



*Trail to the Past. Road to the Future.*

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**CITY COUNCIL MEETING**  
**MANTORVILLE CITY COUNCIL CHAMBERS**  
**21 5<sup>TH</sup> STREET E, MANTORVILLE, MN 55955**  
**MONDAY, MARCH 13, 2023**  
**6:30 PM**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Adopt the Agenda**

**4. Consent Agenda**

- A. Special City Council Meeting Minutes of February 27, 2023
- B. Regular City Council Meeting Minutes of February 27, 2023
- C. Accounts Payable Claims List
- D. Dodge County Commissioners Meeting Minutes of February 14, 2023
- E. Chamber of Commerce Meeting Minutes of February 1, 2023
- F. Chamber of Commerce Annual Meeting Minutes of February 1, 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**

- A. Update from Fire Chief Harbaugh
  - 1) Mantorville Fire Department General Meeting Minutes of March 1, 2023
- B. Update from Sheriff's Office
  - 1) Dodge County Sheriff's Office Report for February 2023

**8. Public Hearing – *No Items***

**9. Old Business/New Business**

- A. **New Business** – *No Items*
- B. **Old Business** – *No Items*

**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) Resolution No. 2023-11 Approving City Designations for Consultants for 2023
- B. Request for Proposals – tabled for future discussion
  - 1) Draft RFP for City Attorney
  - 2) Draft RFP for City Engineer
- C. Motorized Golf Carts, All-Terrain Vehicles, and Utility Task Vehicles; Ordinance No. 2023-05 and Resolution No. 2023-10 – tabled for continued discussion
- D. 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) Update on the Open Position for Deputy City Clerk
- 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**

<i>Upcoming Meetings and Events in Mantorville:</i>		
<i>March 27, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>March 28, 2023</i>	<i>6:30 pm</i>	<i>Regular Parks &amp; Recreation Committee Meeting</i>
<i>April 4, 2023</i>	<i>6:30 pm</i>	<i>Economic Development Authority Meeting</i>
<i>April 10, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>April 19, 2023</i>	<i>7:30 pm</i>	<i>Mantorville Fire Dept General Members Meeting</i>
<i>April 24, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>April 25, 2023</i>	<i>6:30 pm</i>	<i>Regular Parks &amp; Recreation Committee Meeting</i>
<b><i>Members of the City Council and other Boards may be in attendance at all meetings and community events in Mantorville</i></b>		

City of Mantorville  
Special City Council Meeting Minutes  
February 27, 2023



1. Call to Order

Mayor Bradford called the meeting to order at 5:00 p.m.

Present: Mayor Chuck Bradford

Councilmembers:

Jessica Bradford

Lyle Hoaglund

Jeffrey Ingalls

Greg Rud

Absent: None

Others Present: City Clerk-Treasurer Shirley Buecksler  
Deputy City Clerk Gretchen Lohrbach  
City Attorney Dave Anderson; Kennedy & Graven

2. City Council Training Session

Mayor Bradford introduced City Attorney Dave Anderson of Kennedy & Graven.

Attorney Anderson said Kennedy & Graven has 35 lawyers and they do primarily government work. Mr. Anderson is City Attorney for nine cities in Minnesota. Seven of his cities are non-metro cities. The vast majority of their clients are in greater Minnesota.

Training was provided for Council on the following topics:

Open Meeting Law

Triggering Criteria – The Open Meeting Law applies when each of the following are present:

- Gathering;
- Of a quorum or more of the City Council (three or more); and
- At which the members discuss, decide, or receive information as a group on issues relating to official City business.

When the Open Meeting Law does **not** apply:

- When all of the triggering criteria are not present;
- Social gatherings **but only if** no business is discussed;
- Attendance at training sessions or seminars when City business is **not** being discussed;

- Use of social media if limited to exchanges with all members of the general public. Does not include email. Minnesota Statutes, Section 13D.065.

#### Open Meeting Law: Potential Landmines:

- Serial meetings
  - Reply-all to emails
  - Email or call chain
- Circling up before or after meetings
- Closing meetings that should not be closed or not following required procedures
- The public packet requirement should be strictly followed (staff handles this)
- Social gatherings can be problematic

#### Open Meeting Law Violations

- Violation can result in litigation
- Personal liability and civil fines
  - Fine up to \$300 per member which CANNOT be paid by the City
- Forfeiture of office (three or more intentional violations)
- Costs and attorneys' fees

#### Data Practices Act

- The Act governs **all** data maintained by the City
- Unless otherwise specified, City data is presumed public
  - Includes data on personal cell phones, computers and other electronic devices
- Correspondence between Elected Officials and constituents is private data but can be made public by either the Elected Official or the constituent
- The identity of someone who registers a complaint with the City concerning violations of state laws or local ordinances concerning the use of real property is private data
- Emails and text messages are presumed public

#### Conflicts of Interest

- City Council members may not participate in matters in which they have a personal financial interest
- Examples:
  - A Council member owns property abutting a public street proposed to be vacated cannot participate in the street vacation proceedings
  - A Council member's spouse owns a business and there is a proposed contract for the City to purchase goods from the business – unanimous vote of remaining members required for approval
- Council members may also choose to recuse themselves from proceedings and voting if only to avoid the appearance of an impropriety even if there is no official conflict

### Gift Law

- A City Council member cannot accept a gift from someone who has an interest in a matter involving the City
- A “gift” includes money, real or personal property, a service, a loan, forgiveness of a loan, or a promise of future employment
- Exceptions
  - Campaign contributions
  - Items costing less than \$5.00
  - Gifts given to a group, the majority of which are not Local Officials
  - Gifts given by family members

### Meeting Participation Tips

- Come to meetings with a positive attitude
- Be on time
- Read meetings packets in advance
- Think about what is best for the City as a whole
- Visit agenda locations in advance
- Allow group participation
- Be a good listener
- Ask questions
- Contact Staff if you have questions or concerns before meetings
- Contact Staff if you cannot attend

Mayor Bradford thanked Dave Anderson for coming and providing this training for Council.

### **3. Adjourn**

The meeting was adjourned at 6:24 p.m.

Approved: March 13, 2023.

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Shirley R Buecksler  
City Clerk-Treasurer

City of Mantorville  
Regular City Council Minutes  
February 27, 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  
Deputy City Clerk Gretchen Lohrbach  
Public Works Lead Joe Adams  
Public Works Wade Schroeder

2. **Pledge of Allegiance**

Everyone stood and recited the Pledge of Allegiance.

3. **Changes to the Agenda**

Council approved the agenda, as presented.

4. **Consent Agenda**

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

A. Regular City Council Meeting Minutes of February 13, 2023

B. Accounts Payable Claims List

C. Dodge County Board of Commissioners Meeting Minutes

D. Economic Development Authority Meeting Minutes of June-December 2022

E. Economic Development Authority Meeting Minutes of January 2023

Motion carried: 5 ayes / 0 nays

5. **Proclamations, Presentations and Recognitions** – *No Items*

**6. Public Concerns**

Bill Reding asked Council if there is detail included on invoices from WHKS. Council directed Staff to contact City Engineer Hruska for detail and clarification on this invoice and all future invoices. Council also asked for work product, drawings, and information on where we are with the Highway 57 project.

**7. Public Safety Update – *No Items***

**8. Public Hearings – *No Items***

**9. Old Business/New Business**

**A. New Business**

1) Acceptance of Staff Resignation

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to accept the resignation submitted by Shirley Buecksler, City Clerk-Treasurer, effective March 30, 2023.

Motion carried: 5 ayes / 0 nays.

2) Review of Job Description, Pay Scale, Approval to Post

Mayor Bradford said the Personnel Committee is recommending a promotion for Gretchen Lohrbach from Deputy City Clerk to City Clerk-Treasurer, effective March 31, 2023. Training is already taking place. The Personnel Committee will discuss wages for Gretchen Lohrbach and bring back to Council for approval.

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to approve Gretchen Lohrbach as City Clerk-Treasurer, contingent upon approval of wages at the next regular City Council meeting.

Motion carried: 5 ayes / 0 nays.

Motion was made by Councilmember Ingalls and seconded by Councilmember Hoaglund to approve the job description for Deputy City Clerk as presented and approve posting and advertising of the position at \$18.00/hour.

Motion carried: 5 ayes / 0 nays.

**B. Old Business – *No Items***

**10. Tabled Items**

**A. Designation of City Consultants for 2023 – tabled for future discussion**

1) City Designations for Consultants for 2023; Resolution No. 2023-11

A question was raised as to why the City Engineer is listed on the resolution. From previous discussion, it was thought that a draft RFP would also be brought forward for engineering services.

Motion was made by Councilmember Ingalls to pull this item from the table. Motion failed for lack of a second. This item remains on the table. No discussion.

2) Draft Request for Proposals (RFP) for City Attorney

This item remained on the table. No discussion.

**B. Motorized Golf Carts, All-Terrain Vehicles, and Utility Task Vehicles; Ordinance No. 2023-05 and Resolution No. 2023-10 – tabled for continued discussion**

Motion was made by Councilmember Ingalls to pull this item from the table. Motion failed for lack of a second. This item remains on the table. No discussion.

**C. Intersection Control at 4<sup>th</sup> Street and Clay Street – tabled for continued discussion**

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

Motion carried: 4 ayes / 1 nay – Councilmember Hoaglund voted against.

This item is now on the table and open for discussion.

Discussion included:

Councilmember Ingalls said most of our feedback has been positive. He asked how we could put signage on the yield sign to let passersby know that the City is considering adding stop signs to this intersection.

Councilmember Hoaglund said he doesn't think we should add temporary signage. We haven't had any negative comments, we should be able to make a decision on it as a Council.

Councilmember Rud agreed, that we were put on this board to make decisions, not go out for every little thing. If we do that, we're not going to move forward.

Councilmember Ingalls said we promised the residents that we would hold this discussion at three meetings and communicate better, that's why I'm proposing something simple. Going forward, we need to think about how we can better communicate changes because people aren't always looking at Facebook or reading the back of their water bill. We could also put the mock-up drawing on the bulletin board outside.



Councilmember Bradford said she thinks the issue comes into play on the bigger projects, not something so small. We've talked to the neighbors that will be directly impacted and posted it on Facebook.

Mayor Bradford said we will have it on one more meeting and asked if Council is in agreement of temporary signage until we make a decision? Councilmember Hoaglund said he doesn't like the idea of temporary signs.

Virgil Andrist said if you put in two stop signs, there would be no trouble at this intersection. He suggested putting them the other direction, on Clay Street.

Councilmember Ingalls said communication is key. We have three different opinions in this room but 500 people travel this intersection that have not commented on it.

Councilmember Bradford said two people live directly at this intersection and want two stop signs on 4<sup>th</sup> Street.

Councilmember Hoaglund said stop signs make sense because the street narrows. Cars clip the edge of the neighboring property. It's also a truck route but the truckers aren't using that street. I haven't heard anything negative on this; everyone I've talked to thinks it's a wonderful idea.

Councilmember Bradford said even people who don't live in Mantorville think it's a great idea for the park.

Motion was made by Councilmember Hoaglund to place stop signs on 4<sup>th</sup> Street facing east and on 4<sup>th</sup> Street facing west.

