



*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, APRIL 10, 2023**  
**6:30 PM**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Adopt the Agenda**
- 4. Consent Agenda**
  - A. Regular City Council Meeting Minutes of March 27, 2023
  - B. Accounts Payable Claims List
  - C. Dodge County Commissioners Meeting Minutes of March 14, 2023
  - D. Chamber of Commerce Meeting Minutes of March 1, 2023
- 5. Proclamations, Presentations and Recognitions**
  - A. Mayor Bradford proclaimed April 28, 2023 Arbor Day
  - B. Hero, Jorstad, and Jacobsen Law Firm are presenting their Mantorville Prosecution Report of 2022
- 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 audio and written 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 the Sheriff's Office
- 8. Public Hearing – No Items**
- 9. Old Business/New Business**
  - A. New Business – No Items
  - B. Old Business
    - 1) City Clerk-Treasurer Position Salary
- 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. Motorized Golf Carts; Ordinance No. 2023-05 and Resolution No. 2023-10 – tabled for discussion

**11. Reports**

- A. Public Works Report
- B. City Clerk Report
  - 1) Deputy City Clerk update
- 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**

<b><i>Upcoming Meetings and Events in Mantorville:</i></b>		
<i>April 19, 2023</i>	<i>7:30pm</i>	<i>Mantorville Fire Department Members Meeting</i>
<i>April 24, 2023</i>	<i>6:00pm</i>	<i>Local Board of Appeal and Equalization 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>
<i>May 2, 2023</i>	<i>6:30 pm</i>	<i>Economic Development Authority Meeting</i>
<i>May 8, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>May 17, 2023</i>	<i>7:30 pm</i>	<i>Mantorville Fire Dept General Members Meeting</i>
<i>May 22, 2023</i>	<i>6:30 pm</i>	<i>Regular City Council Meeting</i>
<i>May 29, 2023</i>	<i>City Offices Closed in Observance of Memorial Day</i>	
<i>May 30, 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  
Regular City Council Minutes  
March 27, 2023



**1. Call to Order**

Mayor Bradford called the meeting to order at 6:36 p.m.

Present: Mayor Chuck Bradford

Councilmembers:

Jessica Bradford  
Lyle Hoaglund  
Jeffrey Ingalls (Remotely)  
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 Council Member Rud and seconded by Councilmember Hoaglund to approve the Consent Agenda, as presented:

- A. Regular City Council Meeting Minutes of March 13, 2023
- B. Accounts Payable Claims List
- C. Dodge County Board of Commissioners Meeting Minutes of February 28, 2023
- D. Rental License for 2023

Bill Reding requested to see invoices for legal fees and WHKS. He also asked if we had received any maps or diagrams of work done. Deputy Clerk Lohrbach retrieved the statements for review by public attendees. She also stated that she is willing to show the statements to anyone who would like to see them a day before the meeting.

Council Member Bradford said when it was brought up previously, WHKS said they would start doing itemized billing and that her questions were going to be the same two questions Mr. Reding asked.

Mayor Bradford asked if there was any more comments on the agenda. Seeing none,

Motion carried: 5 ayes / 0 nays

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

6. **Public Concerns** – *No Items*

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

8. **Public Hearings** – *No Items*

9. **Old Business/New Business**

**A. New Business**

- 1) Koreen Seim spoke to The Council about some activities they might like to do this summer. She would like to know if they can put tables and chairs out and string lights up on their newly poured patio. Also, they would put up some canvas covers for shade. Out on the black top, they would like to have a fryer so that they can cook burger baskets outside. She also asked if there was anything they can or cannot do with serving alcohol on the patio.

Mayor Bradford said anything with regulating their liquor license would be through The State and asked City Clerk Buecksler if there is anything additional The City needs to do.

City Clerk-Treasurer Bucksler asked if their patio was currently under their liquor license. Koreen said that everything from The Saloon to the VFW is covered because they have liquor licenses at both places and doors to the patio from both buildings.

Koreen also asked if they can have acoustic live music on the patio from 6-9pm once or twice a month and Mayor Bradford said that is alright with The City if amplifiers are not involved.

Stagecoach days they would like to do the same as last year and have a band on Friday, a bean bag tournament on Saturday, and music playing – not late. The MRA and Friends OF Mantorville would like to do purse bingo out back on Sunday again if that is okay.

Scott Seim said they are also thinking about doing a little car show 1 day a week where people could drive up and show off their cars but they haven't figured all the details out yet. He was thinking they may want to close off the street. Mayor Bradford said that closing of the street would be something that would have to come before council. However, if people drive down the road and just park in the parking spaces there, that's just parking and The City wouldn't need to be involved. Koreen also stated that

it wouldn't really be a car show as much as a car night to bring your older car out and they would serve burger baskets out on the patio.

Virgil Andrist commented that they have the same thing down at the Elks Lodge in Rochester and they have a good turnout.

Koreen what they should do if someone brings their beer with them out to the curb to look at a car. Mayor Bradford said this would be a violation because the would be bringing alcohol off the premises. However this could be allowed (if The Council approves) during events such as Marigold Days or Stagecoach Days.

Koreen is thinking that it would be Thursday night during the week and was wondering when they should come back to Council to ask about the alcohol being allowed on the sidewalk. Mayor Bradford said that it would have to be a declared community event and doesn't know how loose the rules are around declaring it a community event; if it can be one business for a community event or if it must be two or more.

City Clerk-Treasurer Buecksler suggested calling Alcohol And Tobacco (ATF) for clarification.

- 2) Dodge Count Pheasants Forever Bingo and Raffle Lawful Gambling Permit for April 22, 2023; Resolution No. 2023-13

Deputy City Clerk Lohrbach stated that Dodge County Pheasants Forever has applied for a gambling permit. She also said that Tim Miller would have been present, but he is the high school track coach and is unable to attend tonight. He said that they have applied every year for 6 years and have always been approved and the event will be the same as last year.

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

RESOLUTION NO. 2023-13  
A RESOLUTION APPROVING AN APPLICATION TO CONDUCT A BINGO AND  
RAFFLE AT MANTORVILLE SALOON,  
501 MAIN STREET NORTH, MANTORVILLE, MN –  
PHEASANTS FOREVER DODGE COUNTY, CHAPTER 776  
APRIL 22, 2023

Motion carried: 5 ayes / 0 nays.

- 3) Resolution NO. 2023-12 Updating Signatories for Bank Accounts and Allowing Facsimile Signature for Certain Signatories

Deputy City Clerk Lohrbach said that with the change in staff, MBT bank needs updated information for the bank signatories. They need Mayor Bradford, Council Member Ingalls, and Deputy City Clerk Lohrbach's signatures.

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

RESOLUTION NO. 2023-12

A RESOLUTION UPDATING SIGNATORIES FOR CITY BANK ACCOUNTS AND ALLOWING FACSIMILE SIGNATURE FOR CERTAIN SIGNATORIES

Motion carried: 5 ayes / 0 nays.

**B. Old Business**

- 1) Councilmember Ingalls said Deputy City Clerk Lohrbach was asked by the Personnel Committee to do research City Clerk salaries. Based on nearby salaries and experience, he recommends a salary of \$65,000 a year, which is about the middle of the salary ranges.

Councilmember Bradford would like to see someone else, other than the employee, do some research.

Councilmember Hoaglund asked if the Personnel Committee had met and discussed this. Mayor Bradford said they had and asked Councilmember Ingalls what they decided and Councilmember Ingalls said he thought they decided on the middle range and that they should make a decision as she begins this new position on Friday March 31, 2023.

City-Clerk Treasurer Buecksler said that the other part is that Council should take into consideration that the City Clerk Position is also Treasurer and Administrator so some of the positions listed on the research may not have all those pieces.

Councilmember Hoaglund said he doesn't have enough information to vote at this time. Councilmember Bradford agrees. Councilmember Hoaglund would like to see it be a closed meeting process, but Mayor Bradford said we cannot do that. Councilmember Hoaglund said that retroactive pay could be paid if decision takes longer and would like to table it.

City Clerk-Treasurer Buecksler said that Deputy City Clerk Lohrbach has been approved for the position of City Clerk-treasurer and has been waiting for her salary information, and now she would have to wait longer. Mayor Bradford said that Deputy City Clerk Lohrbach would not be out anything and whatever they decide, there would be retroactive pay.

Councilmember Rud said they could set a scale for 6 months of a probationary period, which is common.

Motion was made by Councilmember Hoaglund and seconded by Councilmember Bradford.

Councilmember Ingalls said we have to define what research we need beyond this because we have our data from the other cities' ranges and the salary is in the middle of that and The City's salary range, so what additional information are we looking for and would the Council Members get it themselves or ask Deputy City Clerk Lohrbach or someone else.

Councilmember Bradford said that she feels like this was sprung on The Council and they don't have enough information to look at to make a reasonable vote on what they believe is right. She would like to review the data before voting because they're talking about City funds and they need to be responsible with those. She wants to be prepared to make a vote and not just vote to vote.

Councilmember Ingalls would like to see a decision made at the next Council Meeting.

City Clerk-Treasurer Buecksler wants The Council to be aware that this is \$5,000 less than what she was offered to take the position and that Deputy City Clerk Lohrbach has a full year of experience at City Hall.

Mayor Bradford asked if there was any additional discussion over the motion. Seeing none,

Motion carried: 5 ayes / 0 nays.

Mayor Bradford says this will be discussed next time and have a recommendation from the Personnel Committee.

