



CITY COUNCIL AGENDA– REGULAR MEETING
Monday, September 9, 2019 7:00 PM

The City of Montrose is committed to maintaining a safe, welcoming, family-friendly community, with affordable housing, where parents can raise their families; to ensuring our skilled, motivated employees provide high quality public services at a value; to sound stewardship and fiscal responsibility to ensure our city remains strong and prosperous, both now and into the future; to nurturing business-friendly partnerships to promote economic development and local jobs; to thoughtfully address community needs and plan for growth, innovation and sustainable development; and to ethical leadership that is responsive and accountable to our citizens.

Montrose Community Center
 200 Center Avenue South
 Montrose, MN 55363

1. CALL TO ORDER

2. ROLL CALL

3. INVOCATION

A. Pastor Cathy Jones – House of Grace

4. PLEDGE OF ALLEGIANCE

5. APPROVAL OF AGENDA

6. APPROVAL OF CONSENT AGENDA

A. Minutes

1. August 12, 2019 Regular City Council Meeting – prepared by D. Boelter
2. August 26, 2019 Special City Council Meeting – prepared by D. Boelter
3. August 26, 2019 City Council Workshop – prepared by D. Boelter

B. Accounts Payable

1. City, September 9, 2019 – prepared by W. Manson
2. Fire Department, September 9, 2019 – prepared by W. Manson

C. Monthly Utility Adjustments, August, 2019 - prepared by J. Bonniwell

D. Schedule an Open House – Minnesota Department of Transportation – Monday, September 23, 2019

1. Schedule an Open House on Monday, September 23, 2019 from 6:00 p.m. to 8:00 p.m. to be held in the Montrose Community Center. The purpose of the Open House is for the general public to review the proposed Year 2022 United States (U.S.) Highway 12 Improvement Project with representatives from the Minnesota Department of Transportation (MN DOT).

- E. Reschedule the November 11, 2019 Regular City Council Meeting
 - 1. Reschedule the Monday, November 11, 2019 Regular City Council Meeting to Tuesday, November 12, 2019 at 7:00 p.m. in the Montrose Community Center due to the Veteran's Day Holiday

7. OPEN FORUM

8. WRIGHT COUNTY SHERIFF'S OFFICE

- A. August, 2019 Monthly Report

9. REPORTS AND RECOMMENDATIONS OF CITY DEPARTMENTS, CONSULTANTS, COMMISSIONS, AND COMMITTEES

A. City Council

- 1. Monthly Activity Report

B. Montrose Fire Department

- 1. August, 2019 Activity Report
- 2. Authorization to Send Four (4) Fire Department Officers to the Minnesota Fire Chief's Conference
 - a) Authorize all expenses to be paid for four (4) Fire Department Officers to attend the Minnesota Fire Chief's Conference from October 16, 2019 through October 21, 2019 in Duluth, Minnesota.
- 3. Resignation of Ms. Jessica Binkley – Effective August 29, 2019
 - a) Ms. Jessica Binkley was a member of the Montrose Fire Department for two (2) years, two (2) months and seventeen (17) days.
- 4. Montrose Fire Department Information
 - a) Mr. Tom Marketon was appointed to Assistant Fire Chief effective September 9, 2019.
- 5. Montrose Fire Department – Appointment of Chief
 - a) Appoint Mr. Kevin Triplett to the position of Montrose Fire Department Chief for the term two (2) year term of January 1, 2020 to December 31, 2021.
- 6. Resolution No. 2019-21 – Montrose Fire Department – Increase Retirement Plan Benefit Level
 - a) Resolution No. 2019-21 – *A Resolution Opting to Increase the Benefit Level for Firefighters who are vested in the Voluntary Statewide Volunteer Firefighter (SVF) Retirement Plan.*

C. Park and Recreation Commission

- 1. September 4, 2019 Park and Recreation Commission Meeting Minutes

D. Planning and Zoning Commission

- 1. August 21, 2019 Planning and Zoning Commission Meeting Minutes – *Will be available the night of the City Council Meeting*

10. OLD BUSINESS

11. NEW BUSINESS

A. Year 2020 Preliminary General Fund Budget and Levy

B. Franchise Fee Ordinances and Resolutions

- 1. Ordinance No. 2019-08 *An Ordinance Granting To Northern States Power Company, A Minnesota Corporation, Its Successors And Assigns, Permission To Erect A Gas Distribution System For The Purposes Of Constructing, Operating, Repairing And Maintaining In The City Of Montrose, Minnesota, The Necessary Gas Pipes, Mains And Appurtenances For The Transmission Or Distribution Of Gas To The City And Its Inhabitants And Others And*

Transmitting Gas Into And Through The City And To Use The Public Grounds And Public Ways Of The City For Such Purposes

2. Resolution 2019-22 *A Resolution Authorizing Summary Publication Of Ordinance 2019-08 An Ordinance Granting To Northern States Power Company, A Minnesota Corporation, Its Successors And Assigns, Permission To Erect A Gas Distribution System For The Purposes Of Constructing, Operating, Repairing And Maintaining In The City Of Montrose, Minnesota, The Necessary Gas Pipes, Mains And Appurtenances For The Transmission Or Distribution Of Gas To The City And Its Inhabitants And Others And Transmitting Gas Into And Through The City And To Use The Public Grounds And Public Ways Of The City For Such Purposes*
3. Ordinance No. 2019-09 *An Ordinance Implementing A Gas Service Franchise Fee On Northern States Power Company, A Minnesota Corporation, Its Successors And Assigns, For Providing Gas Service Within The City Of Montrose*
4. Resolution 2019-23 *A Resolution Authorizing Summary Publication Of Ordinance 2019-09 An Ordinance Implementing A Gas Service Franchise Fee On Northern States Power Company, A Minnesota Corporation, Its Successors And Assigns, For Providing Gas Service Within The City Of Montrose*
5. Ordinance 2019-10 *An Ordinance Implementing An Electric Service Franchise Fee On Northern States Power Company, A Minnesota Corporation, Its Successors And Assigns, For Providing Electric Service Within The City Of Montrose*
6. Resolution 2019-24 *A Resolution Authorizing Summary Publication Of Ordinance 2019-10 An Ordinance Implementing An Electric Service Franchise Fee On Northern States Power Company, A Minnesota Corporation, Its Successors And Assigns, For Providing Electric Service Within The City Of Montrose.*
7. Ordinance 2019-11 *An Ordinance Implementing An Electric Service Franchise Fee On Wright-Hennepin Cooperative Electric Association, A Minnesota Corporation, Its Successors And Assigns, For Providing Electric Service Within The City Of Montrose.*
8. Resolution 2019-25 *A Resolution Authorizing Summary Publication Of Ordinance 2019-11 An Ordinance Implementing An Electric Service Franchise Fee On Wright-Hennepin Cooperative Electric Association, A Minnesota Corporation, Its Successors And Assigns, For Providing Electric Service Within The City Of Montrose.*

