



CITY OF HOWARD LAKE

City Council Meeting

*The City of Howard Lake strives to build upon its good neighbor traditions –
A welcoming community for all, supported by vibrant and engaged businesses and community organizations, involved
citizens, and diverse amenities that provide a well-rounded quality of life.*

TENTATIVE AGENDA November 21, 2022 – 7:00 pm

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. APPROVAL OF AGENDA

Any additions, deletions, modifications to the agenda will be done at this time.

D. COUNCIL MEETING MINUTES

- a. Consider approving Council Minutes from the October 17, 2022 Meeting.
- b. Consider approving Council Minutes from the October 17, 2022 Work Session.

E. CITIZEN INPUT

F. COUNCIL/COMMITTEE REPORT

G. DEPARTMENT REPORTS

- a. Howard Lake Wine & Spirits

H. CONSENT AGENDA

- a. Consider Approving All Reports and Payment of Claims.
- b. Consider Resolution 22-29 Certifying Delinquent Utility Fees to Property Taxes for 2023.
- c. Consider Resolution 22-30 Designating Polling Place Location.

I. PRESENTATIONS, PUBLIC HEARINGS & RELATED APPROVALS

J. NEW BUSINESS

- a. Consider Ordinance 22-08 Modifications to Chapter 12.03 Ice & Snow Control.
- b. Consider Resolution 22-31 Approving Summary Publication of Chapter 12.03.
- c. Consider Interim Agreement Establishing a Regional Safety Group.
- d. Consider Approval of 2023 Assessment Services Agreement.

K. OLD BUSINESS

L. ADMINISTRATOR'S REPORT

M. ADJOURN

NOTE: The City Council will adjourn to a study session immediately following the regular meeting.



CITY OF HOWARD LAKE

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HOWARD LAKE CITY COUNCIL
HOWARD LAKE CITY HALL- 625 8th AVENUE
October 17, 2022

MEETING MINUTES

COUNCIL PRESENT

Mayor Zimmerman
Tom Kutz
Allan Munson
Jason Deiter

COUNCIL ABSENT

Gene Gilbert

STAFF PRESENT

Nick Haggemiller, City Administrator
Meagan Theisen, Assistant City Administrator
Myra Laway, Howard Lake Wine and Spirits Manager

ALSO PRESENT

Herald Journal

CALL TO ORDER

Mayor Zimmerman called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

APPROVAL OF AGENDA

Council Member Kutz moved to approve the agenda. The motion was seconded by Council Member Deiter and passed unanimously.

APPROVAL OF MINUTES

Council Member Kutz moved to approve the Council Meeting Minutes from the Council Meeting on July 18th and September 19th. The motion was seconded by Council Member Munson and passed unanimously.

CITIZEN INPUT

No residents addressed the Council.

COUNCIL/COMMITTEE REPORT

Dieter provided an updated from the Waste Water Commission Meeting.

DEPARTMENT REPORTS

- A. HOWARD LAKE WINE & SPIRITS
- B. South Shore Event Center

Laway provided a review of the financials through the 3rd quarter at Howard Lake Wine and Spirits

CONSENT AGENDA

- a. **CONSIDER ACCEPTING ALL REPORTS AND PAYMENT OF CLAIMS.**
- b. **CONSIDER VARIOUS PERSONNEL APPOINTMENTS.**
- c. **CONSIDER RESOLUTION 22-22 APPROVING ABSENTEE BALLOT BOARD**
- d. **CONSIDER CLOSING DUTCH LAKE WOODS TO VEHICLE TRAFFIC ON HALLOWEEN.**
- e. **CONSIDER PURCHASE OF TRUCK FOR FIRE DEPARTMENT.**
- f. **CONSIDER APPROVING USE OF PUBLIC PROPERTY & POLICE ASSISTANCE FOR TURKEY TAG ALONG.**
- g. **CONSIDER RESOLUTION 22-23 SETTING PUBLIC HEARING FOR TIF 1-23 BUFFALO LAKE APARTMENTS.**
- h. **CONSIDER RESOLUTION 22-24 SETTING PUBLIC HEARING FOR TIF 1-24 PASSIVE SOLAR HOUSING.**

Council Member Munson moved to approve the Consent Agenda. The motion was seconded by Council Member Deiter and passed unanimously.

PUBLIC HEARING/PRESENTATION

- a. **PUBLIC HEARING FOR CITY ORDINANCE 12.03 ICE AND SNOW CONTROL MODIFICATIONS**

Mayor Zimmerman closed the regular meeting at 7:13 pm.

Mayor Zimmerman opened the Public Hearing at 7:13 pm.

Haggenmiller reviewed the staff report reviewing the current ordinance and snowing clearing procedures.

There were no residents in attendance and the Public Hearing was closed at 7:35 pm.

Council discussed and directed staff to amend the ordinance and bring it back to the Council meeting on November 21st.

NEW BUSINESS

- a. **CONSIDER ORDINANCE 22-06 MODIFICATION TO CITY ORDINANCE CHAPTER 7.01 LICENSING & REGULATING**

Haggenmiller reviewed the staff report.

Council discussed the presented the suggested updates.

Council Member Kutz moved to approve the ordinance modifications. The motion was seconded by Council Member Deiter and passed unanimously.

b. CONSIDER RESOLUTION 22-25 APPROVING SUMMARY PUBLICATION OF ORDINANCE 22-06

Council Member Kutz moved to approve Resolution 22-25. The motion was seconded by Council Member Deiter and passed unanimously.

c. CONSIDER RESOLUTION 22-26 SETTING FINE RELATED TO CITY ORDINANCE CHAPTER 7.01

Council Member Kutz moved to approve Resolution 22-26. The motion was seconded by Council Member Deiter and passed unanimously.

d. CONSIDER ORDINANCE 22-07 ESTABLISHING MORATORIUM OF ON SALE THC PRODUCTS

Theisen presented the staff report, stating that the moratorium can be in place for up to a year. In the meantime, the City will research and establish language for an ordinance.

Council Member Deiter moved to approve Moratorium Ordinance 22-07. The motion was seconded by Council Member Munson and passed unanimously.

e. CONSIDER RESOLUTION 22-27 APPROVING SUMMARY PUBLICATION OF ORDINANCE 22-07

Council Member Munson moved to approve Resolution 22-27. The motion was seconded by Council Member Deiter and passed unanimously.

f. CONSIDER RESOLUTION 22-28 DECLARING RESIDENCE UNFIT FOR HABITATION AND DIRECTING

Haggenmiller reviewed the staff report, highlighting conditions of the apartment and reviewed attached photos.

Council Member Kutz moved to approve Resolution 22-28 and directed the City Administrator and City Attorney to commence legal enforcement. The motion was seconded by Council Member Munson and passed unanimously.

OLD BUSINESS

None.

ADMINISTRATORS REPORT

None.

ADJOURN

Council Member Kutz motioned to adjourn the meeting at 8:19 PM. The motion was seconded by Council Member Munson and passed unanimously.

Attest – City Administrator/Clerk

Mayor

HOWARD LAKE CITY COUNCIL
WORK SESSION
October 17, 2022

Start – 8:24 PM

Grocery Store RFP

Haggenmiller reviewed the proposals the City received and discussed next steps.

Water Treatment Plant Adjustments

A letter will be sent to residents regarding the manganese levels in the water. Staff has made adjustments to treatment levels and have corrected the issue.