Councilmember Hoaglund said he would like some comparisons and Deputy City Clerk Lohrbach said she would make some copies of the salary ranges for Council.

## **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

Councilmember Bradford motioned to pull this item from the table for discussion. Councilmember Hoaglund seconded.

Motion carried: 5 ayes / 0 nays. This is now off the table and open for discussion.

Councilmember Bradford said that at one of their first meetings they discussed going with an attorney that was local and also discussed looking at other engineers, no time is ever a good time to switch things up, but thinks it's really something to look at and consider an RFP for a City Attorney and City Engineer.

Councilmember Hoagland wanted to point out that our City Engineer has already started work on the HWY 57 project and it's hard to change engineers in the middle of a project.

Virgil Andrist said he thinks it's time to be looking for a new engineering company because it has cost this city so much with this engineering company. They had to fill the ditches back in and they didn't do any road density testing. This company also hadn't obtained the proper permits for their work by the river. He also said he had to spend \$20,000 because a valve was not put back correctly. He feels a good engineer would not have come up with a plan like the one on 3<sup>rd</sup> Street and cost The City so much money. He would like us to look at local engineers.

City-Clerk Treasurer Buecksler reminded the council that at the last meeting, it was voted 5 ayes / 0 nays to hold off on these items.

Councilmember Bradford stated that she wanted to pull these items from the table because Council is being asked to vote on approving consultants that they had previously discussed doing RFPs on because they have now been added the back to the list. She wanted to know if it's possibly to keep WHKS on for the HWY 57 project and look at RFP's moving forward for future projects?

Mayor Bradford said we could approve the list of consultants for 2023 and look at RFPs. We would have until January then to do this.

Bill Reding said this will cost the city more money.

Councilmember Rud reminded the public attendees that they must come up to the podium and state their name and address when speaking to that those recording the meeting will have that information for the record. They can have their time, but afterthat, don't sit there and keep adding.

Reding says he sat on the Mantorville City Council when the Northwest Project had already begun. He says this cost the City Of Mantorville close to ½ a million dollars in extra costs because WHKS didn't do their job. He said he only knows of one project they have done in this town that didn't cost The City extra money. They ran a sewer line up East of town with grinder pumps. Since then, they haven't done a job that didn't cost extra money. He says this is causing the taxes to go up to fast.



Councilmember Rud said the engineer firm brings things forward to The Council and then they look at it. It doesn't mean the City Council needs to agree with it. The City decides what they want to do, or don't want to do.

Reding asked if The Council had ever received a record from this engineer firm. Councilmember Rud said that he had in his past jobs. Reding said Walnut Street received no testing record. Councilmember Rud said The City had a 100% inspection. Reding said this should have gone to the engineer firm. Councilmember Rud replied that's not how it works. You decide if you want 50% inspection, 75% inspection, or 100% inspection. Reding said he has asked for paperwork on this but has never seen it. He said they're supposed to do a ground compaction test. Councilmember Rud said that they run a truck filled with gravel over it and that is how they test for compaction. Reding said you are supposed to drive a stake into the ground to test.

Councilmember Hoaglund said it would be a good idea if Bill Reding and Virgil Andrist got together and made a list of issues they have with the city engineer and bring it for Council. Then The Council can sit down with the engineer and have him answer all the questions. He feels this will save time during meetings. He wants to hear from the public attendees; that is why they were elected, to listen.

Mayor Bradford said that Council may just not engage in or take the actions that public attendees want The Council to, but it doesn't mean they The Council isn't listening.

Reding said the RFPs were supposed to go out, but The Council decided to table it because the City Clerk doesn't want it to change.

Councilmember Rud said it is a good idea to finish out the year with what we have and go out for RFPs, we can look over and then move forward.

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

RESOLUTION NO. 2023-11  
A RESOLUTION APPROVING CITY DESIGNATIONS FOR  
CONSULTANTS FOR 2023

City Attorney – Scott Riggs, Kennedy & Graven Chartered  
City Engineer – Tim Hruska, WHKS & Company  
City Prosecutor – David Jacobsen, Hero, Jorstad, & Jacobsen  
Building Inspector – Construction Management Services  
City Insurance Agent – Lynn Boynton, Insurance Brokers of Minnesota

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

- B. Request for Proposals – pulled from the table because Resolution No. 2023-11 was approved.
- C. Motorized Golf Carts, All-Terrain Vehicles, and Utility Task Vehicles; Ordinance No. 2023-05 and Resolution No. 2023-10 – tabled for continued discussion

Councilmember Ingalls received feedback from a resident that the ordinance should be a little more specific. That person is going to do a little research and then get back to him. He would like to keep it tabled until then. This item remains on the table.

## **11. Reports**

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

Public Works Lead Joe Adams said that he put out bids for Spring tree removal. He reached out to 4 contractors. They were: Olson Tree Service, Carr Tree Service, Boyum Tree Service, and Meyer Trees. Meyer trees said they don't go out for low bids, they go out for quality. Adams said the low bid is Boyum Tree Service at \$5,275.00. He recommends going with Boyum Tree Service.

Motion was made by Councilmember Rud to go with Boyum Tree Service pending their insurance information. This was seconded by Councilmember Bradford.

Motion carried: 5 ayes / 0 nays

Adams also got a hold of Stone By Stone and they said weather permitting, they should be able to start at the end of April, so we are on track with getting their project done soon.

Adams said there are flags on the new stop signs on Fourth Street and Clay Street. City Clerk Buecksler said feedback from the public has been positive about these stop signs. Councilmember Hoaglund said the stop signs are working because he has witnessed people stopping at them.

Wade Schroeder is currently in class and exams for his sewer license.

Councilmember Rud asked Adams if he had found out more about pressure washers. Adams said he went to a farm show in Owatonna and they had some heavy duty pressure washers over there. He asked everybody about a tip that would get grease off. They said you would need to heat it up, there isn't one that can cut through grease with out heat unless you're scrubbing it with degreaser. Adams saw some nice ones he liked, but they were all heated pressure washers. That puts us back in the just over \$5000 dollar range. He said the one he liked was \$5100 and the sales person is willing to come over and do a demonstration. Councilmember Rud recommends having a demonstration.

City Clerk Buecksler said council has already approved \$1600 for a cold degreaser. There is currently \$36,000 in the ARPA fund and would like to know if there's anything else that should come out of it.

B. City Clerk report

- 1) The Local Board of Appeal and Equalization meeting is at 6:00pm, Monday April 24<sup>th</sup>, before the regular Council meeting. Council member Ingalls and Mayor Bradford are certified for this meeting. There has to be at least one certified member.
- 2) We are conducting applicant interviews this week.
- 3) City Clerk Buecksler would like to know if there is anything else for ARPA. She remembered Adams saying something about LED lights in the shop. Adams said they rewired and replaced all the ones they could, but the 8 left in the shop would need new fixtures because they can't be rewired. He thinks it would probably be \$2500 to replace them. Councilmember Hoaglund said if we can swap them out, we should do it because it will be cheaper down the road.

Motion was made by Council member Bradford and seconded by Councilmember Hoaglund to use ARPA funds for this project.

Motion carried: 5 ayes / 0 nays

City Clerk Buecksler remembered Adams mentioning things that have to happen at the plant and wondered if we can allocate ARPA funds for these projects, we have \$36,000 left and the deadline is December 2024. Adams said they need to rebuild the two main pumps and possibly switching out the impellers this fall. Mayor Bradford would like to see us use it on the first thing that's eligible for the funds, rather than allocate it in case it wouldn't get used in time.

C. Consultant Report – *No Report*

D. Committee Reports

- 1) Chamber – Councilmember Hoaglund said that the Dodge County Expo was Saturday and there was a good turnout. The next event is the Easter egg hunt at Riverside Park on Saturday April 8<sup>th</sup>.
- 2) Economic Development Authority
- 3) Finance/Budget
- 4) Fire Department
- 5) Infrastructure
- 6) Kasson Mantorville Joint Powers
- 7) Mantorville Restoration Association – Councilmember Hoaglund thought it was the best Mulligan Stew he has been to. Paul Larsen was invited to speak by

Councilmember Hoaglund invited Paul Larsen to speak about it. Larsen said the auction raised about \$6,000 and the ticket sales were around \$3000.

- 8) Park Board – first meeting is tomorrow, Tuesday March 28<sup>th</sup> at 6:30pm.
- 9) Personnel
- 10) Fire Relief
- 11) Township – meeting in 2 weeks

#### E. Councilmember Reports

Councilmember Ingalls would like to discuss signage for the noise ordinance at the next meeting.

Joe Adams thanked City Clerk Shirley Buecksler for her service and that it's been a pleasure working with her. Mayor Bradford also added how much they have appreciated her hard work and dedication. Councilmember Hoaglund also thanked her.

#### **12. Adjourn**

Motion was made by Mayor Bradford and seconded by Councilmember Ingalls to adjourn the meeting at 7:30 p.m.

