant Report
 - d. Committee Reports
 - e. Councilmember Reports
 - f. Mayor's Report
12. Executive Session (if scheduled)
13. Adjourn

F. QUORUM

Is present when three (3) of the five (5) Councilmembers are present. Pay attention to State Statute regarding certain situations that require more than a quorum.

G. SEATING OF THE COUNCIL AND CONSULTANTS

Each member or consultant shall have a nameplate. Historically, the arrangement has been decided by the Mayor.

H. SPECIAL MEETINGS AND PUBLIC HEARINGS

Shall be conducted as required by State Laws.

I. POLICIES:

Relating to City Council Meetings rules of procedure and courtesy are as follows:

1. Call to Order – the presiding officer
2. Start on time
3. Rules of debate – All members have equal rights, responsibilities, privileges and obligations to participate.
4. Issues will be handled one at a time.
5. Discussions – One person at a time

J. STUDY/WORK SESSIONS

The City Council will periodically conduct work sessions that are legally considered special meetings if conducted on a night that is not a usual Council meeting. The purpose of these work sessions is to consider issues that merit more in-depth discussion; for example, project planning, budget planning or committee recommendations. These will be scheduled once in the winter and once in the summer.

K. PRESENTATIONS BY APPLICANTS AND PETITIONERS

The Council expects that applicants and petitioners, or their designated representatives, can make their presentations within 15 minutes, not including time for answering questions by the Council. Upon request, the Mayor can extend the time subject to the consent of the Council. Submission of written material in advance is requested. In addition, the Council requests that previously handed out materials not be read in its entirety but, instead, summarized.

L. AGENDA ITEMS OF HIGH PUBLIC INTEREST

If numerous requests are received, the Mayor will inform the Council. The Mayor or presiding officer will determine time limits for each speaker. Groups should choose a spokesperson. Citizens, the Council, staff and consultants should demonstrate proper decorum treating everyone with mutual respect.

M. PROCEDURAL PROCESS FOR PUBLIC HEARINGS

1. Announcement of purpose/goal of the hearing – Mayor
2. Opening of hearing – does not require a motion – Mayor
3. Find out who is here – for or against, take time to have the City Clerk write down all the names of the participants.
4. Time Limits – depending on the size of the group, the Mayor may determine if time limits are necessary.
5. Ask for any documents that either side wants to submit at this time.
6. Explain to all (Mayor) – This is the time when the Council listens to both sides of the issue and it is at this time the Council's role to listen and allow the citizens to speak. The Council should avoid comments at this time. However, periodic questions for clarification may be necessary. Avoid debate.
7. Closing the hearing requires a motion and a vote.

8. Council discussion
9. Council motion and a second
10. Discussion
11. Vote

N. DISAGREE AGREEABLY

No name calling or use of profanity when communicating with fellow Councilmembers, consultants, staff or the public. Conflicts can be an opportunity for growth and new insight for the entire Council.

O. CODE OF ETHICS AND CONDUCT

1. Declaration of Policy – The proper operation of democratic government requires that the public has confidence in the integrity of its government. In recognition of this goal, there is hereby established a Code of Ethics and Conduct for public officials. The purpose of this Code is to establish ethical standards of conduct for all such officials by setting forth these acts or actions that are incompatible with the best interests of the City, and by directing disclosure by such officials of private, financial or other interest in matters affecting the City. The provisions and purpose of this Code and such rules and regulations as may be established are hereby declared to be in the best interest of the City.
2. Minnesota Statutes, Chapter 10A, <https://www.revisor.mn.gov/statutes/?id=10A> Ethics in Government, is incorporated herein by reference. This policy shall be construed and interpreted in consultation with the City Attorney according to Minnesota Statutes and case law.

P. CITY COUNCIL RECOGNITION

1. Commendation and Censure: To the extent allowed by law, the City Council desires to encourage appropriate behavior and discourage inappropriate behavior among its members. The City Council, as a body, by motion and a 4/5ths vote, commend or censure one of its own. If the act involves two members of the Council, a majority vote is required.
2. Commendation: A member may receive public commendation for the exercise of positive leadership, community vision or other actions considered meritorious by the City Council.
3. Censure: A member may receive a public admonishment for failure to conform to any provisions of these bylaws, State Statute, violation of confidentiality or attorney-client privilege, or other acts considered to merit reprimand by the City Council.

Amended and approved by City Council on April 23, 2007

Amended and approved by City Council on January 10, 2022



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Designation of Deputy Mayor for 2023

BACKGROUND INFORMATION:

The appointment of Deputy Mayor is made annually at the City Council's Special Organizational Meeting. Mayor Bradford would like to appoint Councilmember Jeff Ingalls to serve as Deputy Mayor.

STAFF RECOMMENDATION:

Approve appointment of Councilmember Jeff Ingalls to serve as Deputy Mayor for 2023.



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Committee Appointments for 2023

BACKGROUND INFORMATION:

Mayor Bradford has put together his Council committee appointments for 2023, attached here for review and approval.