The City Clerk reminded Council that you promised the public one more meeting.

Mayor Bradford said we have one more meeting on this item and ruled the motion out of order for this meeting. We can continue the discussion tonight, put it back on the table, and make a decision and motion next time.

Councilmember Rud said some of that traffic may divert to 5<sup>th</sup> Street.

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

Motion carried: 4 ayes / 1 nay – Councilmember Hoaglund voted against. This item is back on the table.

## **11. Reports**

### **A. Public Works Report**

- 1) Staff is currently burning brush.

- 2) Joe Adams asked for confirmation on whether or not temporary signage should be put up at 4<sup>th</sup> Street and Clay Street. Mayor Bradford said there wasn't a consensus on that. Councilmember Bradford agreed that there shouldn't be temporary signage.
  - 3) Plowing is going well.
  - 4) Public Works is good on supplies, sand and salt, but we're burning into the budget with plowing and sand because of all the snow we've had.
- B. City Clerk Report
- 1) Update on Water Usage at 505 Walnut Street

City Clerk Buecksler said the owner was surprised by the last meeting. She wasn't looking for help paying her bill. Councilmember Bradford had talked with her and may be able to provide some more information.

Councilmember Bradford said she brought up concerns at the last meeting that what was discussed was not told to the homeowner, so she listened to the audio recording from the meeting. It was recommended that the homeowner have a plumber look at things but the Council's discussion was that the City would give her an average of two months, hold the difference, and if it doesn't happen again, it's a fluke and she wouldn't owe it. But if it does happen again, she would be responsible for the charges. Listening to the audio confirmed that the homeowner was not told she needed to get an estimate from a plumber. As a City Council, we can't be going back on our word.

Councilmember Rud agreed and said we need to go by what the tape says. We need to watch what we say to our constituents.

Deputy Clerk Lohrbach said she checked the account today and there were no spikes in usage.

Councilmember Ingalls said the reason he wanted to have her get it checked by a plumber is because I'm he is concerned it's the opposite problem. The research he has done shows if a meter fails, the spinner will keep going, and it will show less usage. Joe Adams said the meters we have are a different type of meter and are top of the line.

Mayor Bradford said the point is not whether it malfunctioned or whether or not the owner used the water. The message was based on Councilmember Bradford going back and listening to the tape and the property owner's understanding. We could at least look at any miscommunication and say that we need to own that and be clearer in our communication going forward.

Councilmember Ingalls said he can understand the miscommunication but doesn't think it was an excessive amount of water. It's less than one fixture running, about 2.8 gallons per minute, less than a shower or washing machine. I wasn't in favor of reimbursing it because I think we are setting ourselves up for every time there's

an anomaly, someone is going to bring it to the Council and say there's a problem. I wanted to see her fixtures checked by a professional plumber, which is what I said at the meeting. I'll go back and listen because I'm sure I said that. One of those valves in her house is bad. Meters fail and show less usage, not more.

Councilmember Bradford said it's not what was conveyed to her or said. I understood it and bothered by it that I listened to the recording. That's why I took notes. It was going to be revisited in two months but, if nothing happened, it was going to be considered a fluke. If something happened, then she would be responsible for it. That's what the recording said. My understanding was that she was going to pay \$107 or an average of two months' bills. I called her to see what she understood from the meeting. She told me the exact same thing I heard and brought up last week. The mention of a payment plan wasn't even discussed with her at that meeting. My concern is if we tell somebody something, we need to stick to it and not make changes in the next meeting.

Councilmember Rud said we probably should have looked at usage for two months and then invited her back for more discussion.

Councilmember Ingalls said if there was no motion at the first meeting, there was no promise. It was a discussion, maybe that's what we talked about and perhaps directed. But it's not that we can't do something about it.

Councilmember Bradford said there is a difference from recommending she have a plumber look at versus requiring it. This is about Council doing what's right. As a City Council, we need to take responsibility for what she was told and not go back on our word.

Councilmember Hoaglund said that's the motion he made but it failed.

Motion was made by Councilmember Bradford and seconded by Councilmember Rud to keep the bill at the two month average and waive the difference.

Mayor Bradford said his feeling on this is that, as a City, we could have done better at communicating our thoughts. I will take your word for it, as you went back and listened to the recording that it was unclear. If there is no clarity, it needs to fall on the City, not the land owner. Councilmember Ingalls agreed and said that's fair.

Motion passed: 5 ayes / 0 nays.

Mayor Bradford thanked Councilmember Bradford for going back and listening to the recording. This is what I want to see out of individual Councilmembers. You felt there was something not right and brought it to our attention. Thank you.

### C. Consultant Report – *No report*

#### D. Committee Reports

- 1) Chamber
- 2) Economic Development Authority
- 3) Finance/Budget
- 4) Fire Department
- 5) Infrastructure
- 6) Kasson Mantorville Joint Powers – discussed the hockey rink and the basketball court. No updates since last time.
- 7) Mantorville Restoration Association – Mulligan Stew is scheduled for March 16<sup>th</sup> at the Hubbell House.
- 8) Park Board – meetings begin in March.
- 9) Personnel
- 10) Fire Relief
- 11) Township – meeting next week.

#### E. Councilmember Reports

Councilmember Bradford said she had a phone call regarding the race track. The land owner is looking at silencers for their mufflers. They are more than willing to work with the community and are willing to give out their phone number if anyone is disturbed.

Councilmember Hoaglund questioned a letter that was sent from the City to a property owner about feeding feral cats. City Clerk Buecksler said the City received a complaint about this person feeding both feral cats and deer. There is currently a ban from the Minnesota Department of Natural Resources (DNR) on feeding deer. The property owner may continue feeding the cats, as long as the feeder is high enough that deer cannot reach. The City Clerk brought up the DNR's website on the monitor for everyone to see which counties are currently under this ban. Along with the letter from the City, information from the DNR was sent to the property owner that included the following articles:

“Deer Feeding and Attractant Bans”

<https://www.dnr.state.mn.us/cwd/feedban.html> and

“Don't Feed Deer”

<https://www.dnr.state.mn.us/wildlife/research/health/feeding/deer.html>

Virgil Andrist commented and said there should be an ordinance on cats.

Councilmember Rud said he will not be available for the March 13<sup>th</sup> meeting.

Councilmember Bradford said she won't be available for the April 10<sup>th</sup> meeting.

F. Mayor's Report

Mayor Bradford said Council had a training session from the City Attorney that was beneficial. He recommended that new Councilmembers attend the League of Minnesota Cities conference for Newly Elected Officials.

**12. Adjourn**

Motion was made by Councilmember Ingalls and seconded by Councilmember Rud to adjourn the meeting at 7:26 p.m.

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

Approved: March 13, 2023.

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Shirley R Buecksler  
City Clerk-Treasurer

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## Payments

Current Period: March 2023

Payments Batch 030823PAY-2		\$123,161.94	
Refer	0	-	
Invoice			
Invoice			
Transaction Date	3/8/2023	Citizens State Bank 10100	<b>Total</b>
Refer	0 <u>AG PARTNERS COOPERATIVE</u>	-	
Cash Payment	E 101-43125-212 Motor Fuels	Date: 2/27/23	\$957.50
Invoice	818726 3/13/2023		
Transaction Date	3/8/2023	Citizens State Bank 10100	<b>Total</b> \$957.50
Refer	0 <u>AVESIS</u>	-	
Cash Payment	G 101-21715 Employee Paid Vision Plan	Group #30912-1066	\$58.92
Invoice	2968635 3/13/2023		
Transaction Date	3/8/2023	Citizens State Bank 10100	<b>Total</b> \$58.92
Refer	0 <u>ABC OF LIFE</u>	-	
Cash Payment	E 101-42200-311 First Responder Train/E	1/8/23 Invoice Date	\$1,560.00
Invoice	1071 3/13/2023		
Transaction Date	3/8/2023	Citizens State Bank 10100	<b>Total</b> \$1,560.00
Refer	0 <u>BATTERIES PLUS</u>	-	
Cash Payment	E 101-42200-437 Other Miscellaneous	1.5V Alkaline 24 pack (5)	\$97.31
Invoice	P59911221 3/13/2023		
Transaction Date	3/8/2023	Citizens State Bank 10100	<b>Total</b> \$97.31
Refer	0 <u>BADGER METER</u>	-	
Cash Payment	E 602-49450-300 Professional Srvs (GEN	orion Cellular LTE Serv Unit	\$234.96
Invoice	80120798 3/13/2023		
Cash Payment	E 601-49400-300 Professional Srvs (GEN	orion Cellular LTE Serv Unit	\$156.64
Invoice	80120798 3/13/2023		
Transaction Date	3/8/2023	Citizens State Bank 10100	<b>Total</b> \$391.60
Refer	0 <u>BOWMANS DOOR SOLUTIONS</u>	-	
Cash Payment	E 601-49400-220 Bldg.Repair and Mainten	Door 02/07/2023	\$4,040.92
Invoice	200627 3/13/2023		
Transaction Date	3/8/2023	Citizens State Bank 10100	<b>Total</b> \$4,040.92
Refer	0 <u>BOUND TREE MEDICAL, LLC</u>	-	
Cash Payment	E 101-42200-311 First Responder Train/E	Curaplex Kit	\$83.99
Invoice	84850952 3/13/2023		
Transaction Date	3/8/2023	Citizens State Bank 10100	<b>Total</b> \$83.99
Refer	0 <u>CASEYS</u>	<u>Ck# 005862 3/13/2023</u>	
Cash Payment	E 101-42200-212 Motor Fuels	Acct #BY695	\$555.25
Invoice Date:	2/18/2023 3/13/2023		
Cash Payment	E 101-43125-212 Motor Fuels	Acct #BY695	\$407.47
Invoice Date:	2/18/2023 3/13/2023		
Cash Payment	E 602-49450-212 Motor Fuels	Acct #BY695	\$130.36
Invoice Date:	2/18/2023 3/13/2023		
Transaction Date	3/8/2023	Citizens State Bank 10100	<b>Total</b> \$1,093.08