C. City Administrator Position Discussion

12. UPCOMING MEETINGS

- A. Planning and Zoning Commission Meeting – Wednesday, September 11, 2019 at 7:00 p.m. in the Montrose Community Center
- B. City Council Workshop – Monday, September 23, 2019 at 3:30 p.m. in the Montrose City Hall Conference Room
- C. Minnesota Department of Transportation Open House – Monday, September 23, 2019 from 6:00 p.m. to 8:00 p.m. in the Montrose Community Center
- D. Park and Recreation Commission Meeting – October 7, 2019 at 5:30 p.m. in the Montrose City Hall Conference Room

- E. Regular City Council Meeting – Monday, October 14, 2019 at 7:00 p.m. in the Montrose Community Center
- F. Planning and Zoning Commission Meeting – Wednesday, October 16, 2019 at 7:00 p.m. in the Montrose Community Center
- G. City Council Workshop – Monday, October 28, 2019 at 3:30 p.m. in the Montrose City Hall Conference Room

13. ACKNOWLEDGEMENTS

14. ADJOURNMENT

City of Montrose
 Regular City Council Meeting
 Montrose Community Center
 200 Center Avenue South
 Monday, August 12, 2019
 7:00 P.M.

1. CALL TO ORDER

Pursuant to call and notice the Montrose City Council met in Regular Session on Monday, August 12, 2019 at 7:00 p.m.

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

2. ROLL CALL

Present: Mayor Michelle Otto
 Council Member Lloyd Johnson
 Council Member Tom Marszalek
 Council Member Kirby Moynagh

Absent: Council Member Ben Kuehl

Staff Present: Ms. Deborah Boelter, City Clerk-Treasurer
 Ms. Wendy Manson, Deputy Clerk
 Mr. Wayne McCormick, Public Works Department Director
 Mr. Kevin Triplett, Montrose Fire Department Chief
 Mr. Shawn Louwagie, City Engineer

3. INVOCATION

A. Pastor Paul Baker – Montrose Methodist Church

Pastor Paul Baker administered the Invocation.

4. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was taken.

5. APPROVAL OF THE AGENDA

A. Approval of the Agenda

Mayor Otto stated that the Agenda needs to be amended under:

9. REPORTS AND RECOMMENDATIONS OF CITY DEPARTMENTS, CONSULTANTS, COMMISSIONS, AND COMMITTEES

E. City Engineer

1. Trunk Highway 25 Improvements Project – Authorize Advertisement for Bids Bid Results
2. Emerson Avenue Improvements Project – Authorize Request For Quotes Quote Results

Council Member Marszalek motioned to approve the August 12, 2019 Regular City Council Meeting Agenda with the aforementioned amendments. Council Member Moynagh seconded the motion. Motion carried 4-0.

6. APPROVAL OF THE CONSENT AGENDA

A. Minutes

1. Accepted the minutes of the July 8, 2019 Regular City Council Meeting.
2. Accepted the minutes of the July 29, 2019 Special City Council Meeting.

B. Accounts Payable

1. Approved the August 12, 2019 Accounts Payable for the City of Montrose.
2. Approved the August 12, 2019 Accounts Payable for the Montrose Fire Department.

C. Approved the Monthly Utility Adjustments for July, 2019.

D. Resolution No. 2019-17 – Repeal Annexations

1. Adopted Resolution No. 2019-17 – *A Resolution Repealing Annexation Resolutions.*

E. Schedule a Joint City Council and Montrose Streetscape Committee Workshop – August 21, 2019

1. Scheduled a Joint City Council and Montrose Streetscape Committee Workshop for Wednesday, August 21, 2019 at 5:00 p.m. to be held in the Montrose City Hall Conference Room.

F. Schedule a Special City Council Meeting – August 26, 2019

1. Scheduled a Special City Council Meeting for Monday, August 26, 2019 at 3:30 p.m. to be held in the Montrose City Hall Conference Room.

G. Schedule a City Council Workshop – August 26, 2019

1. Scheduled a City Council Workshop to review the proposed year 2020 Budget and Levy for Monday, August 26, 2019 immediately following the Special City Council Meeting and to be held in the Montrose City Hall Conference Room.

H. Reschedule the September 18, 2019 Planning and Zoning Commission Meeting

1. Rescheduled the Wednesday, September 18, 2019 Planning and Zoning Commission Meeting to Wednesday, September 11, 2019 at 7:00 p.m. in the Montrose Community Center.

I. Resolution No. 2019-18 – Summary Publication of Ordinance 2019-07

1. Adopted Resolution No. 2019-18 – *A Resolution Authorizing Summary Publication Of Ordinance 2019-07 An Ordinance Amending Chapter 1031: Alternative Energy Systems To Establish Additional Standards For Solar Farms Within The City.*

J. Initiative Foundation – Annual Funding Request

1. Authorized City Staff to Allocate \$260.00 for the Initiative Foundation in the Year 2020 Budget.

K. Reschedule the September 2, 2019 Park and Recreation Commission Meeting

1. Rescheduled the Monday, September 2, 2019 Park and Recreation Commission Meeting to Wednesday, September 4, 2019 at 5:30 p.m. in the Montrose City Hall Conference Room due to the Labor Day Holiday.

L. Montrose Lions Club – Application to Conduct Off-Site Gambling

1. Approved the Montrose Lions Club's Application for Off-Site Gambling to conduct Bingo at the Montrose Lions Park from August 17, 2019 through August 19, 2019 during the Montrose Days Celebration.

M. Schedule a Public Hearing – Monday, August 26, 2019

1. Scheduled a Public Hearing to consider amendments to the City of Montrose Economic Development Authority's Governing Resolution for Monday, August 26, 2019 at 3:30 p.m. to be held in the Montrose City Hall Conference Room.

Council Member Marszalek motioned to approve the Consent Agenda as presented. Council Member Johnson seconded the motion. Motion carried 4-0.

7. OPEN FORUM

No residents addressed the City Council.

8. WRIGHT COUNTY SHERIFF'S OFFICE

A. July, 2019 Monthly Report

Deputy Gerads referred to the July, 2019 *Wright County Sheriff's Office Report* found in the City Council Packet.

Deputy Gerads recommended that residents keep their car doors locked and do not keep valuables in your vehicle.

9. REPORTS AND RECOMMENDATIONS OF CITY DEPARTMENTS, CONSULTANTS, COMMISSIONS AND COMMITTEES

A. City Council

1. Monthly Activity Report

The City Council Members gave a brief overview of the meetings, activities and/or events they attended.