Adjourn at 8:14 PM

Howard Lake Wine & Spirits

Profit & Loss Statement

for the period 10/1/2022 to 10/31/2022

SALES	Monthly Amt	YTD Amount	Budget	% of Budget	2021 Monthly Amt	2021 YTD1Amt	+/- Pr Yr
Liquor	\$ 27,894	\$ 282,526	\$ 397,000	71%	\$ 26,693	\$ 282,620	\$ (95)
Beer	\$ 43,171	\$ 459,859	\$ 675,000	68%	\$ 42,135	\$ 471,359	\$ (11,500)
Wine	\$ 6,105	\$ 69,832	\$ 102,000	68%	\$ 6,958	\$ 71,852	\$ (2,020)
Discounts	\$ (864)	\$ (13,372)	\$ (18,000)	74%	\$ (1,112)	\$ (12,247)	\$ (1,125)
Misc(Pop/Mixes/Tobaco)	\$ 1,412	\$ 16,335	\$ 33,600	49%	\$ 1,329	\$ 15,905	\$ 430
Non Tax	\$ 755	\$ 9,862	\$ 14,400	68%	\$ 665	\$ 10,264	\$ (402)
Loyalty Program	\$ -	\$ (27)	\$ (3,000)	1%	\$ (21)	\$ (258)	\$ 231
On Sale Revenue - SSEC	\$ 1,455	\$ 6,923			\$ 3,874	\$ 11,590	
Other Revenue	\$ 16	\$ (5,431)			\$ 19	\$ 195	
TOTAL SALES	\$ 79,944	\$ 826,506	\$ 1,201,000	69%	\$ 80,540	\$ 851,281	\$ (14,481)
COST OF SALES							
Liquor	\$ 18,375	\$ 194,292	\$ 228,000	85%	\$ 19,662	\$ 196,250	\$ (1,958)
Beer	\$ 28,058	\$ 356,845	\$ 532,000	67%	\$ 31,596	\$ 362,308	\$ (5,463)
Wine	\$ 3,211	\$ 51,160	\$ 66,000	78%	\$ 3,969	\$ 47,433	\$ 3,727
Misc Tax	\$ 945	\$ 12,800	\$ 17,500	73%	\$ 1,280	\$ 14,374	\$ (1,574)
Misc Non Tax	\$ -	\$ -	\$ 8,500	0%	\$ -	\$ 179	\$ (179)
Freight	\$ 383	\$ 5,756	\$ 8,000	72%	\$ 397	\$ 5,204	\$ 552
TOTAL COST OF SALES	\$ 50,972	\$ 620,853	\$ 860,000	72%	\$ 56,904	\$ 625,748	\$ (4,895)
GROSS PROFIT	\$ 28,972	\$ 205,653					
EXPENSES							
Wages/Benefits	\$ 17,839	\$ 149,835	\$ 171,825	87%	\$ 12,849	\$ 130,283	\$ 19,552
Consulting	\$ -	\$ 5,000	\$ 12,000	42%	\$ 1,000	\$ 9,100	\$ (4,100)
Training & Seminars	\$ -	\$ -	\$ 1,000	0%	\$ -	\$ 60	\$ (60)
Travel	\$ -	\$ 133	\$ 1,000	13%	\$ 85	\$ 551	\$ (418)
Dues & Subscriptions	\$ 100	\$ 1,300	\$ 1,000	130%	\$ -	\$ 820	\$ 480
Cash Short/Over	\$ 11	\$ 327	\$ -		\$ 23	\$ 79	\$ 249
Credit Card Expense	\$ 1,805	\$ 12,358	\$ 18,000	69%	\$ 1,756	\$ 15,724	\$ (3,367)
Insurance	\$ -	\$ 6,294	\$ 9,300	68%	\$ -	\$ 9,636	\$ (3,342)
Repair & Maintenance	\$ 307	\$ 5,500	\$ 8,000	69%	\$ 569	\$ 10,004	\$ (4,504)
Computer Supplies/Technology	\$ -	\$ 912	\$ 4,500	20%	\$ 35	\$ 3,561	\$ (2,649)
Utilities	\$ 1,227	\$ 13,199	\$ 12,000	110%	\$ 900	\$ 9,969	\$ 3,231
Advertising	\$ -	\$ 143	\$ 2,500	6%	\$ -	\$ 2,099	\$ (1,956)
Misc	\$ 359	\$ 15,453	\$ 5,000	309%	\$ 690	\$ 2,941	\$ 12,512
Depreciation	\$ 625	\$ 6,250	\$ 7,500	83%	\$ 625	\$ 6,250	\$ -
TOTAL EXPENSES	\$ 22,273	\$ 216,704	\$ 253,625	85%	\$ 18,531	\$ 201,076	\$ 15,628
PROFIT/(LOSS)	\$ 6,699	\$ (11,051)			\$ 5,104	\$ 24,457	

CITY OF HOWARD LAKE
CLAIMS & DONATIONS APPROVED
DATE - October 14 - November 17, 2022

GENERAL FUND	CHECKS: 60045-60175	\$852,035.82
PAYROLL	27181-27185, 502340-502380	53,471.00
ELECTRONIC	1298-1323 (September - November)	<u>76,314.15</u>
TOTAL		\$981,820.97

AMBULANCE CLAIMS	CHECKS: 5899-5913	\$49,105.89
ELECTRONIC		
TOTAL		\$49,105.89

Approved:

****The Howard Lake Legion
donated \$3,000 to the Veteran
Memorial Fund.**

ctlBank	Text25	Text26	Text27	Text28
1010 CITIZEN ALLIANCE	1298e	CITIZENS ALLIANCE BANK	30-Sep-22	\$448.17
	1299e	INTERNAL REVENUE SERVICE	07-Oct-22	\$12,797.99
	1300e	MN DEPT OF REVENUE	07-Oct-22	\$2,583.71
	1301e	PERA	07-Oct-22	\$10,425.94
	1302e	LEAP-WEX	07-Oct-22	\$512.53
	1303e	WEX BANK	21-Oct-22	\$512.53
	1304e	LEAP-WEX	21-Oct-22	\$512.53
	1305e	INTERNAL REVENUE SERVICE	21-Oct-22	\$7,556.11
	1306e	MN DEPT OF REVENUE	21-Oct-22	\$1,509.83
	1307e	LEAP-WEX	21-Oct-22	\$512.53
	1308e	PERA	21-Oct-22	\$6,880.72
	1310e	HEARTLAND PYMT SERVICES	03-Oct-22	\$1,625.10
	1311e	PSN	03-Oct-22	\$806.93
	1312e	CITIZENS ALLIANCE BANK	31-Oct-22	\$177.97
	1313e	AUTHNET GATEWAY BILLING	04-Oct-22	\$25.00
	1314e	LS WEEKEND CASH	31-Oct-22	\$2,000.00
	1315e	CITY OF BUFFALO	18-Oct-22	\$60.00
	1316e	NCR SECURE PAY	20-Oct-22	\$155.03
	1317e	CONSUMERS	17-Oct-22	\$99.88
	1318e	MN DEPT OF LABOR AND INDUSTRY	05-Oct-22	\$382.56
	1319e	INTERNAL REVENUE SERVICE	04-Nov-22	\$7,889.44
	1320e	MN DEPT OF REVENUE	04-Nov-22	\$1,559.18
	1321e	PERA	04-Nov-22	\$6,838.94
	1322e	LEAP-WEX	04-Nov-22	\$512.53
	1323e	MN DEPT OF REVENUE	10-Nov-22	\$9,929.00
	27181	GOEPFERT, THOMAS	21-Oct-22	\$177.60
	27182	MILLER, EDWARD M	21-Oct-22	\$184.48
	27183	GOEPFERT, THOMAS	04-Nov-22	\$569.66
	27184	MILLER, EDWARD M	04-Nov-22	\$120.25
	27185	BONNICK, STEVEN	04-Nov-22	\$812.05
	60045	BELLBOY CORPORATION	28-Oct-22	\$1,871.71
	60046	BRANDEL ELECTRIC, LLC	28-Oct-22	\$75.00
	60047	BREAKTHRU BEVERAGE	28-Oct-22	\$1,552.75
	60048	C & C EMBROIDERY	28-Oct-22	\$263.00
	60049	CAPITOL BEVERAGE SALES	28-Oct-22	\$3,927.30
	60050	CENTERPOINT ENERGY	28-Oct-22	\$216.60
	60051	CINTAS	28-Oct-22	\$287.92
	60052	CR ELECTRIC	28-Oct-22	\$482.00
	60053	DAHLHEIMER BEVERAGE, LLC	28-Oct-22	\$8,016.40
	60054	EARTHLINK INC	28-Oct-22	\$13.95
	60055	EMERYS TRUCK & TRAILER REPAIR	28-Oct-22	\$137.15
	60056	FOSS, MARIE	28-Oct-22	\$100.00
	60057	HALLBERG ENGINEERING	28-Oct-22	\$540.00
	60058	HAWKINS, INC	28-Oct-22	\$20.00
	60059	HEIMAN FIRE EQUIPMENT, INC	28-Oct-22	\$501.02
	60060	JOE'S SPORT SHOP	28-Oct-22	\$1,002.07
	60061	JOHNSON BROTHERS LIQUOR CO.	28-Oct-22	\$2,149.72
	60062	JP BROOKS	28-Oct-22	\$900.00
	60063	KAMSTRUP WATER METERING	28-Oct-22	\$1,974.08
	60064	MYRA LAWAY	28-Oct-22	\$8.00
	60065	LEAGUE OF MINN CITIES	28-Oct-22	\$2,579.00