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Payments

Current Period: March 2023

Refer	0	DAVID DROWN ASSOC	-				
Cash Payment	E 101-41500-300	Professional Svcs (GEN	2019A Bonds			\$250.00	
Invoice	00005490	3/13/2023					
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b>	\$250.00	
Refer	0	DODGE COUNTY HIGHWAY DEPA	-				
Cash Payment	E 101-43125-406	Snow/Ice Removal	Salt & Sand			\$970.34	
Invoice	493	3/13/2023					
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b>	\$970.34	
Refer	0	EARLS SMALL ENGINE REPAIR	-				
Cash Payment	E 101-45200-404	Repairs/Maint Machiner	Pole Saw			\$792.98	
Invoice	2/14/2023	3/13/2023					
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b>	\$792.98	
Refer	0	FJERSTAD, NEIL	-				
Cash Payment	E 602-49450-220	Bldg.Repair and Mainten	New & replace carburator			\$90.52	
Invoice	689102	3/13/2023					
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b>	\$90.52	
Refer	0	HOMETOWN HAULERS	-				
Cash Payment	E 101-41940-384	Refuse/Garbage Dispos	PW Dumpster			\$102.84	
Invoice	8272	3/13/2023					
Cash Payment	E 101-42200-384	Refuse/Garbage Dispos	FD			\$43.71	
Invoice	8272	3/13/2023					
Cash Payment	E 101-41940-384	Refuse/Garbage Dispos	FD			\$43.70	
Invoice	8272	3/13/2023					
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b>	\$190.25	
Refer	0	INTERNAL REVENUE SERVICE	<u>Ck# 005859 3/13/2023</u>				
Cash Payment	G 101-21703	FICA Tax Withholding	Soc Sec PR05			\$1,023.86	
Invoice	3/6/23	3/13/2023					
Cash Payment	G 101-21709	Medicare	Medicare PR05			\$239.44	
Invoice	3/6/23	3/13/2023					
Cash Payment	G 101-21701	Federal Withholding	Withholding PR05			\$684.12	
Invoice	3/6/23	3/13/2023					
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b>	\$1,947.42	
Refer	0	INDEED	<u>Ck# 005856 3/13/2023</u>				
Cash Payment	E 101-41110-352	Publishing	Deputy City Clerk 2023 Job			\$11.35	
Invoice	75737509	3/13/2023					
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b>	\$11.35	
Refer	0	HAWKINS, INC	-				
Cash Payment	E 601-49400-216	Chemicals and Chem Pr	Chlorine Cylinder 150 LB			\$10.00	
Invoice	6402171	3/13/2023					
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b>	\$10.00	
Refer	0	KASSON HARDWARE HANK	-				
Cash Payment	E 602-49450-240	Tools and Minor Equipm	Plexi Glass & Duct Tape Acct #355170			\$37.88	
Invoice	2/28/23	3/13/2023					
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b>	\$37.88	
Refer	0	KMTELECOM	-				

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Payments

Current Period: March 2023

Cash Payment	E 101-41940-321	Communications Phone/ CITY HALL MAIN 5170			\$144.51
Invoice	10152132	3/13/2023			
Cash Payment	E 101-41940-321	Communications Phone/ CITY HALL - 5176 - 2ND LINE			\$20.79
Invoice	10152132	3/13/2023			
Cash Payment	E 101-41940-321	Communications Phone/ New Well House Fiber			\$25.00
Invoice	10152132	3/13/2023			
Cash Payment	E 101-42200-321	Communications Phone/ FD 5440			\$25.78
Invoice	10152132	3/13/2023			
Cash Payment	E 101-41940-321	Communications Phone/ STREETS - SHOP 5119			\$80.77
Invoice	10152132	3/13/2023			
Cash Payment	E 601-49400-321	Communications Phone/ WATER TOWER ALARM 3588			\$45.89
Invoice	10152132	3/13/2023			
Cash Payment	E 602-49450-321	Communications Phone/ LIFT STATION ALARM 5066			\$35.89
Invoice	10152132	3/13/2023			
Cash Payment	E 602-49450-321	Communications Phone/ WWTP 5463 ALARM			\$35.89
Invoice	10152132	3/13/2023			
Cash Payment	E 101-41940-321	Communications Phone/ LONG DISTANCE/TAXES/FEES			\$5.85
Invoice	10152132	3/13/2023			
Cash Payment	E 101-46500-437	Other Miscellaneous EDA 800 NUMBER			\$0.30
Invoice	10152132	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$420.67</b>
Refer	0	LINDE GAS & EQUIPMENT, INC.	-		
Cash Payment	E 101-43100-240	Tools and Minor Equipm Lenses			\$20.85
Invoice	33955255	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$20.85</b>
Refer	0	LEAGUE OF MINNESOTA CITIES	-		
Cash Payment	E 101-41500-208	Training, Mileage Training-Finance			\$133.66
Invoice	377006	3/13/2023			
Cash Payment	E 101-43100-208	Training, Mileage Training-Streets			\$133.66
Invoice	377006	3/13/2023			
Cash Payment	E 602-49450-208	Training, Mileage Training-Sewer			\$133.66
Invoice	377006	3/13/2023			
Cash Payment	E 601-49400-208	Training, Mileage Training-Water			\$133.66
Invoice	377006	3/13/2023			
Cash Payment	E 601-49400-208	Training, Mileage JA & WS Training			\$40.00
Invoice	377227	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$574.64</b>
Refer	0	MENARDS - NORTH ROCHESTER	-		
Cash Payment	E 101-43100-240	Tools and Minor Equipm Acct #33140256			\$97.56
Invoice	18805	3/13/2023			
Cash Payment	E 101-41940-220	Bldg.Repair and Mainten Acct #33140256			\$67.86
Invoice	18805	3/13/2023			
Cash Payment	E 602-49450-240	Tools and Minor Equipm Acct #33140256			\$13.96
Invoice	19122	3/13/2023			
Cash Payment	E 601-49400-220	Bldg.Repair and Mainten Acct #33140256			\$9.97
Invoice	19846	3/13/2023			
Cash Payment	E 101-43100-228	Equip. Repair and Maint Acct #33140256			\$9.99
Invoice	19846	3/13/2023			



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Payments

Current Period: March 2023

Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$199.34
Refer	0 MN PERA	-			
Cash Payment	E 101-42200-124	Fire Pension Contributio	Annual PERA Contribution to Fire Dept.		\$4,000.00
Invoice	1010	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$4,000.00
Refer	0 MN PERA	Ck# 005851	3/13/2023		
Cash Payment	G 101-21704	PERA	PR05		\$1,262.39
Invoice	3/7/23	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$1,262.39
Refer	0 MINNESOTA REVENUE	Ck# 005858	3/13/2023		
Cash Payment	G 101-21702	State Withholding	Withholding PR05		\$361.73
Invoice	3/6/23	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$361.73
Refer	0 US POSTAL SERVICE	Ck# 005854	3/13/2023		
Cash Payment	E 101-41500-322	Postage	Priority Envelope to Frandsen Bank-Zumbrota		\$9.65
Invoice		3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$9.65
Refer	0 NCPERS GROUP LIFE INS.	-			
Cash Payment	G 101-21711	Life Insurance Payable	Life Ins.		\$32.00
Invoice	608900032023	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$32.00
Refer	0 OVERHEAD DOOR COMPANY	-			
Cash Payment	E 101-41940-220	Bldg.Repair and Mainten			\$900.00
Invoice	15922-000	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$900.00
Refer	0 PITNEY BOWES PURCHASE POWE	-			
Cash Payment	E 101-41500-322	Postage	Postage		\$247.00
Invoice	Due 3/26/23	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$247.00
Refer	0 PREFERRED HEATING & COOLING	-			
Cash Payment	E 101-41940-220	Bldg.Repair and Mainten	Exhaust repair for furnace		\$270.25
Invoice	6549-1	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$270.25
Refer	0 PAYMENT SERVICE NETWORK, IN	Ck# 005860	3/13/2023		
Cash Payment	E 602-49450-300	Professional Srvs (GEN	paid electronically 3.2.23		\$101.64
Invoice	273126	3/13/2023			
Cash Payment	E 601-49400-300	Professional Srvs (GEN	paid electronically 3.2.23		\$67.76
Invoice	273126	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$169.40
Refer	0 QUALITY FLOW SYSTEMS	-			
Cash Payment	E 602-49450-300	Professional Srvs (GEN	Lift Station & ARV checks		\$950.00
Invoice	44475	3/13/2023			
Transaction Date	3/8/2023	Citizens State Bank	10100	<b>Total</b>	\$950.00
Refer	0 SIMON FIRE EQUIPMENT & REPAI	-			

Payments

Current Period: March 2023

Cash Payment	E 101-42200-437	Other Miscellaneous	2021 Freightliner Model		\$95,500.00
Invoice	0007703		3/13/2023		
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b> \$95,500.00
Refer	0	SANCO EQUIPMENT		-	
Cash Payment	E 101-43100-228	Equip. Repair and Maint	brushes		\$957.43
Invoice	PS2022921-1		3/13/2023		
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b> \$957.43
Refer	0	SOUTHEAST SERVICE COOPERAT		Ck# 005855 3/13/2023	
Cash Payment	G 101-21706	Hospitalization/Medical Ins	Health Ins-MN Healthcare Consortium		\$2,500.14
Invoice Post	3/1/23		3/13/2023		
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b> \$2,500.14
Refer	0	SIMPLY TIDY, LLC		-	
Cash Payment	E 101-41940-439	Janitors	Cleaning		\$65.00
Invoice	4636		3/13/2023		
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b> \$65.00
Refer	0	WEX HEALTH, INC.		Ck# 005861 3/13/2023	
Cash Payment	G 101-21714	Health Savings Account	HSA Benefits Fee For March 2023		\$8.25
Invoice	0001697823-IN		3/13/2023		
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b> \$8.25
Refer	0	WARSAW		-	
Cash Payment	E 101-43160-381	Electric Utilities	7,791.91 KWH & 9,163.23 KWH		\$2,102.44
Invoice	Feb 28, 2023		3/13/2023		
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b> \$2,102.44
Refer	0	ZIEGLER, INC.		-	
Cash Payment	E 101-43125-404	Repairs/Maint Machiner	Paint		\$26.70
Invoice	IN000881777		3/13/2023		
Transaction Date	3/8/2023		Citizens State Bank	10100	<b>Total</b> \$26.70

Fund Summary

10100 Citizens State Bank

101 GENERAL FUND	\$116,892.34
601 WATER FUND	\$4,504.84
602 SEWER FUND	\$1,764.76
	<u>\$123,161.94</u>

Pre-Written Checks	\$7,363.41
Checks to be Generated by the Computer	\$115,798.53
Total	<u>\$123,161.94</u>

**UNAPPROVED MINUTES OF THE  
DODGE COUNTY BOARD OF COMMISSIONERS REGULAR MEETING HELD  
FEBRUARY 14, 2023**

**Chair**

**Convene County Board Meeting**

The Dodge County Commissioners met in regular session February 14, 2023, in the Commissioner's Room at the Dodge County Government Services Building, Mantorville, MN, at 9:30 a.m. Chair Rodney Peterson called the meeting to order at 9:30 a.m.

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>	<b>Arrived</b>
John Allen	District 1	Present	9:30 AM
Tim Tjosaas	District 2	Present	9:30 AM
Rodney Peterson	District 3	Present	9:30 AM
Rhonda Toquam	District 4	Present	9:30 AM
David Kenworthy	District 5	Present	9:30 AM

**Pledge of Allegiance**

The pledge of allegiance was recited.

**Determine Quorum**

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

Also present:

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

**Establish Agenda**

**Agenda Approved As Amended**

Commissioner Peterson informed the Board that the County Attorney's legal update is being moved up to item #3 on the agenda.