2023 City Council Committee Assignments

Member	Deputy Mayor	Finance	Budget	Personnel	EDA	Chamber	Fire Dept	Planning	Infrastructure	Joint Powers	MRA	Park Board	Township	COVID-19	COG	Annexation	New Infrastructure	Planning & Zoning	Storm Water	Waste Water	Hwy 57	
Lyle Hoaglund							X	X					X	X	X					X		X
Jeff Ingalls	X	X	X	X	X	X				X	X	B				X	B	X	X	X		
Jessica Bradford							X			X				X						X	X	X
Greg Rud								X					X	X						X	X	X
Chuck Bradford		X	X	X	X	X			X		X					X	X	X	X	X		X

X Primary Member
B Backup for Primary

ASSIGNMENT	DETAILS
DEPUTY MAYOR	Fills in for Mayor, as needed
CHAMBER OF COMMERCE	Meets first Wednesday of the month at the Welcome Center - 8:00 am
EDA (ECONOMIC DEVELOPMENT AUTHORITY)	Meets first Tuesday of the month in Council Chambers - 6:30 pm
FIRE DEPT REPRESENTATIVES	Meets the first Wednesday of the Month in Fire Hall - Training 6:30 pm; Meeting 8:30 pm
KM PARK & REC JOINT POWERS BOARD	Meets quarterly
MRA (MANTORVILLE RESTORATION ASSN)	Meets second Tuesday of the month at Greek Revival Building - 7:00 pm
PARK BOARD	Meets last Tuesday of the month in Council Chambers - 6:30 pm
TOWNSHIP REPRESENTATIVES	Mantorville Township meets the first Monday of each month - 7:30 pm, Mantorville Town Hall
	Milton Township meets the first Tuesday of each month - 7:30 pm, Milton Town Hall
	Wasioja Township meets the second Monday of each month - 1:00 pm (Dec-Mar); 7:00 pm (Apr-Nov), Wasioja Town Hall
COUNCIL OF GOVERNMENTS	Meets once every quarter - 7:00 am, County Seat Coffeehouse, or as scheduled
ALL OTHERS	Meets quarterly, no backup (K-M appointed by Superintendent)



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Designation of Official Depositories for 2023

BACKGROUND INFORMATION:

Each year, Council names the official depositories of City funds for the upcoming year. Attached is a resolution for consideration designating the official City depository and supplemental institutions for investing purposes, which the City currently has, or anticipates having, deposited funds and/or securities.

STAFF RECOMMENDATION:

Based on motion, approve Resolution No. 2023, Designating Official Depositories for the City of Mantorville, Minnesota.

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION NO. 2023-01

**A RESOLUTION DESIGNATING OFFICIAL DEPOSITORIES
FOR THE CITY OF MANTORVILLE, MINNESOTA**

WHEREAS, Minnesota Statute Chapter 118A, specifically 118A.01-118A.08, sets forth the procedures for the deposit of public funds and it is necessary for the Mantorville City Council to designate a bank as the official depositor for City funds and manage the collateral pledged to such funds; and

NOW THEREFORE, BE IT RESOLVED that the Mantorville City Council designates MBT Bank of Mantorville as the official depository for the City of Mantorville and 4M Fund designated as the supplemental depository for investment purposes.

BE IT FURTHER RESOLVED, that before any deposits are made that exceed the amount that is guaranteed by the Federal Deposit Insurance Corporation (FDIC), or if the depository is not an FDIC member, the depository must supply to the City a corporate surety bond in the amount required by law or, in lieu of the surety bond, pledge collateral in the manner and to the extent required and permitted by Minnesota State Chapter 118A.

BE IT FURTHER RESOLVED, that checks of the City drawn on any of the official depositories shall be signed by the following officers:

Chuck Bradford, Mayor
Shirley R Buecksler, City Clerk-Treasurer

BE IT FURTHER RESOLVED, that the Treasurer shall have authority to wire transfer funds from one official depository to another for the purpose of accounts payable and investing City funds; and

BE IT FURTHER RESOLVED, that the Treasurer has the approved authority for the acceptance and release of all collateral to be held in the City in conjunction with City funds on deposit with authorized institutions.

Adopted by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Annual Excess Insurance

BACKGROUND INFORMATION:

As part of the City's insurance renewal, the City Council is asked to determine if excess insurances is needed and if the City should waive the statutory tort limits established by Minnesota Statute 466.04. This helps in determining how much liability coverage the City wishes to purchase.

By not waiving the limit, an individual claimant would be able to recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total that all claimants would be able to recover for a single occurrence to which the limits apply would be \$1,500,000. If it were determined to waive the limits, this would allow for more potential recovery for the claimants.

There are two options to consider if the waiver of tort limits is applied. If the City chose to waive the monetary limits on municipal tort liability, then claimants could recover up to \$2,000,000 on a single occurrence, or more if the City were to purchase excess insurance at a greater level than \$2,000,000 on a single occurrence. Enclosed is the LMCIT Liability Coverage – Waiver Form with language on the options for Council consideration.

STAFF RECOMMENDATION:

Staff recommends that City Council rely upon the statutory limits established by Minnesota Statute 466.04 to limit loss exposure and approve the attached resolution, as presented. The City Attorney is in agreement with this recommendation.

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION NO. 2023-02

**A RESOLUTION APPROVING NON-WAIVER OF
STATUTORY TORT LIABILITY LIMITS**

WHEREAS, the City of Mantorville is renewing the Property and Liability Insurance coverage with the League of Minnesota Cities Insurance Trust (LMCIT); and

WHEREAS, the City's Municipal Tort Liability is covered under Minnesota Statute 466.04, which limits the amount that the City would be obligated to pay out in the event of a claim under which the limit would apply; and

WHEREAS, the City must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased.

NOW THEREFORE, BE IT RESOLVED that the Mantorville City Council does not waive the monetary limits on Municipal Tort Liability established by Minnesota Statute 466.04 for coverage year 2023.

Adopted by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer

LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to pstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name:

Check one:

- The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#).
- The member **WAIVES** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#), to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Appointment of Fiscal Consultant for 2023

BACKGROUND INFORMATION:

The City currently utilizes David Drown Associates, Inc. as its fiscal consultant on matters related to issuance of debt and long-term financial planning. For several years, Mike Bubany of David Drown Associates has helped the City identify financial opportunities and saved the City from additional expenses and interest. A continued relationship with David Drown Associates will assist the City in identifying future opportunities.