B. Montrose Fire Department

1. July, 2019 Activity Report

Mr. Kevin Triplett referenced the *Monthly Activity Report* for the month of July, 2019 that was found in the City Council Packet.

2. Insurance Services Office (I.S.O.) Audit Results

Mr. Triplett gave a brief overview of the I.S.O. Audit results for the Montrose Fire Department.

3. Hiring of Firefighters

Mr. Triplett announced that the Montrose Fire Department is looking for additional Firefighters and encouraged residents to apply.

4. Leave of Absence for Mr. Keith Johnson – Effective July 3, 2019

- a) Approve a six (6) month Leave of Absence for Mr. Keith Johnson.

Mr. Triplett stated that Mr. Keith Johnson has requested a six (6) month *Leave of Absence*.

Council Member Moynagh motioned to approve a six (6) month *Leave of Absence* for Mr. Keith Johnson effective July 3, 2019. Council Member Johnson seconded the motion. Motion

carried 4-0.

5. Resignation of Firefighter Mr. Ralph Brown – Effective July 31, 2019

Mr. Triplett recognized Mr. Ralph Brown for his six (6) years, ten (10) months and twenty-seven (27) days of service on the Montrose Fire Department.

Council Member Marszalek motioned to accept the resignation of Mr. Ralph Brown from the Montrose Fire Department effective July 31, 2019. Council Member Moynagh seconded the motion. Motion carried 4-0.

C. Park and Recreation Commission

1. July 10, 2019 Park and Recreation Commission Meeting Minutes

Mr. Matt Russell, Park and Recreation Chair, gave an overview of the items discussed at the July 10, 2019 Park and Recreation Commission Meeting.

2. August 5, 2019 Park and Recreation Commission Meeting Minutes

Mr. Matt Russell, Park and Recreation Chair, gave an overview of the items discussed at the August 5, 2019 Park and Recreation Commission Meeting.

3. Regional Park Fencing

Mr. Matt Russell stated that the property owner adjacent to the Regional Park attended the August 5, 2019 Park and Recreation Commission Meeting to discuss the maintenance of the fencing installed by the City of Montrose on the north and west side of their property and on the City's property.

Mr. Jim Herzog and Mrs. April Herzog, 4671 County Road Twelve (12) South, addressed the City Council requesting that the City repair and maintain the erosion on the west side of their property under the fence.

The City Council directed staff to have the City's Engineer evaluate the erosion.

Mr. McCormick stated that the Public Works Department employees have filled in the erosion area.

Mrs. Herzog shared her concerns about the Public Works Department employees entering their property to do work without prior notification. Mr. McCormick stated that in the future, the City will contact Mr. and Mrs. Herzog before entering their property.

Mrs. Herzog requested that the City install a porta-potty in the area of the Community gardens. City staff stated that there is a porta-potty located in the Regional Park.

4. Winter Skating Rink

Mr. Russell stated that the Park and Recreation Commission is recommending that Skating Rinks be installed in Carver Field and the Lions Park.

Public Works Department Director, Mr. Wayne McCormick, recommended that the Skating Rink in Carver Field be moved to Lions Park and another one be installed in Northridge Park. Mr. McCormick shared his concerns about the damage the Skating Rink is causing to Carver Field.

Mayor Otto motioned to have a small Skating Rink installed at Carver Field and a large Skating Rink in the Lions Park with future planning to eventually move the Skating Rink from Carver Field to Northridge Park. Council Member Johnson seconded. Motion carried 3-1. Council Marszalek opposed.

5. Montrose Days – Coin Hunt

Mr. Russell stated that the Park and Recreation Commission would like to sponsor a *Coin Hunt* during Montrose Days. He continued by stating the cost to sponsor the event would not exceed \$200.00.

Mayor Otto motioned to approve a *Coin Hunt* to be sponsored by the Park and Recreation Commission on Saturday, August 17, 2019 during Montrose Days with expenses not to exceed \$200.00. Council Member Johnson seconded. Motion carried 4-0.

D. Planning and Zoning Commission

1. July 10, 2019 Planning and Zoning Commission Meeting Minutes

Ms. Boelter gave an overview of the items discussed at the July 10, 2019 Planning and Zoning Commission Meeting.

2. August 21, 2019 Planning and Zoning Commission Meeting – Public Hearing

Ms. Boelter stated that the Planning and Zoning Commission will be holding a Public Hearing on Wednesday, August 21, 2019 to consider amendments to the City's Zoning Ordinance language regarding signs.

3. September, 2019 Planning and Zoning Commission Meeting

Ms. Boelter stated that she has contacted the Planning and Zoning Commission Members to request changing the Wednesday, September 18, 2019 Meeting to Wednesday, September 11, 2019. She continued by stating that she will be attending the Minnesota Municipal Clerks and Finance Officers Association (MCFOA)'s Advanced Academy for her City Clerk-Treasurer Certification from September 18, 2019 to September 20, 2019.

Ms. Boelter stated that the Planning and Zoning Commission Members were in agreement to move the Meeting to Wednesday, September 11, 2019.

E. City Engineer

1. Trunk Highway 25 (TH 25) Improvements Project – Bid Results

The City's Engineer, Mr. Shawn Louwagie, stated that bids were received for the TH 25 Improvements Project on Friday, August, 2019. He continued by stating that the Project was advertised in the newspaper and on QuestCDN, which is an internet based public bid advertisement website. Thirteen (13) companies listed as prime bidders downloaded the bid package from the QuestCDN website.

Mr. Louwagie stated that the City received one (1) bid to complete the work from R&R Excavating, Incorporated of Hutchinson, Minnesota. The received bid was tabulated and verified and sent to the Minnesota Department of Transportation (MN DOT) staff for their review and approval. MN DOT approval of the submitted bid is required before the City may elect to award the contract per the Cooperative Agreement.

Mr. Louwagie stated that the submitted bid to complete the work was in the amount of \$942,401.01. This bid amount is to complete both MN DOT's work scope and the City's work scope. Based on the breakdown of responsible costs, the cost share responsibility is anticipated to be as follows:

TOTAL BID AMOUNT	MN DOT PORTION	CITY PORTION
\$942,401.01	\$526,507.11	\$415,893.90

Mr. Louwagie stated that the City portion of the costs is allocated to the sanitary sewer replacement, watermain replacement, and the trail construction costs.