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

Payments

Current Period: March 2023

Payments Batch 033023PAY \$170.00

Refer 0 SAINT CLOUD STATE UNIVERSITY

Cash Payment E 101-41500-208 Training, Mileage Gretchen Lohrbach Year One MCFOA Institute \$170.00

Invoice 3/30/2023

Transaction Date 3/30/2023 Citizens State Bank 10100 Total \$170.00

Fund Summary

	10100 Citizens State Bank	
101 GENERAL FUND		\$170.00
		\$170.00

Pre-Written Checks	\$0.00
Checks to be Generated by the Computer	\$170.00
Total	\$170.00

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## Payments

Current Period: April 2023

Payments Batch 040723PAY		\$35,495.45	
Refer	0 PAYMENT SERVICE NETWORK, IN	-	
Cash Payment	E 602-49450-300 Professional Srvs (GEN Services 3/1/23-3/31/23		\$99.18
Invoice	RT20255 4/10/2023		
Cash Payment	E 601-49400-300 Professional Srvs (GEN Services 3/1/23-3/31/23		\$66.12
Invoice	RT20255 4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank 10100	<b>Total</b> \$165.30
Refer	0 GOPHER STATE ONE CALL	-	
Cash Payment	E 601-49400-300 Professional Srvs (GEN March 2023		\$4.05
Invoice	3030571 4/10/2023		
Cash Payment	E 602-49450-300 Professional Srvs (GEN March 2023		\$2.70
Invoice	3030571 4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank 10100	<b>Total</b> \$6.75
Refer	0 PITNEY BOWES GLOBAL FINANCI	-	
Cash Payment	E 101-41500-322 Postage Jan 30-April 29		\$194.04
Invoice	3106028059 4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank 10100	<b>Total</b> \$194.04
Refer	0 PITNEY BOWES PURCHASE POWE	-	
Cash Payment	E 101-41500-322 Postage Postage		\$402.50
Invoice	3/26/23 4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank 10100	<b>Total</b> \$402.50
Refer	0 WSE MASSEY ENGINEERING & SU	-	
Cash Payment	E 101-42400-300 Professional Srvs (GEN 3.2.23		\$379.99
Invoice	817-234236-2 4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank 10100	<b>Total</b> \$379.99
Refer	0 ON-SITE COMPUTERS, INC	-	
Cash Payment	E 101-41500-300 Professional Srvs (GEN Remote Support		\$28.75
Invoice	CW85201 4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank 10100	<b>Total</b> \$28.75
Refer	0 WARSAW	-	
Cash Payment	E 101-43160-381 Electric Utilities Feb 2023		\$3,178.99
Invoice	March 27, 2023 4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank 10100	<b>Total</b> \$3,178.99
Refer	0 HOMETOWN HAULERS	-	
Cash Payment	E 101-42200-384 Refuse/Garbage Dispos April 2023		\$43.71
Invoice	8677 4/10/2023		
Cash Payment	E 101-41940-384 Refuse/Garbage Dispos April 2023		\$43.70
Invoice	8677 4/10/2023		
Cash Payment	E 101-41940-384 Refuse/Garbage Dispos April 2023		\$102.84
Invoice	8677 4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank 10100	<b>Total</b> \$190.25
Refer	0 CEDA	-	
Cash Payment	E 101-46500-437 Other Miscellaneous 2nd Qtr Billing		\$5,430.25
Invoice	03.30.23 4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank 10100	<b>Total</b> \$5,430.25

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Payments

Current Period: April 2023

Refer	0	SMITH SCHAFFER & ASSOCIATES	-		
Cash Payment	E 101-41530-301	Auditing and Acct g Serv 2nd Progress Billing for 2022			\$8,500.00
Invoice	17709	4/10/2023			
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	\$8,500.00
Refer	0	MN PERA	-		
Cash Payment	G 101-21704	PERA	PR 07		\$1,306.23
Invoice	4/5/23	4/10/2023			
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	\$1,306.23
Refer	0	MINNESOTA REVENUE	-		
Cash Payment	G 101-21702	State Withholding	PR 07		\$377.47
Invoice	4/4/23	4/10/2023			
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	\$377.47
Refer	0	INTERNAL REVENUE SERVICE	-		
Cash Payment	G 101-21703	FICA Tax Withholding	PR 07		\$530.07
Invoice	4.4.23	4/10/2023			
Cash Payment	G 101-21709	Medicare	PR 07		\$123.97
Invoice	4.4.23	4/10/2023			
Cash Payment	G 101-21701	Federal Withholding	PR 07		\$716.98
Invoice	4.4.23	4/10/2023			
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	\$1,371.02
Refer	0	SOUTHEAST SERVICE COOPERAT	-		
Cash Payment	G 101-21706	Hospitalization/Medical Ins	3/27/23		\$2,510.94
Invoice	4/3/23	4/10/2023			
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	\$2,510.94
Refer	0	WEX HEALTH, INC.	-		
Cash Payment	G 101-21714	Health Savings Account	PR 07 EE HSA		\$130.00
Invoice	3/23/23	4/10/2023			
Cash Payment	G 101-21714	Health Savings Account	PR 07 ER HSA		\$173.07
Invoice	3/23/23	4/10/2023			
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	\$303.07
Refer	0	XCEL ENERGY	-		
Cash Payment	E 101-43160-381	Electric Utilities	STREET LIGHTS		\$1,815.70
Invoice	820778850	4/10/2023			
Cash Payment	E 101-43160-381	Electric Utilities	300 MAIN N BRIDGE LIGHTS		\$0.00
Invoice	820778850	4/10/2023			
Cash Payment	E 101-43160-381	Electric Utilities	130 ST.HWY 57 S.CITY SIGN		\$0.00
Invoice	820778850	4/10/2023			
Cash Payment	E 101-43160-381	Electric Utilities	60003 ST.HWY 57 N CITY SIGN		\$0.00
Invoice	820778850	4/10/2023			
Cash Payment	E 101-42200-380	Utility Services	21 5TH STREET SIREN		\$12.90
Invoice	820778850	4/10/2023			
Cash Payment	E 101-42200-380	Utility Services	21 5TH STREET E FH/CH/PUMP		-\$136.57
Invoice	820778850	4/10/2023			
Cash Payment	E 101-42200-380	Utility Services	701 CHESTNUT SIREN		\$0.00
Invoice	820778850	4/10/2023			
Cash Payment	E 101-43160-381	Electric Utilities	410 CLAY POLE ON EDA LOT		\$16.36
Invoice	820778850	4/10/2023			

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Payments

Current Period: April 2023

Cash Payment	E 101-41940-380	Utility Services	600 7TH STREET WEST MANTORFIEL	\$15.23
Invoice	820778850	4/10/2023		
Cash Payment	E 101-41940-380	Utility Services	340 CLAY RIVERSIDE W CENTER	\$20.35
Invoice	820778850	4/10/2023		
Cash Payment	E 101-41940-380	Utility Services	342 MAIN ST N RIVERSIDE NE	\$15.23
Invoice	820778850	4/10/2023		
Cash Payment	E 101-41940-380	Utility Services	601 GOLFVIEW DENNISON FIELD	\$18.22
Invoice	820778850	4/10/2023		
Cash Payment	E 101-41940-380	Utility Services	1008 EAST CITY SHOP	\$0.00
Invoice	820778850	4/10/2023		
Cash Payment	E 602-49450-380	Utility Services	121 BLANCH WWTF+SEC+PUMP	-\$819.04
Invoice	820778850	4/10/2023		
Cash Payment	E 601-49400-380	Utility Services	841 BLANCH WTR WELL HOUSE	-\$4.37
Invoice	820778850	4/10/2023		
Cash Payment	E 601-49400-380	Utility Services	924 JEFFERSON WATER TOWER	\$3.25
Invoice	820778850	4/10/2023		
Cash Payment	E 603-45183-381	Electric Utilities	324 MAIN ST N CAMPGROUND	-\$133.09
Invoice	820778850	4/10/2023		
Cash Payment	E 101-41940-380	Utility Services	101 BLANCH NEW SHOP	\$0.00
Invoice	820778850	4/10/2023		
Cash Payment	E 101-41940-380	Utility Services	15 4TH STREET WEST RIVERSIDE	\$17.15
Invoice	820778850	4/10/2023		
Cash Payment	E 602-49450-380	Utility Services	601 JEFFERSON LIFT STATION	\$9.73
Invoice	820778850	4/10/2023		
Cash Payment	E 602-49450-380	Utility Services	121 BLANCH AUTO PROTECT LIGHT	\$10.20
Invoice	820778850	4/10/2023		
Cash Payment	E 101-43160-381	Electric Utilities	CHRISTMAS LIGHTS	\$0.00
Invoice	820778850	4/10/2023		
Transaction Date	4/7/2023		Citizens State Bank 10100	<b>Total</b> \$861.25
Refer	0 CASEYS		-	
Cash Payment	E 101-42200-212	Motor Fuels	2/18-3/18	\$315.97
Invoice due	4/16/23	4/10/2023		
Cash Payment	E 602-49450-212	Motor Fuels	2/18-3/18	\$108.99
Invoice due	4/16/23	4/10/2023		
Cash Payment	E 101-43100-212	Motor Fuels	2/18-3/18	\$162.09
Invoice due	4/16/23	4/10/2023		
Cash Payment	E 101-43125-212	Motor Fuels	2/18-3/18	\$417.57
Invoice due	4/16/23	4/10/2023		
Transaction Date	4/7/2023		Citizens State Bank 10100	<b>Total</b> \$1,004.62
Refer	0 KMTELECOM		-	
Cash Payment	E 101-41940-321	Communications Phone/	CITY HALL MAIN 5170	\$144.45
Invoice	10159759	4/10/2023		
Cash Payment	E 101-41940-321	Communications Phone/	CITY HALL - 5176 - 2ND LINE	\$20.79
Invoice	10159759	4/10/2023		
Cash Payment	E 101-41940-321	Communications Phone/	CITY HALL FAX 5300	\$25.00
Invoice	10159759	4/10/2023		
Cash Payment	E 101-42200-321	Communications Phone/	FD 5440	\$25.78
Invoice	10159759	4/10/2023		