60066	MARCO	28-Oct-22	\$382.64
60067	DEBRA MCALPINE	28-Oct-22	\$11.79
60068	MEDIACOM LLC	28-Oct-22	\$264.90
60069	MID AMERICA METER INC	28-Oct-22	\$115.00
60070	MN DEPT OF AGRICULTURE	28-Oct-22	\$25.00
60071	MN VALLEY TESTING LAB	28-Oct-22	\$47.78
60072	MUNICIPAL EMERGENCY SERVICE	28-Oct-22	\$331.07
60073	MUNSON LAKES NUTRITION	28-Oct-22	\$234.99
60074	536600-NCPERS GROUP LIFE INS	28-Oct-22	\$96.00
60075	NORTH STAR AWARDS & TROPHIE	28-Oct-22	\$87.50
60076	PAUMEN COMPUTER SERVICES, LL	28-Oct-22	\$960.00
60077	PETTY CASH -MEAGAN THEISEN	28-Oct-22	\$156.85
60078	PHILLIPS WINE & SPIRITS	28-Oct-22	\$2,748.36
60079	PLUNKETT'S PEST CONTROL	28-Oct-22	\$77.54
60080	SOUTHERN GLAZER WINE & SPIRIT	28-Oct-22	\$301.00
60081	USA BLUEBOOK	28-Oct-22	\$437.78
60082	VERIZON	28-Oct-22	\$80.02
60083	VINOCOPIA, INC	28-Oct-22	\$80.00
60084	VISA	28-Oct-22	\$2,068.22
60085	WATERVILLE FOOD & ICE	28-Oct-22	\$78.72
60086	WRIGHT HENNEPIN ELECTRIC	28-Oct-22	\$1,013.00
60087	BELLBOY CORPORATION	02-Nov-22	\$1,162.55
60088	BREAKTHRU BEVERAGE	02-Nov-22	\$1,447.80
60089	CAPITOL BEVERAGE SALES	02-Nov-22	\$4,463.75
60090	DAHLHEIMER BEVERAGE, LLC	02-Nov-22	\$2,415.59
60091	JOHNSON BROTHERS LIQUOR CO.	02-Nov-22	\$2,564.90
60092	PAUSTIS WINE COMPANY	02-Nov-22	\$311.50
60093	PHILLIPS WINE & SPIRITS	02-Nov-22	\$502.41
60094	VIKING BEVERAGES.	02-Nov-22	\$458.70
60095	VINOCOPIA, INC	02-Nov-22	\$42.50
60096	SOUTHERN GLAZER WINE & SPIRIT	04-Nov-22	\$155.15
60097	ADVANCED POWER SERVICES, INC	04-Nov-22	\$22,955.00
60098	AR ENGH HEATING & AIR	04-Nov-22	\$604.00
60099	KEITH BOBROWSKE	04-Nov-22	\$65.00
60100	BOLTON & MENK, INC	04-Nov-22	\$350.00
60101	BROSE FARMS	04-Nov-22	\$2,000.00
60102	C & C EMBROIDERY	04-Nov-22	\$444.00
60103	CENTERPOINT ENERGY	04-Nov-22	\$261.56
60104	CENTURYLINK	04-Nov-22	\$622.37
60105	CINTAS	04-Nov-22	\$82.07
60106	DAHLHEIMER BEVERAGE, LLC	04-Nov-22	\$4,879.35
60107	DELANO RENTAL, INC	04-Nov-22	\$174.56
60108	GOPHER STATE ONE-CALL, INC	04-Nov-22	\$55.35
60109	NICK HAGGENMILLER	04-Nov-22	\$365.00
60110	HERALD JOURNAL PUBLISHING	04-Nov-22	\$212.10
60111	HOWARD LAKE-WAVERLY-WINSTE	04-Nov-22	\$6,969.87
60112	ICMA	04-Nov-22	\$702.00
60113	MYRA LAWAY	04-Nov-22	\$132.50
60114	EMILY LINDER	04-Nov-22	\$5.00
60115	MARCO TECHNOLOGIES LLC	04-Nov-22	\$456.90
60116	DEBRA MCALPINE	04-Nov-22	\$65.00

60117	MEDIACOM LLC	04-Nov-22	\$236.90
60118	JARED MERGES	04-Nov-22	\$65.00
60119	MUMFORD SANITATION	04-Nov-22	\$11,586.47
60120	NAPA AUTO PARTS COKATO	04-Nov-22	\$95.46
60121	NELSON ELECTRIC MOTOR REPAIR	04-Nov-22	\$300.00
60122	NORTH FORK CUSTOM MEATS LLC	04-Nov-22	\$0.00
60123	NORTHLAND TRUST SERVICES, INC	04-Nov-22	\$525,306.25
60124	ODP BUSINESS SOLUTIONS	04-Nov-22	\$199.55
60125	JIM OTTENSTROER	04-Nov-22	\$65.00
60126	CLAYTON PRESTIDGE	04-Nov-22	\$65.00
60127	THEISEN, MEAGAN	04-Nov-22	\$248.25
60128	US BANK	04-Nov-22	\$550.00
60129	BIRCHDALE FIRE & SECURITY, LLP	09-Nov-22	\$135.00
60130	BREAKTHRU BEVERAGE	09-Nov-22	\$355.13
60131	CADDIE VENUES LLC	09-Nov-22	\$150,000.00
60132	FINKEN WATER CENTERS	09-Nov-22	\$128.90
60133	HALVORSON LEGAL	09-Nov-22	\$2,748.00
60134	JOE'S SPORT SHOP	09-Nov-22	\$1,759.66
60135	MYRA LAWAY	09-Nov-22	\$19.18
60136	LEAGUE OF MN CITIES INS TRUST	09-Nov-22	\$6,266.00
60137	METRO WEST INSPECTION SERVICES	09-Nov-22	\$1,082.48
60138	NELSON ELECTRIC MOTOR REPAIR	09-Nov-22	\$1,784.00
60139	NORTHWEST ASSOC CONSULTANTS	09-Nov-22	\$5,868.70
60140	THEISEN, MEAGAN	09-Nov-22	\$40.39
60141	T-MOBILE	09-Nov-22	\$379.73
60142	XCEL ENERGY	09-Nov-22	\$688.46
60143	BREAKTHRU BEVERAGE	17-Nov-22	\$288.06
60144	C & L DISTRIBUTING	17-Nov-22	\$364.95
60145	CAPITOL BEVERAGE SALES	17-Nov-22	\$3,057.55
60146	CINTAS	17-Nov-22	\$164.14
60147	COURI, & RUPPE, P.L.L.P.	17-Nov-22	\$243.75
60148	DAHLHEIMER BEVERAGE, LLC	17-Nov-22	\$3,204.95
60149	DAVIS CONSTRUCTION COMPANY	17-Nov-22	\$278.33
60150	EZ DOCK & LIFT LLC	17-Nov-22	\$150.00
60151	FARM-RITE EQUIPMENT, INC	17-Nov-22	\$1,466.28
60152	FLAHERTYS HAPPY TYME COMPANY	17-Nov-22	\$78.00
60153	HEIMAN FIRE EQUIPMENT, INC	17-Nov-22	\$5,526.72
60154	HOWARD LAKE FIRE RELIEF ASSN.	17-Nov-22	\$500.00
60155	HOWARD LAKE TIRE & AUTO	17-Nov-22	\$1,089.26
60156	JOHNSON BROTHERS LIQUOR CO.	17-Nov-22	\$3,085.87
60157	MEDIACOM LLC	17-Nov-22	\$11.27
60158	MIDWEST MACHINERY CO	17-Nov-22	\$213.42
60159	MN PEIP	17-Nov-22	\$14,009.84
60160	MN STATE FIRE DEPT ASSOC	17-Nov-22	\$225.00
60161	MN VALLEY TESTING LAB	17-Nov-22	\$26.06
60162	MUNICIPAL EMERGENCY SERVICES	17-Nov-22	\$110.52

60163	PAUMEN COMPUTER SERVICES, LI	17-Nov-22	\$500.00
60164	PHILLIPS WINE & SPIRITS	17-Nov-22	\$3,720.97
60165	PLUNKETT'S PEST CONTROL	17-Nov-22	\$121.07
60166	RED BULL DISTRIBUTION CO, INC	17-Nov-22	\$272.16
60167	ROSENBAUER SOUTH DAKATO, LL	17-Nov-22	\$88.04
60168	SCOTT HELMBRECHT CONSTRUCT	17-Nov-22	\$2,449.00
60169	SOUTHERN GLAZER WINE & SPIRIT	17-Nov-22	\$201.55
60170	VERIZON CONNECT NWF, INC	17-Nov-22	\$97.14
60171	VIKING BEVERAGES.	17-Nov-22	\$60.95
60172	VINOCOPIA, INC	17-Nov-22	\$348.25
60173	WATERVILLE FOOD & ICE	17-Nov-22	\$58.17
60174	XCEL ENERGY	17-Nov-22	\$7,539.53
60175	ZARNOTH BRUSH WORKS, INC	17-Nov-22	\$1,369.20
502340e	CARGILL, ZACHARY C	21-Oct-22	\$828.54
502341e	HAGGENMILLER, NICHOLAS A	21-Oct-22	\$3,488.93
502342e	MERGES, JARED M	21-Oct-22	\$1,873.85
502343e	MONSON, GABRIEL J	21-Oct-22	\$318.98
502344e	THEISEN, MEAGAN	21-Oct-22	\$1,983.60
502345e	OTTENSTROER, JAMES D	21-Oct-22	\$1,726.92
502346e	PRESTIDGE, CLAYTON P	21-Oct-22	\$1,524.50
502347e	SWENDSEN, JENNIFER	21-Oct-22	\$2,291.17
502348e	DULLE, KAREN A.	21-Oct-22	\$252.97
502349e	LAWAY, MYRA	21-Oct-22	\$2,000.56
502350e	LINDER, EMILY	21-Oct-22	\$135.85
502351e	MCALPINE, DEBRA-ANN	21-Oct-22	\$1,161.92
502352e	OTTENSTROER, MACKENZIE R	21-Oct-22	\$109.27
502353e	REMER, TANYA M	21-Oct-22	\$1,012.22
502354e	VIRNACA, TASIA, R	21-Oct-22	\$269.66
502355e	JOHNSON, JACOB D	21-Oct-22	\$1,849.98
502356e	PREUSSE, MITCHELL D	21-Oct-22	\$190.17
502357e	SZCZEPANIK, DARIUSZ J	21-Oct-22	\$1,969.67
502358e	THOMPSON, DAVID G	21-Oct-22	\$2,372.46
502359e	THOMPSON, KYLE	21-Oct-22	\$232.00
502360e	CARGILL, ZACHARY C	04-Nov-22	\$612.03
502361e	HAGGENMILLER, NICHOLAS A	04-Nov-22	\$3,488.93
502362e	MERGES, JARED M	04-Nov-22	\$1,975.05
502363e	MONSON, GABRIEL J	04-Nov-22	\$142.91
502364e	THEISEN, MEAGAN	04-Nov-22	\$1,983.60
502365e	OTTENSTROER, JAMES D	04-Nov-22	\$1,600.12
502366e	PRESTIDGE, CLAYTON P	04-Nov-22	\$1,524.50
502367e	SWENDSEN, JENNIFER	04-Nov-22	\$2,291.17
502368e	DULLE, KAREN A.	04-Nov-22	\$458.78
502369e	LAWAY, MYRA	04-Nov-22	\$2,000.56
502370e	LINDER, EMILY	04-Nov-22	\$67.93
502371e	MCALPINE, DEBRA-ANN	04-Nov-22	\$1,161.92
502372e	MCALPINE, LEXI	04-Nov-22	\$66.71
502373e	OTTENSTROER, MACKENZIE R	04-Nov-22	\$172.53
502374e	REMER, TANYA M	04-Nov-22	\$933.86
502375e	VIRNACA, TASIA, R	04-Nov-22	\$269.66
502376e	HAGLIN, SERENA P	04-Nov-22	\$556.79
502377e	JOHNSON, JACOB D	04-Nov-22	\$1,849.98
502378e	PREUSSE, MITCHELL D	04-Nov-22	\$514.58
502379e	SZCZEPANIK, DARIUSZ J	04-Nov-22	\$1,969.67
502380e	THOMPSON, DAVID G	04-Nov-22	\$2,372.46
			\$981,820.97