STAFF RECOMMENDATION:

Based on discussion, motion to appoint David Drown Associates, Inc as the City's fiscal consultant for 2023.



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Designation of City Consultants for 2023

BACKGROUND INFORMATION:

Enclosed for Council review is Resolution No. 2023-03 Approving City Designations for Consultants for 2023.

2023 Rates for Legal Services:

Kennedy & Graven

General Civil and Prosecution Matters Litigation, General City Development Projects, Real Estate, Cable and Telecommunication Related Matters, and Employment Matters	\$188.00/hour
Reimbursable/Developer Pass Through Matters (e.g., projects for which the City is to be reimbursed for legal costs by a developer)	\$221.50/hour
	\$265.00/hour

Jacobsen Law Firm

Increase from \$110.00/hour to \$120.00/hour – see Exhibit A

STAFF RECOMMENDATION:

By motion, approve Resolution No. 2023-03, Approving City Designations for Consultants for 2023.

ATTACHMENTS:

1. Kennedy & Graven, 2023 Rates for Legal Services
2. Jacobsen Law Firm, Request for Increase for Municipal Prosecution Services

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION NO. 2023-03

**A RESOLUTION APPROVING CITY DESIGNATIONS
FOR CONSULTANTS FOR 2023**

WHEREAS, the City of Mantorville is required to appoint certain designations for consultants and agents at the beginning of each year; and

WHEREAS, designations for 2023 are as follows:

City Attorney	Scott Riggs Kennedy & Graven, Chartered
City Prosecutor	David Jacobsen Hero, Jorstad & Jacobsen
City Engineer	Tim Hruska WHKS & Company
City Auditor	Smith Schafer & Associates
Building Inspector	Construction Management Services (CMS)
City Insurance Agent	Lynn Boynton Insurance Brokers of Minnesota

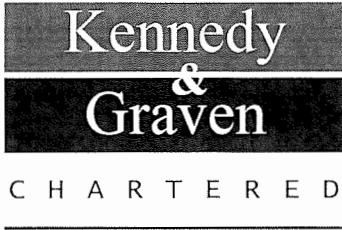
NOW THEREFORE, BE IT RESOLVED that the Mantorville City Council approves the designations for 2023 as listed above.

Adopted by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer



Offices in Fifth Street Towers
150 South Fifth Street, Suite 700
Minneapolis MN 55402-1299
Saint Paul (612) 337-9300 telephone
(612) 337-9310 fax
St. Cloud <http://www.kennedy-graven.com>
Affirmative Action, Equal Opportunity
Employer

SCOTT J. RIGGS
Attorney at Law
Direct Dial (612) 337-9260
email: sriggs@kennedy-graven.com

December 23, 2022

VIA EMAIL

City of Mantorville
c/o Ms. Charli Buecksler
City Clerk-Treasurer
21 5th Street East
Mantorville, MN 55955

RE: 2023 Rates for Legal Services

Dear Honorable Mayor and Council Members:

I am writing to thank you for allowing Kennedy & Graven, Chartered the opportunity to serve as legal counsel for the City of Mantorville and in reference to proposed rates for legal services for the upcoming year.

For 2023, I propose that legal rates for the City of Mantorville would be as follows: \$188.00 per hour for general civil and prosecution matters, \$221.50 per hour for litigation, general city development projects, real estate, cable and telecommunication related matters, and employment matters, and \$265.00 per hour for reimbursable/developer pass through matters (e.g., projects for which the City is to be reimbursed for legal costs by a developer). Rates for bond work would be charged in accordance with our regular governmental rates for this type of work. These are the same rates that I will be generally charging in 2023 to other clients that I serve as the city attorney.

I have thoroughly enjoyed both being involved in the growth and development of the City and working with the city council and staff members. Thank you once again for allowing Kennedy & Graven, Chartered to continue to serve the City as legal counsel.

Sincerely,

KENNEDY & GRAVEN, CHARTERED

A handwritten signature in black ink, appearing to read "Scott J. Riggs". The signature is fluid and cursive, with a small star-like mark above the "i" in "Riggs".

Scott J. Riggs
Mantorville City Attorney

SJR:jms



JACOBSEN
LAW FIRM

January 5, 2023

VIA EMAIL

Honorable Mayor and City Council
City of Mantorville
21 5th St East
Mantorville, MN 55955

RE: Request for Increase for Municipal Prosecution Services

Dear Mr. Mayor and City Council:

Greetings, our firm has served as the municipal prosecuting attorney for the City of Mantorville since 2014. The scope of services provided is as described on Exhibit A attached hereto. As compensation for such services, we have billed the City of Mantorville at an hourly rate of \$110.00 per hour. This amount has not increased over the last few years. Therefore, I respectfully request a modest increase to \$120 per hour. This hourly rate is less than one-half my standard hourly rate for legal services. I submit this amount as a fair and reasonable fee both to my firm and to the City of Mantorville. I welcome the opportunity to evaluate and discuss this amount annually. Even with the increase, we anticipate being at or under our estimate total of \$6,000-\$7,000 annually.

I truly enjoy the working relationship with the City of Mantorville, law enforcement, and others involved in the criminal justice system in Dodge County. I am grateful for the opportunity to continue to provide such public service.

If you have any questions, please feel free to contact me.

Sincerely,

Very truly yours,

JACOBSEN LAW FIRM, P.A.