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Payments

Current Period: April 2023

Cash Payment	E 101-41940-321	Communications Phone/	STREETS - SHOP 5119		\$80.77
Invoice	10159759		4/10/2023		
Cash Payment	E 601-49400-321	Communications Phone/	WATER TOWER ALARM 3588		\$45.41
Invoice	10159759		4/10/2023		
Cash Payment	E 602-49450-321	Communications Phone/	LIFT STATION ALARM 5066		\$35.41
Invoice	10159759		4/10/2023		
Cash Payment	E 602-49450-321	Communications Phone/	WWTP 5463 ALARM		\$35.41
Invoice	10159759		4/10/2023		
Cash Payment	E 101-41940-321	Communications Phone/	LONG DISTANCE/TAXES/FEES		\$5.85
Invoice	10159759		4/10/2023		
Cash Payment	E 101-46500-437	Other Miscellaneous	EDA 800 NUMBER		\$0.15
Invoice	10159759		4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$419.02</b>
Refer	0	KASSON HARDWARE HANK	-		
Cash Payment	E 101-41940-220	Bldg.Repair and Mainten	Acct 355170		\$17.17
Invoice	3.31.23		4/10/2023		
Cash Payment	E 101-41940-417	Uniforms	Acct 355170		\$36.99
Invoice	3.31.23		4/10/2023		
Cash Payment	E 101-41940-220	Bldg.Repair and Mainten	Acct 355170		\$44.94
Invoice	3.31.23		4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$99.10</b>
Refer	0	BLUEHOST	-		
Cash Payment	E 602-49450-300	Professional Srvs (GEN	2023 Web Hosting I Year		\$115.96
Invoice	74278761		4/10/2023		
Cash Payment	E 601-49400-300	Professional Srvs (GEN	2023 Web Hosting I Year		\$115.96
Invoice	74278761		4/10/2023		
Cash Payment	E 101-41500-300	Professional Srvs (GEN	2023 Web Hosting I Year		\$115.96
Invoice	74278761		4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$347.88</b>
Refer	0	HAWKINS, INC	-		
Cash Payment	E 601-49400-216	Chemicals and Chem Pr	Chlorine Cylinders		\$20.00
Invoice	6422644		4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$20.00</b>
Refer	0	PUMP & METER SERVICE, INC	-		
Cash Payment	E 101-43100-212	Motor Fuels	3/22/23		\$3,319.41
Invoice	37411-1		4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$3,319.41</b>
Refer	0	MENARDS - NORTH ROCHESTER	-		
Cash Payment	E 602-49450-240	Tools and Minor Equipm	3/29/23		\$68.99
Invoice	21217		4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$68.99</b>
Refer	0	DODGE COUNTY INDEPENDENT	-		
Cash Payment	E 101-41500-437	Other Miscellaneous	Renewal for 1 year 2023		\$49.00
Invoice			4/10/2023		
Transaction Date	4/7/2023	Citizens State Bank	10100	<b>Total</b>	<b>\$49.00</b>
Refer	0	JOHN DEERE FINANCIAL	-		

Payments

Current Period: April 2023

Cash Payment	E 101-45200-500	Capital Outlay	Lease 2023		\$4,360.63
Invoice	2762720	4/10/2023			
Transaction Date	4/7/2023		Citizens State Bank	10100	<b>Total</b> \$4,360.63
Refer	0 INTEGRATED CITY SOLUTIONS, LL _				
Cash Payment	E 601-49400-228	Equip. Repair and Maint	Chase Threads, oil ,grease		\$600.00
Invoice	1077	4/10/2023			
Transaction Date	4/7/2023		Citizens State Bank	10100	<b>Total</b> \$600.00

Fund Summary

	10100	Citizens State Bank	
101 GENERAL FUND			\$35,110.59
601 WATER FUND			\$850.42
602 SEWER FUND			(\$332.47)
603 RV PARK			(\$133.09)
			<u>\$35,495.45</u>

Pre-Written Checks	\$0.00
Checks to be Generated by the Computer	\$35,495.45
Total	<u>\$35,495.45</u>

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

**Chair**

**Convene County Board Meeting**

The Dodge County Commissioners met in regular session March 14, 2023, in the Board Room at the Dodge County Government Services Building, Mantorville, MN, at 9:30 a.m. Chair Rodney Peterson called the meeting to order at 9:31 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**

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

*Motion Adopted [Unanimous]*

**New Employee Introductions**

IT Director Tobey Hicks introduced David Myers who is a new Information Systems Specialist in Information Technology. The Board welcomed Mr. Myers.

County Engineer Guy Kohlhofer introduced Jackson Knudson and Travis Martin the two new Assistant Highway Engineers. The Board welcomed Mr. Knudson and Mr. Martin.

**Consent Agenda**

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

*Motion Adopted [Unanimous]*

- 1.1. Committee of the Whole - Committee Meeting - Feb 28, 2023 4:30 PM
- 1.2. Board of Commissioners - Regular Meeting - Feb 28, 2023 5:00 PM
- 1.3. Phone Stipend for Zoning Administrator
- 1.4. Award SAP 020-605-030

**Lauren Cornelius, Environmental Services Director & Rita Cole, Waste Management Administrator****Better Futures Minnesota Memorandum of Understanding**

Ms. Cornelius reported by working together, Dodge County and Better Futures Minnesota (BFM) want to establish a thriving, financially sustainable waste diversion and reuse endeavor at the County's Transfer Station. The proposed Memorandum of Understanding (MOU) outlines the goals, strategies, and key tasks for the thirteen months of this initiative. It also outlines each partner's commitment, role, and responsibilities in developing, funding, and operating the project.

It was the Environmental Services Director's recommendation that the Board approve the proposed MOU. The MOU will then go to The Network for Better Futures (d/b/a Better Futures Minnesota) for signature.

Commissioner Toquam noted the Memorandum of Understanding covers the focus and key activities for thirteen months of this project and wanted to know what happens after the thirteen months.

Ms. Cornelius reported there maybe the possibility of renewing the Memorandum of Understanding for another thirteen months. This step is just to help them get the program up and running. The Environmental Services Director stated by them helping us, we are helping them. Ms. Cornelius informed the Board there are a lot of other avenues to consider to help us continue to operate this facility after the thirteen months are up.

Ms. Cole distributed a copy of the job description that will be used to fill the Field Supervisor position at the ReUse Center. Dodge County will be working with Better Futures to find an applicant for this position.

Motion by Allen seconded by Tjosaas to approve and authorize the Chair to sign a Memorandum of Understanding between Better Futures Minnesota and Dodge County for a Waste Diversion and Reuse Project effective March 1, 2023 through March 31, 2024.

*Motion Adopted [Unanimous]*

**Melissa DeVetter, Project Manager****Tap-In Contract Staff Authorization**

Ms. DeVetter met with the Board to discuss a proposed Tap-In Contract. On August 25th, 2022, Dodge County approved the FY2022 Regional Safe Drinking Water Sub-Agreement with Wabasha County Soil & Water Conservation District (SWCD), also referred to as "Tap-In". Under this grant, landowners are eligible for cost-share for well mitigation practices which provide safe drinking water. Part of this grant requires a contract to be signed with the landowner to approve initiation and installation of mitigation activities.

Under IV.G of the Sub-Agreement with Wabasha SWCD, the Dodge County Board can delegate their authority to enter into contracts and provide payment on the contracts to designated staff provided the approval of the expenditure of grant funds is documented within their board meeting minutes.

This is a reimbursement-based grant requiring that landowners expend all funds for the mitigation practice and then submit required documentation to the county to obtain reimbursement per the cost-share rate. Due to the time constraints with this grant which concludes on May 31st, 2023 and County Board meeting schedules, Environmental Services staff is requesting the County Board authorize Environmental Services Project Manager to enter into contracts with landowners and provide payment on contracts per the Sub-Agreement provisions.

Motion by Toquam seconded by Allen to approve and authorize Environmental Services Project Manager to enter into contracts with landowners and provide payment on contracts per the Sub-Agreement provisions as requested.

*Motion Adopted [Unanimous]*

**Jackson Miller, Project Manager****CAI Noxious Weed Grant Agreement**

Mr. Miller informed the Board that in order to support local County Agricultural Inspectors (CAI) in implementing the mandated Noxious Weeds Law (MN Statute 18.75 to 18.91), the Minnesota Department of Agriculture's (MDA) Noxious Weed and Invasive Plant grant provides up to \$5,000.00 in funding for the purpose of assisting in managing infestations of noxious weeds and invasive plants in their jurisdiction. Eligible grant expenses under this program includes equipment purchases, contracted services, cost-share programs and the purchasing of seed for restoration. This grant program is offered on an annual basis and operates on the State of Minnesota's Fiscal Year schedule beginning in July. There is no required county match for these grant funds.

Previously, County Agricultural Inspector duties had been the responsibility of the jointly funded SWCD Feedlot Tech position, but these duties have now transferred to the Environmental Services Department's Environmental Program Manager. Currently, the Environmental Services Department lacks maintenance and safety equipment to assist in

addressing noxious weed complaints.