CITY OF HOWARD LAKE

11/17/22 12:48 PM

Page 1

***Check Summary Register©**

Checks 10/14/22-11/17/22

	Name	Check Date	Check Amt	
1012	CAB - AMBULANCE			
5899	ALLINA HEALTH EMS	10/28/2022	\$200.00	
5900	BOUNDTREE MEDICAL	10/28/2022	\$641.59	
5901	CITY OF HOWARD LAKE	10/28/2022	\$3,875.00	WAGES SEPTEMBER
5902	JERRY'S TRANSMISSIONS SERV	10/28/2022	\$3,187.01	
5903	JOE'S SPORT SHOP	10/28/2022	\$306.69	
5904	RIDGEVIEW MEDICAL CENTER	10/28/2022	\$200.00	
5905	VISA	10/28/2022	\$338.47	
5906	ZOLL MEDICAL CORPORATION	10/28/2022	\$289.30	
5907	CENTRAL MCGOWAN, INC	11/17/2022	\$271.85	
5908	CITY OF HOWARD LAKE	11/17/2022	\$37,655.75	Annual wages
5909	JERRY'S TRANSMISSIONS SERV	11/17/2022	\$108.77	
5910	JOE'S SPORT SHOP	11/17/2022	\$311.84	
5911	KEAVENY PHARMACY	11/17/2022	\$19.25	
5912	PROFESSIONAL CREDIT ANALY	11/17/2022	\$500.37	
5913	RIDGEVIEW MEDICAL CENTER	11/17/2022	\$1,200.00	
	Total Checks		\$49,105.89	



HOWARD LAKE CITY COUNCIL MEETING

NOVEMBER 21, 2022

AGENDA ITEM: Consider Resolution 22-29 Certifying Delinquent Utility Fees and Charges to 2023 Property Taxes

SECTION: Consent

FROM: Meagan Theisen, Assistant City Administrator

BACKGROUND: The resolution and attached list identify properties to be assessed for delinquent utilities as outlined in Chapter 10.01 of the City Code. Utility accounts are more than 60 days past due. All property owners included on the assessment roll were sent notices and given the opportunity to pay their bill by 4pm on November 21, 2022. A current list of outstanding charges is included in Exhibit A of the resolution, which will be made available at the meeting.

DECISION MAKING METRICS:

FINANCIAL: Included on Exhibit A of the attached Resolution.

LEGAL: The assessment procedure is stipulated in Chapter 10.01 of City Code.

STRATEGIC PLAN: Deliver High Quality, Reliable Infrastructure and Public Services

COUNCIL ACTION REQUESTED: Adopt Resolution 22-29 Certifying Delinquent Utility Fees and Charges to 2023 Property Taxes.

ATTACHMENTS:

1. Resolution 22-29

CITY OF HOWARD LAKE
22-29

RESOLUTION ADOPTING ASSESSMENT LIST FOR UNPAID CHARGES

WHEREAS, the City of Howard Lake has the ability to levy assessment for certain unpaid items; and

WHEREAS, notices were sent to property owners with delinquent utilities and/or unpaid invoices, and property owners were allowed to respond; and

WHEREAS, the properties listed in the attached Exhibit A have unpaid charges as noted.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Howard Lake hereby assesses unpaid charges against properties as listed in Exhibit A and made a part hereof, with an interest rate of 12% to be payable with 2023 property taxes.

PASSED AND ADOPTED this 21st day of November 2022.

Peter Zimmerman, Mayor

ATTEST:

Nicholas Haggemiller, City Administrator-Clerk



HOWARD LAKE CITY COUNCIL MEETING

November 21, 2022

AGENDA ITEM: Consider Resolution 22-30 Designating a Polling Place

SECTION: Consent

FROM: Meagan Theisen, Assistant City Administrator

BACKGROUND: In 2017, the State Legislature amended Minnesota Statute § 204B.16 Subd. 1 requiring all municipalities to designate a polling place annually by December 31 of each year. The City has historically held elections in City Hall. The proposed resolution would not change any election operations as it maintains City Hall as the designated polling place. It simply ensures the City remains in compliance with the new requirements in state statute.

DECISION MAKING METRICS:

FINANCIAL: N/A

LEGAL: This action follows state statute concerning polling places.

STRATEGIC PLAN: Deliver High Quality, Reliable Infrastructure and Public Services

COUNCIL ACTION REQUESTED: Adopt Resolution 22-30 Designating a Polling Place.

ATTACHMENTS:

1. Resolution 22-30 Designating Polling Place

CITY OF HOWARD LAKE
RESOLUTION 22-30

RESOLUTION DESIGNATING AN ABSENTEE VOTING LOCATION

WHEREAS, Minnesota Statute § 204B.16 Subd. 1 was amended by the Minnesota State Legislature during its 2017 regular session to require all municipalities to annually designate a polling place by December 31 of each year for the following calendar year;

WHEREAS, the City of Howard Lake designates City Hall at 625 8th Avenue, Howard Lake as the polling place and absentee voting location for Precinct 1;

THEREFORE BE IT RESOLVED, that the City of Howard Lake designates City Hall at 625 8th Avenue, Howard Lake as the polling place for Precinct 1 for the 2023 calendar year.

PASSED AND ADOPTED this 21st day of November 2022.

Peter Zimmerman, Mayor

ATTEST:

Nicholas Haggemiller, City Administrator-Clerk



HOWARD LAKE CITY COUNCIL MEETING

November 21, 2022

AGENDA ITEM: Consider Ordinance 22-08 Modifications to Chapter 12.03 Ice & Snow Control.

SECTION: New Business

FROM: City Administrator, Nick Haggenmiller

BACKGROUND: In October, the city council held a public hearing in regards to modifications to Chapter 12.03 Snow Plowing and Ice Control Ordinance. The public hearing was published in the Herald Journal for a minimum of 10 days; published on our city website, there were several posts made on social media. The City received one resident comment during this period, and it was in favor of the property owner maintaining the sidewalk rather than the City.

Following the public hearing, a city wide direct mailer was sent to every address in city limits. The following were received:

PUBLIC COMMENT RECEIVED

Highway 12 Business Owners

City staff has received comments from TWO Highway 12 business owners that were outside the originally defined area for the Downtown Business District. Issues cited:

- MNDOT plowing is more aggressive and more frequent than City or County plows making for difficult and repeated efforts being needed.
- The City should be fair and/or more inclusive in its definition of "business district."
- Questioned what the city does with the MNDOT reimbursement for snow removal.

Staff Comments:

- Comments made about MNDOT plowing and added difficulties for these businesses is a true and valid concern.
- The City does NOT receive a reimbursement for sidewalk snow removal. The reimbursement received is exclusively for snow removal on the shoulders of the road. This revenue does NOT offset expenses the City incurs for this activity.

Residential Properties

City staff has received one phone call and two emails from residential property owners/occupants on the matter.

- Two individuals located in the middle of the town who cited previous councils' indication that City staff would handle snow removal at the time sidewalks were constructed in 2010.
- All three cited being elderly/medical/financial hardships.
- One questioned legal liability in the event of a slip/trip/fall.

Staff Comments:

- It is illegal to contractually obligate future councils in the manner done so by any previous council.
- Property maintenance of this nature including preventing/addressing nuisance matters, general upkeep of the property such as lawn mowing and snow removal is the responsibility of the homeowner. City staff could not find another example of a City providing residential snow removal.
- The City's liability on this matter does not change regardless of how the ordinance is written. Per LMCIT, the City has liability in the instance of 'gross negligence' only 'immediately adjacent to city property.'