Mr. Louwagie presented the anticipated schedule for the Project:

- ~~July 8, 2019: Authorize Advertisement for Bids~~
- ~~July 11, 2019: Advertisement in the Legal Paper~~
- ~~August 2, 2019: Bid Submissions Due and Bid Opening~~
- August 12, 2019: Present Bids to Council for Consideration
- End of August, 2019: Begin Construction
- October 31, 2019: Complete Construction

Mr. Louwagie stated that verbal discussion with MN DOT staff indicates that they are satisfied with the bid received and will be sending over a revised Schedule I and bid concurrence to City staff.

Mr. Louwagie stated that staff requests that the City Council consider the received bid and determine whether to award the Improvements Project to R&R Excavating, Incorporated. in the amount of \$942,401.01.

Council Member Marszalek asked Mr. Louwagie why there was only one (1) bid received. Mr. Louwagie stated that the scope of the Improvements Project takes two (2) different contractors; so, some companies do not want to deal with work that they have to subcontract. He continued by stating that because the Project is under the direction of MN DOT, it requires more paperwork and some contractors do not want to complete the extra paperwork requirements.

Ms. Wendy Manson, Deputy Clerk stated that the City's portion of costs are less than the City budgeted for the Project.

Council Member Moynagh motioned to award the Trunk Highway Twenty-Five (TH 25) Improvements Project to R & R Excavating, Incorporated in the amount of \$942,401.01. Council Member Marszalek seconded the motion. Motion carried 4-0.

2. Emerson Avenue Improvement Project – Quote Results

Mr. Louwagie stated that Wenck staff has received quotes for the Emerson Avenue Improvement Project. He continued by stating that quote requests were sent out to a total of thirteen (13) contractors and out of the contractor solicitations two (2) quotes were received:

CONTRACTOR	BASE BID: Reclaim	ALTERNATE 1: Mill and Overlay
Mid Minnesota Hot Mix	\$130,675.00	-\$1,605.00
Meyer Contracting	\$242,100.45	\$14,963.40

Mr. Louwagie stated that the proposed improvements to Emerson Avenue are to widen the section from 2nd Street to Mindy Lane from the existing nineteen feet (19') width to twenty-eight feet (28'), which would better align this segment of Emerson Avenue with the segments to the north and south. Reclamation of the existing street section is proposed in the base bid along with the addition of concrete curb and gutter along both sides of the street.

Mr. Louwagie presented the anticipated timeline for the Project:

- ~~July 8, 2019: Authorize Request for Quotes~~
- ~~July 10, 2019: Solicit Quote Requests to Contractors~~
- ~~August 2, 2019: Quote Results Due~~
- August 12, 2019: Present Quotes to Council for Consideration
- End of August, 2019: Begin Construction
- October 31, 2019: Complete Construction

Mr. Louwagie stated that based on the received quotes, it is recommended that the Base Bid be awarded without awarding Alternate 1. This allows for the reclamation of Emerson Avenue in lieu of milling and overlaying it.

Mr. Louwagie stated that staff requests that City Council review the received quotes and determine whether to award the Improvement Project to Mid Minnesota Hot Mix in the amount of \$130,675.00.

Council Member Johnson asked Mr. Louwagie if curb and gutter were going to be installed. Mr. Louwagie stated that curb and gutter was being installed on both the east and west sides of Emerson Avenue.

Ms. Manson stated that the City did budget \$100,000 for the Emerson Avenue Improvement Project.

Council Member Marszalek motioned to award the Emerson Avenue Improvement Project to Mid Minnesota Hot Mix in the amount of \$130,675.00. Council Member Moynagh seconded the motion. Motion carried 4-0.

3 Update on Sludge Removal Options at the Wastewater Treatment Plant (WWTP)

Mr. Louwagie gave an update on the proposed sludge removal options at the WWTP.

10. NO OLD BUSINESS.

11. NEW BUSINESS

A. Purchase of Property – Parcel Identification Number (P.I.D. #) 112-012-005051

1. Resolution No. 2019-19 *A Resolution Approving the Purchase of Real Property and Dispensing with Statutory Requirements for Review by Planning Commission*

Ms. Boelter presented Resolution No. 2019-19 approving the purchase of property at P.I.D. #112-012-005051. She continued by stating that the purchase does not have to be reviewed by the Planning and Zoning Commission because the property has no relationship to the City's Comprehensive Plan.

Council Member Moynagh motioned to adopt Resolution No. 2019-19 *A Resolution Approving the Purchase of Real Property and Dispensing with Statutory Requirements for Review by Planning Commission*. Council Member Marszalek seconded the motion. Motion carried 4-0.

B. Wright County Sheriff's Office – Year 2020-2021 Contract

Ms. Boelter presented the Wright County Sheriff's Office Year 2020-2021 Contract for law enforcement services within the City of Montrose.

Captain Todd Hoffman of the Wright County Sheriff's Office was in attendance at the City Council Meeting to answer questions.

Council Member Marszalek motioned to approve the Year 2020-2021 Contract between the City of Montrose and the Wright County Sheriff's Office for Police protection services. Mayor Otto seconded the motion. Motion carried 4-0.

12. UPCOMING MEETINGS

- A. Joint City Council and Montrose Streetscape Committee Workshop – Wednesday, August 21, 2019 at 5:00 p.m. in the Montrose City Hall Conference Room
- B. Planning and Zoning Commission Meeting – Wednesday, August 21, 2019 at 7:00 p.m. in the Montrose Community Center
- C. Special City Council Meeting – Monday, August 26, 2019 at 3:30 p.m. in the Montrose City Hall Conference Room
- D. City Council Year 2020 Budget and Levy Workshop – Monday, August 26, 2019 immediately following the Special City Council Meeting in the Montrose City Hall Conference Room

- E. Park and Recreation Commission Meeting – Wednesday, September 4, 2019 at 5:30 p.m. in the Montrose City Hall Conference Room
- F. Regular City Council Meeting – Monday, September 9, 2019 at 7:00 p.m. in the Montrose Community Center
- G. Planning and Zoning Commission Meeting – Wednesday, September 11, 2019 at 7:00 p.m. in the Montrose Community Center
- H. City Council Workshop – Monday, September 23, 2019 at 3:30 p.m. in the Montrose City Hall Conference Room

Mayor Otto asked the City Council Members if they would be available to be in the Montrose Days Parade. Council Member Marszalek stated that he was participating in the Parade as a representative for the Montrose Waverly Chamber of Commerce.

Mayor Otto asked Mr. McCormick if Council Member Kuehl had contacted him to discuss items that the Montrose Days Committee needs. Mr. McCormick stated that he would contact Council Member Kuehl.

13. ACKNOWLEDGEMENTS

A. Code Enforcement – Administrative Assistant

Mayor Otto acknowledged the City's newly hired Administrative Assistant, Ms. Heidi Dahlin, for the work she has been doing with Code Enforcement.