In January of 2023, Emilie Justen of the Minnesota Department of Agriculture notified all Minnesota CAI's of unallocated funding from the Fiscal Year 2023 Noxious Weed and Invasive Plant Grant and encouraged CAI's to apply for this funding as it would be available on a first-come first-served basis. Dodge County staff submitted a request for grant funding to purchase maintenance and safety equipment consisting of a mower, two string whips and two forestry helmets to assist the CAI in addressing small noxious weed complaints. On February 10<sup>th</sup>, 2023, Environmental Services staff were notified that Dodge County was awarded \$5,000.00 of the unallocated Fiscal Year 2023 Noxious Weed and Invasive Plant Grant funds for the purchase of this equipment. This grant is offered to CAIs on an annual basis and there is no match required. With this equipment they will be able to provide better service to our community members in regards to complaints and addressing noxious weeds.

Included in the board packet was a grant agreement for the FY2023 Noxious Weed and Invasive Plant Grant. There is no county match required for this grant.

Motion by Allen seconded by Tjosaas to approve and authorize Melissa DeVetter to sign a Grant Contract Agreement with the State of Minnesota on behalf of Dodge County for the purchase of equipment as identified in the grant request.

*Motion Adopted [Unanimous]*

### **Guy Kohlhofer, County Engineer**

#### **County Roadway Safety Plan Updates**

Mr. Kohlhofer met with the Board to provide them with a county road safety plan update. The County Engineer informed the Board that the Minnesota Department of Transportation, local agencies and SRF Consulting have been working on updating the County Roadway Safety Plan (CRSP). Included in the board packet was a presentation showing these updates and safety improvements within Dodge County.

Rena Kuehl, Traffic Safety Engineer for SRF Consulting reviewed the following with the Board:

- What is a County Road Safety Plan?
- Importance of Addressing Traffic Safety
- Crash Data Overview
- Proactive/Data Driven Safety Analysis
- Risk Factors
- Summary of CRSP Projects
- Safety Strategies

Girma Feyissa, Traffic Safety Engineer for MnDOT was available to answer questions.

The Board thanked Ms. Kuehl and Mr. Feyissa for the update. No action was needed, the presentation was for informational purposes only.

*Motion No Vote*

### **CSAH 3 Rail Crossing Improvement**

The County Engineer informed the Board that this year, prior to the 2024 CSAH 3 resurfacing, the Canadian Pacific Rail plans to upgrade the existing rail crossing from timbers to concrete. As with all crossings the local road authority is in for 25% of the costs. This relates to about \$22,710 for Dodge County. Dodge County will also have to provide the necessary barricades and traffic control for the project.

Included in the board packet was the proposed construction agreement between the Canadian Pacific and Dodge County for the associated costs.

Commissioner Toquam stated she doesn't see a need for crossing arms on this road. Ms. Toquam noted it would be more helpful if they trimmed back the trees in this area to allow for better visibility at this crossing.

Mr. Kohlhofer explained the rationale behind the crossing arms.

Motion by Toquam seconded by Tjosaas to approve and authorize the Chair to sign a construction Agreement with Canadian Pacific as requested for the CSAH rail crossing improvement project.

*Motion Adopted [Unanimous]*

### **Duke Harbaugh, Facilities & Fleet Manager**

#### **Credit Paving Changes**

Mr. Harbaugh reported that at the request of the County Engineer they reduced the scope of work for the paving of the parking lot on the east side of the highway shop. The reduction in work created a credit owed to the County and they have finally reached an agreement with the contractor and their subs. The engineer's reason for reducing the scope of work was the remaining part of the parking lot was due for some updates and the Highway Department preferred to just remove it all and re-pave the entire east side if they could use the remaining funding. The Facilities & Fleet Manager is recommending that the Board approve this credit and authorize him to sign it.

The Facilities & Fleet Manager noted the vehicle storage concrete floor line item in the amount of \$2,100 should have been pulled from the change request. The floor is not level in a couple of areas and will need to be shaved.

Motion by Allen seconded by Kenworthy to approve paving credit, minus the storage concrete floor item, as requested and authorize the Facilities & Fleet Manager to sign Change Order #19.

*Motion Adopted [Unanimous]*

### **Matt Maas, Emergency Management Director**

**ARMER Funding Support**

Mr. Maas reported public safety radio communications equipment, while absolutely necessary, is a very large expense and for many jurisdictions not possible. At approximately \$6,000 a piece, the cost of this equipment has a direct impact to our local taxpayers. Most of all the public safety radios in Dodge County are aging and nearing or at the end of this life cycle where parts can no longer be obtained to repair or service this equipment.

In greater Minnesota, including Dodge County, there are many jurisdictions that cannot afford to purchase and maintain this equipment as necessary.

Currently there are bills before our House and Senate (HF1075 / SF1576) to make grant funds available to these local jurisdictions, specifically for ARMER Radio equipment.

The Emergency Management Director is requesting that the Dodge County Board of Commissioners show their support of this bill by approving the proposed resolution to submit to our Senators and Representatives asking them to support this bill as well.

Commissioner Allen offered the following resolution (#2023-07), seconded by Commissioner Kenworthy:

**RESOLUTION SUPPORTING OF HF1075 / SF 1576 AND PUBLIC SAFETY INITIATIVE**

**WHEREAS**, the County of Dodge is writing in support of this important public safety initiative, HF1075 / SF1576; and

**WHEREAS**, effective radios are the backbone of public safety in the State of Minnesota. Our first responders, firefighters, and law enforcement personnel depend upon this ARMER system to effectively perform their jobs. Radios save lives and serve every constituent of the State of Minnesota; and

**WHEREAS**, radios that serve the ARMER system are outdated in many jurisdictions. They are costly to maintain and replace. In local government units, where budgets are tight, it is very difficult to plan for the costly process of replacing this critical infrastructure. Local government units would urge the state to fund a grant program that allows for the critical upgrade of radios. We would also encourage sustainable funding to support ongoing replacement costs; and

**WHEREAS**, the cost to replace the aging radios is a direct impact of our local taxpayers. ARMER radios are critical to deploying resources, protecting property and life, and protecting our workers. However, they often get overlooked for replacement because there is no existing funding source; and

**WHEREAS**, in Dodge County, there are 580 radios on the statewide ARMER system, most of these radios are used by our small rural emergency departments. The emergency service departments who serve Dodge County rely on this interoperability. 510 of these radios were



purchased prior to 2011 and are at end of life. The radios allow for communication between all emergency service departments; and

**WHEREAS**, Dodge County has aging radios on the ARMER system that are no longer supported, it is extremely difficult to find radio parts or used parts to fix or maintain the equipment. Our emergency responders rely on the ARMER radio system to provide the interoperability between the departments at the local, regional, State, and Federal levels. The replacement cost for the radios that are at the end of their life expectancy, range from \$2,500 to \$5,500 each, this expense does not include the radio programming or additional equipment, or supplies required to add the radio onto the Statewide radio system. The additional cost is approximately \$400 per radio.

**NOW THEREFORE, BE IT RESOLVED**, that Dodge County supports the HF1075 / SF1576 and urges the importance of public safety initiative.

*Resolution Adopted [Unanimous]*

**Scott Rose, Sheriff**

### **Gap Insurance Option**

Sheriff Rose met with the Board to discuss gap insurance. One of the Sheriff's Office longevity benefits to encourage Deputies to serve their careers here is assistance with bridging the gap for health insurance between the time they retire and age 65. As was discussed at the last Committee of the Whole, Captain Anderson and Mr. Rose were unaware at the time of their respective moves to Captain and Sheriff that the language excluded non-union licensed deputies. Both are short only a few years of the 15-year requirement due to circumstances beyond their control, and they are the only two veteran staff members here that were affected by this. Both have spent their entire full-time careers here and intend on retiring here. It's their hope that the Board will consider their dedication to this county when looking at this request.

Commissioner Kenworthy noted it's expensive, but it's a nice benefit for our officers.

Commissioner Allen stated he understands this benefit is in the contract but feels Sheriff Rose and Captain Anderson should have known about this. Mr. Allen wanted to know what the repercussions would be if the Board approved this.

The County Administrator reported from a law enforcement standpoint, this could set a precedence.

Ms. Hager reported many times people coming out of the union for administrative positions have met their 15-year requirement already. The Employee Relations Director noted in the future other employees could say that gap insurance was previously done for these two and request the same consideration. Ms. Hager also noted this practice ended with officers hired after 2008, but there is certainly a risk that others could want this same consideration in the future. The Employee Relations Director informed the Board this benefit has been in the Sheriff's Office long before her time with the county. Also pointed out was that in the Sheriff's

Office they retire at 55, Ms. Hager doesn't know of any other departments that do this. The Employee Relations Director stated there may be people that ask for the benefit in the future.

Commissioner Tjosaas clarified that currently, someone with less than 15 years could still ask for this, nothing has changed. Mr. Tjosaas felt there should be some type of form or check list created for the Sheriff's Office to remind them when they move into a non-union position that there is a 15-year requirement for gap insurance. He believes a form or check list may prevent this situation from happening again in the future.

Commissioner Allen stated this is a substantial benefit for these two employees.

Motion by Kenworthy seconded by Tjosaas to approve and authorize gap insurance for Sheriff Rose and Captain Anderson as requested.

*Motion Adopted [4 to 1]*

### **Request for Two New FTE's to Replace Part-Time Program**

Mr. Rose reported that he will be requesting Board approval to add the two new FTE's that were discussed at the last Board meeting as they phase out their part-time patrol program.