PROPOSED MODIFICATIONS

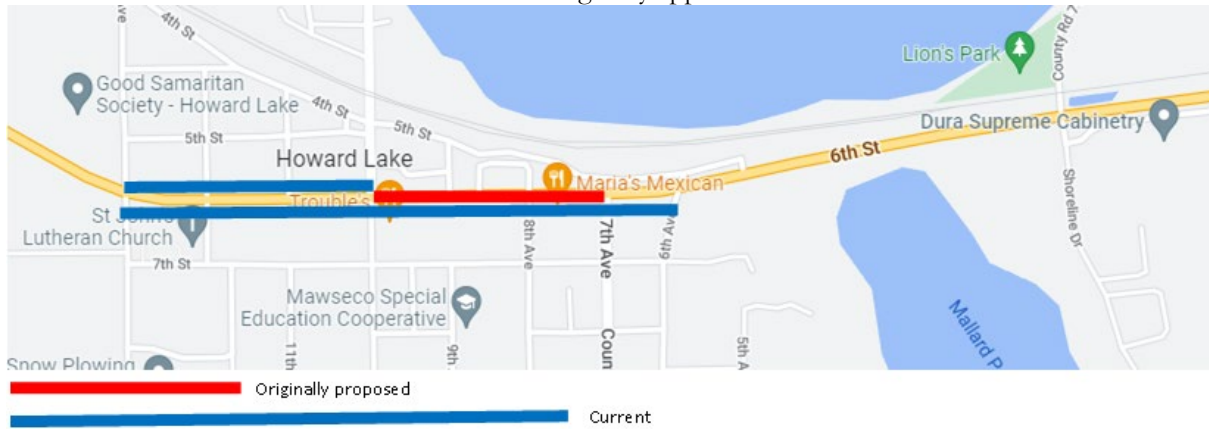
1. Section 2 Policy

This section was simplified to remove notations on "prioritization" of street clearing. In it's place it references back to an operating procedure which will be reviewed annually and published accordingly.

2. Section 14 Cleaning Sidewalks

This section was divided into two sections. Section 14.1 Cleaning Sidewalks in Residential Districts specified to maintain responsibility for snow clearing on the property owner/occupant. This is technically no change from the current ordinance. An exemption for designated trails in residential districts was also included.

Section 14.2 Commercial Districts has been revised to indicate City staff will manage snow removal. This is largely the City practice that has been followed for over a decade. The service area was expanded after hearing from additional business owners outside of the originally approved Downtown Area in October.



3. Section 15. City Removal has been updated to remove specific pricing for abatement. The ordinance is now tied back to the officially adopted fees and charges schedule which is updated annually by resolution.

ADDITIONAL CONSIDERATIONS

City staff has requested information from various social service providers to determine if assistance is available in any form to assist individuals with the added responsibilities associated with these changes. At the time this agenda item was written, no favorable responses were received.

City Created/Managed Assistance

Despite several residents noting previous indications from the City that they would not be responsible for clearing snow from sidewalks dating back to 2010 – there is no lasting obligation. In fact, even in 2010 the ordinance was deliberately left unchanged leaving legal responsibility for snow clearing to the property owner.

However, this does not change resident impression or understanding on the matter.

If the City Council so chooses, a Shoveling Assistance Program may be established to assist eligible residents with easing the financial burden associated with these changes. If this were to move forward, it would be recommended to be a 1 year program targeted at vulnerable populations: seniors over 65 years of age, disabled, veteran/deployed spouse and capped at \$250/household as well as capping the total number of households to be awarded.

Doing so would likely not cover all costs, but would assist and may ease the overall transition of city staff maintaining this responsibility in perpetuity.

DECISION MAKING METRICS:

FINANCIAL: The ordinance modification itself does not have a material cost. If the council wishes to move forward with some sort of assistance program, staff recommends allocating a total budget somewhere between \$2,500 - \$5,000 as a one time, one year program.

LEGAL: The proposed modifications have been discussed and reviewed with the city attorney and deemed appropriate.

GOAL SETTING:

1. Maintain Fiscally Responsible City Operations
2. Encourage Creative and Cooperative Service Delivery.

COUNCIL ACTION REQUESTED: Approve modifications to Ordinance 12.03 Snow and Ice Control.

ATTACHMENTS:

1. Ordinance 12.03
2. Resident Letters
3. Map showing City maintained sidewalks and trails
4. Internal SOP for snow clearing

Chapter 12.03

Howard Lake Snow Plowing/Ice Control Procedures

Section 1. Purpose and Need for Policy. The City of Howard Lake, being a growing City, needs to annually review and adopt a policy regarding efficient and timely removal of snow and control of ice in order to best provide for safe travel for the greatest number of persons. This policy outlines the responsibility within the Public Works Department in order to accomplish this goal.

Section 2. Policy. Each year the Pubic Works Department prepares a map of the City showing the public street system. This map clearly delineates thoroughfare and local residential streets. The map is then divided into routes for purposes of snow and ice control.

~~Within each of areas, the City has classified city streets based on the street function, relative traffic volume, and importance to the welfare of the community. Those streets classified as priority "A" streets will be plowed first. These are higher volume streets which connect major sections of the city and provide access for emergency fire, police and medical services. The second priority streets (priority "B") are those streets providing access to schools and commercial businesses. The third priority streets (priority "C") are low volume residential streets. Fourth priority (priority "D") are cul-de-sacs. (See Exhibit A).~~

Section 2. Policy. The City shall prepare and publish a policy and map of the City showing the public street, trail, sidewalk system. The policy will generally prioritize high traffic streets followed by lower traffic streets, trails and the remainder of the City.

Section 3. Procedures. The Police Department assists Maintenance Division Supervisors in monitoring street conditions and notifies Maintenance Division personnel of snow and ice conditions needing attention. Maintenance Division personnel are notified in accordance with the Public Works Department Schedule for Emergency Calls.

The Maintenance Division, with the assistance of the Police Department, monitors street conditions and is responsible for making the decision to call out personnel and equipment to begin snow and ice control operations.

Section 4. Responsibility. The Maintenance Division, with the assistance of the Police Department, monitors the street conditions to determine the timing and amount of equipment and personnel necessary to clear the streets.

Section 5. Commencement of Operations. Snow plowing and/or ice control operations shall commence under the direction of the Street Superintendent and the Public Works Foreman. In his absence the Police Department Patrol Officer on duty and the Superintendent's designated representative will consult and determine when and what operations will begin in accordance with provisions of Exhibit A attached.

In general, operations shall commence as follows:

- A. Snow accumulation of 2", with continual snow fall, warrants commencement of plowing operations.
- B. Drifting of snow may warrant commencement of partial or full operations depending upon conditions.
- C. Icing of pavements may warrant partial or full operation depending upon extent and conditions.

Section 6. How Snow Will Be Plowed. Snow shall be plowed in a manner so as to minimize traffic obstructions. The center of the roadway will be plowed first. The snow shall then be pushed from left to right with the discharge going onto the boulevard area of the right-of-way. It is the Departmental goal to have the entire street system cleaned after a "typical" snowfall in approximately 10 hours, assuming a general plowing operation beginning at 3:00 A.M. and snowfall ending by 7:00 A.M. Depending on snowfall conditions and duration of the storm, cleanup operations can widely fluctuate.

Section 7. Use of Sand and Salt. The City is concerned about the effect of sand and salt on the environment and will limit its use for that reason. Therefore, it is the policy of the City to utilize a sand and salt mixture in the ratio of approximately 3 parts sand and 1 part salt. This provides for traction, but is not intended to provide bare pavement during winter conditions. Application of the sand/salt mixture is generally limited to priority "A" routes, steep grades and high volume intersections. Application is limited on lower volume streets and cul-de-sacs. The City cannot be responsible for damage to grass caused by the sand/salt mixture and therefore will not make repairs or compensate residents for salt damage to turf areas in the street right-of-way.

Section 8. Suspension of Operations. Generally, operations shall continue until all roads are passable. Widening and clean up operations may continue immediately or on the following working day depending upon conditions and circumstances. Safety of the plow operators and the public is important. Therefore, snow plowing/removal operations may be terminated after 10-12 hours to allow personnel adequate time for rest. There may be instances when this is not possible depending on storm conditions and other circumstances. Operations may also be suspended during periods of limited visibility. Any decision to suspend operations shall be made by the Street Division Superintendent and Public Works Foreman, and shall be based on the conditions of the storm. The City will still provide access for emergency fire, police and medical services during a major snow or ice storm.

Section 9. Property Damage. Snow plowing and ice control operations can cause property damage even under the best of circumstances and care on the part of the operators. The major types of damage are to improvements in the City right-of-way which extends approximate 10' to 15' beyond the curb location. The intent of the right-of-way is to provide room for snow storage, utilities, sidewalks and other City uses. However, certain private improvements such as mailboxes are required within this area. Therefore, the City will cooperate with the property owner to determine if the damage is the responsibility of the City and when it shall be the responsibility of the resident. The City accepts responsibility for mailboxes which are allowed to

be placed in the road right-of-way, if the damage is by physically being struck by a plow blade, wing, or other piece of equipment. Mailboxes should be constructed sturdily enough to withstand snow rolling off a plow or a wing. Therefore, damage resulting from snow is the responsibility of the resident. The City will repair or replace mailboxes in those instances where the City is responsible for the damage. Damage to fences, trees or other structures will be repaired or replaced by the City if they are on private property. Lawns that are scraped or gouged by City equipment will be repaired by top dressing and seeding the following Spring. Residents are requested to assist by watering the areas that are repaired.