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

*Motion Adopted [Unanimous]*

**Consent Agenda**

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

*Motion Adopted [Unanimous]*

- 1.1. Board of Commissioners - Regular Meeting - Jan 24, 2023 5:00 PM
- 1.2. Award 2023 Season Supplies

**Scott Rose, Sheriff****Out of State Training Request**

Sheriff Rose met with the Board to discuss an out of state training request. The Sheriff is requesting approval to send Josiah Rehmann to Philadelphia, PA February 26 - March 2, 2023. This is required training to complete Mr. Rehmann's DRE certification that is being paid for by the Minnesota Department of Public Safety (flight & hotel). DRE stands for "Drug Recognition Expert". This is the first DRE that the Dodge County Sheriff's Office has ever had. The DRE can determine if impairment is caused by alcohol, drugs, a combination of both, or a condition that may require medical attention while evaluating impaired drivers. This is specialized training that Mr. Rehmann was selected for by the Department of Public Safety and one that Sheriff Rose supports.

Motion by Kenworthy seconded by Allen to approve and authorize Josiah Rehmann to attend Drug Recognition Expert training in Philadelphia, PA February 26 - March 2, 2023 as requested with the cost of the flight and hotel being paid by the Minnesota Department of Public Safety.

*Motion Adopted [Unanimous]*

**Paul Kiltinen, County Attorney****Legal Update**

Mr. Kiltinen provided the Board with a legal update.

The County Attorney informed the Board that they are in the position that they need to hire another Prosecutor. Mr. Kiltinen reported he thinks we are going to have to pay someone in order to get someone in here. The County Attorney reported that the new Judge is concerned because she has no criminal background and we have three criminal cases coming up. Mr. Kiltinen noted we can't get someone that's 6 months out of law school to handle these cases. It was noted Olmsted County is down several attorneys so we can't borrow any from them as we have in the past. Paul Kiltinen reported there is some real angst about finding someone. There aren't a lot of lawyers at this time that do a lot of prosecution and Olmsted County is also experiencing problems with finding an experienced prosecutor. The County Attorney also pointed out another reason they can't work with Olmsted County is because the Judge is coming from Olmsted County and they are conflicted out for a year. Mr. Kiltinen informed the Board that he wouldn't be surprised if they don't come back and do a restructure in the Attorney's Office. The County Attorney reported they are looking at all of their options to try to make sure the county has coverage until we can find a qualified candidate for the Prosecutor position.

Commissioner Peterson suggested setting up another ad hoc committee with the County Attorney, County Administrator, Employee Relations Director and himself to discuss ideas to

attract a new Prosecutor.

Mr. Kiltinen informed the Board that people are trying a bunch of different things to attract employees.

*Motion No Vote*

**Amy Evans, Public Health Director**

**Request for Out of State Travel**

Ms. Evans reported they currently have COVID-19 funds that will likely be redistributed back to the State due to a decrease in COVID response activities in Dodge County. The CDC and MDH recently informed recipients the COVID-19 funding can be used for attendance at the Preparedness Summit in Atlanta, GA. Included in the Board packet was a request for the county's emergency preparedness coordinator to attend the summit with all expenses (conference registration, lodging, airfare, and meals) covered utilizing the county's COVID-19 funding.

The Preparedness Summit is a conference, sponsored by the National Association of County and City Health Officials (NACCHO), focused on public health preparedness. It brings a wide array of partners together to share new research findings, tools and resources, and provides numerous opportunities for attendees to learn how to implement model practices that enhance the nation's capabilities to prepare for, respond to, and recover from disasters and other emergencies. This year's conference is the first time in-person since 2019 and the focus is on how to recover and reprioritizing all-hazards preparedness.

This conference will provide Public Health's emergency preparedness coordinator, who joined the department in the midst of the pandemic, an opportunity to learn about areas of preparedness that she has not had a chance to learn about. This includes best practices for response to various disasters and emergencies.

Motion by Kenworthy seconded by Tjosaas to approve and authorize out of state travel for the Public Health Emergency Preparedness Coordinator, Madison Snitker to the Preparedness Summit in Atlanta, GA April 23-27, 2023 with all expenses covered utilizing COVID-19 funding as requested.

*Motion Adopted [Unanimous]*

**Duke Harbaugh, Facilities & Fleet Manager**

**AkitaBox Facility Management Software**

Mr. Harbaugh reported that in 2018 he brought a recommendation to the Board to contract the majority of the county's equipment maintenance out to Paape. To date Paape has not increased our hourly rate and has continued to support the County's equipment in both proactive and reactive responses. During the calculation in 2018 they projected a \$35,000 savings whereas today the county would be saving over \$40,000 with Paape having no rate increase to date.

With this approach working well, the Facilities & Fleet Manager has researched the short falls we experience. With all employment lately staff turnover is affecting Paape and many other vendors the county uses. When new techs enter our sites, they often find themselves a little turned around and it often leads to Mr. Harbaugh having to show them the location and equipment or service areas. His staff, while familiar with their main building, they don't always know the ins and outs of all the other sites.

These issues have been brought up by several other Facility Directors and was the topic at the latest AMC Facility Managers group meeting and was where the Facilities & Fleet Manager discovered a building mapping system that can help Dodge County and has worked well for others.

AkitaBox is a Wisconsin based company and offers building mapping with real equipment locations all available from a phone, tablet, or laptop. Every piece of equipment, electrical panel, and life safety gets a QR code that is scan-able by staff or contractors to document the work or updates they perform. They can also upload the equipment repair bills to track them by each piece of equipment to show real time data for upkeep. Not only will it map out equipment, it also maps building layouts and they can add certain key points such as garbage/recycling cans, rodent management equipment, Wi-Fi access points, camera locations, and any other equipment they deem necessary. The software will also track regular building maintenance such as painting, carpet shampooing, floor replacement, ceiling work, etc. The AkitaBox platform also provides a service request portal for all staff to submit tickets and manage ticket times, this system will also prepopulates regular preventative maintenance requests for the regular services needed.

All of this is offered with unlimited users whereas other vendors charged by the user and Mr. Harbaugh see's the need to have several users access this system. The annual base cost is \$0.20 a sq. ft., and the county has about 50,000 sq. ft. of space that could use a better management system besides his U drive. This software will allow a clean transition to anyone and could be used by anyone to explore the history of the building and its equipment at the click of a mouse. AkitaBox will also survey, inventory, create and apply QR codes to every piece of equipment, electrical panel, and life safety equipment with a QR code for ease of access while servicing the equipment. This will come at a onetime cost of \$2,500.

Commissioner Toquam suggested Mr. Harbaugh talk to Tony Bauer at Fairview Care Center to see if this is something that would benefit them over there. Commissioner Kenworthy agreed with that suggestion.

Motion by Allen seconded by Toquam to approve and authorize the Facilities & Fleet Manager to sign the proposed Master Software and Services Agreement with AkitaBox at a cost of \$10,000 for software and Statement of Work at a cost of \$2,500 for onsite data collection and mapping services.

*Motion Adopted [Unanimous]*

**Fairground Waterlines, Overhead Electrical Reroute & Rental Space Design Requests Reviewed**

Commissioner Allen suggested that the Board vote on all three Fairgrounds items at once.

Motion by Allen seconded by Tjosaas to vote on the Fairgrounds waterlines, overhead electrical reroute and rental space design in one motion.

*Motion Adopted [Unanimous]*

**Fairground Waterlines, Overhead Electrical Reroute & Rental Space Design Approved**

Motion by Kenworthy seconded by Allen to approve and authorize the Facilities & Fleet Manager sign the following documents:

1. Professional Services Agreement with WHKS for their service in regards to the underground water system at the Fairgrounds.
2. Contract with PLC Engineering to provide their professional services re-routing the overhead electrical system at the Fairgrounds.
3. Agreement for Professional Services with CBS Squared Inc. for their professional services to assist with writing the spec and creating a simple plan and preparing advertisement for bid for a year-round event space in the County Fairgrounds.

*Motion Adopted [Unanimous]*

**Final Construction Update, Change Orders and Budget Update**

Mr. Harbaugh provided the Board with the following update on the Highway Department remodel project:

**Cold Storage**

- Still waiting on the correct electrical panel, Marti Electric will install when received.
- Egan has installed a server rack and fiber to the building for the Sheriff's Office.

**Fuel Island**

- The controller fried when they went to reboot it, the Facilities & Fleet Manager has approved the new controller for \$6,102.00.
- Once this controller is on site the system should be wrapped up.

**Main Shop**

- Working though issues with the design team and contractors to get better control of the HVAC system. All parties have been working great to achieve what is best for the space.
  - o Still have some room for fine tuning and will continue to work with all involved.
- Will be working through the blacktop credits next week with the general and design team.

- Two areas of concerns with the concrete in the shop area (low spots), contractor is aware.
- Working through several garage door issues with the contractor.
- Waiting on lighting control panel training.

**Change Orders and Extras**

· CO18	Cost to wire the energy recovery unit in 3 phase	\$1,595.25
	Credit for reusing the Knox Box and extinguishers	<u>(\$2,090.00)</u>
	Overall credit	\$494.75

The Facilities & Fleet Manager is requesting authorization to sign CO18 and return it to the General.

- Fuel Dispenser Upgrade
  - o \$6,102.00 needed to replace our existing vending as it shorted out on reboot and is on a sunset provision with supplier.
- Schmidt Goodman extra part for desk install
  - o \$25.64 for an extra support leg on desk
- Schmidt Goodman new employee chair
  - o \$1,011.38 for a new chair for new employee

**Budget Update**

<b>Contingency Budget</b>	
Contingency	\$216,000.00
Furniture Savings	<u>+\$58,000.00</u>
<b>Total</b>	<b>\$274,000.00</b>
Storage Container	-\$4,850.00
Water Main Install	-\$18,890.00
Fire Sprinkler	-\$115,000.00
Compressor	-\$8,291.00
Pressure Washer	-\$21,306.00
Welding Exhaust System	<u>-\$13,069.00</u>
<b>Remaining</b>	<b>\$92,594.00</b>
CO 1	(4,089.00)
CO 2	\$24,740.03
CO 3	\$1,674.37
CO 4	(\$1,937.40)
CO 5	\$5,604.03
CO 6	(\$10,469.63)
CO 7	\$861.42
CO 8	<u>\$899.49</u>



<b>Remaining</b>	<b>\$75,310.69</b>
CO9	\$2,642.62
CO10	(\$2,628.00)
CO11	\$1,060.08
CO12	\$517.98
CO13	\$1,587.82
CO14	\$4,232.67
CO15	(\$1,000.00)
CO16	\$7,313.12
CO17	\$263.78
PREHN Additional Electric	\$5,469.63
PREHN Sign Shop Changes	\$1,275.00
PREHN Permit and Conduit	\$1,563.61
Bituminous Done by County	\$12,119.57
CO18 (to be approved)	<b>(\$494.75)</b>
To Install FSC3000 on Fuel System (Unit Found to NE Faulty (to be approved)	<b>\$6,102.00</b>
Schmidt Goodman Additional Leg	<b>\$25.64</b>
New Office Chair for Assistant Engineer as Part of Project	<b>\$1,011.38</b>
<b>Remaining as of 02/01/2023</b>	<b>\$34,248.54</b>
<b>Main Shop Project Budget</b>	
Original Contract Amount	\$3,607,000.00
Pay App 1	\$49,3050.00
Pay App 2	\$343,843.00
Pay App 3	\$342,988.00
Pay App 4	\$288,833.25
Pay App 5 (Voided)	-
Pay App 6	\$256,025.00
Pay App 7	\$522,468.05
Pay App 8	\$352,269.50
Pay App 9	\$489,394.35
Pay App 10	\$563,690.38
Pay App 11	<u>\$139,954.90</u>
Contract Sum to Date (change orders to date included)	\$3,637,760.63
<b>Remaining</b>	<b>\$289,843.95</b>
Schmidt Goodman	\$66,433.19
Invoice 13159	-\$51,379.94

Invoice 13476	- \$15,078.89
Paid in Full	\$66,458.83
Increase for the Correct Leg (added this to contingency)	\$25.64
New Chair for New Staff (added to contingency)	\$1,011.38
Fire Sprinkler	\$115,000.00
Pay App 1	- \$14,250.00
Pay App 2	-\$19,712.50
Pay App 3	- \$75,287.50
Pay App 4 (retainage)	- \$5,750.00
Paid In Full	
Prehn Building	\$272,190.00
Pay App 1	- \$22,190.00
Pay App 2	-\$150,000.00
Pay App 3	- \$50,000.00
Pay Add 4	- \$50,000.00
Plus an Additional (extra funds from contingency)	\$8,308.24
Electrical Per Staff Requests	\$5469.63
Request to Change Sign Shop Side	\$1,275.00
Permit and Conduit	\$1,563.61
Paid in Full	\$280,498.24
Minnesota Petroleum	
Pay App 1	-\$259,465.00
<b>Remaining</b>	<b>\$24,916.00</b>

Motion by Allen seconded by Tjosaas to approve and authorize the Facilities & Fleet Manager to sign Change Order 18 as requested.