Motion by Allen seconded by Toquam to approve and authorize the Sheriff's Office to hire two new full-time Deputies and phase out their part-time patrol program.

*Motion Adopted [Unanimous]*

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

#### **Personnel Agenda**

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

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

- A. Highway**
- A.1 Greg Stucky - Equipment Operator  
Authorization to hire at B23 step 2 \$26.37 to fill approved vacancy.  
Effective Date: 4/3/23
- A.2 Engineering Technician - 1.0 FTE  
Authorization to post and fill vacancy.  
Effective Date: 3/14/23
- B. Sheriff's Office**
- B.1 Deputy Sheriff - 2 FT Positions  
Authorization to post and fill 2 FT positions.  
Effective Date: 3/14/23
- B.2 Colton Drake - Deputy Sheriff -  
Step increase from C41 step 1 \$28.29 to C41 step 2 \$30.27.  
Effective Date: 2/11/23
- B.3 Colton Drake - Deputy Sheriff

Authorization to change status from Temporary FT to Regular FT to fill approved vacancy (B.1).

Effective Date: 3/14/23

B.4 Debra Morgan - Records Administrative Assistant

No longer employed.

Effective Date: 5/31/23

B.5 Kristen Oglesby - 911 Dispatcher

Step increase from B23 step 7 \$25.82 to B23 step 8 \$26.85.

Effective Date: 3/20/23

B.6 Chris Purdue - Deputy

Step increase from C41 step 4 \$32.38 to C41 step 5 \$33.15.

Effective Date: 3/16/23

**C. Administration**

C.1 Brandon Servantez - Veterans Services Officer

Step increase from C41 step 6 \$31.40 to C41 step 5 \$32.34.

Effective Date: 12/6/22

**D. Environmental Services**

D.1 Elizabeth Harbaugh - Sewage Treatment Program Manager

Step increase from C41 step 8 \$29.17 to C41 step 7 \$30.29.

Effective Date: 3/15/23

**E. Attorney's Office**

E.1 Kailee Thompson - Assistant County Attorney

Authorization to hire at C52 step 6 \$42.45 to fill approved vacancy.

Effective Date: 4/6/23

*Motion Adopted [Unanimous]*

**Lisa Kramer, Finance Director**

**Bills Reviewed**

Ms. Kramer reviewed bills with the Board.

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

01	Revenue Fund	\$ 46,733.52
13	Road and Bridge Fund	\$ 163,205.71
16	Environmental Quality Fund	<u>\$ 115,600.82</u>
	Total	\$ 325,540.05

*Motion Adopted [Unanimous]*

**Paul Kiltinen, County Attorney**

**Legal Update**

Mr. Kiltinen provided the Board with a legal update.

It was reported that the Assistant County Attorney position has been filled, the person has experience however there will still be a huge learning curve.

Commissioner Peterson noted that he would like to talk about making the County Attorney position a full-time position at some point in the future.

*Motion No Vote*

### **Jim Elmquist, County Administrator**

#### **Cedar River Watershed District Board/Manager Appointment**

Mr. Elmquist informed the Board that the Cedar River Watershed District is requesting an appointment to the Cedar River Watershed District Manager position. An advertisement was submitted to the newspapers in Mower County (required) and Dodge County. The only letter of interest received was from Kevin Kiser who is currently serving as Dodge County's representative on this board.

Motion by Allen seconded by Toquam to re-appoint Kevin Kiser to a three (3) year term on the Cedar River Watershed District Board of Managers.

*Motion Adopted [Unanimous]*

#### **Administrator Update**

Mr. Elmquist didn't have anything to report under the County Administrator update.

The County Attorney left the meeting at 10:53 a.m.

*Motion No Vote*

### **Public Health Committee Report - Commissioner David Kenworthy**

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

#### **Public Health Update**

Mr. Kenworthy briefly discussed the following Public Health updates:

- Provide update on end of Public Health Emergency (PHE).
- Provide update on Opioid Settlement Funds.
- Review federal workforce grant funds.

*Motion No Vote*

### **Public Works Committee Report - Commissioner John Allen**

Commissioner Allen presented a summary of the Public Works Committee report and action items.

**2023 Seasonal Weight Restrictions**

Included in the board packet was a resolution listing the routes and segments as they are posted for Spring Load Restrictions. Restriction timing is recommended by MnDOT utilizing various methods to monitor thawing index and frost out. This timing notice is provided with a three-day advance of placing restrictions on State roads.

As the county’s roads are not typically built to the standards of the average State road, we follow the initiation of load restrictions but then keep ours on approximately two weeks longer in the spring. As weather is unpredictable it is difficult to guess what road thawing is going to be like during any given season.

Included in the board packet was a resolution authorizes the County Engineer to set the timing of the load restrictions as necessary for the season.

Commissioner Allen offered the following resolution (#2023-08), seconded by Commissioner Toquam:

**BE IT RESOLVED**, by the County Board of Commissioners of Dodge County, that due to deteriorations caused by snow, rain and the usual spring climatic conditions, county roads will be seriously damaged unless restrictions are placed on the vehicles operating thereon;

**NOW, THEREFORE**, no person shall operate any vehicle or combinations of vehicles upon any County State Aid Highway or County Aid Road over the posted weight limit per axles, as defined by Minnesota Statute, Section 169.87 and as amended by the 1981-82 legislature, and not to exceed six tons per axle based on gross weight formulas except on roads restricted by bridges of lesser posted weight and those roads specified as follows:

**10 TONS PER AXLE**

- C.S.A.H. 1            From C.S.A.H. 34 to C.S.A.H. 3 (Front St in Claremont)
- C.S.A.H. 3            (Front Street in Claremont) from C.S.A.H. 1 to East Street
- C.S.A.H. 7            From T.H. 14 to C.S.A.H. 34 (old T.H. 14)
- C.S.A.H. 13          From T.H. 14 to 3450 feet Southeast
- C.S.A.H. 17          From C.S.A.H. 16 to C.S.A.H. 22
- C.S.A.H. 25          From T.H. 14 to C.S.A.H. 34 (old T.H. 14)
- C.S.A.H. 34          (old T.H. 14) from the West County Line to C.S.A.H. 25

**9 TONS PER AXLE**

- C.S.A.H. 1            From C.S.A.H. 34 (old T.H. 14) to C.S.A.H. 24
- C.S.A.H. 2            From the West County Line to T.H. 56
- C.S.A.H. 3            From T.H. 30 to C.S.A.H. 34 (old T.H. 14)
- C.S.A.H. 3            (Front Street in Claremont) from East Street to C.S.A.H. 3
- C.S.A.H. 4            From T.H. 56 to the East County Line
- C.S.A.H. 5            From C.S.A.H. 2 to T.H. 14

C.S.A.H. 5	From C.S.A.H. 24 to the North County Line
C.S.A.H. 7	From C.S.A.H. 34 (old T.H. 14) to the North County Line
C.S.A.H. 9	From T.H. 14 to C.S.A.H. 22
C.S.A.H. 9	From T.H. 30 to the South County Line
C.S.A.H. 10	From C.S.A.H. 3 to C.S.A.H. 5
C.S.A.H. 11	From C.S.A.H. 16 to C.S.A.H. 19
C.S.A.H. 12	From C.S.A.H. 9 to T.H. 57
C.S.A.H. 13	From 3,450 feet Southeast of T.H. 14 to the South County Line
C.S.A.H. 15	From T.H. 30 to T.H. 57
C.S.A.H. 16	From T.H. 56 to C.S.A.H. 17
C.S.A.H. 19	From 240th Ave to the East County Line
C.S.A.H. 20	From C.S.A.H. 1 to T. H. 56
C.S.A.H. 21	From C.S.A.H. 34 (old T.H. 14) to C.S.A.H. 12
C.S.A.H. 22	From C.S.A.H. 24 to C.S.A.H. 17
C.S.A.H. 24	From the West County Line to C.S.A.H. 22
C.S.A.H. 34	(old T.H. 14) from C.S.A.H. 25 to the East County Line
C.A.R. "G"	From the West County Line to C.S.A.H. 1
C.A.R. "N"	(740th St) from T.H. 56 to C.A.R. "T" (200th Ave)
C.A.R. "T"	(200th Ave) from C.A.R. "N" to C.S.A.H. 4

### **7 TONS PER AXLE**

C.S.A.H. 1	from the West County Line to C.S.A.H. 3 (Front Street in Claremont)
C.S.A.H. 3	From T.H. 30 to T.H. 14
C.S.A.H. 5	from the South County Line to C.S.A.H. 2
C.S.A.H. 9	from T.H. 30 to T.H. 14
C.S.A.H. 9	from C.S.A.H. 9 to C.S.A.H. 13 (On the South County Line)
C.S.A.H. 10	from C.S.A.H. 5 to T.H. 56
C.S.A.H. 18	from C.S.A.H. 11 to C.S.A.H. 17
C.S.A.H. 20	from the West County Line to C.S.A.H. 1
C.S.A.H. 24	from C.S.A.H. 22 to the East County Line
C.A.R. "L"	from T.H. 30 to C.S.A.H. 4

Emergency vehicles of the public utilities used incidental to making repairs to its plant and equipment or fire apparatus vehicles shall be exempt from the provisions of this resolution.

The County Board authorizes the County Engineer to determine the effective date for road postings and to lower a road posting due to road conditions as he sees the need.