In instances where there is disagreement as to the source of the damage and the responsibility therefore, the Foreman of Public Works and/or Police Department shall determine the responsibility.

Section 10. Driveways. One of the most frequent and most irritable problems in removal of snow from public streets is the snow deposited in driveways during plowing operations. Snow being accumulated on the plow blade has no place to go but in the driveway. The driver's make every attempt to minimize the amount of snow deposited in driveways, but the amount can still be significant. Based on priorities and staffing level, City personnel do not provide driveway cleaning.

Section 11. Mail Delivery. The snow plow operators make every effort to remove snow as close to the curb line as practical and to provide access to mailboxes for the Postal Department. However, it is not possible to provide perfect conditions and minimize damage to mailboxes with the size and type of equipment the City operates. Therefore, the final cleaning adjacent to mailboxes is the responsibility of each resident.

Section 12. Complaints. Complaints regarding snow and ice control or damage shall be taken during normal working hours and handled in accordance with the City's complaint procedures. Complaints involving access to property or problems requiring immediate attention shall be handled on a priority basis. Response time should not exceed twenty-four (24) hours for any complaint. It should be understood that complaint responses are to ensure that the provisions of this policy have been fulfilled and that all residents of the City have been treated uniformly. It is the City's intention to log all complaints and upgrade this policy as necessary in consideration of the constraints of our resources.

Section 13. Towing. The City Police Department is hereby authorized to have towed away and stored any vehicle found to be parked in violation of this chapter. The owner may reclaim the vehicle by exhibiting satisfactory proof of ownership and paying in full all towing and storage charges for said vehicle.

Snow Removal From Public Sidewalks

~~**Section 14. Cleaning Sidewalks.** All property owners and occupants of all buildings and lots shall be responsible for maintaining all sidewalks at the front, rear, or side of their property. Snow shall be removed from all sidewalks by (6) six o'clock am, in all commercial and business zoning districts, Snow shall be removed from all sidewalks by (10) ten o'clock a. m. in all~~

~~residential zoning districts. The occupants and owners of all buildings and lots shall be responsible for the cost and arrangements of snow removal.~~

Section 14.1 Cleaning Sidewalks Residential Districts. Property owners and occupants of all buildings and parcels within residential zoning districts shall be responsible for maintaining all sidewalks at the front, rear, or side of their property. The occupants/owners shall be responsible for the cost and arrangements of snow removal. Properties abutting public trails are exempt from this provision.

14.2 Cleaning Sidewalks Commercial Districts. Property owners and occupants of all buildings and parcels within commercial zoning districts shall be responsible for cleaning sidewalks and ensuring adequate salt/sand control after the initial bulk clearing is completed by public works staff. The occupants/owners shall be responsible for the cost and arrangements of said activities.

Section 15. City Removal. If the owner or occupant of the property abutting any public sidewalk upon which snow or ice has accumulated fails to abate the nuisance thereby created within twenty-four (24) hours after such snow or ice has ceased to be deposited upon such sidewalk, the City Administrator or his designated agent may cause the removal of such snow or ice. The agent causing such removal shall maintain a record showing the cost of such removal attributable to each separate lot and parcel and shall deliver such information to the City Administrator. ~~The cost for removal is at a rate of \$35.00 per hour with a one hour minimum \$35.00 charge. If it is necessary to have the snow hauled away, an additional charge of \$50.00 per hour shall be charged.~~ The cost for removal is set at a rate as determined by the city council and adopted fees and charges schedule.

Section 16. Assessment. Upon receipt of the information required by the preceding subdivision, the City Administrator shall forward to the Council a statement setting forth the unpaid charge for the cost of the removal of any snow or ice pursuant to Section 14 hereof for each separate lot or parcel. The Council may then, pursuant to the provisions of Minnesota Statutes, Chapter 429, assess any such charge against the property benefited, and any such assessment shall, at the time at which taxes are certified to the County Auditor, be certified for collection in the manner that other special assessments are so certified.

Section 17. Civil Suit for Cost of Removal. The City Administrator or City Council as an alternative to the assessment procedure set forth in Section 15, may initiate a civil suit in a court of competent jurisdiction to recover from the owner of land adjacent to which sidewalks have been cleared as provided in Section 2 hereof, the cost of the removal of snow or ice, together with allowable costs and disbursements.

Section 18. Placing Snow or Ice on Public Streets or City Property. It is unlawful for any person, not acting under contract with the City, to remove snow or ice from private property and place, in such quantity or manner as to cause a hazard to travel, such snow or ice upon a public right-of-way, without proper arrangements for the immediate removal thereof. It is unlawful for any person, not acting under contract with the City, to place or deposit any snow or ice upon City

property.

Parking Regulations

Section 19. Times and Date of Prohibited Parking. No vehicle shall be left standing or parked between 2:30 AM. and 7:00 AM. on any street, state highway, or county road within the city limits of the City of Howard Lake. This provision shall be in force between 12:01 AM. on November 1st of every year and 11:59 P.M. on March 31st of the following year.

Section 20. Parking Prohibited Until Street Plowed. Immediately after the end of a snowfall, no vehicle shall be left standing or parked upon any street or other right-of-way within the city limits of the City of Howard Lake until said street or highway is plowed.

Section 21. Plowing, General Snow Removal. Downtown streets shall generally be plowed in the same manner as all other city streets. The Street Superintendent or the Public Works Foreman may elect to plow downtown streets during evening or early morning hours to avoid traffic and parked vehicle congestion. Downtown streets may be plowed outward or to the center of the street at the discretion of the Street Superintendent or Public Works Foreman. City owned parking lots are generally plowed at the same time as downtown streets. Snow may be piled for removal when snow is hauled from downtown.

Section 22. Snow Hauling. Downtown snow hauling, if necessary, shall begin after all streets have been plowed.

Section 23. Wright County or State of Minnesota Street Maintenance. Certain streets within the City are maintained by Wright County or the State of Minnesota and fall under the county or state maintenance policies.

Section 24. Snow Depths. Snow depth at the corners of intersections shall be reduced to 36 inches or less following other necessary operations. The Street Superintendent or Public Works Foreman have the authority to determine the scheduling and priority of this function.

Section 25. No Parking Zones. The City Council may by resolution designate and establish certain areas where there shall be no parking during specified hours for snow removal. The Police Department and the Street Superintendent shall mark by appropriate signs all zones so established. During the hours specified no person shall park in said zone.

Section 26. Penalty. Any person convicted of violating any provision of this ordinance shall be guilty of a misdemeanor.

EXHIBIT “A”

Plowing/Sanding Priorities

PRIORITY “A”

Streets with greatest priority

PRIORITY “B”

Streets providing access to schools and commercial property

PRIORITY “C”

Lower volume residential streets

PRIORITY “D”

Cul-de-sacs

City Sidewalk & Trail System
(version 11.17.22)
All Shown is Responsibility of City Staff



- City Trails
- Business Sidewalks
- Adjacent to City Property





-  City Trails
-  Business Sidewalks
-  Adjacent to City Property

From: [Fran](#)
To: [Nick Haggemiller](#);
Subject: Sidewalk Snow & Ice Control Monday,
Date: October 31, 2022 2:20:42 PM

To Whom It May Concern:

Recently I received a letter in the mail stating that effective November 1, 2022 the City of Howard lake will require property owners adjacent to public sidewalks to clear snow and provide ice control measures within 48 hours of a snow event.

During the construction of the street outside my home a few years ago, I was told by one of the engineers that the city would be taking care of the removal of snow/ice on the sidewalk. I was happy to hear that because I really didn't think we needed the sidewalk in the first place.

For the last several years the city has been clearing the sidewalk outside my home and as a taxpayer I would appreciate it if that would continue. The letter states that this practice is not sustainable because our community continues to grow. With a growing number of taxpayers, it seems that there should be more tax dollars available to continue this service - regardless of what other communities are doing.

Thank you for your time,

Frances
7th Street
Howard Lake

From:
To: [Nick Haggemiller](#)
Cc: Sidewalks during winter
Subject: Sunday, November 13, 2022 4:51:22 PM
Date:

When I purchased my home there were not sidewalks. I did not ever want sidewalks but the city wanted sidewalks and we were told that the city would maintain the sidewalks all year round.

I did not have the time,money,manpower or machinery to maintain sidewalks then and I still do not.

At this time I also have medical issues that limit my ability to barely get my driveway cleared.

Also wondering who has liability of sidewalks?

Is it the homeowner or the city ?

Cheryl

**CITY OF HOWARD LAKE
RESOLUTION 22-31**

**RESOLUTION AUTHORIZING THE SUMMARY PUBLICATION OF
ORDINANCE 12.03 SNOW & ICE CONTROL**

WHEREAS, the following is a summary of Ordinance 22-08 adopted by the Howard Lake City Council at the November 21, 2022 meeting; and

WHEREAS, the City is publishing this notice as a summary publication; and

WHEREAS, the following serves as the summary of the ordinance for publication purposes:

Section 2	Replaces notations of “prioritized streets” with an “externally posted policy.”
Section 14.1	Requires property owners to clear the sidewalk of snow and ice in residential zoning districts.
Section 14.2	Establishes responsibility to city staff to clear the sidewalk of snow and ice in commercial zoning districts.
Section 15	Replaces a stated fee for abatement by referencing the adopted fees and charges schedule.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Howard Lake that Ordinance 22-08 is hereby adopted November 21, 2022 and effective upon this publication.