B. City Attorney and City Staff

Mayor Otto acknowledged the City Attorney and the City staff for the work that they do for the City of Montrose.

C. Public Works Department Employees – Carver Field Improvements

Mayor Otto acknowledged the Public Works Department employees for the improvements that they made to Carver Field in preparation for Montrose Days.

D. Wright County Sheriff's Office

Council Member Moynagh acknowledged the Wright County Sheriff's Office for their law enforcement services in the City of Montrose.

14. ADJOURNMENT

Council Member Moynagh motioned to the adjourn the Regular City Council Meeting at 8:35 p.m. Council Member Marszalek seconded the motion. Motion carried 4-0.

Michelle Otto
Mayor
City of Montrose

ATTEST:

Deborah R. Boelter, CMC
City Clerk-Treasurer
City of Montrose

City of Montrose
 Special City Council Meeting
 Montrose City Hall
 311 Buffalo Avenue South
 Monday, August 26, 2019
 3:30 P.M.

1. CALL TO ORDER

Pursuant to call and notice the Montrose City Council met in a Special Meeting on Monday, August 26, 2019 at 3:30 p.m.

Mayor Otto called the meeting to order at 3:30 p.m.

2. ROLL CALL

Present: Mayor Michelle Otto
 Council Member Lloyd Johnson
 Council Member Ben Kuehl
 Council Member Tom Marszalek
 Council Member Kirby Moynagh

Staff Present: Ms. Deborah Boelter, City Clerk-Treasurer
 Ms. Wendy Manson, Deputy Clerk
 Mr. Wayne McCormick, Public Works Department Director
 Mr. James Monge, III, City Attorney

Also Present: Mr. Shannon Sweeney, David Drown Associates
 Mr. Michael Gold-Biss, United States Census Bureau

3. PUBLIC HEARING

A. Consider Amendments to the Economic Development Authority's Governing Resolution

1. Consider amendments to the City of Montrose's Economic Development Authority (EDA)'s Governing Resolution

Mr. Shannon Sweeney of David Drown Associates presented Resolution Number (No.) 2019-20. He presented the following significant changes:

- Membership is changing from five (5) City Council Members to two (2) City Council Members and three (3) Business Owners.
- The EDA will need to seek approval from the City Council to expend any EDA funds.

Mayor Otto asked about whether the EDA Members will receive any type of reimbursement for attending meetings. Council Member Marszalek stated that the EDA Members will be paid \$25 per meeting. Mr. Sweeney stated that the reimbursement fee will be passed in a separate Resolution.

Council Member Johnson asked if *Roberts Rules of Order* is a law. Mr. Sweeney stated that it is not a law; but, the most commonly used rules for public meetings. The City Attorney, Mr. James Monge stated that it is one of several rules for public bodies to follow when conducting a meeting.

Council Member Moynagh motioned to open the Public Hearing. Council Member Marszalek seconded the motion. Motion carried 5-0.

Mayor Otto asked for public comment.

Ms. Catherine Neiberger, 125 Hill Street, addressed the City Council and stated that the efforts to reestablish the EDA are important.

Mr. Doug Voerding, 315 Dakota Avenue South, addressed the City Council and asked if three (3) representatives from the Montrose Business Community is enough. Mr. Sweeney stated that five (5) total Members is a good start when you are refocusing the EDA like the City of Montrose is doing. He continued by stating that if there is enough interest and passion for the EDA in the future, the City can increase the membership.

Council Member Moynagh motioned to close the Public Hearing. Council Member Marszalek seconded the motion. Motion carried 5-0.

Council Member Moynagh motioned to adopt Resolution Number (No.) 2019-20 A Resolution Amending Resolution Number 92-15 Establishing the Economic Development Authority for the City of Montrose. Council Member Kuehl seconded the motion. Motion carried 5-0.

4. BUSINESS

A. United States (U.S.) Census Bureau Presentation – Mr. Michael Gold-Biss

1. Year 2020 Census and the Complete Count Committee

Mr. Michael Gold-Biss presented information on the proposed *Complete Count Committee* for the year 2020 Census.

Mr. Biss stated that in the past, the Census was primarily conducted by mail response. He continued by stating that in the year 2020 there will also be online registration. In the year 2000 Census, the City of Montrose had a seventy-six percent (76%) participation rate. In the year 2010 Census, there was a seventy-three percent (73%) participation rate. Mr. Biss stated that the goal of the U.S. Census Bureau is to have ninety percent (90%) participation.

Mr. Biss stated that the U.S. Census Bureau is asking cities to establish a *Complete Count Committee* consisting of a trusted group of residents from the Montrose Community who would encourage residents to complete the year 2020 survey. The City Council would determine who would be on the *Committee* and the *Committee Members* would receive training from the U.S. Census Bureau in-person and/or via webinar.

Ms. Boelter stated that the City Council should identify members of the Montrose Community who would be suitable members of the *Complete Count Committee* and forward their names to City staff.

B. Introduction of City Attorney, Mr. James Monge, III

Ms. Boelter introduced the new City Attorney, Mr. James Monge, III.

Mr. Monge stated that he worked for the League of Minnesota Cities for fifteen (15) years and Campbell Knutson, P.A. for four (4) years.

C. Engineering Discussion

Ms. Boelter stated that the City Council asked to have the Engineering Discussion on the *Special City Council Meeting Agenda*.

Council Member Kuehl motioned to appoint Bolton and Menk, Incorporated as the City Engineer; but, to continue engineering services with Wenck for the Trunk Highway Twenty-Five (TH 25) Project and Emerson Avenue Improvement Project. Council Member Marszalek seconded the motion.

Mayor Otto and Council Member Johnson shared their concerns about the service that engineers from Bolton and Menk, Incorporated provided when they were the City's Engineering Firm.

Council Member Marszalek shared his concerns regarding the increase in expenditures from Wenck for the same type of services and their lack of timely response to City staff requests.

The City staff shared some of the expenditures that are higher than those of Bolton and Menk, Incorporated. City staff also shared information on particular incidents where Wenck has failed to respond to staff requests in a timely fashion.

The City Council discussed whether the City should again go through the Request For Proposal (RFP) process. The City Attorney, Mr. Monge stated that the City Council can decide to appoint an engineer without the RFP process or they can again go through the RFP process.

The City Council discussed and Mayor Otto directed staff to have the City's Engineer from Wenck, Mr. Shawn Louwagie and his supervisor attend the Monday, September 9, 2019 Regular City Council Meeting to discuss their job performance with the City of Montrose.

Mayor Otto took a vote on the motion and second.

Motion failed 2-3. Mayor Otto opposed. Council Member Johnson opposed. Council Member Moynagh opposed.

