

Trail to the Past. Road to the Future.

#### CITY COUNCIL MEETING

MANTORVILLE CITY COUNCIL CHAMBERS 21 5<sup>TH</sup> STREET E, MANTORVILLE, MN 55955 MONDAY, FEBRUARY 27, 2023 6:30 PM

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Adopt the Agenda
- 4. Consent Agenda
  - A. Regular City Council Meeting Minutes of February 13, 2023
  - **B.** Accounts Payable Claims List
  - C. Dodge County Board of Commissioners Meeting Minutes of January 24, 2023
  - **D.** Economic Development Authority Meeting Minutes June-December 2022
  - E. Economic Development Authority Meeting Minutes January 2023
- 5. Proclamations, Presentations and Recognitions No Items
- 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 No Items
- 8. Public Hearing No Items
- 9. Old Business/New Business
  - A. New Business
    - 1) Acceptance of Staff Resignation
    - 2) Review of Job Description, Pay Scale, Approval to Post
  - B. Old Business
- **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. Designation of City Consultants for 2023 tabled for future discussion
    - 1) City Designation of Consultants for 2023; Resolution No. 2023-11
    - 2) Draft Request for Proposals (RFP) for City Attorney

- **B.** Motorized Golf Carts, All-Terrain Vehicles, and Utility Task Vehicles; Ordinance No. 2023-05 and Resolution No. 2023-10 tabled for continued discussion
- C. Intersection Control of 4<sup>th</sup> Street and Clay Street tabled for continued discussion

#### 11. Reports

- A. Public Works Report
- B. City Clerk Report
  - 1) Report on Water Usage at 505 Walnut Street
- C. Consultant Report
- D. Committee Reports

Chamber, EDA, Finance/Budget, Fire Department, Infrastructure, KM Joint Powers, MRA, Park Board, Personnel, Township

- **E.** Councilmember Reports
- F. Mayor's Report

#### 12. Executive Session – No Items

#### 13. Adjourn

Upcoming Meetings and Events in Mantorville:				
March 1, 2023	8:30 pm	Mantorville Fire Dept General Members Meeting		
March 7, 2023	6:30 pm	Economic Development Authority Meeting		
March 13, 2023	6:30 pm	Regular City Council Meeting		
March 27, 2023	March 27, 2023 6:30 pm Regular City Council Meeting			
March 28, 2023	6:30 pm	Regular Parks & Recreation Committee Meeting		
Members of the City Council and other Boards				
may be in attendance at all meetings and community events in Mantorville				

#### City of Mantorville Regular City Council Minutes February 13, 2023



#### 1. Call to Order

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

Present: Mayor Chuck Bradford

Councilmembers:

Jessica Bradford Lyle Hoaglund Jeffrey Ingalls Greg Rud

Absent: None

Others Present: City Clerk-Treasurer Shirley Buecksler

Public Works Lead Joe Adams Public Works Wade Schroeder Fire Chief Duke Harbaugh Truck Captain Curt Kramer

Sheriff Scott Rose

Deputy Tyler Vermeersch

#### 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

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

- A. Regular City Council Meeting Minutes of January 23, 2023
- B. Accounts Payable Claims List
- C. Dodge County Board of Commissioners Meeting Minutes of January 10, 2023
- D. Rental License Renewal for 715 7th Street West
- E. Updated 2023 City Meetings Calendar
- F. Joint Ventures Meeting Minutes of November 9, 2022

Motion carried: 5 ayes / 0 nays

#### 5. Proclamations, Presentations and Recognitions

None.

#### **6. Public Concerns**

None.

#### 7. Public Safety Update

- A. Update from Fire Chief Harbaugh
  - 1) Purchase of a Used Tanker

Chief Harbaugh discussed purchasing a used tanker and requested approval to purchase from Simon Fire Equipment and paint it red.

Councilmember Hoaglund asked if it would justify a second axle on the chassis? Curt Kramer said it's not needed. The framework for the tank is aluminum and the tank is plastic.

Mayor Bradford asked the cost of the complete package? Curt Kramer said it is \$186,362.80 plus \$5,950.00 to paint it to red. Chief Harbaugh said it's approximately five months out.

Chief Harbaugh said when the new vehicle arrives, he will come back to discuss options for getting rid of the old tanker. Curt Kramer said \$10,000.00 may be a good price on it.

Councilmember Ingalls asked if there is a warranty on the chassis? Chief Harbaugh said he will talk with Dave Syverson Auto to see what can be done. However, the Fire Department doesn't expect to put a lot of miles on it. The 1990 tanker has only 11,000 miles.

Mayor Bradford asked what other needs you foresee in the near future? Chief Harbaugh said they need radios. The entire County needs them. Every Department countywide is struggling. We could order a few at a time, as they are \$6,000.00 each. Sheriff Rose added that they started replacing their radios by about five radios every year. They budget about \$36,000.00 a year for them. Chief Harbaugh said we will try to get another grant but we haven't been successful. It may work better after the tanker purchase because we assume they see the unspent funds and wonder why we need a grant. The next equipment purchase would be to replace the grass rig. It still serves its purpose but it's getting old. Mayor Bradford said looking out the same number of years and we spent this much on a tanker truck, what's that do for our future planning? Are we sitting pretty good? Are we going to need those funds for something else? Chief Harbaugh said the tanker is a very important piece that we need. Inflation is hitting everyone hard. After this investment, he would prefer to see a better reserve account. This truck will serve the community a long time, possibly 30 to 40 years or longer.

Curt Kramer added that the city is growing faster than the fire hydrants can serve. We have a lot of areas that don't have hydrants and are heavily populated. A large fire it's possible to go through 800 to 1,000 gallons per minute. With two tankers plus mutual aid, we'll have a couple more tankers. Getting away from hydrants is serious during a fire. Seeing a lot of urban expansion, especially in the township.

Mayor Bradford said there was talk at the Dodge Center Ambulance meeting about creating a Fire Rescue District and moving away from Kasson and Mantorville Fire Departments. What happens to those assets? What are you hearing? Feasibility? Logistics? Chief Harbaugh said heard from a project developer or manager with questions but, to his knowledge, it has only been rumored and never discussed in a public meeting. I don't know that Kasson's direction and Mantorville's direction really see eye to eye. We are here to support our community. When we looked at our fee schedules and everything, we receive tax money from our citizens to support the Fire Department, whether township or city, we all pay by address. To send someone a \$6,000.00 fire bill after their house burns down, personally, I don't think that's fair but that's what some other neighboring Departments are doing. Right now it's probably off the table but if it ever came to the table it should be discussed with everybody.

Councilmember Hoaglund inquired as to how the Fire Department saved these funds. Chief Harbaugh said by being frugal in their spending. Mayor Bradford added that the City puts the difference from any unused Fire Department funds into their account at the end of the year.

Motion was made by Councilmember Rud and seconded by Councilmember Bradford to approve purchase of a 2021 Freightliner from Simon Fire Equipment in the amount estimated at \$186,362.80 plus \$5,950.00 for painting.

Motion carried: 5 ayes / 0 nays.

2) Donation to Fire Department; Resolution No. 2023-09

Motion was made by Councilmember Hoaglund and seconded by Councilmember Rud to adopt the following resolution that will become part of the official records:

## RESOLUTION NO. 2023-09 A RESOLUTION ACCEPTING DONATION TO MANTORVILLE FIRE AND RESCUE

Motion carried: 5 ayes / 0 nays.

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to approve the purchase of a grain rescue tool using donated funds from Claremont Chamber of Commerce.

Motion carried: 5 ayes / 0 nays.

#### 3) Request for Use of Training Funds

Chief Harbaugh said the Fire Department budgets \$6,000.00 annually for training but some members have not been paid for training since 2020, including five members and one additional member who needs to past a test to complete.

The cost is under \$2,600.00 for these six members. Chief Harbaugh is suggesting that the Fire Department budget for training in 2024 to cover this. Payment would out of the training fund, not from points, which is their pay. Mayor Bradford agreed that this falls under the training budget.

Motion was made by Councilmember Rud and seconded by Councilmember Ingalls to approve payment to six members for training.

Motion carried: 5 ayes / 0 nays.

4) Mantorville Fire and Rescue General Meeting Minutes of February 1, 2023

Chief Harbaugh provided the following:

- The General Members Meeting will move to the 3<sup>rd</sup> Wednesday at 7:30 p.m. This change was by membership vote and majority rule.
- Annabelle Hardwick and Chief Harbaugh will work on a job description for EMR.
- Deputy Chief Williams and Chief Harbaugh are the only members who have keys to the Fire Chief and City Clerk's office.
- The Fire Department received a donation of \$500.00 from Kent & Carol Keller.
- The Fire Department also received a \$500.00 donation from the Kasson Lions Club.

#### **B.** Update from Sheriff Rose

1) Mantorville Report for January 2023

Sheriff Rose provided the following:

- A rescue sled was added on the Ranger, which will also help the Fire Department.
- The Sheriff's Office will have a camera surveillance system for Marigold Days, the Dodge County Fair, and any time camera surveillance is needed. Cameras are on two trailers with four cameras on each tower. The tower can be used to monitor, the park, midway area, and other areas. Includes both video and audio.
- Drones are available for any search issues. There were 18 calls last year, so they were busy. Drones give us another way to cover more ground and keep our Deputies and First Responders safe. They will have another demonstration this year at the fair.

Deputy Vermeersch said he saw the City's post of snowmobile damage to the ice rink. This is now on their radar.

Councilmember Bradford thanked Sheriff Rose for doing the Polar Plunge. Sheriff Rose said they raised almost \$5,500.00 for Special Olympics.

#### 8. Public Hearings

None.

#### 9. Old Business/New Business

#### A. New Business

1) Amending Chapters 70 and 95 of the Code of Ordinances of the City of Mantorville Regarding Motorized Golf Carts, All-Terrain Vehicles, and Utility Task Vehicles; Ordinance No. 2023-05 and Resolution No. 2023-10

Mayor Bradford said this item should be kept on the Council's agenda for three readings.

Councilmember Ingalls commented on one year licenses versus three years. Minnesota licenses are issued for three years. Sheriff Rose said licenses could be done annually if the City picks a day on the calendar. Or start with three years and change to one year if it doesn't work.

Councilmember Ingalls said the draft ordinance states that the sticker goes on the windshield, but ATV stickers go on the back. Sheriff Rose said it could be on the driver's side fenders, front or back.

Councilmember Rud said, as an ATV owner, he is struggling with the fact that we already pay a state fee and receive a state sticker. He showed the sticker that he received. Snowmobiles do not pay anything. He is opposed to having to get stickers from all cities and towns. Why do UTV's and ATV's need a sticker when they have a state sticker?

Councilmember Hoaglund asked Sheriff Rose what kind of violations they are seeing. Sheriff Rose said it's mostly underage individuals on golf carts, that's our biggest problem.

Councilmember Ingalls recommended changing this ordinance to apply to golf carts only.

Councilmember Rud said there will be a side-by-side class at the VFW for only \$5.00 on February 21<sup>st</sup>.

Councilmember Bradford agreed that if you're already paying a fee, you shouldn't be charged a second fee.

Councilmember Rud would like to see Council talk with Legislature for state passes. He agreed with Sheriff Rose regarding kids on golf carts. This is where we

need to focus. He also stated that no one wants to ride in Kasson and have to buy a permit. Instead, they bypass Kasson.

Councilmember Ingalls asked if signage is needed. Sheriff Rose said it's the driver's responsibility to know the laws.

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

Motion carried: 5 ayes / 0 nays.

#### **B.** Old Business

1) Intersection Control of 4<sup>th</sup> Street and Clay Street

Currently, there is only one yield sign at the intersection of 4<sup>th</sup> Street and Clay Street. This item was also discussed at the Council's January 23, 2023 regular meeting. Council directed Staff to keep this item on the February 13, February 27, and March 13 agendas for discussion and public comment. The City posted this topic on social media along with a drawing showing placement of two stop signs and removal of the yield sign. Comments were received in agreement; no comments received against. Councilmember Bradford spoke with the neighboring property owners and they were also in agreement with the stop signs. The drawing showing placement of the stop signs was provided to Council for review. It is also on the City's website at <a href="https://www.mantorville.com/City/alerts-notices/">https://www.mantorville.com/City/alerts-notices/</a>.

#### Discussion included:

- This is a designated truck route by ordinance. Not opposed to the signs but it may be bad in 2024 when Highway 57 is torn up and traffic is rerouted. The liquor store and restaurant delivery trucks come down 5<sup>th</sup> Street. 4<sup>th</sup> Street is definitely a truck route, which is the only opposition I can see.
- Some of the Facebook comments are from people who don't all live in that area. One is at the end of town.
- The truck route is an interesting caveat.
- Construction of Highway 57 will push regular work traffic to use 5<sup>th</sup> Street.
- Both streets will get very busy in 2024.
- We don't need trucks coming by the park. For safety, we want them to stop.
- Signs may be needed on 5<sup>th</sup> Street, as well.
- The biggest complaint is cars going too fast up the hill.
- On Clay, 4<sup>th</sup>, and 3<sup>rd</sup> Streets, late afternoon and evening everyone is walking by the river.
- Temporary signs will be needed in 2024.
- What streets will we want the weight on?
- Clay Street is a county road 5<sup>th</sup> to 9<sup>th</sup>. It was built for the traffic. We would have to talk with the County before pushing them there.