*Motion Adopted [Unanimous]*

### **Ryan DeCook, Land Records Director**

#### **Assureon System Update**

Mr. DeCook reported their public records are stored on a system called the Assureon Server. This system updates and secures their data continuously each day. Land Records shares this system with Waseca County to geographically protect their data. The current system, which was installed in January of 2017, is due for an upgrade by December 31, 2023. The cost for the upgrade is \$22,222.50 for each County. Land Records is asking to use Recorder Funds for this expense so it would not impact the general budget.

Motion by Allen seconded by Toquam to approve and authorize the Director of Land Records

to upgrade the Assureon Server as requested at a cost of \$22,222.50 with funds to be taken out of the Recorder Fund.

*Motion Adopted [Unanimous]*

**Catherine Grondin, Zoning Administrator**

**Ellingson Drainage CUP #96-34 (Amendment)**

Ms. Grondin presented for the Board's consideration the February 1, 2023 Planning Commission recommendations.

Motion by Allen seconded by Tjosaas to approve of the following action of the Planning and Zoning Commission as reviewed on February 1, 2023 with the reasons, recommendations and conditions as found in the individual permit:

**Ellingson Drainage CUP #96-34 (Amendment)**

The first public hearing is to consider an application for an amendment to Conditional Use Permit #96-34 to allow an expansion of an Ag. Related Business in the Ag. District. The property is located in the Ag. District on approximately 9 acres, section 30 in Concord Township. The applicant and property owner is Ellingson Drainage Inc.

The Zoning Staff recommends approval of the amended Conditional Use Permit (CUP), as the request meets the ordinance requirements. The following conditions are recommended:

1. Operation will comply with all local, state, and federal regulation regarding the use and activities performed on site.
2. The sign shall meet the performance standards of Section 17.24 of the Dodge County Zoning Ordinance.
3. Any change involving the addition of new business-related structures or employees beyond that specified in the agreement/application on file with the CUP, enlargement, intensification of the use or similar changes not specifically permitted by the CUP shall require an amended CUP to be issued by the County Board.
4. The business shall comply with the conditions of this permit and the supplemental information, which shall be recorded with the CUP.
5. An after-the-fact Zoning Permit shall be obtained prior to any additional construction.
6. Any new sewage facilities shall be connected to the City of West Concorde's sewer system, or the site shall comply with the Dodge County Subsurface Sewage Treatment System Ordinance, No. 4, or successor.
7. Discharges from the floor drain shall be appropriately collected, treated and discharged as

determined by the EPA or MPCA.

8. Parking shall comply with the design requirements of Section 17.21 and any County Board requirements. The final parking area shall not exceed 76 parking spaces and ingress and egress shall be off of 560th Street. The final parking area plan shall be approved by the Environmental Services Department prior any construction.
9. Stormwater runoff quality and quantity due to the impervious surface from the structures and parking areas shall be adequately addressed on site. Complaints involving stormwater shall result in review of the CUP by the Planning Commission.
10. The applicant shall provide the county with copies of the MPCA's stormwater permits, when applicable.
11. The business shall comply with Section 17.19 (Nuisance Standards). Nuisance complaints shall result in review of the CUP by the Planning Commission.
12. Hours of operation shall be as indicated by the applicant in the Findings of Fact.
13. The applicant shall apply for a Miscellaneous Work Permit with MnDOT before removing the northern access on State Highway 56.

*Motion Adopted [Unanimous]*

#### **Lisa Kramer, Finance Director**

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

Ms. Kramer presented three penalty and interest abatement requests for the Board's consideration. All three owners purchased property between May 2022 and July 2022, and missed paying the 2nd half taxes until they received the required delinquent letter. All three said they would have paid the 2nd half had they received notice at the time it was due.

The properties and owners are as follows:

- \* 26.100.3420/520 Irvin St, West Concord - Jason French
- \* 23.679.1190/1410/1430/811 Center Ave S, Hayfield - George Chen
- \* 24.100.1160/1220/1191, 101 1st St NW, Kasson - By Design Builders (Darek Davidson)

The Finance Director reported that taxes are discussed during the closing meeting for property purchases.

Motion by Allen seconded by Kenworthy to deny the three property tax penalty and interest abatement requests in keeping with past practice.

*Motion Adopted [Unanimous]*

##### **Bills Reviewed**

Ms. Kramer reviewed bills with the Board. The Finance Director informed the Board that a payment to Vanguard Appraisals on page 14 for \$11,950.00 should be paid out of Fund 102 not Fund 201 and will be moved to the correct fund. Also, the Fund 32 total of \$16,090.27 is being moved to Fund 1.

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

01	Revenue Fund	\$ 189,271.08
13	Road and Bridge Fund	\$ 89,733.25
16	Environmental Quality Fund	\$ 131,578.01
32	County Capital Projects	\$ 0.00
80	Agency Fund	\$ <u>360.67</u>
	Total	\$ 410,943.01

*Motion Adopted [Unanimous]*

**Melissa DeVetter, Project Manager**

**Designated Reserve Fund for County Park Project Donations**

Ms. DeVetter reported that as the park project continues to progress, they have questions about what to do if donations for the park are received from the public and whether they could accept them. According to information from the Finance Director, donations are able to be accepted by resolution of the County Board. At this time, it was also suggested that they should ask the Board to designate a separate reserve fund specifically for donations from the public for the park project.

Motion by Tjosaas seconded by Kenworthy to designate a separate reserve fund to be used to accept donations from the public for the county park project.

*Motion Adopted [Unanimous]*

**Contract with Olmsted SWCD for MPCA Surface Water Assessment Grant Monitoring Work**

Ms. DeVetter informed the Board that Olmsted County SWCD has received funding through a State of Minnesota Joint Powers Agreement, acting through the Minnesota Pollution Control Agency (MPCA). The MPCA needs assistance from local partners in monitoring sites that are designated as high priority and in need of water chemistry monitoring utilizing Surface Water Assessment Grants (SWAG) that support Minnesota’s condition monitoring strategy for lakes and streams. To complete this work, Olmsted County will be subcontracting with Goodhue, Wabasha and Dodge Counties to jointly perform monitoring at these surface water sites. Monitoring will take place during the months of April through October. The contract will be effective March 1<sup>st</sup>, 2023 and will expire February 15<sup>th</sup>, 2025.

Under this Contract with Olmsted SWCD, Dodge County is eligible to receive \$13, 634.94 as

reimbursement for staff labor, mileage and equipment. This work supports the county's local water management priorities and budget.

Motion by Allen seconded by Toquam to approve and authorize Environmental staff to sign the proposed Contract for Services with Olmsted County SWCD to perform work for the MPCA's Surface Water Assessment Grant Program.

*Motion Adopted [Unanimous]*

**Lauren Cornelius, Environmental Services Director**  
**Hauler Licenses**

Ms. Cornelius presented for the Board's consideration a request to approve 2023 licensure to the following waste haulers: Waste Management, Freeborn County Coop Oil, Skjeveland Enterprises, Kruckeberg Services, Hometown Haulers, LRS of Minnesota, LLC, and Veit Disposal Systems.

Commissioner Allen offered the following resolution (#2023-03), seconded by Commissioner Kenworthy:

**WHEREAS**, the following waste haulers have applied for a license to collect and transport solid waste in Dodge County:

Waste Management, Freeborn County Coop Oil, Skjeveland Enterprises, Kruckeberg Services, Hometown Haulers, LRS of Minnesota, LLC, and Veit Disposal Systems

**WHEREAS**, the Dodge County Environmental Services Department has reviewed the hauler's application and supplemental information and finds that it meets requirements set forth in Dodge County Solid Waste General Ordinance No. 1.

**THEREFORE, BE IT RESOLVED**, that the Dodge County Board of Commissioners grants a license to collect and transport solid waste in Dodge County for a period from February 8, 2023 through February 8, 2024 to the following haulers:

Waste Management, Freeborn County Coop Oil, Skjeveland Enterprises, Kruckeberg Services, Hometown Haulers, LRS of Minnesota, LLC, and Veit Disposal Systems

**BE IT FURTHER RESOLVED** that the enforceable conditions of each license are as follows:

- The licensee will comply with all provisions of Dodge County Ordinance and state law.
- The licensee will pay Transfer Station Tipping Fee and Waste-to-Energy Service Charge as determined by Dodge County.

*Resolution Adopted [Unanimous]*

**Olmsted Letter of Support**

The Environmental Services Director informed the Board that Olmsted has reached out to Dodge County requesting a letter of support for their Material Recovery Facility. Olmsted was informed that Dodge County is also pursuing funding for a new Transfer Station Building and would only be able to offer support with the understanding that it would not hurt Dodge County's fiscal pursuits. Included in the Board packet was a letter of support. If the Board is comfortable with the letter, Ms. Cornelius will sign the letter on Dodge County's behalf.

Motion by Toquam seconded by Tjosaas to approve and authorize the Environmental Services Director to sign a letter of support for the Olmsted County Material Recovery Facility as recommended.

*Motion Adopted [Unanimous]*

### **Break**

The Chair recessed the meeting at 10:23 a.m.

The Chair reconvened the meeting at 10:28 a.m.

### **Lisa Hager, Employee Relations Director**

#### **Personnel Agenda**

Hager presented the Personnel Agenda for the Board's consideration.