D. Code Enforcement

1. Update on Code Enforcement Progress

Ms. Boelter gave an update on Code Enforcement efforts. She continued by stating that the majority of residents who were asked to rectify code enforcement issues on their property have complied.

Ms. Boelter stated that she is working with the property owners who need additional time to remediate their code enforcement issues.

2. Discussion on Fencing – 123 Hill Street

Ms. Boelter asked the City Council for direction on the removal of the chicken wire that was added to the top of the wooden fence at 123 Hill Street.

Council Member Kuehl motioned to direct City staff to have the property owner at 123 Hill Street remove the chicken wire from the top of their wood fence. Council Member Marszalek seconded the motion. Motion carried 5-0.

E. Franchise Fees Discussion

Ms. Boelter presented the DRAFT Ordinances to implement gas and electric franchise fees in the City of Montrose. She continued by stating that there would be franchise fees for electric with both Xcel Energy and Wright-Hennepin Cooperative Electric Association. The gas franchise fees would be through Xcel Energy.

Ms. Boelter stated that the City Council will need to establish the rates for residential and commercial/industrial. She continued by presenting the rates of cities similar in population and also the rates of surrounding cities.

The City Council discussed and decided on the rate of \$4.00 for residential and \$8.00 for commercial/industrial per Parcel Identification (P.I.D.) Number; not for each meter.

City staff stated that with a rate of \$4.00 for residential properties and \$8.00 for commercial/industrial properties, the City will have an estimated additional annual revenue of \$128,620.00. Ms. Manson stated that this additional revenue could be designated for street improvements; because, there are several streets in the City that need to be repaired and/or improvements made in the near future. She continued by stating that at some point in the future, a portion of the franchise fees revenue could be designated for park improvements.

Council Member Marszalek motioned to establish the electric and gas franchise fee rates as \$4.00 per residential P.I.D. Number and \$8.00 per commercial/industrial P.I.D. Number. Mayor Otto seconded the motion. Motion carried 5-0.

F. Telephone System Proposal

Ms. Boelter stated that the City's current telephones and system are not working properly and are not conducive to City business. She continued by presenting a proposal to upgrade the City's telephone system and to improve the City's internet service.

Ms. Boelter presented the options to lease the new telephones or purchase them. The City Council discussed and agreed to purchase the telephones.

Council Member Marszalek motioned to accept the communication proposal from Central Telephone and Comcast Business. Council Member Kuehl seconded the motion. Motion carried 5-0.

5. UPCOMING MEETINGS

- A. City Council Year 2020 Budget and Levy Workshop – Monday, August 26, 2019 immediately following the Special City Council Meeting in the Montrose City Hall Conference Room
- B. Park and Recreation Commission Meeting – Wednesday, September 4, 2019 at 5:30 p.m. in the Montrose City Hall Conference Room
- C. Regular City Council Meeting – Monday, September 9, 2019 at 7:00 p.m. in the Montrose Community Center
- D. Planning and Zoning Commission Meeting – Wednesday, September 11, 2019 at 7:00 p.m. in the Montrose Community Center
- E. City Council Workshop – Monday, September 23, 2019 at 3:30 p.m. in the Montrose City Hall Conference Room

6. ADJOURNMENT

Council Member Moynagh motioned to the adjourn the Special City Council Meeting at 5:00 p.m. Council Member Marszalek seconded the motion. Motion carried 5-0.

Michelle Otto
Mayor
City of Montrose

ATTEST:

Deborah R. Boelter, CMC
City Clerk-Treasurer
City of Montrose

City of Montrose
 City Council Workshop
 Montrose City Hall
 311 Buffalo Avenue South
 Monday, August 26, 2019
 5:05 P.M.

1. CALL TO ORDER

Pursuant to call and notice the Montrose City Council met in a Workshop on Monday, August 27, 2018 at 5:05 p.m.

Mayor Otto called the meeting to order at 5:05 p.m.

2. ROLL CALL

Present: Mayor Michelle Otto
 Council Member Lloyd Johnson
 Council Member Ben Kuehl
 Council Member Tom Marszalek
 Council Member Kirby Moynagh

Staff Present: Ms. Deborah Boelter, City Clerk-Treasurer
 Ms. Wendy Manson, Deputy Clerk
 Mr. Wayne McCormick, Public Works Director

3. DISCUSSION ON YEAR 2020 PROPOSED BUDGET

Ms. Manson presented the proposed Year 2020 General Fund Budget and Levy.

Ms. Manson stated that the proposed Preliminary Levy for the City of Montrose for the year 2020 is \$1,312,635.00; an increase of six percent (6%) or \$73,305.00 over the year 2019 Preliminary Levy.

Ms. Manson stated that the estimated tax capacity for the year 2020 is \$2,371,000.00 compared to \$2,195,173.00 for the year 2019. She continued by stating that with estimated tax capacity the tax rate will actually decrease 1.09%; which means there would be little or no impact on the year 2020 property taxes.

Ms. Manson stated that the property tax is calculated as follows:

- Tax Capacity (*one percent (1%) of your property value as shown on your property tax statement*) times (X) Tax Rate

She continued by stating that the tax rate calculation is:

- Proposed Levy divided by (+) the Total City Tax Capacity

Ms. Manson provided an estimate of property tax based on value:

Year 2019 Property Value	\$125,000.00	\$175,000.00	\$200,000.00
Tax Amount	\$705.00	\$987.00	\$1,129.00

Year 2020 Property Value	\$125,000.00	\$175,000.00	\$200,000.00
Tax Amount	\$692.00	\$969.00	\$1,107.00

The City Council reviewed the proposed General Fund Budget and Levy with staff. They directed City staff to bring the proposed six percent (6%) increase to the Year 2020 General Fund Budget and Levy to the September 9, 2019 Regular City Council Meeting for approval.

Ms. Boelter reminded the City Council that after the Preliminary Budget and Levy are approved, the City cannot increase them; so, you want to approve the increase now. The Preliminary Budget and Levy can be decreased before the Final Budget and Levy are approved in December.

4. ADJOURNMENT

Council Member Moynagh motioned to the adjourn the City Council Workshop at 5:30 p.m. Council Member Kuehl seconded the motion. Motion carried 5-0.