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

Motion carried: 5 ayes / 0 nays.

#### 10. Tabled Items

- **A.** Designation of City Consultants for 2023 tabled to February 2023
  - 1) Approving City Designations for Consultants for 2023; Resolution No. 2023-11
  - 2) Draft Request for Proposals (RFP) for City Attorney

No discussion. These items remain on the table.

#### 11. Reports

- A. Public Works Report
  - 1) Snow emergency signs have been put up.
  - 2) The well house door was installed last Monday and looks good. Payment will be covered by ARPA (American Rescue Plan Act) funds.
  - 3) Ride for Wyatt raised over \$25,000.00. Matt Coy passed along his thanks for supporting the event.
  - 4) Purchase of pole saw was \$750.00. Mayor Bradford wanted Council to know that Joe Adams contacted him on items needed urgently that were over \$250.00.
  - 5) Wade Schroeder passed his Class B Water License. Council congratulated Wade on passing the test.
  - 6) Joe Adams would like to move forward on sewer cleaning and televising. Council approved.

#### B. City Clerk Report

1) Update on Water Usage at 505 Walnut Street

#### Discussion included:

- It seems like a lot of water usage but it's only 2.8 gallons per hour, which is equivalent to a toilet, faucet, or other small item running. It's not a big leak or broken pipe and not a hose running. If it was 16 gallons per hour, that would be different.
- Water usage going up and coming back down could be from getting ready for a trip. We have a plausible explanation but not the answer.
- If we do something for this homeowner, do we have to do it for everyone else? It's not large enough to say it was the water meter and the usage returned to normal
- It's odd that it started after they left and fixed itself before they got back. Councilmember Bradford said she checked the house while they were gone but there was nothing running.

Motion was made by Councilmember Hoaglund and seconded by Councilmember Bradford to keep the account at the average and clear off the leftover amount.

Motion did not pass.

#### Council Discussion:

- The homeowner was told to have a professional check it. We're setting a precedent otherwise.
- What can we point to as the City's responsibility? What is the liability to the City?
- I don't like burdening other residents with the cost.
- It's not the money we forgive, it's the precedence we set.
- Something may have been running, which is an honest mistake.
- Bill Reding commented that the fair thing is to allow her to pay the difference in monthly installments.

Motion was made by Councilmember Ingalls and seconded by Councilmember Rud to table this item until we receive an invoice from a plumber.

Motion did not pass: 2 ayes / 3 nays – Councilmember Hoaglund, Councilmember Bradford, and Mayor Bradford voted nay. This item will remain on the agenda for next month.

2) Reminder that the City Attorney will provide training for Council at 5:00 pm prior to the Regular City Council Meeting on February 27<sup>th</sup>. Dinner will be provided for Council.

#### C. Consultant Report

No report.

#### D. Committee Reports

- 1) Chamber talked about the trolley. Will charge \$20.00 per passenger. When they arrive, they will get a stamp on their hand to show they paid and will receive \$20.00 in Mantorville coins to spend at local businesses. The Dodge County Expo is scheduled for March 25<sup>th</sup> at Triton High School. The Chamber will have a booth.
- 2) Economic Development Authority
- 3) Finance/Budget
- 4) Fire Department
- 5) Infrastructure
- 6) Kasson Mantorville Joint Powers Joe Adams and Wade Schroeder attended the meeting. Talked about picnic tables for ballfields and portable pitching mounds, about \$3,000.00. Budgeted money for hockey/basketball. We need to get established. Joint Ventures is excited to have it done. Portable hockey boards for winter. Looking at making a batting cage by 12<sup>th</sup> Street. Next meeting is May 4<sup>th</sup>. Applied for some smaller grants to increase funds.
- 7) Mantorville Restoration Association they meet tomorrow night to go over financials. Meetings are open to the public. The MRA newsletter was provided to Council. Mulligan Stew is March 16<sup>th</sup> and it's the biggest fundraiser. It's a fun event, check the MRA's Facebook page for the newsletter.
- 8) Park Board
- 9) Personnel

- 10) Fire Relief
- 11) Township

#### E. Councilmember Reports

- Councilmember Rud said that he and Councilmember Hoaglund went to the Fire Board meeting. Councilmember Rud said he won't be able to attend the Chamber meetings.
- Councilmember Hoaglund said Fire Chief Harbaugh did a great job explaining what's happening. Moving their General Members Meeting to Wednesdays is good. We have a great team.
- F. Mayor's Report No report.

#### 12. Adjourn

Motion was made by Councilmember Ingalls and seconded by Councilmember Rud to adjourn the meeting at 7:59 p.m.

Motion carried: 5 ayes / 0 nays. Meeting adjourned.

Approved: February 27, 2023.

Shirley R Buecksler City Clerk-Treasurer

**Current Period: December 2022** 

Payments Batch 2022 Payment 2.27.23	\$1,783.85			
Refer 0 WARSAW				
Cash Payment E 101-43160-381 Electric Utilit Invoice 6593 & 7793 KW 2/27/2023	ties Power Sales For No	ov 2022		\$1,783.85
Transaction Date 2/23/2023	Citizens State Bank	10100	Total	\$1,783.85
Fund Summary				
· ····· - ······ <b>,</b>	10100 Citizens State Bank			
101 GENERAL FUND	\$1,783.85			
	\$1,783.85			
Pre-Written Checks	\$0.00			
Checks to be Generated by the Computer	\$1,783.85			
Total	\$1,783.85			

**Current Period: February 2023** 

Payments Batch 022323PAY \$31,28	3.49		
Refer 0 AFLAC			
Cash Payment G 101-21710 AFLAC Invoice 659987 2/27/2023	-		\$33.12
Transaction Date 2/23/2023	Citizens State Bank 1010	00 Total	\$33.12
Refer 0 BEST BUY	Ck# 005848 2/27/2023		
Cash Payment E 101-41110-430 Miscellaneous	HDML cable		\$40.99
Invoice 2/14/23 2/27/2023			
Transaction Date 2/23/2023	Citizens State Bank 1010	00 Total	\$40.99
Refer 0 DELTA DENTAL	_		
Cash Payment G 101-21708 Dental Insurance	march Insurance		\$204.66
Invoice RIS0004753209 2/27/2023			
Transaction Date 2/23/2023	Citizens State Bank 1010	00 Total	\$204.66
Refer 0 FRANDSEN BANK - ZUMBROTA	-		
Cash Payment E 312-47000-611 Bond Interest	Municipal Loan #XXXXX00	000136419	\$2,043.00
Invoice 2/27/2023			
Transaction Date 2/23/2023	Citizens State Bank 1010	00 <b>Total</b>	\$2,043.00
Refer 0 INTERNAL REVENUE SERVICE	Ck# 005849 2/27/2023		
Cash Payment G 101-21703 FICA Tax Withholding	PR 04 Soc Sec		\$1,028.08
Invoice 2/22/2023 2/27/2023			
Cash Payment G 101-21709 Medicare	PR 04 Medicare		\$240.46
Invoice 2/22/2023 2/27/2023			
Cash Payment G 101-21701 Federal Withholding	PR 04 Tax Withholding		\$670.19
Invoice 2/22/2023 2/27/2023  Transaction Date 2/23/2023	Citizens State Bank 1010	 00	¢4 020 72
		JU TOTAL	\$1,938.73
Refer 0 INTERNAL REVENUE SERVICE	Ck# 005850 2/27/2023		
Cash Payment G 101-21703 FICA Tax Withholding	Fire 02 Soc Sec		\$214.24
Invoice 2/15/23 2/27/2023	Fire OO Medicers		фE0.00
Cash Payment G 101-21709 Medicare Invoice 2/15/23 2/27/2023	Fire 02 Medicare		\$50.08
Transaction Date 2/23/2023	Citizens State Bank 1010	no Total	\$264.32
	Gilleria Giana Baim. 1010		
Refer 0 LINCOLN NATIONAL LIFE INS. CO.	- March Life Ins		¢207.4F
Cash Payment G 101-21711 Life Insurance Payable Invoice 2/27/2023	March Life ins		\$207.15
Transaction Date 2/23/2023	Citizens State Bank 1010	00 Total	\$207.15
Refer 0 SOUTHEAST SERVICE COOPERAT			Ψ201110
Cash Payment G 101-21706 Hospitalization/Medical Ins	Health Insurance		\$2,510.94
Invoice 02/19/2023 2/27/2023	ricaliti ilisarance		Ψ2,310.54
Transaction Date 2/23/2023	Citizens State Bank 1010	00 Total	\$2,510.94
Refer 0 MN DEPARTMENT OF HEALTH			
Cash Payment E 601-49400-441 MDH FEE	1st Qtr Service Connect F	ee	\$972.00
Invoice 4/30/23 2/27/2023			,
Transaction Date 2/23/2023	Citizens State Bank 1010	00 Total	\$972.00
Refer 0 MINNESOTA ENERGY			

**Current Period: February 2023** 

Refer	0 WHKS & COMPANY	-			
Transaction Date	e 2/23/2023	Citizens State Bank	10100	Total	\$65.00
Invoice 4390	2/27/2023	J			,
Cash Payment	E 101-41940-439 Janitors	- Cleaning			\$65.00
Refer	0 SIMPLY TIDY, LLC				Ţ 100.0L
Transaction Date		Citizens State Bank	10100	Total	\$638.62
Invoice 2/28/23	2/27/2023	Supplies			φ310.54
Invoice 2/28/23 Cash Payment	2/27/2023 E 101-41940-200 Supplies	Supplies			\$376.54
Cash Payment	E 101-45200-200 Supplies	Supplies			\$262.08
Refer	0 SAMS CLUB	Ck# 005847 2/27/202	<u>23</u>		<b>#</b> 000 00
		-	10100	IUIAI	\$9.80
Invoice Transaction Date	2/27/2023	Citizens State Bank	10100	Total	<u></u>
Cash Payment	G 101-21708 Dental Insurance	Refund on COBRA I	Payment for Dental		\$9.80
Refer	0 REBER CAMILLE	-			
Transaction Date	e 2/23/2023	Citizens State Bank	10100	Total	\$1,267.52
Invoice	2/27/2023	ow	40400	<b>-</b>	<b></b>
Cash Payment	G 101-21704 PERA	2/22/2023			\$1,267.52
Refer	0 MN PERA	Ck# 005853 2/27/202	<u>23</u>		
Transaction Date	e 2/23/2023	Citizens State Bank	10100	Total	\$245.00
Invoice CW842		, 3	,		
Cash Payment	E 101-41500-300 Professional Srvs (GE	EN Monthly Billing for F	ebruary		\$233.00
Cash Payment Invoice CW8422	E 601-49400-300 Professional Srvs (GE 29 2/27/2023	IN MONTHLY BILLING for F	ebruary		\$12.00
Refer	0 ON-SITE COMPUTERS, INC	- N. Monthis Dilling of -	a b m v a m v		<b>#40.00</b>
Transaction Date		Citizens State Bank	10100	Total	\$360.58
Invoice 2/22/23	2/27/2023	Citizana Stata Dania	10100	Total	#200 F0
Cash Payment	G 101-21702 State Withholding	PR 04 State Withho	lding		\$360.58
Refer	0 MINNESOTA REVENUE	Ck# 005852 2/27/202			
Transaction Date	e 2/23/2023	Citizens State Bank	10100	Total	\$25.51
Invoice 18696	2/27/2023			_	
Cash Payment	E 101-43100-200 Supplies	Bolts, Nuts, Washer	rs		\$25.51
Refer	0 MENARDS - NORTH ROCHESTER	_			
Transaction Date	e 2/23/2023	Citizens State Bank	10100	Total	\$4,493.04
Invoice	2 10 110 10 000 July Colvidos	5121000 0 14EVV 01			ψ0.00
Invoice Cash Payment	E 101-41940-380 Utility Services	5121503-6 NEW SI	HOP		\$0.00
Cash Payment	E 602-49450-380 Utility Services	4299022-6 WWTP			\$468.40
Invoice					
Cash Payment	E 101-42200-380 Utility Services	4229566-7 FIRE DE	PT		\$1,586.84
Cash Payment Invoice	E 101-41940-380 Utility Services	4020100-0 STREET	4028156-0 STREETS		\$695.19
Invoice	E 404 44040 200 LINE Coming	40004EC 0 0TDEET	·e		<b>#</b> 00E 40
Cash Payment	E 101-41940-380 Utility Services	4300149-4 STREET	S		\$961.66