David W. Jacobsen

Enclosure

cc: Charli Buecksler

SCOPE OF PROSECUTION SERVICES: EXHIBIT A

1. Meetings and/or telephone conversations with and advising Mayor, Council Members, City Clerk, law enforcement, and other authorized staff on general criminal legal matters.
2. Research and submission of legal opinions on criminal legal matters requested by City Clerk, law enforcement or other authorized staff; availability to answer staff questions by telephone.
3. Legal consultation and general support for Mayor, Council Members, City Clerk, law enforcement and other authorized staff on general criminal legal matters.
4. Provide a high level of customer service by responding in a prompt manner.
5. Prosecute all petty misdemeanor, misdemeanor and statutorily delegated gross misdemeanor offenses committed within the corporate limits of the City. This includes all such cases initiated by any law enforcement agency and citizen complaints including, but not limited to, traffic violations, DUI cases, theft and City Code violations.
6. Provide advice, consultation and training where required to law enforcement and to all other departments of the City in the interpretation and enforcement of statutes, ordinances and investigations of violations in connection with the prosecution of criminal cases.
7. Prepare criminal complaints where facts warrant.
8. Evaluate all cases where a plea of not guilty is entered and prosecute where warranted.
9. Prepare appropriate pre-trial notices as required.
10. Seek such additional investigation as required.
11. Negotiate and enter plea bargains where deemed advisable.
12. Represent the City at all pre-trial motions.
13. Perform all legal research and prepare briefs when required.
14. Try all jury and court cases.
15. Examine, evaluate and provide representation for all appeals to Appellate Courts.
16. Draft ordinances, ordinance amendments, resolutions and correspondence as requested.

17. Review ordinances as requested.
18. Render written opinions on criminal prosecution matters when requested, including interpretation of statutes, ordinances, rules and regulations.
19. Ensure proper notification and preparation of law enforcement and staff for trial.
20. Assist in resolving criminal prosecution matters not resulting in litigation.

SCOPE OF PROSECUTION SERVICES: EXHIBIT A

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1700 North Broadway • Suite 128
Rochester, MN 55906
507-282-8206 • FAX 281-0391

TO: City/Township/County Administrator
FROM: Jay Kruger
DATE: October 31, 2022
RE: CMS 2023 Rates/Reminders

Attached is CMS Rate Schedule for 2023.

Joining our office staff full time is Tammy Stolberg.

Inform CMS in writing of any rate changes. i.e. flat fees, reshingle/reside, plumbing or mechanical.

REMINDERS:

If your City has large plan(s) you would like CMS to pick up, call or email and we will let you know when we would be in your area.

Flat fee permits are required to have applicant's signature along with name printed. Include amount being charged on the application. Include the owner's phone number.

Check to see that legal descriptions are correct and complete (required for Certificate of Occupancies).

Approval to start project should come from CMS after plans are at CMS.

WINDOW & DOOR INSTALLATION: PERMIT REQUIRED

Window: When removing an entire window frame down to the rough opening.

Door: When replacing an entire door, frame and jam down to the rough opening.

When applicant submitting plans from Menards, have applicant complete CMS Construction Detail Sheet in addition to Menard plans to help complete plan review.

New construction of residential dwellings and additions: Provide the applicant with required forms (Energy Compliance Certificate & Combustion & Make-up Air Calculations) Applicant can complete and submit to CMS prior to issuing permit. See attached forms.



1700 North Broadway • Suite 128
Rochester, MN 55906
507-282-8206 • FAX 281-0391

RATE STRUCTURE

THE FOLLOWING RATES ARE EFFECTIVE BEGINNING JANUARY 1, 2023
AND ARE IN EFFECT UNTIL DECEMBER 31, 2023.

Certified Building Official	\$59.80/hr
Building Official Consultant	\$59.80/hr
Building Field Inspector	\$59.18/hr
Clerical/Secretarial	\$39.22/hr
Mileage	At legal rate
Other Expenses	At Cost



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Designation of Official City Newspaper for 2023

BACKGROUND INFORMATION:

City Staff contacted the Dodge County Independent (DCI) and the Rochester Post Bulletin on December 5th for proposals to provide services for legal notices in 2023. Both were provided with the same example of one long and one short notice for cost comparison.

The proposal from DCI is attached for Council review. Although the Rochester Post Bulletin responded via email on December 5th that a quote would be provided, nothing has been received as of today's date.

Quote(s) received for 2023:

Newspaper	2023 Quote	Cost for Long Notice	Cost for Short Notice
Dodge County Independent	\$10.35 per column inch	\$357.08	\$ 41.40
Rochester Post Bulletin	No quote submitted		

Dodge County Independent has been designated as the Official City Newspaper for several years. Staff at DCI have been great to work with and are always timely in their responses. According to DCI, they are the only officially adjudicated paper in Dodge County, Minnesota. The DCI is delivered weekly to 1,800 households in Dodge County and the surrounding area. There are about 400 subscribers in Mantorville.

The Post Bulletin, a newspaper published in Rochester by Forum Communications Company, has previously stated that they are designated as a qualified newspaper for publication of legal notices in Olmsted County and adjoining counties under Minnesota Statute 331A.

STAFF RECOMMENDATION:

Staff recommends designating Dodge County Independent as the Official City Newspaper for the City of Mantorville for legal notices and publications in 2023.

ATTACHMENTS:

- Quote from Dodge County Independent
- Examples of short and long notices with Dodge County Independent

Shirley

From: Rick Bussler <rbussler@steelecountytimes.com>
Sent: Sunday, December 11, 2022 7:38 PM
To: shirley@mantorville.com
Cc: Jenine Kubista; Wanda Larson, DCI
Subject: FW: Quote for 2023
Attachments: Mantorville Street Improvements 3x11.5.pdf; Public Notice city of Mantorville 2x2.pdf; DCIlegalrates2023.docx

Hi Shirley-

Thanks for your inquiry about the legal notices for 2023.

The legal rate for 2023 will be \$10.35 per column inch.

Attached you will find the two notices that have been formatted as they would appear in the newspaper:

1. 2 column x 2 inches: \$41.40
2. 3 column x 11.5 inches: \$357.08

Also, please find attached the legal rate information you have requested.