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

#### **A. Administration**

- A.1 Alyson Laganier - Administrative Assistant Extension  
Step increase from B21 step 7 \$20.25 to B21 step 6 \$20.91.  
Effective Date: 2/18/23

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

- B.1 Matt Maas - PSAP/Emergency Management Director  
Step increase from C43 step 3 \$44.42 to C43 step 2 \$45.75.  
Effective Date: 1/10/23

#### **C. Environmental Services**

- C.1 Jackson Miller - Environmental Program Manager  
Step increase from B31 step 8 \$24.34 to B31 step 7 \$25.12.  
Effective Date: 3/15/23

#### **D. Public Health**

- D.1 Amy Evans - Public Health Director  
Regular status and step increase from D71 step 8 \$50.45 to D71 step 7 \$53.09.  
Effective Date: 1/31/23

#### **E. Highway**

- E.1 Authorization to change current approval for Engineering Technician position to Assistant County Engineer (Dual Assistant County Engineer organization chart change). Memo from County Engineer included in board packet.

*Motion Adopted [Unanimous]*

### **Code of Conduct Policy**

Ms. Hager presented a request to approval the proposed Code of Conduct Policy. This policy describes the cooperative and respectful atmosphere expectations of the county employees. It further gives Department Heads and Supervisors some clear language to refer to when dealing with employment issues that potentially can disrupt the work environment.

Motion by Tjosaas seconded by Toquam to approve the Code of Conduct Policy for Dodge County as presented.

*Motion Adopted [Unanimous]*

### **Lisa Hager, Employee Relations Director & Jim Elmquist, County Administrator Juneteenth Holiday**

The Employee Relations Director informed the Board that we have language in some of our union contracts that states the following:

"The County will add Juneteenth to the paid holidays when the State of Minnesota recognizes it as an official paid holiday."

On February 3, 2023, the governor signed a bill to establish Juneteenth as a state-recognized holiday effective August 1, 2023.

Motion by Allen seconded by Toquam to recognize Juneteenth as a paid holiday beginning in 2024 as established by the State of Minnesota.

*Motion Adopted [Unanimous]*

### **Jim Elmquist, County Administrator Legislative Platform 2023**

Mr. Elmquist submitted for the Board's review a draft legislative handout to be used with meetings with legislators. Most of it includes the goals and priorities of the Association that was presented at previous meetings with AMC. The platforms are standard language that AMC is asking commissioners to discuss along with a few statements relating to Dodge County.

Also included were some materials from Environmental Services Director, Lauren Cornelius to be used for the meetings as well relating to the solar gas tax and bonding at the Transfer Station.

Commissioner Toquam suggested they consider adding County Based Purchasing to the list of items to be discussed with legislators.

*Motion No Vote*



### MnDOT Agreement for Use of Federal Funds (Take 2)

When the Highway Department uses federal funds, they are passed to them through the Minnesota Department of Transportation (MnDOT). In order to do this, they must have a “Delegated Contract Process” (DCP) agreement in place with MnDOT. The agreement stipulates how the funds may be spent and what they can be spent on as well as requiring them to follow federal and state laws for their federal projects.

Included in the Board packet was the DCP agreement and required resolution for the Board’s review. In the original resolution, which was passed December 27, 2022, it had the *Chairman* and the *Clerk* listed as authorized signers. MnDOT needs to have the *Chairman* and *Administrator* listed as authorized signers.

Commissioner Allen offered the following resolution (#2023-04), seconded by Commissioner Kenworthy:

**BE IT RESOLVED**, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Dodge County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

**BE IT FURTHER RESOLVED**, the *Chairman* and the *Administrator* are hereby authorized and directed for and on behalf of Dodge County to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in “Minnesota Department of Transportation Agency Agreement No. 1052105“, a copy of which said agreement was before the County Board and which is made a part hereof by reference.

*Resolution Adopted [Unanimous]*

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

*Motion No Vote*

### Public Health Committee Report - Commissioner Tim Tjosaas

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

Mr. Tjosaas briefly discussed the following Public Health items:

Provide update on COVID-19.

Provide update on tobacco ordinance conversations with Kasson and Mantorville.

Provide update on Olmsted County Infrastructure Grant.

Provide an update on Public Health transformation, specifically the cost and capacity survey.

Review out-of-state travel request.

Review federal workforce grant funds.

*Motion No Vote*

### Request to Approve Public Health Donations

Public Health is requesting authorization to accept 21 baby bundles (blanket and 3-4 newborn outfits) from Trinity Lutheran Church Women, West Concord, MN.

Commissioner Allen offered the following resolution (#2023-05), seconded by Commissioner Kenworthy:

**WHEREAS**, the Dodge County Public Health Department has received donations from Trinity Lutheran Church Women; and

**WHEREAS**, the Dodge County Public Health Department wishes to accept this donation and utilize it for the purpose of the distributing to WIC clients; and

**WHEREAS**, pursuant to Minnesota Statute 465.03, the county shall by resolution of the governing body adopted by a two-thirds majority of its members accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor.

**NOW THEREFORE BE IT RESOLVED**, that the Dodge County Board of Commissioners hereby accepts the following donation to be used for the Public Health Programs:

Trinity Lutheran Church Women, West Concord, MN	\$ 525.00
· 21 Baby Bundles (includes blanket & 3-4 newborn outfits)	\$525.00

*Resolution Adopted [Unanimous]*

#### **Administration Committee Report - Commissioner Rodney Peterson**

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

#### **Premises Permit Application**

Kasson Mantorville Youth Basketball (KMYB) has a permit application for Zumbro Valley Golf Course. Kasson Mantorville Youth Basketball (KMYB) would like to operate a pull tab machine at the Zumbro Valley Golf Course.

It is Ms. Marquardt's recommendation that the County Board pass a resolution on the Premises Permit Application for the Kasson Mantorville Youth Basketball (KMYB) to operate a pull tab machine at the Zumbro Valley Golf Course.

Commissioner Allen offered the following resolution (#2023-06), seconded by Commissioner Toquam:

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

1. Kasson Mantorville Youth Basketball (KMYB), Kasson, Minnesota to conduct gambling at Zumbro Valley Recreation Club, 25202 615<sup>th</sup> Street, Suite A, Mantorville, Minnesota.

*Resolution Adopted [Unanimous]*

### **Agency Reports**

Commissioners provided their agency reports. Commissioner Allen attended a Township Officers meeting and a Zumbro Watershed meeting. Commissioner Kenworthy attended a Township Officers/Supervisors meeting, a SEECB meeting/conference and a Public Health meeting. Commissioner Peterson attended a MN State Advisory Council on Mental Health, a MnPrairie Special Board meeting and an AMC Performance Council meeting. Commissioner Tjosaas attended a MnPrairie Work Session and a Semcac meeting. Commissioner Toquam attended a South Country Compliance meeting, a South Country Joint Powers Board meeting and a Dodge County Township Officers meeting.

*Motion No Vote*

There were no Other Deferred Business items to discuss.

*Motion No Vote*

### **Adjourn**

### **Meeting Adjourned**

The Chair adjourned the meeting at 11:22 a.m.

The next meeting of the Dodge County Board of Commissioners will be held on February 28, 2023 at 5:00 p.m.

*Motion No Vote*

# Mantorville Chamber of Commerce

February 1, 2023

Greek Revival House

VP, Paul Larsen called the February meeting of the Mantorville Chamber of Commerce to order at 8:03 am.

In attendance were Paul Larsen, Wendy Schleeter, Jennifer Galloway, Lynnette Nash, Lyle Hoagland, Bill Kinney, Linda Kvam, Martha Vrieze, Jane Olive, Carla Webster and Karen Jorgenson

**Visitors:** Brian Hindal and Lois Hancock

**The secretary's report:** Will approve in March Meeting

**Treasurer Report:** The report was approved.

## **Old Business:**

**Farmers Market-**Still looking for vendors and it will start back up Feb 11<sup>th</sup> if the flooring the Mantorville Welcome Center gets completed. Jennifer reached out to Bestie's Bakery to see if they can join us this summer and they will call Paul to schedule. We are looking for farmers with eggs as they go fast at the market, and we want to see if we can get those as a way for people to stop in.

**Trolley to Mantorville:** Discussion to approve the proposal but also change the name of the \$20.00 dollars to be called Mantorville Trolley bucks. Also, discussed how we need to get bus tours back to help draw people to town. Martha will reach out to a friend that has a bus tour and contact Lynnette with any help she needs. Jennifer mentioned reaching out to Prairie Meadows to see if they want to coordinate anything and bring people in from their retirement community.

A BIG THANK You to the Hubbell House for hosting our annual dinner. The meals were cooked to perfection!

**New Business:** Martha Vrieze discussed How to donate from your 401K/IRA to 501c as tax free donations. See attachment for more info. Martha is a wealth of knowledge and is ready to help you personally and with your business needs.

Martha also discussed how the Friends of Mantorville is up and running again. Their goal is to help the physical and academic development of our youth and the parks and recreation areas they would play in. The board plans to help with upcoming events such as Spring Fling, Easter Egg Hunt, and Stagecoach Days.

**Dodge County Expo:** We discussed having two booths this year at the Expo so it is not so crowded. Also, the MRA would like to request to be next to the Chamber booth. Also, we are asking for donations for the basket that is raffled at the Expo. If you have donations you would like to include, please get them to Paul at Mantorville Square.

Thrivent is going to donate \$500.00 to the Easter Egg Hunt and will be asking for families to help donate non-perishable food items.

**Announcements:** Brian mentioned that the Larger-than-Life Exhibit is going to have 4x8 work from local students this year.

Meeting ended at 8:53 am

Below are also the upcoming events for 2023. More details to come!

Mantorville Events 2023 Easter Egg Hunt – Saturday, April 7 – 9:30 AM Takes place at Riverside Park in Mantorville

Kentucky Derby Party – Saturday, May 6 – Hubbell House, MRA plans to host a run for the roses raffle, more info to come

Spring Fling – Saturday, May 20 Outdoor activities and seminars on the grounds of the Greek Revival House Garden Tractor Display and Parade at Riverside Park High School

Senior Photo Display – May/June KM Senior pictures will be displayed in the windows of Mantorville businesses

Cemetery Walk – Saturday, June 10 Annual Walk-Through History

Stagecoach Days – June 25th

Larger Than Life Art Exhibit – July 1st through September 1st

Marigold Days – September 9 & 10 This event is sponsored by the Marigold Days Committee of the MRA

Fall Festival – Saturday, October 28 Outdoor activities including Hay Wagon Rides with Historic Stories The Haunted Hustle Walk/Run (sponsored by Dodge Refreshed)

Olde Fashioned Christmas – Saturday, December 2 Horse Drawn Wagon Rides Ornament Hunt and many more activities.

# Mantorville Chamber of Commerce

February 1, 2023

Greek Revival House

Meeting began 8:54 am

Nomination of slate of directors and board members was the same but Tom was swapping his name for Jason. This was approved and there were no other nominations. Mary Ann motioned to approve the slate and Lynnette second.

Elected for Feb 2023 to Feb 2025	Current Officers
Board of Directors	Officers for the new year will be elected by the board after the board elections are completed.
Jason Klimavicz	
Karen Jorgensen	Terry Eckstein (President)
Paul Larsen	Paul Larsen (Vice President)
Lynnette Nash	Barbara Loquai (Secretary)
Barb Loquai	Lynnette Nash (Treasurer)
Theresa Hoaglund	
May Trost	

8:58 am Conducted Board of Directors election of officers. They are staying the same. Lynnette and Karen motioned.