**Current Period: February 2023** 

Cash Payment         E 457-41950-303         Engineering Fe           Invoice 47671         2/27/2023	ees TH 57 Improvemen	nts 12/31/22-01/2	27/23	\$15,574.72
Transaction Date 2/23/2023	Citizens State Bank	10100	Total	\$15,574.72
Refer 0 WEX HEALTH, INC.	Ck# 005845 2/27/20	<u>)23</u>		
Cash Payment         G 101-21714         Health Savings Acc           Invoice 0001680282-IN         2/27/2023	count Benefits Solution H	ISA Participant F	ee	\$8.25
Transaction Date 2/23/2023	Citizens State Bank	10100	Total	\$8.25
Refer 0 CMS - CONSTRUCTION MGI	MT.SE _			
<b>Cash Payment</b> E 101-42400-300 Professional Solution 817-234236-1 2/27/2023	rvs (GEN January 2023			\$380.54
Transaction Date 2/23/2023	Citizens State Bank	10100	Total	\$380.54
Fund Summary				
	0100 Citizens State Bank			
101 GENERAL FUND	\$12,213.37			
312 GO EQPMT AND UTIL NOTE 2021A	\$2,043.00			
457 STATE HIGHWAY 57 PROJECT	\$15,574.72			
601 WATER FUND	\$984.00			
602 SEWER FUND	\$468.40			
	\$31,283.49			
Pre-Written Checks	\$7,029.95			
Checks to be Generated by the Computer	\$24,253.54			
Total	\$31,283.49			
lotai	Ф31,203. <del>4</del> 9			

## UNAPPROVED MINUTES OF THE DODGE COUNTY BOARD OF COMMISSIONERS REGULAR MEETING HELD JANUARY 24, 2023

#### Chair

#### **Convene County Board Meeting**

The Dodge County Board of Commissioners met in regular session January 24, 2023, in the Commissioner's Room at the Courthouse Annex, Mantorville, MN, at 5:00 p.m. Rodney Peterson, Chair called the County Board of Commissioners 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 that there was a quorum.

Also present:

Jim Elmquist County Administrator Becky Lubahn Deputy County Clerk

#### Establish Agenda

#### **Agenda Approved as Amended**

It was noted that the bills were inadvertently missed on the agenda and are being added to the Finance Director's agenda items as item 4.5. The bills were available for review in the Administration Committee agenda.

The Personnel Agenda is also being amended to include two items under the Attorney's Office. Items F1. and F.2 are being added to the agenda, F.1 is authorization to accept the resignation of an Assistant County Attorney and F.2 is a request to fill that vacancy.

Motion by Tjosaas seconded by Allen to approve and adopt the agenda as amended.

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 - Jan 10, 2023 9:00 AM
- 1.2. Board of Commissioners - Regular Meeting - Jan 10, 2023 9:30 AM

#### **Guy Kohlnhofer, County Engineer**

#### **Easement Request**

Mr. Kohlnhofer reported an application for an air quality easement has been received. The request is for parcel 15.028.0503, along CSAH 3 in Ripley Township. Included in the Board packet was a map of the area showing the distance to the nearest potential traffic stopping location (intersection of 690<sup>th</sup> Street) and a copy of the application.

At the time of application there were no zoning violations active with Dodge County. The site requesting easement is in an open and clear area 1,900 feet from any intersection requiring vehicles and the public to stop and linger. The Dodge County Highway Department does not expect the effluent air from this facility to cause an undue nuisance to the users of the county right of way and approves this application.

Motion by Allen seconded by Kenworthy to approve and authorize the Chair to sign the proposed application and issue an Air Quality Easement for parcel 15.028.0503 as requested.

Motion Adopted [Unanimous]

#### Jim Elmquist, County Administrator

#### Personnel Agenda Reviewed

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

Motion by Allen seconded by Tjosaas to approve the following personnel actions:

#### Α. Administration

A.1 Jamie Vanoosbree - Drug Court Case Manager

No longer employed

Effective Date: 2/10/23

A.2 Account Technician - 1.0 FTE

Authorization to post and fill vacancy.

Effective Date: 1/24/23

#### B. **Sheriff's Office**

B.1 Madysen Kotajavi - Deputy Sheriff

No longer employed.

Effective Date: 1/5/23

**B.2** Deputy Sheriff - 1.0 FTE

Authorization to post and fill vacancy. Effective Date: 1/24/23 Ethan Koski - 911 Dispatcher B.3 No longer employed. Effective Date: 1/27/23 Paula Shaner - 911 Dispatcher **B.4** No longer employed. Effective Date: 1/17/23 **B.5** 911 Dispatcher - 1.0 FTE (2) Authorization to post and fill vacancy. Effective Date: 1/24/23 **B.6** Transport Officer - On-Call Authorization to post and fill on-call Transport Officer position due to limited availability of current Transport Officers. Effective Date: 1/24/23 B.7 Part-Time Sheriff's Office staff review of FTE status. The following changes need to be made according to average hours worked. The next audit will be 7/20/23. Rebekah Stroudt - 911 Dispatcher Decrease FTE from .55 to on-call. Effective Date: 1/1/23 C. **Land Records** C.1 Christina Steneman - Land Records Clerk Regular status and step increase from B21 step 9 \$19.00 to B21 step 8 \$19.62. Effective Date: 1/26/23 D. **Highway** D.1 Jeremy Hellevik - Equipment Operator Authorization to hire at B23 step 3 \$27.03 to fill approved vacancy. Effective Date: 1/18/23 D.2 Stuart Swygman - Equipment Operator Authorization to hire at B23 step 3 \$27.03 to fill approved vacancy. Effective Date: 1/30/23 D.3 Jeremy Banks - Equipment Operator Authorization to hire at B23 step 3 \$27.03 to fill approved vacancy. Effective Date: TBD Ε. **Public Health** E.1 Jennifer Therring - PHN II Step increase from C41 step 2 \$35.60 to C41 step 1 \$36.67 (+\$3.00 R/R). Effective Date: 1/12/23 F. Attorney's Office F.1 Kathryn Burbank - Assistant County Attorney No longer employed. Effective Date: 2/28/23 F.2 **Assistant County Attorney** Authorization to post and fill vacancy.

Motion Adopted [Unanimous]

Effective Date: 1/24/23

#### Lisa Kramer, Finance Director

#### **Peterson Property Tax Penalty and Interest Abatement**

Ms. Kramer informed the Board that Nancy R. Peterson has submitted a request to abate the penalty and interest for the 2022 taxes on her parcel. In the application, Ms. Peterson states that her identity has been compromised and that caused problems with paying her property tax on time. Ms. Peterson's tax has been paid and only the penalty and interest remain unpaid at this time.

The Finance Director stated although the county empathize's with Ms. Peterson's situation, it is her recommendation, to remain consistent with past decisions, that this request be denied.

Motion by Kenworthy seconded by Allen to deny the property tax penalty and interest abatement request of Nancy R. Peterson in order to remain consistent with past decisions.

Motion Adopted [Unanimous]

#### Petty Cash Fund Increase at the Dodge Sheriff's Department

Ms. Kramer reported the Dodge Sheriff's Department has a Petty Cash/Imprest Fund that was established many years ago and re-authorized by the County Commissioners in December 2009. The established Petty Cash/Imprest Fund amount at the Sheriff's Department is currently set at \$100.00. Transports are putting pressure on the current amount available. Each transport is sent with \$30.00 for contingencies, and the fund can be replenished two times per month. The Finance Director recommended that the Sheriff's Petty Cash/Imprest Fund be increased to \$200.00.

Motion by Toquam seconded by Kenworthy to increase the Sheriff's Petty Cash/Imprest Fund to \$200.00 as recommended.

Motion Adopted [Unanimous]

#### **Dissolve Sheriff's Department Change Fund**

The Finance Director informed the Board that the Dodge Sheriff's Department has had a change fund for many years. This change fund was re-authorized December 22, 2009, but hasn't been used since January 2015. The department only accepts check, charge, or exact cash and no longer needs the change fund. This cash is already accounted for in the general revenue fund, but will be redeposited in a county bank account.

It was Ms. Kramer's recommendation that the Sheriff's Department Change Fund be dissolved.

Motion by Allen seconded by Kenworthy to dissolve the Sheriff's Department Change Fund as recommended.

Motion Adopted [Unanimous]

#### **Dissolve Sheriff's Department Contingent Funds**

Ms. Kramer reported the Dodge Sheriff's Department has had two contingent funds (M.S. 387.212 and 387.213) for many years. These contingent funds were re-authorized December 22, 2009, but haven't been used since at least January 2015 and most likely earlier. The department doesn't use cash for these expenditures. The department pays for investigative supplies from appropriate accounts within their budget, and do the same with the Sheriff's contingent expenses, so cash on hand is no longer needed.

It was the Finance Director's recommendation that the Sheriff's Department Contingent Funds established by M.S. 387.212 and 387.213 be dissolved.

Motion by Allen seconded by Toquam to dissolve the Sheriff's Department Contingent Funds as recommended.

Motion Adopted [Unanimous]

#### **Bills Reviewed**

Ms. Kramer reviewed bills with the Board.

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

01	Revenue Fund	\$ 104,883.49
13	Road and Bridge Fund	\$ 86,299.64
16	Environmental Quality Fund	\$ 104,674.35
80	Agency Fund	\$ 372.00
	Total	\$ 296,229,48

Motion Adopted [Unanimous]

#### **Administration Committee Report - Commissioner Tim Tjosaas**

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

Mr. Elmquist provided the Board with a County Administrator update.

The County Administrator informed the Board that Mark Lennox has moved onto another project and is no longer the NextEra Energy representative for the Dodge County Wind Project. Mr. Elmquist noted he is meeting with two new NextEra representatives tomorrow.

Judicial interviews were held in the Board Room earlier in the week to replace Judge Williamson who will be retiring in February.

Mr. Elmquist reported he plans to start scheduling Coalition of Governments (COG) meetings once again and will inform the Board of when those meetings are scheduled.

Motion No Vote

Commissioners provided their agency reports. Commissioner Allen attended a Soil & Water Conservation meeting and a Historical Society meeting. Commissioner Kenworthy attended a SECBM Steering Committee meeting, a Community Health Board meeting and a Fair Board meeting. Commissioner Peterson attended a Fairview Care Center meeting, a Highway Department open house, a Hiawatha Valley RC&D meeting, met with Senator Carla Nelson, attended a CHB meeting, a SEMMCHRA meeting and a MnPrairie Joint Powers Board meeting. Commissioner Tjosaas attended a MnPrairie meeting, a SCHRC meeting, a Highway Department open house and a Fairview Care Center meeting. Commissioner Toquam attended a County Board meeting, a SCHA Strategic Planning meeting, a SEMMCHRA meeting, a County Health Board meeting, a SCHA meeting, a South Central Human Relations meeting, a meeting with NextEra and a Highway Department open house.

Motion No Vote

There were no Other Deferred Business items to discuss.

Motion No Vote

#### Jim Elmquist, County Administrator

#### **Closed Session - Administrator Performance Review**

Mr. Elmquist met with the Board to conduct his annual performance review.

Motion by Allen seconded by Tjosaas to go into closed session at 5:29 p.m. to conduct the County Administrator's annual review.

Motion No Vote

#### **Closed Session Ended**

Motion by Toquam seconded by Kenworthy to leave closed session at 5:46 p.m.

Motion Adopted [Unanimous]

#### Adjourn

#### **Meeting Adjourned**

Motion by Tjosaas seconded by Kenworthy to adjourn the meeting at 5:46 p.m.

The next meeting of the Dodge County Board of Commissioners will be held on February 14, 2023 at 9:30 a.m.