Please let me know if you have any questions.

Thanks,

Rick

Rick L. Bussler | Publisher & Owner
Dodge County Independent
rbussler@steelecountytimes.com | Cell: 952-224-6331

301 S. Mantorville Ave., Suite 200 | Kasson, MN 55944

Dodge Media Inc. • www.dodgecountyindependent.com

DODGE COUNTY
INDEPENDENT

2023 Legal Rate: \$10.35 per column inch

Circulation: The DCI is delivered weekly to 1,800 households in Dodge County and surrounding area. There are about 400 subscribers in Mantorville.

Deadline: The deadline for legal notices is Friday at 5 p.m. for publication the following week.

Public Notice

Notice is hereby given that the Mantorville City Council will hold a public hearing for the annual adoption of the Master Fee Schedule by amending Section 32.02, Appendix A of the Mantorville City Code. The hearing will be held during the regular City Council Meeting on Monday, January 25, 2021 starting at 6:30 pm or shortly thereafter. A full copy of the draft fee schedule is available at City Hall.

Shirley R Buecksler
City Clerk-Treasurer

**2021 STREET IMPROVEMENTS
MANTORVILLE, MN
Advertisement for Bids**

Public notice is hereby given that sealed proposals will be received by the City of Mantorville, 21 5th Street East, Mantorville, MN, until 2:00 pm on August 5, 2021 for furnishing materials and labor for construction of 2021 Street Improvements, as described in plans and specifications thereof now on file in the office of the City Clerk-Treasurer. Proposals will be opened at 2:00 pm at City Hall. Proposals will be acted upon by the City Council at a meeting to be held in the City Hall, beginning at 6:30 pm on August 9, 2021, or at such later time and place as may then be fixed.

The extent of the work involved is furnishing all labor and materials for construction of the 2021 Street Improvements together with related subsidiary and incidental work including:

The project consists of: Roadway Reconstruction and Watermain Improvements. The method of construction shall be by Contract and all work is to be done in strict compliance with plans and specifications prepared by WHKS & Co., 2905 South Broadway, Rochester, MN 55904 which have heretofore been approved by the City Council and are now on file for public examination in the office of the City Clerk-Treasurer.

Each bid must be made out on a proposal blank furnished by the City and obtained at the offices of WHKS & Co.

Each proposal shall be sealed in an envelope marked "2021 Street Improvements". Each bid must be accompanied by a certified check, cashier's check or bid bond payable to the City of La Crescent, Minnesota in the amount of at least 5% of the total bid as a guarantee that the bidder will furnish the required bonds and enter into a contract within ten (10) working days, excluding Saturday, Sunday and holidays, after the award of the contract.

Bidders shall not be permitted to withdraw their bids for a period of thirty (30) days after the same are opened.

Payment for said 2021 Street Improvements will be made in cash from cash on hand, from governmental grants, or from such other funds as may be legally used for such purposes. Monthly estimates will be made by the Engineer and payment will be made to the Contractor in the amount of ninety-five (95%) of said estimate. Final payment of money due will be made in cash no later than sixty (60) days after substantial completion. For construction, reconstruction, or improvement of streets and highway, including bridges, "substantial completion" shall be defined as the date when construction-related traffic devices and ongoing inspections are no longer required.

The Owner reserves the right to withhold up to two hundred and fifty percent (250%) of the cost to correct deficient work or complete work known at the time of substantial completion. Payment of money due will be made in cash no later than sixty (60) days after completion of the work.

The Owner reserves the right to withhold one percent (1%) of the total contract amount or five hundred dollars (\$500), whichever is greater, pending completion and submission of all final paperwork by the contractor or subcontractors. "Final paperwork" shall be defined as any documents required to fulfill contractual obligations, including, but not limited to, operation manuals, payroll documents for projects subject to prevailing wage requirements, material certifications and warranties, DBE final clearance, NPDES Permit Termination, withholding exemption certificate, etc. Payment of money due will be made in cash no later than sixty (60) days after submission of all final paperwork.

The Contractor shall commence work after the Notice to Proceed and shall complete all items on or before October 29, 2021.

The successful bidder will be required to furnish a Performance and Maintenance Bond and a Payment Bond, both in an amount equal to one hundred (100) percent of the Contract price. Said bonds are to be issued by a responsible surety, approved by the City Council, and which shall guarantee the faithful performance of the Contract and the terms and conditions therein contained, and shall guarantee the prompt payment of all materials and labor and protect and save harmless the City from claims and damages of any kind caused by the operations of the Contractor. Said bond shall also guarantee the maintenance of the improvements constructed for a period of two (2) years from and after its completion and acceptance by the City.

Plans and specifications governing the construction of the proposed improvements have been prepared by WHKS & Co., Engineers, Planners, and Surveyors, Rochester, Minnesota, which plans and specifications and prior proceedings of the City Council referring to and defining said proposed improvements are hereby made a part of this notice and the proposed contract by reference, and the proposed contract shall be executed in compliance therewith.

Copies of said plans and specifications are now on file in the office of the City Clerk-Treasurer, City Hall, Mantorville, MN, for examination by bidders. Bid forms, plans and specifications are available to download for a \$25 charge at www.quest-cdn.com, please use eBidDoc 7946931.

The City Council reserves the right to reject any and all bids and to waive technicalities and irregularities.

Published upon order of the City Council of Mantorville, Minnesota.

Shirley R Buecksler
City Clerk-Treasurer
City of Mantorville, Minnesota



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Ordinance Amending Chapter 70 of the Code of Ordinances Regarding Excessive Vehicle Noises

BACKGROUND INFORMATION:

Attached for Council review is an ordinance drafted by the City Attorney that addresses excessive vehicle noise. It prohibits compression release engine brakes (e.g., jake brakes) and also incorporates the statutory provisions related to loud mufflers and PCA vehicle noise requirements. Violations are expressly made a petty misdemeanor, which means that folks can be cited and fined only up to \$300.00 for violating this ordinance, which is consistent with how most vehicle regulations are enforced throughout the state.