Meeting adjourned at 9:00 am

# MANTORVILLE FIRE DEPARTMENT

## March 2023 General Members Meeting

### Call to Order:

- The meeting was called to order at: 20:30

### Member's in Attendance:

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

### Chief's Report:

#### Tanker

- New tanker purchase order was signed by the Mayor and Simon Fire was hoping to send it off for paint right away while he ordered the remaining parts needed to complete the build.

#### Points For Fire Certification

- City agreed to pay these out of the training budget and the members were paid for completing fire I, II and HAZMAT from the City. 4 people were paid out, others have yet to pass their State Test.

#### General Members's Meetings

- Meeting will be April 19 with dinner at 1900 and meeting at 19:30
- May 17 (this is usually the social do we want to have meeting on a different night)
- June 21
- Review July 19

#### SkyWarn Training

- Training will be held at the Triton High School Performing arts on April 18th from 1830-2030 ( no registration needed) please plan on attending

#### FDIC

- Last call for any interested members. April 24-29

#### Roundabout Hwy 57 and CR 16

- County has received funding for this project in 2027

#### ID Badges

- Do we want to get ID badges? City has agreed to pay for them.
- Department photos for badge-
- need new uniforms for new members
- JJ made motion to get 4 pairs of uniforms for members if needed up too \$1,500
- Second by Jim
- Motion Carries

### Assistant Chief:

- 

### Deputy Chief:

- Region 15 Mtg April 26, 1900 hrs at Dodge Center American Legion



### **Fire Marshall:**

- 2 MVA
- 1 Vehicle off the road.
- 1 Snowmobile accident

### **Training Officer:**

- 1st wed. night, we are going to be sent in groups of 4 around town to look at different locations and bring them back and explain what they found.
- Starting to line training for the upcoming season.

### **Equipment:**

- Grain tube and auger have been ordered (paid thru donation).
- New mustang suit is ordered (paid thru donation).
- Porta-tank for the new tanker will cost \$2800 with shipping.
- Will need to order a nozzle for the new tanker (\$500).
- Motion made to purchase the nozzle and porta-tank up to \$3,300 for the new tanker by Russ.
- Seconded by: Steve
- Motion Carries
- We need to look into getting a radio for the new tanker.

### **Vehicles:**

- Betsy- In our Shed.
- Pumper 1-
- Pumper 2 -
- Chevy Pick Up -
- Tanker 1 - New window crank is on order.
- Tanker 2 -
- Grass Rig -
- Rescue Truck -

### **First Responder's:**

- 2nd wed. training is SEAMS.
- Make sure that we are filling out that we are the service for first responder calls.
- Make sure that we are putting the call number on the run reports. The how to sheet is in the clipboard if you don't know how to make the run report number.
- Got a new glucose meter.

### **Treasurer**

- Bills: \$97,328.76
- Discussed bills
- Motion made by: JJ to pay bills as stated
- 2<sup>nd</sup> by: Jim
- Motion carries

### New Business:

- Steve presented Duke with chief bugles.
- Discussion on using hazards or not using hazards
  - Will bring the SOP to the next meeting to review .

### Old Business:

- 

### Active Committees

- OSHA/Safety and Accountability: Paul, Russ, Travis, Ryan
- Radios: Paul, Rog, Ryan
- SOG'S: Paul, JJ, Russ, Steve, Rog
- Uniform's: Travis, JJ, Orion, Annabelle, Nate S., Ryan, Tristan
- Explorer program: Nate B., Nate S. Chloe, Kyle, Annika
- Truck/Equipment- Russ, Curt, Paul, Travis, Nate B., Joey, Jim, Nate S.
  - Get the truck committee together to go over final designs of the new tanker.
  - The Uniform committee needs to get together. March 15th 1730.

### Point Report:

- Motion made by: JJ to approve the point report
- 2nd by: Russ
- Motion approved.

### Clerk/ Calendar

- Mar 8 1830 1st Responder Training
- Mar 15 1830 Maintenance
- Mar 15 1800 Byron social, Social 6pm, Food 7pm
- Mar 29 1830 Skywarn Training in Rochester
- **APR Lunch: Nate S, Brett, Kyle**
- Apr 4 1900 Officer Meeting
- Apr 5 1830 1st Wed Drill

- Motion made to adjourn by: Russ
  - 2nd by: JJ
- Meeting Adjourned at: 21:11

City **Mantorville**  
 Date **2/1/2023** thru **2/28/2023**

<u>Agency</u>	<u>Incident_Nr</u>	<u>Location</u>	<u>LocCity</u>	<u>Activity</u>
K	202300000388	201 Mantor Dr	Mantorville	Assist Other Agency
S	202300000825	721 Main St N	Mantorville	Public Assist
S	202300000829	215 9th St W	Mantorville	Paper Service
S	202300000834	720 Hickory Ln	Mantorville	Animal Comp
S	202300000850	201 Mantor Dr	Mantorville	Attempted Burglary
S	202300000897	527 5th St E	Mantorville	Ambulance Run
S	202300000914	905 Jefferson St	Mantorville	Animal Comp
S	202300000927	721 Main St N	Mantorville	Suspicious Activity
S	202300001019	22 6th St E	Mantorville	Suspicious Activity
S	202300001023	22 6th St E	Mantorville	Warrants- Out of Co.
S	202300001039	621 Chestnut St	Mantorville	Ambulance Run
S	202300001061	321 Main St N	Mantorville	Posse Event
S	202300001118	320 Main St N	Mantorville	Ambulance Run
S	202300001204	20 Zumbro Ridge Dr	Mantorville	Ambulance Run
S	202300001355	22 6th St E	Mantorville	Mental Case
S	202300001393	812 Hickory Ln	Mantorville	Residence/business Ck
S	202300001488	320 Main St N	Mantorville	Suspicious Activity

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Total 17



# City Council Report

To: Mayor and Council  
From: Shirley Buecksler, City Clerk-Treasurer  
Date: March 13, 2023

## **Designation of City Consultants for 2023**

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### **BACKGROUND INFORMATION:**

Enclosed for Council review is Resolution No. 2023-11 Approving City Designations which include:

City Prosecutor, David Jacobsen – Hero, Jorstad & Jacobsen  
City Auditor – Smith Schafer & Associates  
Building Inspector – Construction Management Services (CMS)  
Insurance Agent, Lynn Boynton – Insurance Brokers of Minnesota

### **STAFF RECOMMENDATION:**

By motion, adopt Resolution No. 2023-11 and approve the Consultants as listed for 2023.

### **ATTACHMENTS:**

Resolution No. 2023-11 Approving City Designations for Consultants for 2023.

**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 Auditor	Smith Schafer & Associates
Building Inspector	Construction Management Services (CMS)
City Insurance Agent	Lynn Boynton Insurance Brokers of Minnesota

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

Adopted by the City Council of the City of Mantorville, Minnesota, this 13<sup>th</sup> day of March 2023.

ATTEST:

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Chuck Bradford  
Mayor

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Shirley R Buecksler  
City Clerk-Treasurer



# City Council Report

To: Mayor and Council  
From: Shirley Buecksler, City Clerk-Treasurer  
Date: March 13, 2023

## **Request for Proposals (RFPs) for Legal and Engineering Services**

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### **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.

At the January 23<sup>rd</sup> Council meeting, this item was left on the table with no Council discussion. The City Clerk informed Council that she had contacted the League of Minnesota Cities and other Clerks and Administrators for feedback and advice. At Council request, this information was forwarded to Council on January 24<sup>th</sup>.

At the February 13<sup>th</sup> Council meeting, although not requested by Council, the City Clerk provided the same resolution from January 9<sup>th</sup> but without the City Attorney, along with a draft Request for Proposals (RFP) found in the City's files from 2014. This item was left on the table with no discussion.

At their February 27<sup>th</sup> meeting, after some initial discussion as to why an RFP was not also provided for the City Engineer, this item was again left on the table and not open for further discussion at that time.

For Council review, Staff has brought forward a draft RFP for both the City Attorney and the City Engineer.

### **STAFF RECOMMENDATION:**

Based on discussion.

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

- Draft Request for Proposals for Legal Services
- Draft Legal Notice for publication – City Attorney
- Draft Request for Proposals for Engineering Services
- Draft Legal Notice for publication – City Engineer

**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.

- l) 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 City Clerk-Treasurer Gretchen Lohrbach (507) 635-5116 or [gretchen@mantorville.com](mailto:gretchen@mantorville.com).

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:

Gretchen Lohrbach, City Clerk-Treasurer  
City of Mantorville  
21 5<sup>th</sup> Street East  
PO Box 188  
Mantorville, MN 55955

Proposals must be received by 5:30 pm on                     . 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.

## **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 Gretchen Lohrbach, Mantorville City Hall at (507) 635-5116 or visiting the City website at [www.mantorville.com](http://www.mantorville.com). To be considered, please send all required material to Gretchen Lohrbach, City Clerk-Treasurer, 21 5<sup>th</sup> Street East, PO Box 188, Mantorville, MN, 55955 no later than 5:30 pm on                     . The City reserves the right to reject any or all proposals submitted.

**CITY OF MANTORVILLE, MINNESOTA  
CITY ENGINEER  
REQUEST FOR PROPOSALS (RFP)**

The City of Mantorville is requesting proposals from professional engineering firms to provide consulting services as a City Engineer. The City expects to select an Engineer who will serve the City for an indefinite period of time, commencing upon approval by the City Council. Detailed information concerning the City's needs is outlined below. The City of Mantorville will select an Engineer that best meets the needs of the City.

**City Overview**

The city of Mantorville is located in southeastern Minnesota, in Dodge County, about 18 miles west of Rochester.

- The City's current population is estimated at 1,111 (2020 Census).
- The City of Mantorville has a Council of four Councilmembers and one Mayor. The City Clerk-Treasurer is accountable to the City Council for implementing Council direction.
- The City Council meets regularly the 2<sup>nd</sup> and 4<sup>th</sup> Monday of each month, with special work sessions conducted on an as-needed basis.
- The City Staff consists of one City Clerk-Treasurer, one Deputy City Clerk, one Public Work Lead, one Public Works employee, and two part-time Public Works employees.
- Mantorville maintains numerous city streets. In addition, the City works with county and state departments to maintain county and state-owned roads in its jurisdiction.
- The Zumbro River flows through the city of Mantorville.
- The City operates one outdoor community ice rink, two ballfields, six public parks, and one 10-site campground.

**Evaluation of Proposals**

The City Council will evaluate the proposals based on the following key considerations:

- 1) General engineering experience and technical skills
- 2) Availability
- 3) Technology resources
- 4) Funding/grant writing experience
- 5) Cost of services
- 6) Professional references

The City may select some firms for oral presentations. Each firm selected will provide a summary of their qualifications and their approach to the position of City Engineer and answer questions posed by the interview panel.