Motion Adopted [Unanimous]

# MINUTES OF THE MANTORVILLE ECONOMIC DEVELOPMENT AUTHORITY (EDA) June 7, 2022 Meeting Minutes 6:30 P.M.

#### I. Call To Order – 6:34pm

a. Roll Call – The meeting was called to order by Hindal at 6:31 PM. Board members Hindal, Bradford, Soland, Hemker, Ingalls absent: Stafford; CEDA Representative Laura Qualey

#### II. Approval of meeting minutes

a. May 10th, 2022 approved by Bradford, Hemker

#### III. Financial Report

- a. May report-\$5,000 grant larger than life and \$35,000 check to VFW
- b. MBT bank will no longer provide statements, we would have to pay

#### **IV.** Other business

a. a. Stagecoach Days is in a few weeks and volunteers are needed to help with some of the events. Included in the packet is a list of the events for the two day event and I have highlighted a few events that need some volunteers to either help with registration, handing out prizes or assisting attendees with the stagecoach or mini horse rides. If you are planning to attend the event, please consider volunteering some time for a couple hours to help out.

b. no vendor invoices to be approved at this time, might have some for next meeting

#### V. Adjournment 6:55 motion by Ingalls, Soland

# MINUTES OF THE MANTORVILLE ECONOMIC DEVELOPMENT AUTHORITY (EDA) July 5, 2022 Meeting Minutes 6:30 P.M.

#### I. Call To Order – 6:30pm

- a. Roll Call The meeting was called to order by Hindal at 6:31 PM. Board members Hindal, Bradford, Soland, Hemker, Ingalls, Stafford; CEDA Representative Laura Qualey
- b. Also present from the community: Scott and Koreem Seim

#### II. Approval of meeting minutes

a. June 7th, 2022 approved by Bradford, Hemker

#### III. Financial Report

a. None at this time

#### IV. Seim Saloon loan #2 – Scott and Koreem to present

- a. A brief synopsis of the project is this: once the contractor began assessing the project to install the ventilation system for the hood, it was determined that the quote originally given was too low due to the scope of the work for the scale of the project on the building. So, the Seim's have made the hard decision to not renovate the kitchen. Instead, they would like to ask the EDA to consider the repurposing of the EDA funds to be used toward correcting and repairing the parking lot and some other exterior improvements to their property.
- b. Action will be required if the EDA will allow the Seims to repurpose the funds for a different use. If the EDA will NOT allow them to repurpose the funds, the Seim's will just write a check back to the EDA for the \$35,000 plus any interest that has accrued.
  - · Motion by Bradford second by Hemker

#### V. New/Old Business.

- a. **Subordination Agreement** The Seims are in the process of consolidating and refinancing their loans for their properties they currently have with Security State Bank in Wanamingo and switching to First Security Bank in Byron. Currently, the Mantorville EDA has 2nd Lien position with the Wanamingo bank and since they are switching to a new bank, the EDA will continue to be in the 2nd Lien position. Included in the packet is the new Subordination Agreement that will need to be approved by the board and signed by the EDA Board Chair as a formality.
- b. **Stagecoach Days Recap** The event had good weather. Traffic was low. Saloon reported very low numbers for the band on Friday and same with the Bag Tourney on Saturday. The Gold Star Family dedication seemed to have a very good crowd and most ended up at the Saloon for a beverage or burger afterward. Hubbell House Ribbon Cutting had a small crowd for that ceremony. Stagecoach rides had consistent riders, but not long lines. No maypole dancers. 2 of the 6 food trucks showed due to the committee member never followed up with them after initial contact. The tractor pull had a decent turnout. The melodrama had great reviews! The Fiddle Contestant numbers were about half as last year (8) so it was wrapped up within about 1 ½ hours vs. 3-4 like last year. Plenty of people have complained about not having a 'schedule of events' posted anywhere, however when the times and events kept changing up to the last minute, it would not have been relevant info anyway.

Final expenses and payments have not been tallied yet as not all of the invoices have been received. Invoices still pending are for Affordable Portables, Southeast Area Tractor Pullers, Cannon Valley Specialties and a few others for advertising. There were other events locally that

did/may have impeded the traffic of the event such as RochesterFest and Hayfield had their 150th Celebration. The MRA will not be involved in the future if SCD continues.

- EDA would like to meet with committee to discuss even sooner than later
- c. Larger Than Life This event kicked off July 2nd and will run through Labor Day weekend (and possibly longer.) There will be 16 large prints and one sculpture this year by 9 artists and a capstone event will be held on July 16th which will feature a Meet the Artists event, live music and light refreshments at Riverside Park. Press Releases have been sent out to area media and it is also on the Mantorville Facebook page as an event.

#### d. August Meeting

• Set to the 3<sup>rd</sup> due to National night out on the 2<sup>nd</sup>

#### e. CEDA Contract

 Contract was discussed and need to reach out for clarification on 4 day a month contract as it is not 8 hour days

#### V. Adjournment 6:55 motion by Soland, Bradford

# MINUTES OF THE MANTORVILLE ECONOMIC DEVELOPMENT AUTHORITY (EDA) August 3, 2022 Meeting Minutes 6:30 P.M.

#### I. Call To Order – 6:30pm

a. Roll Call – The meeting was called to order by Hindal at 6:3 PM. Board members Hindal, Bradford (6:43), Soland, Ingalls, Stafford (left 7:19); CEDA Representative Laura Qualey

b. absent: Hemker

#### II. Approval of meeting minutes

a. July 5th, 2022 Stafford approved Soland second

#### III. Financial Report

- a. County Seat owes \$2.068 from tax forgiveness in 2020 and more research needs to be done on this to determine final amount after interest
- b. Also discussed microloan and tabled financial report for next month for clarification

#### IV. New/Old Business.

- a. **Larger Than Life** event that was held on Saturday, July 16th at Riverside Park welcomed about 60 people, had a raffle, over \$500 in donations
- b. **GEM award** all supported Wendy Schleter as current GEM and past GEM will be determined when we find the list from last year and do an online email vote
- c. **Stagecoach Brewing** Qualey had a conversation with the owner of the Stagecoach Brewery (next to City Hall) and he is interested in reopening the brewery. However, he is waiting for the settlement from Excel Energy plus, he has to find another bottling company as Superior Bottling/Brewing has changed ownership. He is far from reestablishing his business plan, but was checking in to see if there were funds available to help create a new business plan or feasibility study. Currently hard to find grants for private businesses.
- d. **CEDA 2023 Rate** Per the July meeting, the Board had asked for a quote for a 4 day a month contract rate for 2023 for budgetary purposes. The increased investment would be an additional \$603/month. First half of the year was a lot of grant writing, also talking about rehabbing homes in Mantorville which would be another grant. Laura will be transitioning out of Mantorville and Alexandria Slocum will be replacing her. Will be discussed later.
- e. **Seim Saloon #2** Loan As of this moment in time (July 27, 2022) the bids are coming back extremely high for the Seims to pursue either of their projects for the back patio/parking lot updates or the connecting of the buildings. They will continue to pursue other quotes and Qualey will continue to search for facade upgrade grants or other options for them to aid in their improvements or they will end up cutting a check back to the EDA. Taking out asphalt is \$37,000 and pave and roll and compact is \$22,000 so total is \$52,000. Concrete for paving the back patio is \$7,200. Quote from Arrow asphal, want them to get more quotes.

#### V. Meeting adjourned: 7:30 PM

### MINUTES OF THE MANTORVILLE ECONOMIC DEVELOPMENT AUTHORITY (EDA) September 2022 Meeting Minutes 6:30 P.M.

1. Call to Order $x \circ$  Hindal $x \circ$  Mayor Bradford $\circ$  Hemker $\circ$  Stafford $x \circ$  Soland $x \circ$  Ingalls

a. Roll Call- The meeting was called to order by Hindal at 6:33 pm. Board members present, see above. CEDA Representative, Alexandria Slocum. Additional present: Richard (Rick) and John Olive

b. absent: Lindsay Hemker and Stafford

#### 2. Approval of Meeting Minutes

A. August 3, 2022. The August 3, 2022 minutes were approved. Motion to approve by Bradford and seconded by Ingalls.

#### 3. Presentation by John Olive re: Brewery Ruins

- A. Handout- Pamphlet that is out to the public.
- B. Handout- Floor plan on what it looks like inside. Barricades so no one can get in and only 1 left to do. Repainting over graffiti.

#### C. Reason:

- i. MRA has supported \$8500 to help with cleaning and restoring. Olive went over budget and MRA added \$2992.01 to the assistance. Saloon took gambling away to use for others which was the main support. MRA suggested talking to EDA to help with financing. Has a donation box, has \$6 already. Currently have estimates on phase 3 and 4: Total \$12,111.11, asking for help with phase 3 which is \$11,000. See the handout. Lynnette Nash and Paul Larsen have mentioned that people coming into their shops are asking questions. City is getting emails as well. Brian asked about time for them to complete phase 3, the goal is to get it done before snowfall 2022. Display signs would be 2023.
- ii. Brad Lohrbach owns it. John asked him to donate it, and he said not at this time. Also tried to buy it, said no. Last Spring, does not want to sell the property but we could do it in phases. Goal is to have him donate it to MRA in the future. It is a liability if people go onto his property and get hurt. Owner has not put any money or help other than words of encouragement.
- iii. Is there any written agreement between owner and Olive or MRA? No, it is only a voiced agreement. Commitment: secure the site, keep it safe from kids, open it for view of the public. Jeff suggested that we get a written agreement that they would not block it off for him or future owners. Part of the property is technically City property if looking at the up until the loading dock. When asked about the First Right of Refusal: Owner said he was okay with it, but it is not signed.
- iv. The EDA suggested a Fundraising brick idea? Go Fund me? CEDA suggested Grant options for the funds- Alexandria will look into it Maintaining Historic building, fencing, signage, etc.
- v. Chuck thinks it falls under Economic Development- Bradford made a motion to give John Olive for the Brewery Ruins clean up and restore for the amount of \$10,000 for the phase 3. Motion was seconded Soland. Approved by the EDA. Olive will have itemized receipts turned in to City Hall and then Brian will write checks.

CEDA Slocum suggested that the EDA go back to the discussion of drawing up an agreement from the owner. EDA decided to not have a written agreement.

#### 4. Financial Report

- A. July 2022 (re: Revolving Loan Fund and micro loan balances)
  - There was an issue with the spreadsheet on total amounts, issue has been fixed.
- B. August 2022
  - a. Microloan for the County seat is still outstanding which was due June 20, 2022.
  - b. Does it start getting interest since it is passed the due date? Did Laura send a letter, otherwise send out letter for repayment or contact if they need terms of a partial payment of the next few months. Alexandria will reach out to Laura and if it has not been done, will do prior to next meeting.
  - c. Is this Microloan fund from the RLF or something different? Alexandria will bring this information back to the next meeting
  - d. August 2022 Financial report has been approved. Motion by Soland with second by Bradford.

#### 5. New Business/Old Business

- A. Vote on historical GEM of Mantorville to be presented at Marigold Days
  - i. Present is Wendy Schleeter
  - ii. Historical is Charles Ginsberg. Motion to approve made by Brian Hindal, with Bradford second
- B. 2023 Proposed EDA Budget—please see the recording 7:15pm-7:40pm
  - i. Motion for a total EDA budget to be the same as last year at \$31,093 made by Ingalls with a second by Soland. Motion Approved.
- C. Explore MN magazine Ad/Bill
  - i. Motion to approve payment to pay bill for Explore Tourism. Ingalls approved, Hindal second. Slocum will speak with Lynnette Nash about one of the updated options, top two option as possibility- maybe update the first one- take out the two sentences add home to the Hubbell House near the top.
- D. Grant Updates from Alexandria (CEDA)
  - i. Updates on Current Grant
    - A. Final Report due Oct 31, 2022
  - ii. Future Grants
    - A. Operation Round Up:
      - a. EDA has referred to send to the next Park Board meeting.
    - B. Gametime Cares Playground Grant/Match
      - a. EDA has referred to send to the next Park Board meeting.
    - C. Quadratec Cares Energize the Environment Grant
      - a. Approved to apply for updating/restoring the covered bridge.
    - D. Small Communities SWC Resilience grants
      - a. Slocum will attend webinar to learn more about it and to find the best possible grant, approved to start writing.
- E. SEMCRA SCDP presentation moved to September
- F. Reviewed Alexandria Monthly Update

#### 6. Adjourn 8:10pm

Motion to adjourn meeting by Ingalls, second by Soland. Motion Approved. Next meeting is scheduled for Tuesday, October 4, 2022 at 6:30 p.m.

# MINUTES OF THE MANTORVILLE ECONOMIC DEVELOPMENT AUTHORITY (EDA) October 4, 2022 Meeting Minutes 6:30 P.M.

#### I. Call To Order – 6:30pm

- a. Roll Call The meeting was called to order by Hindal at 6:34 PM. Board members Hindal, Soland, Hemker, Ingalls Absent: Mayor Bradford, Stafford; CEDA Representative Alexandria Slocum
- b. Also present from the community: Terry Eickstein

#### II. Approval of meeting minutes

a. September 2022 approved by Ingalls/Soland

#### III. Financial Report

a. Approval next month for clarification of revolving loan fund

#### IV. New/Old Business.

#### a. 2023 Budget

i. Presented and approved last meeting

#### b. Tri-Fold Brochure

i. couple of updates and Alexandria will make edits

#### c. Grant Update

i. Quadratec Care Energize the Environment Grant due October 30 for up to \$3,500 for restoring covered bridge

#### d. CEDA monthly update

i. Went over Septembers update and goals looking forward

#### e. Terry Eickstein-Mantorville Chamber of Commerce

- i. funding for 10 week trial trolleys from Rochester to Mantorville
- ii. shops will be open later and then dinner at the Hubbell House
- iii. approved for up to \$5,000 Ingalls/Soland

#### f. Adjourn

- i. 7:32 Ingalls/Hemker
- ii. next meeting is scheduled for Tuesday November 1, 2022 at 6:30PM

#### MINUTES OF THE MANTORVILLE ECONOMIC DEVELOPMENT AUTHORITY (EDA) November 1, 2022 Meeting Minutes 6:30 P.M.

#### I. Call To Order – 6:30pm

a. Roll Call – The meeting was called to order by Hindal at 6:34 PM. Board members Hindal, Mayor Bradford, Stafford, Hemker, Ingalls Absent: Soland CEDA Representative Alexandria Slocum

#### II. Approval of meeting minutes

- a. October 2022
  - a. Approved by Hemker/Bradford

#### III. Financial Report

a. None at this time, defer to December

#### IV. New/Old Business

#### a. CEDA 2023 contract signing

i. Presented and approved Stafford/Hemker

#### b. Tri-Fold Brochure

i. All adjustments made and ready to get qoutes

#### c. Relay lot property

i. They have someone interested in buying, and they wanted to make sure the EDA didn't have interest in it. The EDA does not have interest.