Michelle Otto
Mayor
City of Montrose

ATTEST:

Deborah R. Boelter, CMC
City Clerk-Treasurer
City of Montrose

ACCOUNTS PAYABLE LIST

SEPTEMBER 9, 2019

Payroll	8/12/19 Payroll	13718.13
Payroll	8/26/19 Payroll	13568.47
IRS-Federal Tax Payment	8/12/19 FED/FICA Tax	4738.22
IRS-Federal Tax Payment	8/26/19 FED/FICA Tax	4696.50
MN Dept. of Revenue	8/12/19 State Withholding	881.31
MN Dept. of Revenue	8/26/19 State Withholding	873.87
PERA	8/12/19 Payroll	2562.01
PERA	8/26/19 Payroll	2571.00
Central Land Title	Purchase 230 3 rd St.S,	61950.00
MN Dept. of Revenue	July Sales Tax	1599.00
Payment Service Network	July PSN/ACH	1175.77
*AFSCME #65	Aug. Union Dues	171.00
AmeriPride Services	Uniforms/Floor Mats	346.25
Campbell Knutson	Legal Services	2025.30
Cardmember Service	Comm. Ctr. Coffee Makers	312.83
Centra Sota CO-OP	Diesel Fuel	754.20
*Citizens State Bank	Aug. H.S.A. Deposit	2658.00
*Colonial Life	Aug. Employee Ins.	111.78
Delta Dental	Sept. Dental Ins	699.60
Hawkins	WWTP Chemicals	4302.47
Health Partners	Sept. Health Ins.	10517.91
Hecksel Machine	Park Equip. Repair	50.00
Henning Prof Services	TH 25 Easement Services	1325.10
*IUOE Local 49	Aug. Union Dues	175.00
League of MN Cities	Regional Meeting	45.00
*Madison Nat'l Life Ins	Sept. Disability Ins	332.79
Marco Tech.	Printer Mtce. Agreement	62.03
Menards	Parks/PW/Comm Ctr/Water	298.34
Midwest Machinery	Lawnmower Maintenance	2.48
Mini Biff	Park Biffs	168.82
Munson Lakes	Weed Killer	97.90
MVTL Labs	Water Testing	48.20
MVTL Labs	WWTP Testing	381.30
*NW Assoc Consultants	Planner Services	2339.50
Paumen Computer Service	Monthly Backup/IT	280.00
Paumen Computer Service	Annual Support Renewals	1389.65
Paumen Computer Service	Computer/Software Mtce.	525.00
Pitney Bowes	Postage Machine Equip Rent	131.88
Randy's Enviro. Services	Aug. Refuse/Recycle	15818.61
RDO Equipment	Payloader Repair	1187.91
USAbLe Life	Sept. Life Ins.	79.50
Wal-Mart	Comp Monitor/City Hall Supplies	220.73

September 9, 2019

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Windstream	Telephone Charges	116.26
Wright-Hennepin CO-OP	Electric Charges	188.87
Xcel Energy	Electric & Gas Charges	1729.68

ACCOUNTS PAYABLE SUBTOTAL	157228.17
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Ameripride	Uniforms/Floor Mats	95.23
Bolton & Menk	Well/Wellhouse Engineering	1693.25
Comcast	Internet Service	536.66
CR Electric	Street Light Repairs	246.84
Culligan	City Hall Softener Service	66.10
Delano Auto Parts	WWTP Repairs	36.91
Duane Nielsen Co.	Calibrate WW Meters	492.70
Gopher State One-Call	Water/Sewer Locates	79.65
Janelle Hannan	Utility Overpayment	55.93
Roy Henry, Jr.	Safety Boots	100.00
Michelle Jacobson	Utility Overpayment	124.43
Marie Jenson	Janitorial Service	490.00
Cari LaBar	Utility Overpayment	451.42
LMCIT	2018-19 Workers Comp.	1609.00
League of MN Cities	2019-20 Membership Dues	3639.00
*Metro West Inspect.	Bldg Permits/Inspect.	9398.70
Mini Biff	Park Biffs	324.63
MN Computer Systems	Copier Mtce Agreement	252.88
MN Dept of Health	3 rd Qtr Water Connection Fee	1911.00
MN Mayor's Assn	2019-20 Membership Dues	30.00
MVTL Labs	WWTP Testing	272.90
Office of Sec. of State	Dahlin Notary Application	120.00
Petty Cash	Replenish Petty Cash	120.46
Quill Corp	City Hall Office Supplies	102.76
St. Cloud State Univ.	2019 MCAA Advanced Academy	330.00
Star2Star	Telephone Charges	335.47
Bartley Theis	Utility Overpayment	10.54
Utility Consultants	WWTP Testing	86.00
Verizon	Cell Phones	348.65
Wright Cty Auditor	Sept. Sheriff Services	22660.42
Wright Cty Jrnl Press	Legal Notices	98.39
Xcel Energy	Gas Charges	26.85
Ziegler, Inc.	RM Lift Station Repair	953.78

TOTAL ACCOUNTS PAYABLE	204328.72
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September 9, 2019
Page 3

OTTO	BOELTER	MARSZALEK
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JOHNSON	KUEHL	MOYNAGH
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* Appendix

Payments received to offset checks written

Payroll Deduction	AFSCME-Aug. Union Dues	171.00
Payroll Deduction	Aug. H.S.A. Deposit	1258.00
Payroll Deduction	IUOE 49-Aug. Union Dues	175.00
Payroll Deduction	Sept. Disability Ins.	332.79
Payroll Deduction	Aug. Employee Ins.	111.78
Developer Expenses	Planners Fees	152.00
Building Permits	Metro West	9398.70

FIRE DEPARTMENT ACCOUNTS PAYABLE LIST

SEPTEMBER 9, 2019

Cardmember Services	Small Engine Fuel	159.98
Emerg Response Solutions	Gas Monitor	790.23
Menards	Station Supplies	60.06
Ridgeview Med. Ctr.	Live Burn Ambulance Standby	326.43
Comcast	Internet Service	97.85
Emerg Response Solutions	SCBA Repair	141.40
MN Computer Systems	Copier Mtce Agreement	117.00
Verizon	FD I-Pad	40.01