Enclosed for Council review is Ordinance No. 2023-03.

STAFF RECOMMENDATION:

Based on discussion, motion to approve:

- Ordinance No. 2023-03, An Ordinance Amending Chapter 70 of the City Code of Ordinances of the City of Mantorville Regarding Excessive Vehicle Noises

CITY OF MANTORVILLE

ORDINANCE NO. 2023-03

**AN ORDINANCE AMENDING CHAPTER 70 OF THE CODE
OF ORDINANCES OF THE CITY OF MANTORVILLE
REGARDING EXCESSIVE VEHICLE NOISES**

**THE CITY COUNCIL OF THE CITY OF MANTORVILLE, MINNESOTA, HEREBY
ORDAINS:**

Section 1. Chapter 70 of the Mantorville City Code is hereby amended by adding a new section 70.47, which is double-underlined as follows:

70.47 EXCESSIVE VEHICLE NOISES.

(A) It is unlawful for the operator of any truck to use a compression release engine brake on any public highway, street, parking lot or alley within the City which causes abnormal or excessive noise from the engine, except in an emergency. For purposes of this section, “compression release engine brake” means a dynamic brake, jake brake, jacobs brake, c-brake, paccar brake, transmission brake or other similar compression release engine brake system which alters the normal compression of the engine and subsequently releases that compression.

(B) Minnesota Statutes, sections 169.69 and 169.693, as amended from time to time, are hereby adopted by reference. It is the intention of the City Council that all future amendments to such statutes are also adopted by reference as if they had been in existence at the time this section was adopted.

(C) Any person who violates subsection (A) or (B) of this section shall be guilty of a petty misdemeanor.

Section 2. This ordinance shall be in full force and effect upon its passage and publication.

Passed by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer



City Council Report

To: Mayor and Council
From: Shirley Buecksler, City Clerk-Treasurer
Date: January 9, 2023

Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Sale of Certain Edible Cannabinoid Products

BACKGROUND INFORMATION:

At their December 12, 2022 meeting, the City Council discussed whether to impose a moratorium on the sale of certain edible cannabinoid products. Since that meeting, the City Attorney has made edits to the ordinance to clarify that the moratorium is only regarding the sale of edible cannabinoid products that contain THC (i.e., not products that only contain non-intoxicating cannabinoids like CBD).

Enclosed for Council review is Ordinance No. 2023-04. If passed, a resolution is also enclosed, authorizing Staff to publish a summary of Ordinance No. 2023-04 in lieu of the ordinance in its entirety.

STAFF RECOMMENDATION:

Based on discussion, motion to approve:

- Ordinance No. 2023-04, An Interim Ordinance Authorizing a Study and Imposing a Moratorium on the Sale of Certain Edible Cannabinoid Products
- Resolution No. 2023-04 Authorizing a Publication of Ordinance No. 2023-04 by Title and Summary

**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

ORDINANCE NO. 2023-04

**An Interim Ordinance Authorizing a Study and
Imposing a Moratorium on the Sale of Certain Edible Cannabinoid Products**

The city council of the city of Mantorville ordains as follows:

Section 1. Legislative Findings and Authority

- (A) There is a great deal of uncertainty regarding the effect of Minnesota Laws 2022, Chapter 98 amending Minnesota Statutes, section 151.72 (the “Act”), which expressly allows the sale of edible cannabinoid products, as that term is defined therein, containing tetrahydrocannabinol (THC).
- (B) Because the proposal to allow the sale of such products received little publicity until after the Act went into effect on July 1, 2022, the City of Mantorville (the “City”) did not have an opportunity to fully study or consider the potential impacts of the Act or engage in policy discussions regarding the potential regulation of the sale of edible cannabinoid products in the City.
- (C) Although the Minnesota Board of Pharmacy is authorized to enforce the Act, the Act does not provide for any state-level licensing of businesses that manufacture or sell edible cannabinoid products. The Act is also silent regarding the enactment of local regulations related to edible cannabinoid products.
- (D) The Act does not expressly prohibit or limit local regulations of edible cannabinoid products. Additionally, the regulations established in the Act clearly do not constitute the Legislature having occupied the field of regulation regarding the sale of edible cannabinoid products.
- (E) The City Council finds that the uncertainties associated with the sale of edible cannabinoid products, as well as the options for local regulation, strongly suggest the need for a study to develop information the city council may use related to potential local regulation of the sale of edible cannabinoid products through the adoption of licensing or zoning controls.
- (F) Pursuant to Minnesota Statutes, section 462.355, subdivision 4(a), the City Council is authorized to adopt an interim ordinance “to regulate, restrict, or prohibit any use . . . within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is effective.”
- (G) The City Council is also authorized, under to Minnesota Statutes, section 412.221, subd. 32, “to provide for the government and good order of the city, the suppression

of vice and immorality, the prevention of crime, the protection of public and private property, the benefit of residence, trade, and commerce, and the promotion of health, safety, order, convenience, and the general welfare.” Pursuant to its general police power authority, the City Council may, for example, adopt business licensing requirements related to the sale of edible cannabinoid products.