#### d. CEDA monthly update

i. Went over Septembers update and goals looking forward

#### e. CEDA Monthly Update

i. CEMCRA approved, letters go out in Feb to apply by end of 2023

#### f. Grants Update

- i. Finish larger than life grant
- ii. covered bridge grant
- iii. presented quartly grant opportunities for 2023, EDA to review what we would like CEDA to do.

#### g. Adjourn

- i. 7:15 Stafford/Bradford
- ii. next meeting is scheduled for Tuesday December 6, 2022 at 6:30PM

# MINUTES OF THE MANTORVILLE ECONOMIC DEVELOPMENT AUTHORITY (EDA) December 6, 2022 Meeting Minutes 6:30 P.M.

#### I. Call To Order – 6:30pm

a. Roll Call – The meeting was called to order by Hindal at 6:34 PM. Board members Hindal, Mayor Bradford, Stafford, Hemker, Ingalls, Soland Absent: CEDA Representative Alexandria Slocum

#### II. Approval of meeting minutes

a. November 2022 - Approved by Hemker/Bradford

#### III. Financial Report

a. Approved Bradford/Soland

#### IV. New/Old Business

#### a. Tri-Fold Brochure

i. going to take off instructions on how to get to mantorville since everyone has it on their phone, going with Dale at Minuteman Press

#### b. Trolly update

i. going well for the most part, going to take off a couple months during the cold months, will start again in March/April

#### c. Country Seat loan update

a. has not paid and will start to collect interest

#### d. Yearly Update

i. EDA priorities, EDA plans/goals, grants update, meeting dates, EDA terms and chairs, renewal for Department of Health License

#### e. Adjourn

- i. 7:15 Stafford/Bradford
- ii. next meeting is scheduled for Tuesday January 3, 2023

# MINUTES OF THE MANTORVILLE ECONOMIC DEVELOPMENT AUTHORITY (EDA) SPECIAL MEETING January 24, 2023 Meeting Minutes 6:00 P.M.

#### I. <u>Call To Order</u> – 6:00pm

a. Roll Call – The meeting was called to order by Hindal at 6:34 PM. Board members Hindal, Mayor Bradford, Stafford, Hemker, Ingalls, Soland Absent: Other: CEDA Representative Laura Qualey, Scott and Koreen Seim (The Saloon)

#### II. New Business

- i. Loan: Coreen and Scott: The Saloon
  - 1. Koreen and Scott would like to pay off their current loan of around \$35,000 and re-apply for a \$50,000 loan. They have someone willing to buy the VFW. They would then use that money from the sell to pay off the loan at the Byron bank, then us. Then re-apply for the new loan. This would go to fix outside and other maintenance.
  - 2. We will vote once get the application at next EDA meeting.

#### III. Adjourn

- i. 6:25 Stafford/Bradford
- ii. next meeting is scheduled for Tuesday Feb 7, 2023

Dear Mayor Bradford and Mantorville Councilmembers:

Please accept this letter as my resignation from the City of Mantorville. Serving as City Clerk-Treasurer for almost two years has been both challenging and rewarding.

I have made some wonderful friendships during my time here, and I will take those with me. I appreciate everyone on Council, City Staff, the Fire Department, our Consultants, as well as the Sheriff's Office and Dodge Center Ambulance. It has been a pleasure working with all of you.

Although my resignation is pending approval from my new employer, I anticipate my last day being March 30, 2023.

Best Regards,

Shirley R Buecksler

### City of Mantorville Position Description

**Position Title:** Deputy City Clerk **Reports to:** City Clerk-Treasurer **Status:** Full-Time; 40 hours/week

**Classification:** Non-Exempt

Starting Wage: \$18.00 Hourly DOQ

#### PRIMARY OBJECTIVE OF POSITION:

The primary objective of this position is to assist the City Clerk-Treasurer and Elected Officials by performing support work in the area of City Government operations. This position may act as back up in the absence of the City Clerk-Treasurer and perform the duties of a Deputy Clerk as authorized by city and state law.

#### **JOB REQUIREMENTS**

Applicant must have a high school diploma or equivalent, and preferably two years post high school education. Applicant must have a strong background in communications, documentation skills, record keeping, and computer experience with spreadsheets, word processing, and data entry. Experience in Municipal Government is desirable but not required. This position may involve travel for education purposes. The ability to be flexible to cover the City Clerk when absent and to work outside of normal business hours is required.

#### **RESPONSIBILITIES AND DUTIES:**

- Respond to public inquiries on the phone and in person regarding City programs, ordinances, and any other items pertinent to the City.
- Handle all functions of Utility Billing to include deposits, receipt entry, monthly billing, reports and troubleshooting.
- Assist the City Clerk with the handling of correspondence on behalf of the City and the City Council and execute any assignments given by them.
- Provide clerical support to the City Clerk to include typing, mailing, copying, filing, and publishing notices.
- Assist with the maintenance of record retention files.
- Assist with office supply ordering.
- Assist with the issuing of permits and licenses for the City in accordance with established guidelines, including assisting applicants with proper completion of applications for licenses and permits.
- Assist with the coordination of elections.
- Assist with the preparation of agendas and information packets for various boards and commission meetings.
- Assist with Accounts Receivables, Payables, and Payroll as needed.
- Responsible for the City Website and Cable Channel.

#### KNOWLEDGE, SKILLS AND ABILITIES:

- Ability to present the City in a courteous and professional manner in person and over the phone.
- Ability to handle several tasks at one time.
- Ability to initiate and accomplish tasks independently.
- Ability to communicate effectively and professionally with coworkers and members of the public.
- Basic knowledge of office machines and equipment.
- Knowledge of English, spelling, arithmetic, bookkeeping, computers, typing, photocopiers, fax machines and other
  office equipment.
- Knowledge of research and composition, sentence structure and spelling.
- Extensive knowledge of Microsoft Word, Excel, and other software applications.
- Ability to sit for long periods of time.
- Strong attention to detail.
- Proficient with social media.
- Skills associated with grant writing.

The Responsibilities & Duties, and Knowledge, Skills and Abilities are intended only as illustrative of various types of work performed, and are not all inclusive. The job description is subject to change as the needs of the employer and requirements of the job change.

### CITY OF MANTORVILLE JOB DESCRIPTION

POSITION: City Clerk - Treasurer
CLASSIFICATION: Exempt Full-Time
SUPERVISOR: Mayor and City Council
WAGE RANGE: \$47,840 - \$76,731

#### **SUMMARY STATEMENT:**

This position is responsible to carry out the statutory functions of the City Clerk-Treasurer and the administration of City services by performing accounting, payroll, human resource and other administrative duties. Prepares budgets and implements City policies. Keeps records of all Council proceedings, handles correspondence on behalf of the City, prepares agendas and executes any assignments given by the Council. The Clerk acts as a liaison between City Council and Consultants. The job requires considerable judgment, attention to detail and is typically performed under minimal supervision.

#### **QUALIFICATIONS**

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

#### Minimum Qualifications

- High school degree or equivalent
- Three to five years of experience in accounting, finance, human resources or related field
- Ability to be bonded and obtain Notary Public status

#### **Desired Qualifications**

- Two-year degree in accounting or related filed
- Previous City Clerk experience or other government administration position
- Experience using automated accounting systems
- Previous experience as a supervisor or benefits administrator

#### **RESPONSIBILITIES AND DUTIES:**

- Oversees the daily operations of the City of Mantorville.
- Acts as Executive Officer for the City Council to include attending Council meetings, organize
  and maintain accurate and complete records of minutes, ordinances, resolutions and all
  other Council actions. Creates and publishes notices and announcements as needed and
  required by law. Carries out policies and ordinances as required.
- Attests the Mayor's signature on official documents wherever required and maintains the City seal and administers the Oath of Office.
- Works with Council to develop and administer the annual City budget. Prepares final levy documents and ensures submittal to County. Completes State budget reporting.
- Directs and oversees the preparation of accounts payable and receivable transactions.
- Maintains and processes bi-weekly and yearly payroll. Coordinates and implements the City benefit plan including yearly renewals, tax reporting, maintains and updates as required all employment records, files & reports, process yearly W-2's, W-3's, 1099's, etc.
- Manages City investments, completes monthly bank reconciliation, deposits and transfers money between accounts, keeps records of all City financials and provides reports to Council.
- Coordinate, participate in and ensures completion of the annual audit.
- Bills for special assessments, collects payments and records as appropriate.

### CITY OF MANTORVILLE JOB DESCRIPTION

- Maintains files and appropriate documentation of bookkeeping and administrative functions in order to satisfy legal requirements.
- Coordinates and administers local elections in accordance with State and County requirements.
- Performs duties related to records management, ensuring compliance with the State Records Retention Schedule.
- Provides certified copies of proceedings and records of the City upon request.
- Answers phones and responds to public requests, complaints and inquiries jointly with Deputy Clerk. Makes referrals to appropriate staff when required, uses judgment and knowledge of City operations.
- Works closely with boards and commissions to carry out their mission.
- Ex-Officio of the Fire Relief Board.
- Supervises Deputy City Clerk. Is responsible for reviewing Deputy City Clerk duties/work as necessary. Review and adjust work assignments as necessary and performs appraisals in conjunction with the Personnel Committee for the Deputy City Clerk position.

#### KNOWLEDGE, SKILLS AND ABILITIES:

- Considerable knowledge of the following:
  - Accounting and bookkeeping practices and procedures
  - o Municipal financial management and record keeping
  - o Ordinances, resolutions and policies
  - State and County election procedures and operations
  - o Laws, rules and regulations as they affect the City
  - o Data privacy as it relates to release of City data
- High level of skill in operating office equipment including operation of computer payroll and accounting systems with speed and accuracy.
- Excellent writing and interpersonal communication skills
- Highly developed problem-solving skills
- Considerable ability to:
  - Handle public contact with a high degree of tact, courtesy, confidentiality, and sound judgment.
  - Analyze information and develop alternatives for consideration
  - o Communicate with City staff, State and County officials, elected officials, consultants and the general public
  - Self-supervise, prioritize, research and work with multiple deadlines and diverse responsibilities
  - Prepare variety of financial reports and oversee the administration of the City budget
  - Account for and handle money
  - Prepare written correspondence (minutes, reports and other written material) in an accurate and timely manner.
  - Take initiative and manage multiple projects efficiently
  - Work as a team and provide constructive feedback to Deputy City Clerk and other coworkers

The Responsibilities and Duties, and Knowledge, Skills and Abilities are intended only as an illustration of various types of work performed, and are not all inclusive. The job description is subject to change as the needs of the City and the requirements of the position change.

Updated February 2023



### City Council Report

To: Mayor and Council

From: Shirley Buecksler, City Clerk-Treasurer

Date: February 27, 2023

### **Designation of City Consultants; Request for Proposals for Legal Services**

#### **BACKGROUND INFORMATION:**

At their January 9, 2023 meeting, a question was raised from citizens asking Council to consider looking for a local attorney. Following some discussion, Council tabled the resolution designating City Consultants for 2023. This item remained on the table at the February 13, 2023 Council meeting with no discussion.

Enclosed for Council review are two parts:

- 1) Resolution No. 2023-11 Approving City Designations for Consultants for 2023. (The City Attorney has been removed from this resolution.)
- 2) Draft Request for Proposals (same as used by the City in 2014) and draft Legal Notice for publication.

#### STAFF RECOMMENDATION:

Based on discussion and motion:

- 1) Adopt Resolution No. 2023-11 Approving City Designations for Consultants for 2023
- 2) Provide direction to the City Clerk and authorize publication of a Legal Notice in the Dodge County Independent for Legal Services (RFP).

#### **ATTACHMENT(S):**

- Resolution No. 2023-11 Approving City Designations for Consultants for 2023
- Draft Request for Proposals for Legal Services
- Draft Legal Notice for publication

# CITY OF MANTORVILLE DODGE COUNTY, MINNESOTA

### **RESOLUTION NO. 2023-11**

# 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 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.

Ado	pted by the C	ity Counci	l of the City	y of Mantorville,	Minnesota,	this 27 <sup>th</sup> da	y of Februar	y 2023.