PASSED AND ADOPTED this 21st day of November, 2022.

Pete Zimmerman, Mayor ATTEST:

Nicholas Haggemiller, City Administrator-Clerk



HOWARD LAKE CITY COUNCIL MEETING

November 21, 2022

AGENDA ITEM: Consider Interim Agreement Establishing Regional Safety Group

SECTION: New Business

FROM: City Administrator Nick Haggenmiller

BACKGROUND: In 2021, the City's longtime Safety Consultant retired. In order to meet required training of city staff, specifically, for the public works department, the city has commenced conversations and formalized relationships with several other Highway 12 Cities as well as the League of Minnesota Cities Insurance Trust to form a Regional Safety Group (RSG).

The RSG would be led by Loss Control staff from the League of Minnesota Cities Insurance Trust and be open for all employees covering a wide range of safety related topics. In summary, the agreement establishes the following:

- Creates a Highway 12 Regional Safety Group
- Membership is automatically renewed, unless dropped with notice by the end of the calendar year.
- There will be an expectation to meet once per month throughout the year.
- The cost will be split between member cities based on employee count and LMCIT.

DECISION MAKING METRICS:

FINANCIAL: The number of participants is not yet known, therefore a cost is not yet known. Once identified, the General Fund Budget will be updated to properly fund participation.

LEGAL: The City receives workman's compensation insurance through the League of Minnesota Cities Insurance Trust. It may be possible to obtain the required training from a third party/private consultant. However, this is not advised. Maintaining a safety program through the same entity that provides coverage is considered a best practice.

COUNCIL ACTION REQUESTED:

ATTACHMENTS:

1. Interim Service Agreement.

Interim Agreement Establishing a Regional Safety Group

WHEREAS, the Parties have a duty to create a safe workplace for their employees, officials and volunteers; and

WHEREAS, the Parties desire to create a safety group that is innovative and different from a traditional safety and health committee pursuant to Minnesota Rule 5208.0070; and

WHEREAS, the League of Minnesota Cities Insurance Trust (LMCIT) has developed the Regional Safety Group Initiative to facilitate safety training for cities/entities; and

WHEREAS, the governing bodies of the Parties believe it is in the best interests of the Parties to cooperatively promote safety and health in the workplace by participating in the Regional Safety Group Initiative; and

WHEREAS, the Parties intend for this Agreement to apply on an interim or temporary until terminated as set forth below; and

WHEREAS, Minnesota Statutes, Section 471.59, authorizes the Parties by agreement of their governing bodies to jointly or cooperatively exercise any power common to them.

NOW, THEREFORE, in consideration of the mutual covenants made herein, the undersigned Parties agree as follows:

1. Purpose. The purpose of this Agreement is to promote workplace safety and health through the sharing of ideas and knowledge among the Parties and by holding regular joint safety and health training, educational programs, and meetings.
2. Name. The Parties hereby establish a safety group to be known as the Highway 12 Regional Safety Group (the "RSG").
3. Term. This Agreement shall remain in effect until terminated by LMCIT or there are no member cities/entities remaining in the RSG. LMCIT reserves the right to terminate this agreement upon 30 days' written notice to each member city/entity in the RSG.
- 3.Membership.
 - A. LMCIT Members. All member cities/entities of the RSG are members in LMCIT's workers' compensation program.
 - B. Initial Members. The initial member cities/entities of the RSG shall be the undersigned Parties executing this Agreement upon the approval of their governing bodies.
 - C. New Members. A new member city/entity, that is a member of LMCIT's workers' compensation program, may be added to the RSG upon approval of a majority of the current members, as evidenced by a vote of the group members. Each member city/entity of the RSG shall be entitled to one vote. Following the approval by the RSG, membership in the RSG is effective upon approval and execution of this Agreement, by a prospective member's governing body and its authorized representatives.
 - D. Termination of Membership. Any member city/entity may terminate its membership in the RSG upon written notification indicating its intent to withdraw not less than 90 days prior to the end of a current year. Terms will be on an annual calendar

basis. Termination takes effect at the end of a current calendar year. A copy of the written termination notice must be sent to the safety coordinator of each member city/entity and to Ashley Edwardson, LMCIT Loss Control Program Coordinator, or other staff person as designated by LMCIT. Any terminated member shall remain responsible for its share of any costs incurred prior to the effective date of termination. A member city/entity shall also be terminated from the RSG if it is no longer a member of LMCIT's workers' compensation program.

4. Officers and Bylaws: The RSG may adopt bylaws or other rules governing the group that are not inconsistent with this Agreement. The RSG and its officers are not authorized to do any of the following: (a) to receive and expend funds; (b) to enter contracts; (c) to hire employees; (4) to purchase or otherwise acquire and hold real or personal property; or (5) to bring a lawsuit in the name of the RSG.

5. LMCIT Sponsored Training/Meetings. LMCIT offers the RSG safety training/meetings.

A. Number of Training/Meeting Sessions. The RSG is entitled to twelve (12) training sessions per calendar year with a maximum of 1 per month and a minimum of 1 every-other month. Each training session will be at a site to be determined by the RSG. The date of each training session shall coordinate with the designated training representative.

B. LMCIT Cost. LMCIT will pay one-half of the cost of each training session up to the maximum of twelve (12) sessions per calendar year. LMCIT will not reimburse members for travel, meals, or other charges.

C. Member Cost. The remaining cost of each training session shall be paid in equal proportions by each RSG member to LMCIT. Each member city/entity agrees to pay its share of training costs after receiving an invoice from LMCIT. No member shall be responsible for the unpaid costs of another member. the members may choose some other method to share their remaining cost of the training, e.g., based on Full Time Employee count. If an alternative method is chosen, LMCIT will invoice a designated member for the cost. The RSG will need to develop an alternate method to collect and remit the members' costs to LMCIT. member is responsible for its cost even if it does not have a representative attend the training session.

D. Program Changes. RSG members acknowledge that LMCIT may, at any time, change its obligations to RSG members. Any changes made in the RSG program will be communicated to RSG members within thirty (30) days of the change.

6. Education and Training.

A. Online Education and Training. LMCIT has established an interactive web-based training program in cooperation with NeoGov. RSG members and their employees, officers, and volunteers are entitled to free access to this online training.

B. Safety Data Sheet Management service. LMCIT has established an interactive web-based service in cooperation with SDS Access, powered by Damarco Solutions, LLC. RSG members and their employees are entitled to free access to this program to manage their cities safety data sheets.

C. Other Education and Training. An RSG may hold other training and educational sessions or meetings as determined by the group at the members' expense. Approval from LMCIT is not needed for training or meetings for which no LMCIT subsidy is requested.

D. Value Added Time. Each member city will utilize the safety trainer on an alternating basis with each of the members within the RSG. The member will work directly with or instruct the trainer on city-specific needs or records that require reviewing. The subject of this time will be determined by the city in coordination with the trainer.

7. Safety Committee Meetings. As a part of any training session, the members may discuss any matters that would typically be discussed in a “joint labor-management safety and health committee” meeting under Minnesota Statutes, Section 182.676 and take any action authorized under Minnesota Rules, Chapter 5208. LMCIT requires each RSG to hold a joint Safety Committee Meeting every-other-month at a minimum.

8. General Provisions.

A. Modification. No provision of this Agreement may be modified, altered, or rescinded except by a vote of the governing body of a majority of all members. Approved modifications take effect thirty (30) days after the date of approval by the last member approving the modification.

B. Effective Date. This Agreement shall be effective after approval by the governing body of the last initial member to approve this Agreement and execution by that member’s authorized representatives.

C. Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Minnesota.

D. Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original, all of which shall constitute one and the same instrument.

E. Savings Clause. If any court finds any provision of this Agreement to be contrary to law or invalid, the remainder of the Agreement will remain in full force and effect.

IN WITNESS WHEREOF, the Parties, by action of their respective governing bodies, caused this Agreement to be approved on the dates below.

PASSED AND ADOPTED this 21st Day of November, 2022

Pete Zimmerman, Mayor

Nicholas Haggemiller, City Administrator-Clerk



HOWARD LAKE CITY COUNCIL MEETING

November 21, 2022

AGENDA ITEM: Consider Approval of Assessment Services Contract with the Wright County Assessor's Office for 2024 and 2025 Assessment Years

SECTION: Consent

FROM: Meagan Theisen, Assistant City Administrator

BACKGROUND: The City received contract renewal information from the Wright County Assessor's Office for the 2024 and 2025 Assessment years. The General terms have not changed since the last renewal.

General Terms

- The per parcel assessment fee of \$15 will remain for 2024 and 2025
- New residential valuations will remain the same, a one-time fee of \$60 per new home addition
- These fees will be applied to the building permit.
- New commercial/industrial valuations will remain a one-time fee of \$160.
- These fees will be applied to the building permit.

FINANCIAL: Financial terms of the agreement are presented above. Wright County is currently the same price per parcel as the previous assessor. Fee increases will need to be adjusted in future budget cycles.

LEGAL: The City is asked to enter into the contract as presented. Alternatively, the City would need to see a private entity to do the same service.

STRATEGIC PLAN: Maintain a fiscally responsible City.