**Submission of Proposals**

- 1) All proposals, questions and correspondence should be directed to:  
City of Mantorville  
21 5<sup>th</sup> Street East  
PO Box 188  
Mantorville, MN 55955

- 2) Ten copies of the proposal must be received no later than 5:30 p.m. on [REDACTED]. Copies should be sealed and clearly identified with “City Engineer Proposal.” Proposals received after this deadline will not be considered.
- 3) Each proposal must be signed by an authorized representative of the company who can be held accountable for all representations.
- 4) The proposal should be limited to a maximum of 25 pages, including all supporting documentation. Additional material, other than that requested by the City, will be disregarded.
- 5) The City will review the proposals and may schedule interviews.
- 6) Questions concerning this RFP should be directed to Gretchen Lohrbach, City Clerk-Treasurer, at 507.635.5170 or email [gretchen@mantorville.com](mailto:gretchen@mantorville.com).

### **Proposal Contents**

- 1) Title Page  
Show the proposal subject, the name of the proposer’s firm, address, telephone number, email address, name of the contact person, and the date.
- 2) Proposing Firm Overview  
Background information concerning the firm, including the number of years in business under this name and the number and breakdown of personnel in the proposing office(s). Also include information about the firm’s experience in performing similar work.
- 3) Identification and Qualification of Assigned Personnel  
The ideal firm should have extensive experience in municipal engineering including:
  - Planning and reviewing of construction projects (public and private)
  - Preparation of feasibility reports
  - Construction inspection
  - Preparation of assessment rolls
  - Plat and site plan review
  - Local Government Unit (LGU) implementation and services; Wetland Conservation Act (WCA)
  - Capital improvement planning
  - Funding and grant writing assistance
  - City park development
  - Water/sewer/storm water expertise
  - Utility studies
  - GIS/technical mapping services
  - Surveying services

The ideal firm will be a full-service firm.

Designate the person who would be assigned as the Mantorville City Engineer. This is the person who will be responsible for the management and administration of engineering services with the City. Include a resume describing that person's experience and qualifications.

Provide the names and resumes of other professional staff that will be assigned to providing professional services to the City.

Submit an organizational chart identifying team members and their areas of responsibility.

4) Proposer's Detailed Approach to the Scope of Services

The proposal shall address in detailed fashion the approach of the firm for providing services to the City.

5) Basis for Compensation

The proposal shall include a fee schedule showing hourly rates for the individuals serving the City and other professionals who may provide services to the City, along with an outline of any additional fees customarily incurred.

6) List of References and Potential Conflicts

A minimum of five references from public clients for the designated Engineer and firm shall be provided, preferably for comparable City engineering services performed within the past five years.

Potential conflicts of interest must be disclosed including whether your firm works for developers, other government agencies, or others in the public/private sector that may impact business in the city of Mantorville.

7) Insurance Coverage

Documentation of current insurance coverage and limits, including professional liability insurance shall be provided with the proposal.

8) Funding for Municipal Projects

Describe your firm's experience with the application for and in receiving funding for municipal projects. Identify the individuals employed by your firm who provide services for funding assistance or if you use subconsultants. Include their resumes.

**Scope of Work**

The City of Mantorville is searching for a firm that will provide a wide range of professional services. The general work elements are outlined below:

1) General Engineering Services

- Assists in planning, coordinating, supervising, and evaluating programs, plans, services, equipment, infrastructure, assist with funding solutions.
- Assists in development and implementation of CIPs (capital improvement plans).

- Manage infrastructure issues for the City through proactive planning, monitoring, and operations and maintenance management.
- Develops and recommends policies and procedures for effective operation of the City, consistent with City policies and relevant regulations.
- Formulates short and long-range plans for design and constructing public works improvements, including streets, water, sanitary, storm sewer, parks, and buildings.
- Assists in implementing all water resource functions.
- Reviews land use applications and construction plans for private developments for consistency with City-adopted engineering specifications, City policies, and relevant laws, rules, and regulations, and ensures Council actions are implemented.
- Update city maps and utility records, including maintaining a GIS/database.
- Obtain proper approval and documentation from local, state, and federal authorities prior to implementing projects.
- Provides engineering services on projects and oversees project management for constructing municipal public works projects.
- Assists in planning, layout, and design of parks, trails, and other recreational amenities.

2) Design and Bidding Services

- Prepare plans and specification for projects with the input of City staff. Present plans and specifications to the City Council for approval.
- Consults with state and federal agencies having jurisdictional authority over the project as warranted.
- Prepare and send advertisements for bids to the legal newspaper and the Construction Bulletin for solicitation of bids.
- Prepare contract documents for bidding purposes.
- Review the bids and prepare bid tabulations.
- Provide assistance to City Staff in preparing a recommendation to the City Council for the award of contracts.

3) Project Management/Construction Services

- Convene a preconstruction conference with staff, contractor, utility company representatives, etc.
- Perform construction staking and surveying.
- Provide construction observation during construction.
- Prepare and maintain necessary documentation, including photographs and/or video if warranted, and a log of the contractor's progress.
- Convene regular construction progress meetings, as required.
- Prepare, review, and recommend action for proposed change orders.
- Review and recommend final acceptance by the City. Assist the City in ensuring that contractors have been paid and lien waivers have been acquired.
- Provide record drawings upon conclusion of projects to the City.

4) Prepare Engineering Reports and Technical Correspondence



- Determine the need for preliminary studies, reviews all preliminary studies for compliance with ordinances, comprehensive plans, engineering standards, and financial guidelines including:
    - Feasibility Reports
    - Prepare preliminary (and final) assessment rolls
    - Plat review
    - Utility studies
    - Surface water system analysis and design
    - Capital Improvement Program studies
    - Prepare comments regarding reports, plans, and studies of other agencies
    - Presents feasibility studies at public meetings.
  - The engineer shall establish and maintain a library of the following records:
    - Permits and applications
    - Contract documents
    - Addenda
    - Copies of referenced standard specification
    - Project schedules
    - Shop drawings and submittals
    - Applicable correspondence
    - Records of pertinent telephone conversations
    - File memoranda, directives, and change orders
    - Requests and recommendations for payment
    - Project budget and cost information
    - Diaries and logs
    - Records of noncompliance
    - Field test results
    - Materials testing reports
    - Record Drawings
    - Project photographs
    - Project studies and reports
    - Project progress and meeting minutes
    - Other information as necessary or required
- 5) At the direction of the City Council or City Clerk, participates in meetings, including:
- Internal and external meetings with City Staff or other engineering firms involving engineering questions and issues.
  - Meets with developers and members of the public on proposed development projects in order to relate the processes and procedures involved with engineering and infrastructure development. Reviews development proposals for conformance with City standards.
  - Attend City Council meetings and work sessions, Planning Commission meetings, and other City meetings as needed.
  - Facilitating/handling public hearings.
  - Meeting with citizens one on one.

**Terms and Conditions**

The City reserves the right to reject any or all proposals or to negotiate a contract that is in the best interest of the City at the absolute and sole discretion of the City Council.

The City will not be liable for any costs by the firm responding to this request.

The firm shall not assign nor transfer any interest in this proposal without the prior written consent of the City of Mantorville.

For the purposes of this agreement, the Engineering Consultant shall be deemed to be an independent contractor and not an employee of the City. Any and all agents, servants, or employees of the firm or other persons, while engaged in the performance of any work or services required to be performed by the City of Mantorville under this agreement shall not be considered employees of the City and any and all actions which arise as a consequence of any actor omission on the part of the firm, its agents, servants, employees, or other persons shall in no way be the obligation or responsibility of the City. The Consultant, its agents, servants, or employees shall be entitled to none of the rights, privileges, or benefits of the City of Mantorville employees, except as otherwise may be stated herein.

## **Engineering Services (RFP)**

The City of Mantorville is requesting proposals from qualified firms and individuals interested in providing engineering services to the City. A copy of the Request for Proposals (RFP) may be obtained by contacting Gretchen Lohrbach, Mantorville City Hall at (507) 635-5116 or visiting the City website at [www.mantorville.com](http://www.mantorville.com). To be considered, please send all required material to Gretchen Lohrbach, City Clerk-Treasurer, 21 5<sup>th</sup> Street East, PO Box 188, Mantorville, MN, 55955 no later than 5:30 pm on                     . 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: March 13, 2023

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

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### **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.
- Council tabled this item.

At the February 27<sup>th</sup> City Council meeting, this item remained on the table with no further discussion or direction.

Brought forward for review at tonight's meeting are Ordinance No. 2023-05 and Resolution No. 2023-10. If the ordinance is passed, a decision will need to be made on the cost and term of the permit. Currently, the City's Master Fee Schedule includes a \$5.00 Golf Cart Permit for handicapped persons. Vehicle stickers would also need to be purchased before any permits are 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

**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 double-underlined 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.

**Class 1 all-terrain vehicle:** 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.

**Class 2 all-terrain vehicle:** 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.

**Designated Roadways:** 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.

**Dead-Man Throttle:** 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.

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

**Owner:** 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.

**Utility Task Vehicle (UTV):** 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. Applicant's certification that they have read and will comply with all the terms of 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. Current State of Minnesota vehicle registration and a description of the vehicle (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. 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;
2. 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;
3. If the insurance required by law for a permit is no longer in effect;
4. If the application for permit contained false or misleading information of documentation;
5. If the driver's license of the permit holder is suspended, revoked, or cancelled;  
or
6. 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.

(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 rear-facing 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.



(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 double-underlined 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 13<sup>th</sup> day of March 2023.

ATTEST:

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Chuck Bradford  
Mayor

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mantorville that City Staff shall cause the following summary of Ordinance No. 2023-05 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 13<sup>th</sup> day of March 2023.

ATTEST:

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Chuck Bradford  
Mayor

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Shirley R Buecksler  
City Clerk-Treasurer



# City Council Report

To: Mayor and Council  
From: Shirley Buecksler, City Clerk-Treasurer  
Date: March 13, 2023

## **Intersection Control at 4<sup>th</sup> Street and Clay Street**

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### **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.

At their February 27<sup>th</sup> meeting, Council discussed this item and commented that all feedback has been positive in regards to removing the one yield sign and replacing with two stop signs at the intersection (see drawing attached). An idea was brought up of placing additional signage in the area to tell passersby that the City is considering putting up two stop signs, but no motion was passed. This item was again tabled for continued discussion at tonight's meeting.

### **STAFF RECOMMENDATION:**

Based on discussion.

### **ATTACHMENT:**

Drawing of intersection at 4<sup>th</sup> and Clay Streets.



No signage - would be replaced with a STOP sign

Current Yield Sign on 4th Street would be replaced with a STOP sign



# City Council Report

To: Mayor and Council  
From: Gretchen Lohrbach, Deputy City Clerk  
Date: March 13, 2023

## **Update on Deputy City Clerk Position**

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### **BACKGROUND INFORMATION:**

This report is provided to Council as a status update on the open position of Deputy City Clerk. This position was approved for posting at the City Council's February 27, 2023 meeting and has been published on:

- City of Mantorville Website <https://www.mantorville.com/.../employment-opportunities/>
- League of Minnesota Cities <https://www.lmc.org/careers/>
- Rochester Community and Technical College
- Indeed <https://www.indeed.com/>
- Dodge County Independent Newspaper (print and online)
- City of Mantorville Cable Channel

As of Wednesday, March 8<sup>th</sup>, five City of Mantorville employment applications have been received. The closing date for this position is March 28, 2023, with preferences to applications received by March 14, 2023.