	ATTEST:
Chuck Bradford	Shirley R Buecksler
Mayor	City Clerk-Treasurer

# CITY OF MANTORVILLE REQUEST FOR PROPOSALS FOR LEGAL SERVICES

The City of Mantorville is seeking proposals from qualified firms and individuals interested in providing legal services to the City. The selected law firm or individual will be expected to provide a wide range of legal services to the City. The City Attorney will be selected by the City Council and will work closely with the City Clerk-Treasurer and other City Staff and Consultants.

The City of Mantorville is a Statutory Plan A City with a population of 1,111. The form of government is a weak Mayor-Council. The City of Mantorville is governed by a City Council composed of a Mayor and four Councilmembers. All are elected at large, the Mayor for a two-year term and the Council for four-year terms.

#### I. Scope of Services

Basic services for the purpose of this proposal shall include those legal services generally understood within the field of Municipal Law to fall within the category of "general counsel" work and shall include, but not be limited to, the following:

- a) Routine legal advice, telephone and personal consultations with the City Council, City Clerk, or other authorized representatives.
- b) Assistance in the preparation and review of ordinances, resolutions, agreements, contracts, policies, forms, notices, certificates, deeds and other documents required by the City.
- c) Attendance as needed at City Council meetings and other City Board, Commission or Committee meetings as requested by the City Council or City Clerk. Regular Council Meetings are held the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of the month.
- d) Legal advice and opinions concerning legal matters that affect the City.
- e) Legal work pertaining to criminal matters of the City such as prosecution and initial proceedings.
- f) Guidance on City personnel matters, including employee disciplinary and grievance matters. Interpret and advise with respect to municipal employment matters, including but not limited to PERA, labor agreements, personnel policy, FLSA, Veterans preference and unemployment.
- g) Legal work pertaining to property acquisitions, property disposals, public improvements, easement dedications, and right of way vacations, annexation eminent domain.
- h) Legal work pertaining to the Economic Development Authority and Planning & Zoning Commission.
- i) Enforcement of City codes, zoning regulations, building standards and rental ordinance through administrative and judicial actions.
- j) Monitoring of pending and current state and federal legislation and court decisions as appropriate.
- k) Coordination of outside legal counsel as needed and as directed by the City Council and City Clerk.

- Review of Municipal Contracts including contracts for public improvements, joint powers agreements, and memorandums of understanding, construction, purchase of equipment, conditional use agreements, easements, parks, subdivision bonds and development agreements.
- m) Provide Legal Advice on Open Meeting Law and data practices/privacy issues.
- n) Defend the City in litigation (except for those cases where insurance companies are required to exclusively provide defense) including, but not limited to: human rights claims, condemnation, zoning and land use regulation matters, permits and administrative actions and labor and employment matters.

#### **II.** Instructions to Proposers

Firm information should include name of proposer's law firm, name of contact person, street address, telephone number, fax number, email address and date of proposal.

Describe the nature of your practice or your law firm's practice and your qualifications for providing City Attorney services. Provide a professional chronology for the individual who will be designated to serve as City Attorney, as well as for others whom you anticipate being involved with providing legal services to the City.

Please provide the following information:

- Legal training and number of years of practice, including date of admission to the Minnesota Bar Association, number of years in municipal or other local public sector law practice as a full time local government attorney and/or in a private law office specializing in local government.
- Any professional affiliations,
- Knowledge of and experience with Minnesota Municipal Law or other public sector experience and redevelopment law.
- Knowledge and practice of law relating to land use and planning, environmental law, risk management, redevelopment, general plans, real estate and other related law
- Experience in the area of contracts and franchises.
- Experience in the area of personnel, disability law rights and obligations, workers compensation, employee relations and negotiations and employee discrimination claims.
- Experience in the preparation and review of ordinances and resolutions.
- Types of clientele represented and years representing each.
- Office location and accessibility to the City.

If the firm/individual, or any of the attorneys employed by the firm have ever been sued by Cities or other clients for malpractice, been the subject of complaints filed with the State Bar, or had discipline imposed by the State Bar, please provide information about the nature of the incident, the dates of when the matter began and was concluded, and the results of the situation.

# III. City/City Attorney Relationship

Describe how you would structure the working relationship between the City Attorney and the City Council, City Clerk and other Staff members and City Consultants.

Define the standard timeframes for response by the City Attorney to direction and/or inquiry from the City Council or City Clerk.

Describe the computer resources currently utilized in your office. The City will require compatibility with Microsoft Word for Windows as well as the maintenance of internet service such that e-mail and files can be transmitted between City Staff and the City attorney.

#### IV. Clients/Conflict of Interest

List all public clients for which you or your firm currently provides services under a fee for services basis or on a retainer basis. Identify any foreseeable or potential conflicts of interest that could result from such representation and the manner in which you would propose to resolve such conflicts.

For the person designated as City Attorney, list all public clients that person presently represents as City Attorney or General Counsel, along with the meeting dates and times for each governing body.

# V. Compensation

Provide the pricing schedule you will use to charge the City for providing services as outlined in this Request for Proposals. Describe how the individual or firm intends to provide legal services, either on an hourly rate, or on a different basis. Define what types of work you would consider to be extra or specialized work that may be billed in addition to basic services. The City has a preference for hourly rate billing without a retainer and the proposal must state the hourly rates for the designated City Attorney and associates for general work and for special services such as litigation.

State the rate for meeting attendance whether hourly or otherwise.

Identify the minimum increment of time billed for each service, e.g. phones calls, correspondence, personal conference.

Define the type of unit rates for reimbursement for expenses such as mileage, reproduction of documents, faxed documents and word processing charges.

#### VI. Professional References

Provide three (3) professional references for the individual designated as City Attorney, including addresses and work telephone numbers. References should be currently employed public agency officials or agents.

#### VII. Evaluation and Selection Process

The City Council will appoint a Selection Committee to review proposals and recommend a firm or firms to be interviewed. The City Council will conduct the interviews. The qualifications for the top candidates will be verified and references will be checked. In reviewing the proposals, the Selection Committee will carefully weigh the following:

- The depth, experience and expertise in the practice of law specifically in those areas most encountered in municipal government operations.
- The capability to perform legal services promptly and in a manner that permits the City Council and Staff to meet established deadlines and to operate in an effective and efficient manner.
- The degree of availability for quick response to inquiries that arise out of day-to-day operating questions or problems.
- The degree to which the firm and individual attorneys stay current through continued professional development and active communication with practitioners in the municipal law firm.
- Communication skills.
- Cost of services.
- Other qualifications/criteria, as deemed appropriate by the City Council.

The contract will require the individual or law firm selected as City Attorney maintain general liability, automobile, workers compensation and errors and omissions insurance. The contract will also contain provisions requiring the selected individual or law firm to indemnify the City and provide that the City Attorney is an independent contractor serving at the will of the City Council. Other required provisions will include the City Council's right to terminate the agreement, at its sole discretion, upon the provision of notice.

#### VIII. Submittal Requirements

In order to ensure a fair review and selection process, firms submitting proposals are specifically requested not to make contacts to the City Staff or Councilmembers regarding these proposals. All questions and comments should be directed to the City Clerk-Treasurer Shirley Buecksler (507) 635-5116 or <a href="mailto:shirley@mantorville.com">shirley@mantorville.com</a>.

Law firms or individuals interested in submitting proposals for City Attorney shall submit six complete copies of the proposal in a sealed envelope bearing the caption "Mantorville City Attorney Proposal" and delivered to:

Shirley Buecksler, City Clerk-Treasurer City of Mantorville 21 5<sup>th</sup> Street East PO Box 188 Mantorville, MN 55955 City of Mantorville Request for Proposals for Legal Services Page 5 of 5

Proposals must be received by 5:30 pm on Thursday, March 16, 2023. Late proposals will not be considered. All proposals will be deemed confidential and will be retained by the City of Mantorville. The City Council reserves the right to reject all proposals, to request additional information concerning any proposal for purposes of clarification, to accept or negotiate any modification to any proposal following the deadline for receipt of all proposals, and to waive any irregularities if such would serve the best interests of the City as determined by the City Council.

# (Example of Legal Notice)

# **Legal Services (RFP)**

The City of Mantorville is requesting proposals from qualified firms and individuals interested in providing legal services to the City. A copy of the Request for Proposals (RFP) may be obtained by contacting the City Clerk-Treasurer, Mantorville City Hall at (507) 635-5170 or visiting the City website at <a href="www.mantorville.com">www.mantorville.com</a>. To be considered, please send all required material to City of Mantorville, City Clerk-Treasurer, 21 5th Street East, PO Box 188, Mantorville, MN, 55955 no later than 5:30 pm on \_\_\_\_\_\_\_, 2023. The City reserves the right to reject any or all proposals submitted.



# City Council Report

To: Mayor and Council

From: Shirley Buecksler, City Clerk-Treasurer

Date: February 27, 2023

# Ordinance Regarding Motorized Golf Carts, All-Terrain Vehicles and Utility Task Vehicles

#### **BACKGROUND INFORMATION:**

At their February 13, 2023 regular meeting, City Council discussion included:

- To gather public feedback, this item will stay on the Council's agenda for three readings (February 27, March 13, and March 27);
- Whether the permit should be for one year or three years;
- Permit sticker placement on vehicle;
- Most common violations seen by the Sheriff's Office are underage drivers;
- Recommendation that the ordinance apply to golf carts only; and
- Placing focus on Legislature for state passes, rather than issuance from individual cities and towns.

At the request of Council, the City Attorney has drafted the enclosed ordinance amending chapters 70 and 95 of the City Code regarding motorized golf carts, all-terrain vehicles, and utility task vehicles. This draft ordinance also adds the following to subsection 95.04 regrading noise and reads as follows:

"(z) The use or operation of any recreational motor vehicle, on public or private property, in a manner that produces a distinct and loudly audible sound that unreasonably disturbs the peace, quiet, and comfort of any person nearby. This provision applies to any and all types of recreational motor vehicle, including, but not limited to, dirt bikes, dune buggies, snowmobiles, and the vehicles defined in section 70.01 (ATVs, motorized golf carts, and UTVs)."

Enclosed for Council review are Ordinance No. 2023-05, Resolution No. 2023-10, and comments received from the public either via email or the City's Facebook post regarding this ordinance. (No additional comments have been received since February 13<sup>th</sup>.)

If the ordinance is passed, a sample application is also enclosed for review. The Master Fee Schedule will need to be amended with the cost of the permit. Currently, the fee schedule only includes a \$5.00 Golf Cart Permit for handicapped persons. The City of Kasson charges \$30.00 for a 3-year Special Vehicle Permit (all-terrain vehicle, mini-truck, utility task vehicle, and motorized golf cart). Sheriff Rose recommended a 1-year Special Vehicle Permit between \$5.00 and \$15.00. Vehicle stickers will also need to be purchased before permits may be processed.

#### STAFF RECOMMENDATION:

Based on Council discussion and direction.

#### **ATTACHMENTS:**

- Ordinance No. 2023-05 Amending Chapters 70 and 95 of the Code of Ordinances of the City of Mantorville Regarding Motorized Golf Carts, All-Terrain Vehicles, and Utility Task Vehicles
- Resolution No. 2023-10 Authorizing Publication of Ordinance No. 2023-05 by Title and Summary
- Sample application (direction needed on license term and cost)

### CITY OF MANTORVILLE DODGE COUNTY, MINNESOTA

# **ORDINANCE NO. 2023-05**

AN ORDINANCE AMENDING CHAPTERS 70 AND 95 OF THE CODE OF ORDINANCES OF THE CITY OF MANTORVILLE REGARDING MOTORIZED GOLF CARTS, ALL-TERRAIN VEHICLES, AND UTILITY TASK VEHICLES

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

**Section 1.** Subsections 70.01 through 70.06 of the Mantorville City Code are hereby repealed in their entirety and replaced with the following <u>double-underlined</u> provisions:

# MOTORIZED GOLF CARTS, ALL-TERRAIN VEHICLES AND UTILITY TASK VEHICLES

# §70.01 Definitions.

As used in this subchapter, the following terms will mean:

#### All-terrain vehicle or ATV: A motorized vehicle with:

- (1) not less than three, but not more than six low pressure or non-pneumatic tires;
- (2) a total dry weight of 2,000 pounds or less; and
- (3) a total width from outside of tire rim to outside of tire rim that is 65 inches or less.

All-terrain vehicle includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. All-terrain vehicle does not include a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

<u>Class 1 all-terrain vehicle</u>: An all-terrain vehicle that has a total width from outside of tire rim to outside of tire rim that is 50 inches or less.

<u>Class 2 all-terrain vehicle</u>: An all-terrain vehicle that has a total width from outside of tire rim to outside of tire rim that is greater than 50 inches but not more than 65 inches.

<u>Designated Roadways:</u> City streets, avenues, and alleys not specifically excluded in this chapter. It does not mean United States or Minnesota trunk highways or Dodge County highways or county state-aid highways unless permitted by County ordinance.