COUNCIL ACTION REQUESTED: Approve the Assessment Services Contract with the Wright County Assessor's Office.

ATTACHMENTS:

1. Wright County Assessment Agreement



10/19/2022

Memo

In October 2022, the County Board reviewed the contract rates charged for Assessment Services completed by the Wright County Assessor's Office for the 2024 and 2025 Assessments.

Discussion and Findings by the Board Included:

- Costs associated with performing the property assessment and the revenue historically received from jurisdictions that employ the County to perform these services. Historically, the fees paid by jurisdictions cover 1/3 of the total wages and benefits of assessment staff employed by the county.
- Discussed the merits of charging for assessment services versus if there were no charge for the services.
- Recognized increased costs in recent years due to local assessor retirements/resignations; the additional staff it takes to perform the work when a jurisdiction contracts with the County for these services.
- The Wright County Assessor's office now employs 22 people. Our office contracts with 28 of the 35 districts in Wright County to handle classifying and appraising over 53,400 parcels. Additionally, we are processing the assessment for all 35 districts, just over 70,500 parcels on an annual basis. This work is mandated by State law for property tax purposes.
- The accountability and burden of work that is placed on the Assessor's Office regardless of whether the jurisdictions hire a Local Assessor versus contracting directly with the County.
- Legislation requires all assessors to become licensed as an Accredited Minnesota Assessor within four years of first becoming a licensed assessor, resulting in higher up-front expenses, training and time invested in new hires. Additional continuing education and ethics training for all assessors is also mandated by law.

Items ratified by the County Board (changes to the previous contract):

At the October 18th, 2022 County Board Meeting, the board voted to leave the per parcel fee at \$15 per parcel for both the 2024 and 2025 assessments.

The districts will be charged for all parcels within their jurisdiction including mobile homes. Enclosed, is a listing of parcel counts by each jurisdiction as of January 2nd, 2022. This is to be used as a guide as you plan the 2024 budget, the actual number of parcels within your district as of the January 2nd Assessment Date of each year in the contract will impact the final bill sent to the district.

For districts that issue their own building permits, the charges for new construction/additions will also remain the same at the following rates:

- Residential New Construction/Addition = \$60 per new home/addition
- Commercial/Industrial/Apartment with permit value of \$499,999 and under = \$60 per new building/addition
- Commercial/Industrial/Apartment with permit value over \$499,999 = \$160 per new building/addition

Note that most jurisdictions pass these costs on to the property owner as part of the permitting process.

A copy of the Assessment Contract for the 2024 and 2025 assessment years is enclosed. If you plan to renew your contract with Wright County, please send a signed copy to our office by January 16th, 2023. Please feel free to contact me if you have any questions.

Tony Rasmuson – Wright County Assessor

ASSESSMENT SERVICES AGREEMENT

THIS AGREEMENT, made and entered into by and between the County of Wright, a political subdivision of the State of Minnesota, hereinafter referred to as the “County” and the City of Howard Lake a political subdivision of the State of Minnesota, hereinafter referred to as “City/Township”.

WHEREAS, said City/Township lies either wholly or partially within the County and constitutes a separate assessment district; and

WHEREAS, under such circumstances the provision of the Minnesota Statutes, Sections 273.072 and 471.59 permit the County Assessor to provide for the assessment of property; and

WHEREAS, said City/Township desires the County to perform certain assessments on behalf of said City/Township; and

WHEREAS the County is willing to cooperate with said City/Township by completing the assessment in a proper manner.

NOW, THEREFORE, in consideration of the mutual covenants contained herein it is agreed as follows:

1. The County shall perform the 2024 and 2025 property assessment for the City/Township in accordance with the property assessment procedures and practices established and observed by the County, the validity and reasonableness of which are hereby acknowledged and approved by the City/Township. The property assessment by the County shall be composed of those assessment services which are set forth in Exhibit A, attached hereto and made a part hereof by reference.

2. All information, records, data, reports, and the like that are necessary to allow the County to carry out its responsibilities under this Agreement shall be furnished to the County without charge by the City/Township and the City/Township agrees to cooperate in good faith with the County in carrying out the work under this Agreement.

3. The City/Township agrees to furnish, without charge, workspace, if needed, for an appraiser to perform such tasks as document review, with such tasks to be performed during normal business hours for the City/Township.

4. The County agrees to indemnify and hold harmless the City/Township and all of its agents and employees against any and all claims, demands, actions or causes of action arising out of or by reason of the performance of work provided for herein to be performed by the County. It is further agreed that any and all full time employees of the County engaged in the performance of any work or services required or provided for herein shall be considered employees of the County only and not of the City/Township and that any and all claims that may arise under the Workman's Compensation Act of the State of Minnesota and any and all claims made by any third parties as a consequence of any act or omission on the part of said County employees shall be the sole obligation and responsibility of the County.

5. This Agreement shall commence on January 2, 2023 and shall terminate on June 30, 2025. Either party may initiate an extension of this Agreement for a term of two years by giving the other party written notice of its intent to extend no less than 120 days prior to the termination of this Agreement. If the party who receives said notice of intent to extend gives written notice

to the other party of its desire not to extend the Agreement at least 60 days prior to the termination of this Agreement, this Agreement shall terminate on June 30, 2025.

6. In consideration of said assessment services, the City/Township agrees to pay the County a fee of \$15.00 per parcel for the 2024 and \$15.00 per parcel for the 2025 assessment. In addition, there will be an additional fee of \$60.00 for each new construction residential or commercial/industrial building permit with an estimated construction cost of \$499,999.00 or less. There will also be an additional fee of \$160.00 per parcel for each new construction residential or commercial/industrial building permit with an estimated construction cost of \$500,000.00 or more. These additional fees shall be only applicable in those cities or townships which issue their own building permits.

7. Any notice which may be given or made by a party hereto under the terms of this Agreement shall be in writing and shall be sent by United States Mail or personally delivered to the other party addressed as follows:

To City: City of Howard Lake
 625 8th Ave, PO Box 736
 Howard Lake, MN 55349

To County: Anthony P. Rasmuson, Wright County Assessor
 Wright County Government Center
 3650 Braddock Avenue NE, Ste. #1700
 Buffalo, MN 55313

8. The Agreement may be amended or modified only by written agreement signed by authorized representatives of the parties hereto.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by its
duly authorized officers and delivered on its behalf, this 19th day of October, 2022.

WRIGHT COUNTY

Dated: 10/19/2022

By *Anthony P Rasmuson*
Anthony P. Rasmuson
Wright County Assessor

City of Howard Lake

Dated: _____

By _____

Dated: _____

By _____

EXHIBIT A

During the term of this Agreement, the County shall:

- 1. Physically inspect and value and classify real property, in accordance with State statutes.**
- 2. Physically inspect and value all new construction, additions, and renovations.**
- 3. Conduct valuation reviews prior to Board of Review or Open Book Meeting.**
- 4. Attend Board of Review or Open Book Meetings either in person or virtually. Per Board request, make all necessary review appraisals. The county will provide a board packet to the local board members which will contain a brief analysis of the real estate market for the current assessment year for said district.**
- 5. Keep updated property records including physical characteristics, sales data, current values, and classifications.**
- 6. Administer all State mandated property tax programs and maintain proper documentation.**
- 7. Print and mail valuation and classification notices.**
- 8. Respond to taxpayers regarding assessment or appraisal inquiries and concerns.**
- 9. Process all divisions, combinations, new plats, and annexations including revaluation and reclassification of affected parcels.**
- 10. Administer the abatement process pursuant to Minn.Stat. § 375.192 and county abatement policy.**
- 11. Make appraisals for, testify and/or negotiate all District Court and Tax Court filings.**
- 12. Adjust estimated market values on all property annually based upon the market analysis of existing real estate market conditions.**

Parcel Counts

<u>District</u>	<u>Real Property</u>	<u>Exempt</u>	<u>Mobile Home PY22</u>	<u>Personal</u>	<u>Totals PY23</u>
City of Albertville	2793	183	0	10	2986
City of Annandale	1462	119	247	4	1832
City of Buffalo	6242	602	305	35	7184
City of Clearwater	816	65	0	8	889
City of Cokato	1115	113	70	4	1302
City of Dayton	24	0	0	1	25
City of Hanover	1278	49	0	5	1332
City of Howard Lake	1043	133	46	4	1226
City of Monticello	4855	371	407	10	5643
City of Montrose	1455	282	100	3	1840
City of Rockford	1315	135	428	5	1883
City of South Haven	117	15	0	3	135
City of Waverly	1046	85	0	2	1133
City of Otsego	8893	370	225	15	9503
Town of Buffalo	996	52	0	5	1053
Town of Chatham	681	20	0	6	707
Town of Clearwater	1111	156	1	20	1288
Town of Cokato	829	64	74	5	972
Town of Franklin	1446	57	1	7	1511
Town of French Lake	1147	63	1	4	1215
Town of Maple Lake	1459	75	1	11	1546
Town of Middleville	730	32	2	5	769
Town of Monticello	1639	120	0	14	1773
Town of Rockford	1741	76	1	13	1831
Town of Silver Creek	1643	110	0	12	1765
Town of Southside	1877	44	82	8	2011
Town of Stockholm	779	30	3	7	819
Town of Victor	820	27	1	7	855