*Resolution Adopted [Unanimous]*

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

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

Commissioners provided their agency reports. Commissioner Allen did not have any meetings to report. Commissioner Kenworthy attended a virtual County Park Building Reveal, a

swearing in of the new Judge, a D&O meeting, a Southeast Emergency Communications Board Steering Committee meeting and a Southeast Emergency Medical Services meeting. Commissioner Peterson didn't have any meetings to report. Commissioner Tjosaas attended a MnPrairie work session, a virtual County Park Building Reveal, a Judge investiture, a D&O meeting and a Semcac meeting. Commissioner Toquam attended a Workforce Development meeting.

*Motion No Vote*

There were no Other Deferred Business items to discuss.

*Motion No Vote*

### **Adjourn**

Commissioner Peterson adjourned the meeting at 11:15 a.m.

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

# Mantorville Chamber of Commerce

March 1, 2023

Greek Revival House

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

In attendance were Bill Kinney, Lynnette Nash, Paul Larsen, Terry Eckstein, Jennifer Galloway, Paul Singleton, Lyle Hoaglund, Jason K. Wendy S., and Barbara Loquai.

**Visitors:** none

**The secretary's:** The secretaries report was emailed to each member. Lyle Hoaglund made the motion to accept the secretaries report and seconded by Jennifer Galloway.

**Treasure Report:** A copy of the treasures report was given to each in attendance. A copy will be put on file if any one want to see it. Lynnette reported that dues need to be paid as only a few have renewed. Paul Larsen made the motion to accept the treasure report as presented and seconded by Paul Singleton. Motion passed.

**Farmers Market-** The market will be canceled this weekend. The market needs more shoppers. They will take orders. Paul asked for help setting up and closing the market if he is gone. Lyle and Terry volunteered to do it.

**Mulligan stew** is put on by the MRA and will be accepting donations for the live auction.

**Dodge County Expo.** Barbara said that thing are going pretty good as far as planning the booth. Help to work at the expo is needed. If you can volunteer for an hour or two let Barbara know. It is March 25, 2023 at the Dodge Center High School.

**Easter Egg Hunt:** April 8<sup>th</sup>. There will be a work night at the Mantorville Art Guild at 5:30pm to do the bags. 400 bags will be done this year. 3,500 eggs will be filled and Martha Vierze is doing that. The Stone Bridge Church will be providing the



hot chocolate. Will put the steaks out the night before. Jennifer will order the cake and Terry will pick up.

**Spring Fling:** Plans will be discussed at the next meeting.

High Schools photos: Lynnette and Barb will take care of it and there will be a work night. The time will be announced at a late date.

**Trolly-** More information after the next EDA meeting.

Paul announced that we got something about a meeting in Owatonna from the Southern Minnesota Tourism. Paul and Lynnette may attend this meeting.

Secretary, Barbara Loquai



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

## **PROCLAMATION HONORING ARBOR DAY 2023**

**WHEREAS**, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

**WHEREAS**, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

**WHEREAS**, Arbor Day is now observed throughout the nation and the world; and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

**WHEREAS**, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

**WHEREAS**, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

**WHEREAS**, trees, wherever they are planted, are a source of joy and spiritual renewal.

**NOW, THEREFORE**, I, Chuck Bradford, Mayor of the City of Mantorville, do hereby proclaim April 28, 2023 as

## **ARBOR DAY**

in the city of Mantorville, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands.

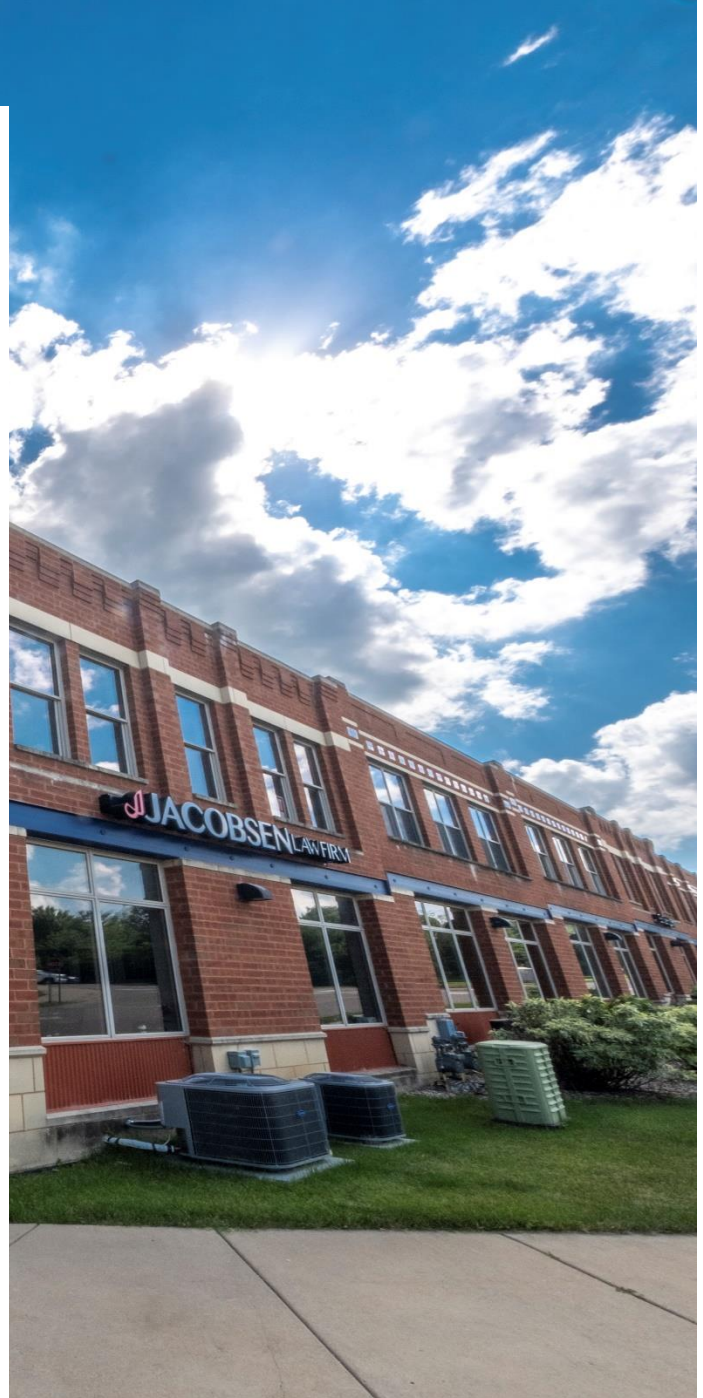
**FURTHER**, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 10<sup>th</sup> day of April, 2023.

\_\_\_\_\_  
Mayor Chuck Bradford

# Mantorville Prosecution Report - 2022

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**MARCH 1, 2023**

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**Jacobsen Law Firm, P.A.**

**Authored by: David W. Jacobsen**



# Mantorville Prosecution Report

## Background & 2022 Changes

This written report is to apprise the City Administrator and the Mantorville City Council of the municipal prosecution services provided by Jacobsen Law Firm, P.A. (“Law Firm”) for 2022. The City of Mantorville has a statutory obligation to provide for prosecution of adult misdemeanor, certain designated gross misdemeanor, and petty misdemeanor offenses within the city limits. The City of Mantorville has contracted with the Law Firm since August 2014 for such services on an as-needed basis. The current rate was raised effective January, 2023 for services to \$120 per hour.

Currently, the Law Firm has one full-time attorney (David), two (2) semi-retired attorneys (Mike and Steve), one (1) paralegal (Suzy), and one (1) legal assistant (Karter). Attorney AJ Lindell assisted in prosecution services in 2022 but left employment with the Law Firm in December 2022. David Jacobsen and legal assistant Karter Lemcke are primarily responsible for handling prosecution services to the City of Mantorville.

## Prosecuted Offenses

Prosecuted offenses include all charged offenses that required prosecutorial action before Dodge County District Court. For the purposes of this report, prosecuted offenses do not include payable citations paid in lieu of a court appearance. These citations require minimal prosecutorial resources. The Dodge County Sheriff’s Office would likely be able to provide the number of citations issued for payable offenses in the City of Mantorville. Prosecuted offenses also exclude matters that were reviewed for prosecution but where no charges were filed. There were two (2) cases reviewed for prosecution but were ultimately declined due to lacking evidence, lacking jurisdiction (e.g. Juvenile matters, felony matters, outside of Mantorville city limits), or other extenuating circumstances. In 2022, the total number of prosecuted offenses was seventeen (17). This is a decrease from twenty-eight (28) in 2021 and slightly less than previous annual totals: 2020 (29), 2019 (17), and 2018 (16).

<b>Total Prosecuted Offenses: 17</b>
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## Traffic Offenses

Of these offenses, sixteen (16) or ninety-four percent (94%) consist of traffic offenses. Traffic offenses prosecuted include two (2) driving while impaired offenses with the

remainder consisting of driving after withdrawal, ignition interlock violation, no proof of insurance, speeding, and tabs/registration violations. There were also nine parking violations issued not included in this total. As compared to 2021, the prosecuted traffic offenses are up two (2) from (14) to (16).

**Total Traffic Offenses: 16**

### **Community Offenses**

Of the prosecuted offenses, only one (1) was a community offense, single a dog violation. As compared to 2021, prosecuted community offenses have decreased substantially.