<u>Dead-Man Throttle</u>: A device which when pressure is removed from the accelerator or throttle causes the motor to be brought to an immediate stop.

**Driver:** The person driving and having physical control over utility task vehicle, all-terrain vehicle, or mini-truck and thus being the licensee.

<u>Motorized Golf Cart</u>: A gas or electric three or four wheel vehicle commonly used to transport golfers and their golfing equipment while playing the sport of golf.

<u>Owner:</u> A person, other than a person with security interest, having a property interest in or title to an all-terrain vehicle and entitled to the use and possession of the vehicle.

**Operator:** The person driving or in actual physical control of the all-terrain vehicle.

<u>Utility Task Vehicle (UTV):</u> As defined in Minnesota Statutes, section 169.045, subd. 1 (3), is a side-by-side, four-wheel drive, off-road vehicle that has four wheels, is propelled by an internal combustion engine with a piston displacement capacity of 1,200 cubic centimeters or less and has a total dry weight of 1,800 but less than 2,600 pounds.

#### §70.02 Permits for ATVs, Motorized Golf Carts, and UTVs.

- (A) No person shall operate an ATV, motorized golf cart, or UTV on designated roadways without obtaining a permit as provided herein.
- (B) Permit applications shall be available in the City Clerk-Treasurer's office. At the time of application, the applicant shall provide:
  - 1. Applicant's name
  - 2. Applicant's address
  - 3. Applicant's date of birth
  - 4. Application date
  - 5. A copy of applicant's driver's license (applicants who are unable to produce a driver's license may present a letter from their physician certifying that they are safely able to operate an ATV, motorized golf cart, or UTV on designated roadways)
  - 6. <u>Applicant's certification that they have read and will comply with all the terms of</u> this chapter
  - 7. Evidence of insurance complying with the provisions of Minnesota Statutes, section 65B.48, subdivision 5, as may be amended from time to time. In the event persons operating an ATV, motorized Golf Cart, or UTV under this section cannot obtain liability insurance in the private market, that person may purchase automobile insurance, including no-fault coverage, from the Minnesota Automobile Insurance Plan under Minnesota Statutes, section 65B.01 to 65B.12, at a rate determined by the commissioner of commerce.
  - 8. <u>Current State of Minnesota vehicle registration and a description of the vehicle</u> (applicants may provide a photograph of the vehicle in leu of a description)
- (D) Persons under age twenty-one (21) shall be ineligible for a permit unless they possess a valid driver's license.

- (E) All permits shall be valid for a period not to exceed one year but may be renewed.
- (F) The permit fee shall be as set forth in the City's fee schedule, as it may be amended from time to time.
- (G) No permit shall be granted or renewed if the applicant has had their driver's license revoked as the result of criminal proceedings.
  - (I) All permits shall expire on December 31 unless properly renewed prior thereto.

#### §70.03 Revocation or Denial of Permits.

- (A) Any permit granted or authorized hereunder shall be revoked or denied under the following circumstances:
  - 1. <u>Upon a finding that the holder of the permit has violated any of the provisions of this chapter or Minnesota Statutes, chapter 169, as may be amended from time to time, while operating their respective ATV, motorized golf cart, or UTV;</u>
  - 2. <u>If there is evidence that the ATV, motorized golf cart, or UTV is not safely or legally operated or has not been safely or legally operated within the city;</u>
  - 3. If the insurance required by law for a permit is no longer in effect;
  - 4. <u>If the application for permit contained false or misleading information of</u> documentation;
  - 5. <u>If the driver's license of the permit holder is suspended, revoked, or cancelled;</u> or
  - 6. <u>Upon evidence that the permit holder is not able to operate the ATV, motorized golf cart, or UTV in a manner that is safe, responsible, or lawful.</u>
- (B) The applicant or permit holder may appeal any such revocation or denial in a hearing before the City Council by filing with the City Clerk-Treasurer notice of appeal in writing not later than 10 days after the date of notice of the revocation or denial action.
- (C) Individuals whose permits are revoked or denied are prohibited from re-applying for a permit for one year after the revocation or denial is issued. Three revocations of a permit within ten years shall result in permanent revocation.

#### §70.04 Operation of Certain Vehicles Within the City.

- (A) All ATVs and UTVs operated in the city, regardless of whether they are operated on designated roadways pursuant to a City permit, must be equipped with:
  - 1. Mufflers that are properly attached and which reduce the noise of operation of the vehicle to the minimum noise necessary for the operation of the vehicle. No person shall use a muffler cut-out, by-pass, or similar device on any ATV or UTV operated within the city;
  - 2. A safety or "dead-man" throttle in good operating condition;

- **3.** A rear view mirror to provide the driver with adequate vision from behind as required by Minnesota Statutes, section 169.70.
- (B) Motorized golf carts operated pursuant to a City permit must display a slow-moving vehicle emblem as described by Minnesota Statutes, section 169.522.
- (C) All ATVs, motorized golf carts, and UTVs must prominently display their City permit sticker on the driver's side of the vehicle windshield. If the vehicle does not have a windshield, the driver must have the permit in their possession while operating the vehicle on designated roadways.
- (D) ATVs, motorized golf carts, and UTVs are not required to obtain a permit if they are being utilized solely to clear snow from sidewalks and/or driveways from the operator's property or from a neighbor's property located within 350 feet of the operator's property.
- (D) ATVs, motorized golf carts, and UTVs are not required to obtain a permit if they are being utilized solely to drag a baseball or other athletic field.
- (E) ATVs, motorized golf carts, and UTVs are permitted to operate only on designated roadways, not state or federal highways, except to cross at designated intersections.
- (F) When operating on designated roadways, ATVs, motorized golf carts, and UTVs must be operated at the extreme right-hand side of the roadway, except when making a left turn, and cannot exceed a speed of 20 miles per hour.
- (G) ATVs, motorized golf carts, and UTVs may only be operated on designated roadways from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rearfacing brake lights.
- (H) ATVs, motorized golf carts, and UTVs may not be operated as authorized through a permit in inclement weather conditions or at any time when there is insufficient light to clearly see persons and vehicles on the roadway at a distance of 500 feet.
- (I) ATVs, motorized golf carts, or UTVs may not be operated with a passenger or passengers unless each such passenger is seated on a seat specifically designed for the transport of passengers. The number of occupants on an ATV, motorized golf carts, or UTV may not exceed the design occupant load.
- (J) No trailer, toboggan, sled or other device shall be pulled by an ATV, motorized golf cart, or UTV while operating through a permit.
- (K) ATVs, motorized golf carts, and UTVs may not be operated on city sidewalks, walking trails, or paths, unless they are being utilized to clear snow.
  - (L) ATVs, motorized golf carts, and UTVs may not be operated in city parks.
  - (M) ATVs, motorized golf carts, and UTVs must abide by all city parking regulations.

Ordinance No. 2023-05 Page 5 of 5

(N) Every person operating an ATV, motorized golf cart, or UTV on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of Minnesota Statutes, chapter 169, as may be amended from time to time.

## §70.05 Limitation of Liability.

Nothing in this chapter shall be construed as an assumption of liability by the City for any injuries to persons or property which may result from the operation of a permitted ATVs, motorized golf carts, or UTVs, the grant of such permit, or the failure by the City to revoke said permit.

### §70.06 City Use Authorized.

Authorized City Staff may operate City-owned ATVs, motorized golf carts, or UTVs without obtaining a permit on city streets, sidewalks, trails, rights-of-way, and other public property when conducting City business.

**Section 2.** Subsection 95.04 of the Mantorville City Code is hereby amended by adding the <u>double-underlined</u> material as follows:

(z) The use or operation of any recreational motor vehicle, on public or private property, in a manner that produces a distinct and loudly audible sound that unreasonably disturbs the peace, quiet, and comfort of any person nearby. This provision applies to any and all types of recreational motor vehicle, including, but not limited to, dirt bikes, dune buggies, snowmobiles, and the vehicles defined in section 70.01 (ATVs, motorized golf carts, and UTVs).

**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 27th day of February 2023.

	ATTEST:	
Chuck Bradford Mayor	Shirley R Buecksler City Clerk-Treasurer	

### CITY OF MANTORVILLE DODGE COUNTY, MINNESOTA

#### **RESOLUTION NO. 2023-10**

# RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE NO. 2023-05 BY TITLE AND SUMMARY

**WHEREAS,** the City Council of the City of Mantorville has adopted Ordinance No. 2023-05, An Ordinance Amending Chapter 70 and 95 of the Code of Ordinances of the City of Mantorville Regarding Motorized Golf Carts, All-Terrain Vehicles, and Utility Task Vehicles; and

**WHEREAS,** Minnesota Statues § 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. 2023-05 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. 2023-05, An Ordinance Amending Chapters 70 and 95 of the Code of Ordinances of the City of Mantorville Regarding Motorized Golf Carts, All-Terrain Vehicles, and Utility Task Vehicles. The ordinance establishes a City permitting system to authorize the limited and safe use of certain recreational vehicles by qualified persons on designated city streets. The ordinance also deems it a public nuisance to use or operate any recreational motor vehicle, on public or private property, in a manner that produces a distinct and loudly audible sound that unreasonably disturbs the peace, quiet, and comfort of any person nearby. The full text of the ordinance is available at City Hall during regular business hours.

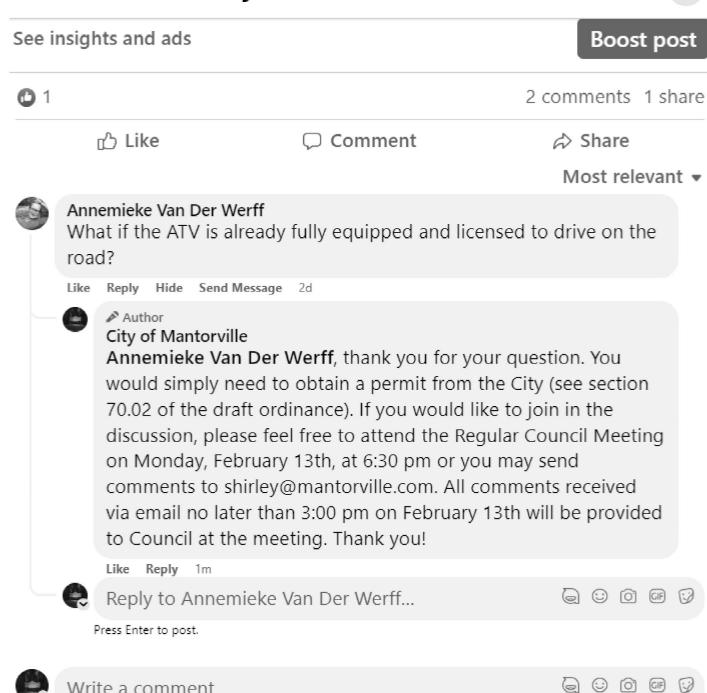
**BE IT FURTHER RESOLVED** by the City Council of the City of Mantorville that the City Clerk keep a copy of the ordinance in their office at City Hall for public inspection and that they post a full copy of the ordinance in a public place within the city.

Adopted by the City Council of the City of Mantorville, Minnesota, this 27<sup>th</sup> day of February 2023.

	ATTEST:	
		_
Chuck Bradford	Shirley R Buecksler	
Mayor	City Clerk-Treasurer	

# City of Mantorville's Post







# SPECIAL VEHICLE PERMIT APPLICATION

Instructions: Complete the application accurately and in full. Submit completed application to:

#### CITY OF MANTORVILLE

21 5<sup>th</sup> Street E PO Box 188 Mantorville, MN 55955

Questions: 507.635.5170 or info@mantorville.com

DATE OF APPLICATION:		FEE:
TYPE OF VEHICLE:		
All-Terrain Vehicle	Utility Task Vehicle	Motorized Golf Cart
	APPLICAN	<u>IT</u>
First Name:	Middle Initial: _	Last Name:
Address:		
City:	State:	Zip:
Home Phone:	Cell Phone:	Date of Birth:
Driver's License #:	DL State:	No Current DL:
Reason, if no current DL:		
Physical handicap, if any:		
Body Serial # / Vehicle ID #:		Model:
DNR Registration # (if applicab	le):	
<u>P</u>	ROOF OF LIABILITY	'INSURANCE
Insurance Company:		
Agency / Agent Name:		Agent Phone No
Policy No.:		Policy Expiration Date:
•	U	lations adopted in the Mantorville City Cod omitted in this application is true and correc
Applicant's Signature		

# **SPECIAL VEHICLE PERMIT APPLICATION, Page 2**

# $\underline{\textbf{PERMIT AUTHORIZATION}} \ (For \ Official \ Use \ Only)$

Approved?  Yes No			
If no, list reasons for o	lenial:		
Approved/Denied By:		Mailed/In Person	
Permit No.:		Date Issued:	
Revoked:	Date Revoked:	Reason Revoked:	
	SPECIAL VE	EHICLE INSPECTION	
	MOTORIZED (	GOLF CART REQUIREMENTS	

MOTORIZED GOLF CART REQUIREMENTS
Valid Driver's License
Valid Insurance Policy
Slow-Moving Vehicle Emblem
Rear-View Mirror
Head Lights (Optional)
Tail Lights (Optional)
Rear-Facing Brake Lights (Optional)
Permit Placed on Driver's Side of Vehicle Windshield (if no windshield,
driver must have permit in possession while operating vehicle on designated roadways)

ALL-TERRAIN AND UTILITY TASK VEHICLE REQUIREMENTS
Valid Driver's License
Valid Insurance Policy
Head Lights (Optional)
Tail Lights (Optional)
Rear-Facing Brake Lights (Optional)
Muffler Properly Attached to Reduce Noise
Permit Placed on Driver's Side of Vehicle Windshield (if no windshield,
driver must have permit in possession while operating vehicle on designated
roadways)



# City Council Report

To: Mayor and Council

From: Shirley Buecksler, City Clerk-Treasurer

Date: February 27, 2023

# Intersection Control at 4th Street and Clay Street

#### **BACKGROUND INFORMATION:**

At their January 23, 2023 meeting, Council discussed intersection control at 4<sup>th</sup> and Clay Streets. This item will be continued on the Council's agendas for February 13, February 27, and March 13 for discussion and public comment. Comments received via Facebook and/or email will be provided to Council at each meeting.