- (H) The Minnesota Supreme Court in *Almquist v. Town of Marshan*, 245 N.W.2d 819 (Minn. 1976) upheld the enactment of a moratorium despite the lack of express statutory authority as being a power inherent in a broad grant of power to municipalities. The enactment of business licensing requirements, for example, is based on a City’s police powers, which is the broadest grant of power to cities. Inherent in that broad grant of authority is the power to place a temporary moratorium on a particular business activity to study and potentially implement regulations on that business activity.
- (I) There are both licensing and zoning issues associated with the sale of edible cannabinoid products containing THC. The City Council determines that it needs time to study the matter and to consider the development and adoption of appropriate local regulations. To protect the planning and decision-making process and the health, safety, and welfare of the residents while the City conducts its study and the City Council engages in policy discussions regarding possible regulations, the City Council determines it is in the best interests of the City to impose a temporary moratorium on the sale of certain edible cannabinoid products.

Section 2. Definition. For the purposes of this ordinance, the term “edible cannabinoid product” has the same meaning given the term in Minnesota Statutes, section 151.72, subdivision 1(c), as recently amended by the Act and as may be amended from time to time.

Section 3. Study. The City Council authorizes and directs City Staff and Consultants to conduct a study regarding edible cannabinoid products and provide a report to the City Council on the potential regulations relating to the sale of such products in the community. The report shall include recommendations on whether the City Council should adopt regulations and, if so, the recommended types of regulations. The study shall consider, but is not limited to, the following: (i) the potential impacts of the sale of edible cannabinoid products within the city; (ii) licensing the sale of edible cannabinoid products and related regulations; and (iii) zoning regulations related to the sale and distribution of edible cannabinoid products.

Section 4. Moratorium. A moratorium is hereby imposed within the city regarding the sale of edible cannabinoid products. No business, person, or entity may sell edible cannabinoid products to the public within the jurisdictional boundaries of the city during the period that this ordinance is in effect. The City shall not accept, process, or act on any application, site plan, building permit, or zoning or other approval for a business proposing to engage in the sale of edible cannabinoid products during the period that this ordinance is in effect.

Section 5. Exceptions. The moratorium imposed by this ordinance does not apply to the sale of medical cannabis. The moratorium imposed by this ordinance also does not apply to the sale of

products containing cannabidiol (CBD), provided, however, that such products do not contain tetrahydrocannabinol (THC).

Section 6. Enforcement. Violation of this ordinance is a misdemeanor. In addition, the City may enforce this ordinance by mandamus, injunction, or other appropriate civil remedy in any court of competent jurisdiction.

Section 7. Severability. Every section, provision, and part of this ordinance is declared severable from every other section, provision, and part of this ordinance. If any section, provision, or part of this ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this ordinance.

Section 8. Effective Date and Term. This ordinance shall take effect and be in full force from and after its adoption and publication, as provided by law. This ordinance shall remain in effect for one year after its effective date or until the city council expressly repeals it, whichever occurs first.

Passed by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer

CITY OF MANTORVILLE

ORDINANCE NO. _____

**An Interim Ordinance Authorizing a Study and
Imposing a Moratorium on the Sale of Certain Edible Cannabinoid Products**

The city council of the city of Mantorville ordains as follows:

Section 1. Legislative Findings and Authority

- (A) There is a great deal of uncertainty regarding the effect of Minnesota Laws 2022, Chapter 98 amending Minnesota Statutes, section 151.72 (the “Act”), which expressly allows the sale of edible cannabinoid products, as that term is defined therein, containing tetrahydrocannabinol (THC).
- (B) Because the proposal to allow the sale of ~~edible cannabinoids~~such products received little publicity until after the Act went into effect on July 1, 2022, the city of Mantorville (the “City”) did not have an opportunity to fully study or consider the potential impacts of the Act or engage in policy discussions regarding the potential regulation of the sale of edible cannabinoid products in the City.
- (C) Although the Minnesota Board of Pharmacy is authorized to enforce the Act, the Act does not provide for any state-level licensing of businesses that manufacture or sell edible cannabinoid products. The Act is also silent regarding the enactment of local regulations related to edible cannabinoid products.
- (D) The Act does not expressly prohibit or limit local regulations of edible cannabinoid products. Additionally, the regulations established in the Act clearly do not constitute the Legislature having occupied the field of regulation regarding the sale of edible cannabinoid products.
- (E) The city council finds that the uncertainties associated with the sale of edible cannabinoid products, as well as the options for local regulation, strongly suggest the need for a study to develop information the city council may use related to potential local regulation of the sale of edible cannabinoid products through the adoption of licensing or zoning controls.
- (F) Pursuant to Minnesota Statutes, section 462.355, subdivision 4(a), the city council is authorized to adopt an interim ordinance “to regulate, restrict, or prohibit any use . . . within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is effective.”
- (G) The city council is also authorized, under to Minnesota Statutes, section 412.221, subd. 32, “to provide for the government and good order of the city, the suppression of vice and immorality, the prevention of crime, the protection of

public and private property, the benefit of residence, trade, and commerce, and the promotion of health, safety, order, convenience, and the general welfare.” Pursuant to its general police power authority, the city council may, for example, adopt business licensing requirements related to the sale of edible cannabinoid products.

- (H) The Minnesota Supreme Court in *Almquist v. Town of Marshan*, 245 N.W.2d 819 (Minn. 1976) upheld the enactment of a moratorium despite the lack of express statutory authority as being a power inherent in a broad grant of power to municipalities. The enactment of business licensing requirements, for example, is based on a city’s police powers, which is the broadest grant of power to cities. Inherent in that broad grant of authority is the power to place a temporary moratorium on a particular business activity to study and potentially implement regulations on that business activity.
- (I) There are both licensing and zoning issues associated with the sale of edible cannabinoid products containing THC. The city council determines that it needs time to study the matter and to consider the development and adoption of appropriate local regulations. To protect the planning and decision-making process and the health, safety, and welfare of the residents while the City conducts its study and the city council engages in policy discussions regarding possible regulations, the city council determines it is in the best interests of the City to impose a temporary moratorium on the sale of certain edible cannabinoid products.