**Total Community Offenses: 1**

### **Dispositions**

For the above-mentioned offenses, fourteen (14) or one hundred percent (100%) have reached disposition and are closed. Dispositions ranged from dismissals with a fine to executed jail sentences based upon the severity of the offense and the defendant's driving and criminal history. Of those cases that reached disposition, dispositions occurred at different stages in the criminal prosecution process. Many cases were resolved at Arraignment or the defendant's first court appearance and others were resolved at a pre-trial court appearance or an omnibus hearing. As of December 31, 2022, three (3) files remain open. There were no trials conducted in 2022. Our disposition rate fairly consistent with previous years.

**Case Disposition Total: 14/17**

### **Prosecution Resources**

In 2022, the Law Firm had submitted monthly statements to city staff detailing prosecutorial services provided on specific dates and the time spent toward such services in 1/10-hour increments. Over the course of 2022, the highest monthly total of

hours toward prosecutorial services was 4.3 hours in February, whereas there were a few months with no hours of prosecution services. The average amount of monthly hours spent toward prosecution services is slightly over 2 hours in 2022, a slight decrease from 2021. The prosecution services are significantly reduced from previous years and below our target budget of \$6,000-\$7,000 annually due to reduced travel time for court hearings conducted via zoom remote technology.

The Law Firm makes court appearances on Mondays and Wednesdays and other appearances scheduled outside those days. Due to the COVID-19 global pandemic the courts were closed in mid-March through mid-May when court appearances re-opened with zoom technology. In addition to court appearances, the Law Firm prepares criminal complaints, communicates with defense counsel and crime victims, processes discovery requests, forfeiture proceedings, prepares discovery and pleadings, and communicates with law enforcement officers and records staff. The most time intensive of these out-of-court services is preparing criminal complaints and communicating with self-represented defendants. The Law Firm did not have to file any criminal complaints this past year.

In addition to the services mentioned above, the Law Firm devotes time to collaborating with other stakeholders (i.e. judges, other prosecutors, and defense counsel, and court staff) in Dodge County, reviewing court opinions that impact the City of Mantorville and attend continuing legal education to stay current on changes in the law and court procedures post-pandemic. This is time necessary to competently advise and represent the City of Mantorville but is not solely for the benefit of the city so is not reflected in the Law Firm's time toward Mantorville's prosecution services.

<p style="text-align: center;"><b>Total Hours for Prosecution Services: 25</b></p>
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### **Fine Revenue**

When a defendant is convicted of an offense, unless waived, the defendant is ordered to pay a base fine which range based upon the level of offense plus a court surcharge and library fee. The total fine revenue remitted back to the City of Mantorville for 2022 was approximately \$1,163.82 which is \$581.17 less than 2021 (\$1,744.99).

**Total Fine Revenue: \$1,163.82**

### **Post COVID-19 Effects on Legal System**

The COVID 19 global pandemic has pushed the Minnesota Judicial Branch to leverage technology for efficiencies. This has impacted the delivery of prosecution services to the City of Mantorville. Currently, first appearances and traffic calendars are conducted via zoom remote technology. Pre-trials and trials are conducted in-person at the courthouse in Mantorville. On the one hand, this has created considerable efficiencies with attorneys and defendants not required to travel to some court appearances. However, the remote hearings themselves are not as effective and cases that might have settled are not due to the expedited nature and docket volume of the zoom hearings. Certainly, technology has allowed for cost savings to the Minnesota Judicial Branch (i.e. interpreters, court reporters, clerks, etc. so the video hearings are likely permanent.

In 2022, the Minnesota Judicial Branch rolled out a new electronic evidence submission system called MNDES. MNDES is a cloud-based repository aimed to allowed for electronic evidence to be submitted and used in hearings and trials. I did have the opportunity to use this system recently on a jury trial for another municipality.

### **Closing**

It has been my pleasure serving the City of Mantorville as its city prosecutor and I look forward to continuing that public service in 2023. If you have questions, please feel free to contact me at (507) 786.9090 or by email at [david@jacobsen-law.com](mailto:david@jacobsen-law.com). I welcome additional suggestions and questions from city staff, city council members, and the public.

Respectfully submitted,

**Jacobsen Law Firm, P.A.**



David W. Jacobsen

City **Mantorville**  
 Date **3/1/2023** thru **3/31/2023**

<u>Agency</u>	<u>Incident_Nr</u>	<u>Location</u>	<u>LocCity</u>	<u>Activity</u>
S	202300001539	105 8th St E	Mantorville	Traffic
S	202300001734	202 9th St W	Mantorville	Civil
S	202300001993	715 7th St W	Mantorville	Lost Property
S	202300002198	320 Main St N	Mantorville	Assist Other Agency
S	202300002270	321 Main St N	Mantorville	Miscellaneous Info
S	202300001671	61 County Rd 21	Mantorville	School Bus Violations
S	202300001766	721 Main St N	Mantorville	9-1-1 Hang Up Call
S	202300001838	621 Walnut St	Mantorville	Welfare Check
S	202300001887	600 Washington St	Mantorville	9-1-1 Hang Up Call
S	202300001893	22 6th St E	Mantorville	Violate/cond-release
S	202300001898	22 6th St E	Mantorville	Violate/cond-release
S	202300002119	502 Main St N	Mantorville	Ambulance Run
S	202300002121	502 Main St N	Mantorville	Ambulance Run
S	202300002038	22 6th St E	Mantorville	Fraud
S	202300001701	820 Hickory Ln	Mantorville	Residence/business Ck
S	202300001785	320 Main St N	Mantorville	Mv/animal
S	202300001814	23 Zumbro Ridge Dr	Mantorville	Suspicious Activity
S	202300001902	22 6th St E	Mantorville	Drug Court Order
S	202300001916	600 Washington St	Mantorville	Paper Service
S	202300001956	611 East St	Mantorville	Residence/business Ck
S	202300001649	715 Chestnut St	Mantorville	Sudden Death/body Fnd
Total		21		





# City Council Report

To: Mayor and Council  
From: Shirley Buecksler, City Clerk-Treasurer  
Date: March 27, 2023

## **City Clerk-Treasurer Position, Salary**

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### **BACKGROUND INFORMATION:**

The Personnel Committee met with Gretchen Lohrbach to discuss her salary as City Clerk-Treasurer, effective March 31, 2023. The Personnel Committee will present to Council at tonight's meeting.

### **STAFF RECOMMENDATION:**

Based on discussion.



# City Council Report

To: Mayor and Council  
From: Gretchen Lohrbach, City Clerk-Treasurer  
Date: April 10, 2023

## **Ordinance Amending Chapters 70 and 95 of the City Code Regarding Motorized Golf Carts and Public Nuisances**

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### **BACKGROUND INFORMATION:**

At their March 27 2023 meeting, The Council decided to table this pending further discussion to make the noise portion of the ordinance more specific.

Enclosed for Council review are Ordinance No. 2023-05 and Resolution No. 2023-10.

### **STAFF RECOMMENDATION:**

Approval and passage of the enclosed ordinance and resolution.

### **ATTACHMENTS:**

- Ordinance No. 2023-05 Amending Chapters 70 and 95 of the Code of Ordinances of the City of Mantorville Regarding Motorized Golf Carts and Public Nuisances
- 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 AND PUBLIC NUISANCES**

**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**

**§70.01 Definitions.**

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

*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.

*Driver:* The person driving or having physical control over a motorized golf cart.

*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.

**§70.02 Permits for Motorized Golf Carts.**

(A) No person shall operate a motorized golf cart on designated roadways without obtaining a permit as provided herein.

(B) Permit applications shall be available in the 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 a motorized golf cart 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 a motorized golf cart 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 motorized golf cart, if required (applicants may provide a photograph of the vehicle in lieu 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 motorized golf cart;
2. If there is evidence that the motorized golf cart 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 motorized golf cart 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 Golf Carts Within the City.**

(A) Motorized golf carts operated pursuant to a city permit must display a slow-moving vehicle emblem as described by Minnesota Statutes, section 169.522.

(B) All motorized golf carts must prominently display their city permit sticker on the driver's side of the vehicle windshield. If the motorized golf cart does not have a windshield, the driver must have the permit in their possession while operating the vehicle on designated roadways.

(C) Motorized golf carts are not required to obtain a permit if they are being utilized solely to drag a baseball or other athletic field.

(D) Motorized golf carts are permitted to operate only on designated roadways, not state or federal highways, except to cross at designated intersections.

(E) When operating on designated roadways, motorized golf carts 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.

(F) Motorized golf carts may only be operated on designated roadways from sunrise to sunset, unless equipped with original equipment headlights, taillights, and rear-facing brake lights.

(G) Motorized golf carts 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.

(H) Motorized golf carts 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 a motorized golf carts may not exceed the design occupant load.

(I) No trailer, toboggan, sled or other device shall be pulled by a motorized golf cart while operating through a permit.

(J) Motorized golf carts may not be operated on city sidewalks, walking trails, or paths.

(K) Motorized golf carts may not be operated in city parks.

(L) Motorized golf carts must abide by all city parking regulations.

(M) Every person operating a motorized golf cart 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 motorized golf carts, 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 golf carts 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, ATVs, motorized golf carts, UTVs, dirt bikes, dune buggies, and snowmobiles.

**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 10<sup>th</sup> day of April, 2023.

ATTEST:

\_\_\_\_\_  
Chuck Bradford  
Mayor

\_\_\_\_\_  
Gretchen Lohrbach  
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 and Public Nuisances. 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 10<sup>th</sup> day of April 2023.

ATTEST:

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Chuck Bradford  
Mayor

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Gretchen Lohrbach  
City Clerk-Treasurer