At the Council's February 13<sup>th</sup> meeting, Councilmember Ingalls created the enclosed mock-up of the intersection to show where stop signs could potentially be placed. Councilmember Bradford talked with the property owners at this intersection and they approve of the new signage. Therefore, a mock-up with yield signs was not provided. All comments received were in favor of the two stop signs and removal of the yield sign.

The mock-up design has been placed on the City's website under Alerts & Notices and also posted on the City's Facebook page with information how citizens may submit comments if unable to attend any of the meetings.

#### STAFF RECOMMENDATION:

Based on discussion.



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# City of Mantorville

Published by Shirley Buecksler 20 · 3d · 3

The Mantorville City Council will be discussing intersection control at 4th Street and Clay Street at their regular meetings on February 13, February 27 and March 13 at 6:30 p.m. If you are unable to attend any of these meetings, you may email your comments on this item to Shirley Buecksler, City Clerk, at shirley@mantorville.com. All comments received by 3:00 pm the day of the meeting will be brought forward to Council for review. This photo shows the intersection and proposed signage to be discussed.



See insights and ads

**Boost** post

**3** 

8 comments 1 share

Like





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**+** 



Write a comment...

Press Enter to post.



#### Will Lambert

As a resident on one of these corners, I would definitely support this change to stop signs. The current single yield sign is pretty much the same as having an uncontrolled intersection and cars approaching t right angles usually don't know quite what to do......not to mention the speeders coming off 57 and heading west.

Like Reply Hide Send Message 3d





Reply to Will Lambert...

Press Enter to post.



#### Anne Schwanke

I usually make a complete stop anyways because this intersection has always been a hazard- I'm in total favor to add the signs

Like Reply Hide Send Message 3d



#### Annette Schwenke Carlson

That in-section has been an issue since I've lived in this town over 20+years, resident have addressed this to council serval times over the years, along with other streets & intersections, let's hope city council will actually address the issue this time!

Like Reply Hide Send Message 3d Edited





**Holly Schmidt** 

I agree with adding stop signs as proposed here.

Like Reply Hide Send Message 3d



Jessica Keppy McHugh
I approve of the stop signs.....

**Like Reply Hide Send Message** 3d

# facebook o



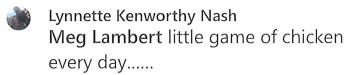


Meg Lambert

This is a no brainer. This intersection has been a hazard for ages. As a resident who uses this road everyday, add the signs!

Like Reply Hide Send Message 3d





Like Reply Hide Send Message 3d





Press Enter to post.



**Robert Blumers** 

How about doing something about the dragstrip known as 9th St.

**Like Reply Hide Send Message** 3d





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# City Council Report

To: Mayor and Council

From: Shirley Buecksler, City Clerk-Treasurer

Date: February 27, 2023

# Water Usage at 505 Walnut Street

#### **BACKGROUND INFORMATION:**

At their January 23, 2023 meeting, Council heard from Tina Baudoin, owner of 505 Walnut Street, regarding her water bill.

At the meeting, Council looked at a printout of the meter usage between December 28, 2022 and January 1, 2023, which showed that the leak started after the homeowners left for vacation and stopped two hours before they returned. The homeowner did not know there was a problem until they received their water bill.

### Discussion on January 23<sup>rd</sup> included:

- Usage shown by Beacon and the way it shut off, gradual not immediate, appears to be something mechanical. It then returned to normal.
- Every day at 2:00 am was slightly more flow. Questioned if there could be slightly higher pressure daily at that time.
- Water softener homeowner said it's not running and has been on bypass for approximately six months.
- Boiler homeowner said there is no auto-fill, must be manually done.
- Heated floors homeowner said they do not have heated floors.

Council recommended that the homeowner have a plumber look at it. Council told the homeowner that the City Clerk will provide them with an average of the last two months. They should pay this amount, and the City will hold the value of the difference with no interest. If there is no similar activity, Council can address it in the future. Council directed the City Clerk to provide future updates on activity.

At their February 13<sup>th</sup> meeting, Council reviewed additional information on water usage through February 9<sup>th</sup>. Council stated that they would like to see proof that a plumber checked on any problems with a toilet, water softener, etc. before making any adjustments to the account

Information on usage from February 10-22 is included in the Council's packet, along with information previously provided, for Council's review. On February 17<sup>th</sup>, the homeowner questioned why a plumber would be needed. Information Staff received from

Councilmember Ingalls, along with an article from Kona Metrix titled, "How Water Meters Fail," was sent to the homeowner on February  $23^{rd}$ .

### STAFF RECOMMENDATION:

Based on discussion.

#### **ATTACHMENT(S):**

Take note of the scale on the left of the chart when viewing:

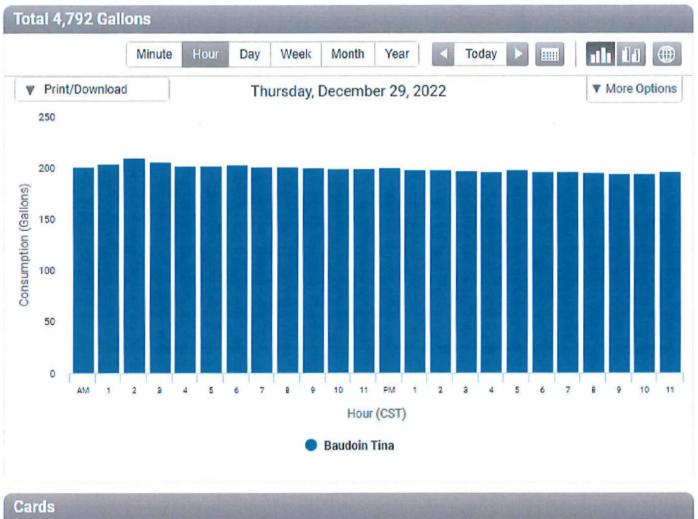
- Water usage of roughly 20,500 gallons from December 28, 2022 to January 1, 2023
- Water usage from January 2 through February 9, 2023
- Water usage from February 10 through February 22, 2023



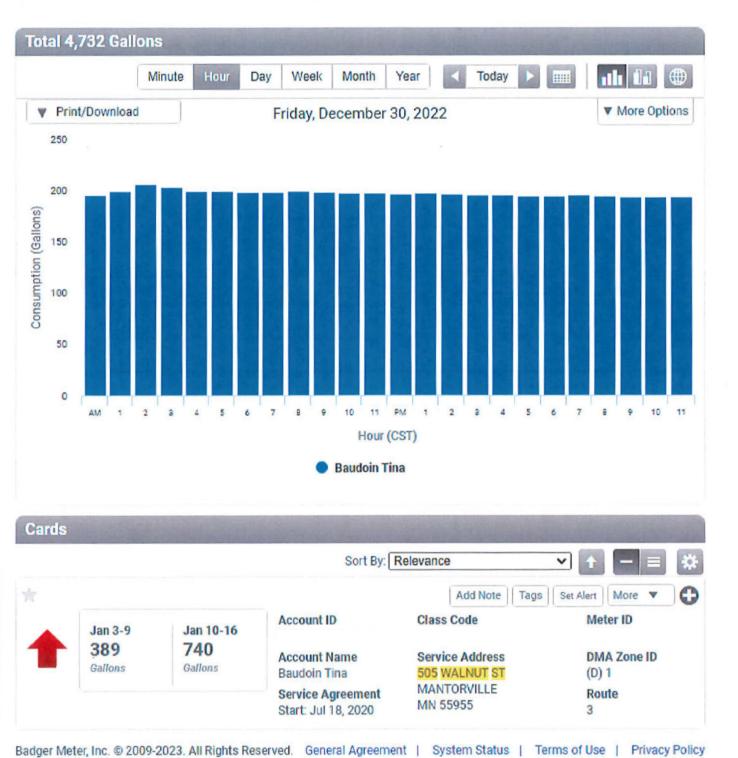
Roughly 20,500 gallons usage Dec. 28-Jan1

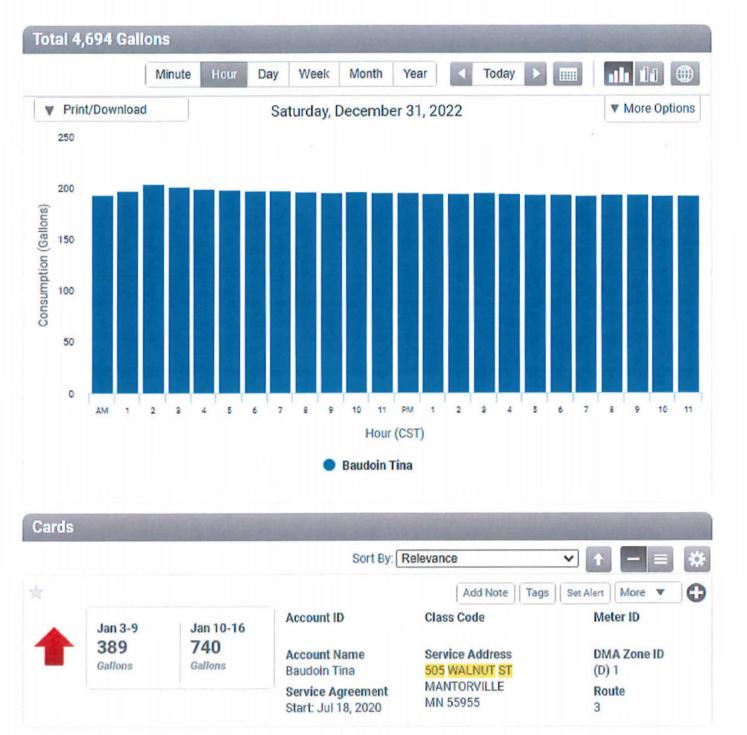


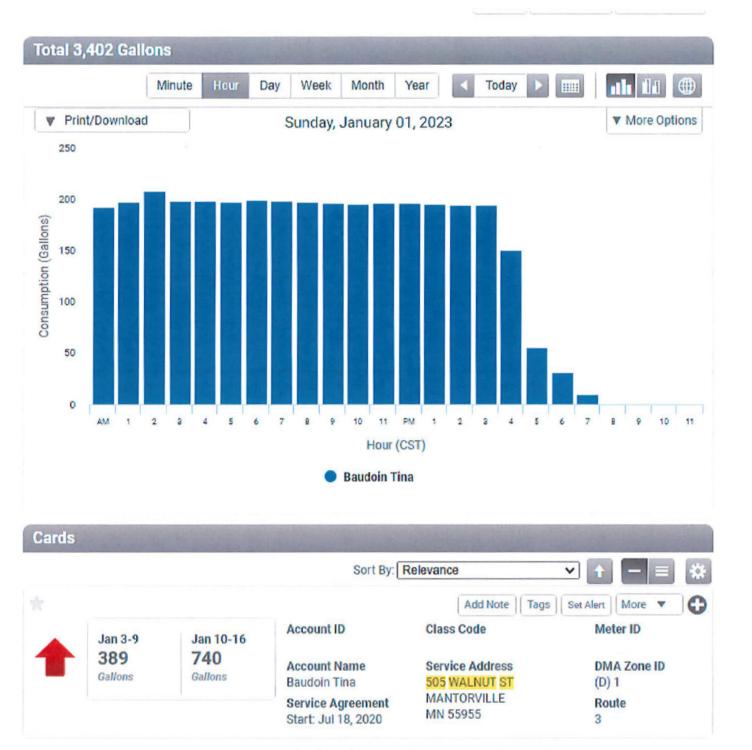












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