Section 2. Definition. For the purposes of this ordinance, the term “edible cannabinoid product” has the same meaning given the term in Minnesota Statutes, section 151.72, subdivision 1(c), as recently amended by the Act and as may be amended from time to time.

Section 3. Study. The city council authorizes and directs City staff and consultants to conduct a study regarding edible cannabinoid products and provide a report to the city council on the potential regulations relating to the sale of such products in the community. The report shall include recommendations on whether the city council should adopt regulations and, if so, the recommended types of regulations. The study shall consider, but is not limited to, the following: (i) the potential impacts of the sale of edible cannabinoid products within the City; (ii) licensing the sale of edible cannabinoid products and related regulations; and (iii) zoning regulations related to the sale and distribution of edible cannabinoid products.

Section 4. Moratorium. A moratorium is hereby imposed within the City regarding the sale of edible cannabinoid products. No business, person, or entity may sell edible cannabinoid products to the public within the jurisdictional boundaries of the City during the period that this ordinance is in effect. The City shall not accept, process, or act on any application, site plan, building permit, or zoning or other approval for a business proposing to engage in the sale of edible cannabinoid products during the period that this ordinance is in effect.

Section 5. Exceptions. The moratorium imposed by this ordinance does not apply to the sale of medical cannabis ~~that was lawful to sell prior to the effective date of the Act.~~ The moratorium imposed by this ordinance also does not apply to the sale of products containing cannabidiol

(CBD), provided, however, that such products do not contain tetrahydrocannabinol (THC).

Section 6. Enforcement. Violation of this ordinance is a misdemeanor. In addition, the City may enforce this ordinance by mandamus, injunction, or other appropriate civil remedy in any court of competent jurisdiction.

Section 7. Severability. Every section, provision, and part of this ordinance is declared severable from every other section, provision, and part of this ordinance. If any section, provision, or part of this ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this ordinance.

Section 8. Effective Date and Term. This ordinance shall take effect and be in full force from and after its adoption and publication, as provided by law. This ordinance shall remain in effect for one year after its effective date or until the city council expressly repeals it, whichever occurs first.

Adopted this ___ day of _____, 2022.

BY THE CITY COUNCIL

Chuck Bradford, Mayor

ATTEST:

Charli Buecksler, City Administrator

Document comparison by Workshare 10.0 on Thursday, December 29, 2022
2:13:20 PM

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**CITY OF MANTORVILLE
DODGE COUNTY, MINNESOTA**

RESOLUTION NO. 2023-05

**RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 2023-04 BY TITLE AND SUMMARY**

WHEREAS, the City Council of the City of Mantorville has adopted Ordinance No. 2023-04, an interim ordinance authorizing a study and imposing a moratorium on the sale of edible cannabinoid products; and

WHEREAS, Minnesota Statutes § 412.191, subdivision 4 allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mantorville that City Staff shall cause the following summary of Ordinance No. 2023-04 to be published in the official newspaper in lieu of the ordinance in its entirety:

Public Notice

The City Council of the City of Mantorville has adopted Ordinance No. 2023-04, an interim ordinance authorizing a study and imposing a moratorium on the sale of certain edible cannabinoid products. The ordinance prohibits the sale of edible cannabinoid products, as that term is defined in Minnesota Statutes, section 151.72, that contain tetrahydrocannabinol (THC) while the City undertakes a study regarding such products and sales. While the ordinance is in effect, no business, person, or entity may sell edible cannabinoid products containing THC to the public within the jurisdictional boundaries of the city, and the City will not accept, process, or act on any application, site plan, building permit, or zoning or other approval for a business proposing to engage in the sale of such edible cannabinoid products.

The full text of the ordinance is available at City Hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Mantorville that the City Clerk keep a copy of the ordinance in their office at City Hall for public inspection and that they post a full copy of the ordinance in a public place within the city.

Adopted by the City Council of the City of Mantorville, Minnesota, this 9th day of January 2023.

ATTEST:

Chuck Bradford
Mayor

Shirley R Buecksler
City Clerk-Treasurer

CITY OF MANTORVILLE

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. _____ BY TITLE AND SUMMARY**

WHEREAS, the city council of the City of Mantorville has adopted Ordinance No. _____, an interim ordinance authorizing a study and imposing a moratorium on the sale of edible cannabinoid products; and

WHEREAS, Minnesota Statutes § 412.191, subdivision 4 allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the city council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the city council of the City of Mantorville that city staff shall cause the following summary of Ordinance No. _____ to be published in the official newspaper in lieu of the ordinance in its entirety:

Public Notice

The city council of the City of Mantorville has adopted Ordinance No. _____, an interim ordinance authorizing a study and imposing a moratorium on the sale of certain edible cannabinoid products. The ordinance prohibits the sale of edible cannabinoid products, as that term is defined in Minnesota Statutes, section 151.72, that contain tetrahydrocannabinol (THC) while the city undertakes a study regarding such products and sales. While the ordinance is in effect, no business, person, or entity may sell edible cannabinoid products containing THC to the public within the jurisdictional boundaries of the city, and the city will not accept, process, or act on any application, site plan, building permit, or zoning or other approval for a business proposing to engage in the sale of such edible cannabinoid products.

The full text of the ordinance is available ~~from~~ at city hall during regular business hours.

BE IT FURTHER RESOLVED by the city council of the City of Mantorville that city staff keep a copy of the ordinance in their office at city hall for public inspection and that they post a full copy of the ordinance in a public place within the city.

Dated: _____, 20__.

BY THE CITY COUNCIL

Chuck Bradford, Mayor

ATTEST:

Charli Buecksler, City Administrator

Document comparison by Workshare 10.0 on Thursday, December 29, 2022
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