TOTAL ACCOUNTS PAYABLE	1732.96
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OTTO
BOELTER
MARSZALEK

JOHNSON
KUEHL
MOYNAGH

*APPENDIX

Payments received to offset checks written

CITY OF MONTROSE

Monthly Adjustments

Account	Tran Type	Charge Name	Charge Type	Amount	Date
01-00002510-00-	Adjustment	Hang Disconnect N	Service	\$25.00	8/6/2019
01-00001036-00-	Adjustment	Garbage- 90 GAL	Service	(\$1.17)	8/26/2019
01-00001036-00-	Adjustment	Garbage Tax	Surcharge	(\$0.11)	8/26/2019
01-00001036-00-	Adjustment	Sewer Collection	Service	(\$4.89)	8/26/2019
01-00001036-00-	Adjustment	WWTP	Service	(\$4.99)	8/26/2019
01-00001036-00-	Adjustment	Recycle-60	Service	(\$0.14)	8/26/2019
01-00001036-00-	Adjustment	Annual State Wa	Service	(\$0.20)	8/26/2019
01-00001036-00-	Adjustment	Storm Water	Service	(\$0.31)	8/26/2019
01-00001223-00-	Adjustment	R Water	Service	(\$0.87)	8/26/2019
01-00001223-00-	Adjustment	Garbage Tax	Surcharge	(\$0.07)	8/26/2019
00-00001071-02-	Adjustment	Garbage- 90 GAL	Service	(\$44.20)	8/5/2019
01-00001036-00-	Adjustment	R Water	Service	(\$5.61)	8/26/2019
01-00001652-00-	Adjustment	Hang Disconnect N	Service	\$25.00	8/6/2019
01-00005164-00-	Adjustment	Garbage- 90 GAL	Service	(\$10.20)	8/26/2019
01-00006053-00-	Adjustment	Hang Disconnect N	Service	\$25.00	8/6/2019
00-00005041-01-	Adjustment		UR	(\$122.73)	8/13/2019
00-00001133-00-	Adjustment		UR	(\$87.29)	8/13/2019
00-00005060-00-	Adjustment		UR	(\$108.94)	8/13/2019
01-00001223-00-	Adjustment	Garbage- 90 GAL	Service	(\$0.75)	8/26/2019
01-00001223-00-	Adjustment	Sewer Collection	Service	(\$0.79)	8/26/2019
01-00001223-00-	Adjustment	WWTP	Service	(\$0.87)	8/26/2019
01-00001223-00-	Adjustment	Recycle-60	Service	(\$0.09)	8/26/2019
01-00001223-00-	Adjustment	Annual State Wa	Service	(\$0.14)	8/26/2019
01-00001223-00-	Adjustment	Storm Water	Service	(\$0.20)	8/26/2019
00-00001071-02-	Adjustment	Recycle-90	Service	(\$5.20)	8/5/2019
				(\$324.76)	

((Type="Adjustment")) AND ((Date Between [enter start date] And [enter stop date]))



Wright County Sheriff's Office

Sheriff Sean Deringer

3800 Braddock Ave. NE, Buffalo, MN 55313
1-800-362-3667 Fax: 763-682-7610



Montrose Monthly Report 2019

Printed on September 4, 2019

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
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911 Abandoned Total: 2

08/07/19 22:34	911 Abandoned	2019065597			911
08/08/19 12:13	911 Abandoned	2019065748			911

911 Hang-up Total: 7

08/03/19 21:48	911 Hang-up	2019064258			911
08/04/19 00:59	911 Hang-up	2019064326			911
08/11/19 12:49	911 Hang-up	2019066728			911
08/18/19 13:23	911 Hang-up	2019069015			911
08/20/19 09:21	911 Hang-up	2019069637			911
08/22/19 14:32	911 Hang-up	2019070543			911
08/30/19 06:33	911 Hang-up	2019073028			911

911 Open Line Total: 11

08/02/19 10:39	911 Open Line	2019063680			911
08/06/19 07:27	911 Open Line	2019064966			911
08/08/19 20:06	911 Open Line	2019065882			911
08/09/19 05:34	911 Open Line	2019065988			911
08/10/19 22:40	911 Open Line	2019066606			911
08/16/19 09:15	911 Open Line	2019068312			911
08/16/19 14:48	911 Open Line	2019068404			911
08/16/19 18:31	911 Open Line	2019068476			911
08/18/19 13:04	911 Open Line	2019069011			911
08/18/19 19:03	911 Open Line	2019069129			911
08/26/19 10:46	911 Open Line	2019071828			911

Agency Assist Total: 3

08/07/19 14:39	Agency Assist	2019065452	Agency Assist	WP19024993	Phone
08/16/19 00:56	Agency Assist	2019068256	Agency Assist	WP19026042	Phone
08/17/19 20:56	Agency Assist	2019068828	Agency Assist	WP19026259	Phone

Agency Assist; Warrant - Attempt Total: 1

08/07/19 22:25	Agency Assist; Warrant	2019065594	Warrant - Arrest	WP19025046	Phone
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Aircraft Incident Total: 1

08/07/19 17:38	Aircraft Incident	2019065514	Aircraft Incident	WP19025012	911
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Alarm Total: 2

08/13/19 01:46	Alarm	2019067239	Alarm	WP19025685	Phone
08/13/19 09:17	Alarm	2019067316	Residential Fire Alarm	WP19025703	Phone

Animal - Barking Dog Total: 2

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
08/14/19 22:01	Animal - Barking Dog	2019067927	Animal - Barking Dog	WP19025909	Phone
08/24/19 10:43	Animal - Barking Dog	2019071208	Animal - Barking Dog	WP19027094	Phone

Animal - Bites - Attacks Total: 1

08/25/19 14:43	Animal - Bites - Attacks	2019071647	Animal - Bites - Attacks	WP19027244	Phone
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Check Welfare Total: 10

08/07/19 07:50	Check Welfare	2019065333	Check Welfare	WP19024950	Phone
08/07/19 15:16	Check Welfare	2019065463	Death Investigation - Natural	WP19024995	911
08/08/19 10:53	Check Welfare	2019065723	Check Welfare	WP19025091	Phone
08/09/19 22:46	Check Welfare	2019066293	Check Welfare	WP19025323	Phone
08/14/19 19:01	Check Welfare	2019067859	Medical - Psychiatric -	WP19025890	Phone
08/21/19 16:47	Check Welfare	2019070167	Check Welfare	WP19026733	911
08/23/19 18:04	Check Welfare	2019070971	Check Welfare	WP19027022	Phone
08/27/19 07:07	Check Welfare	2019072078	Check Welfare	WP19027414	Phone
08/30/19 17:18	Check Welfare	2019073196	Check Welfare	WP19027865	Phone
08/31/19 15:35	Check Welfare	2019073527	Check Welfare	WP19027988	Phone

Citizen Aid Total: 5

08/10/19 13:33	Citizen Aid	2019066475	Citizen Aid	WP19025391	Phone
08/18/19 23:05	Citizen Aid	2019069189	Medical - Psychiatric -	WP19026381	
08/19/19 08:57	Citizen Aid	2019069248	Citizen Aid	WP19026399	Phone
08/21/19 17:20	Citizen Aid	2019070178	Citizen Aid	WP19026750	Phone
08/24/19 17:17	Citizen Aid	2019071329	Medical - Psychiatric -	WP19027149	Phone

Civil Complaint Total: 6

08/01/19 10:26	Civil Complaint	2019063368	Civil Complaint	WP19024256	Phone
08/17/19 20:52	Civil Complaint	2019068827	Check Welfare	WP19026258	Phone
08/18/19 19:52	Civil Complaint	2019069146	Civil Complaint	WP19026366	Phone
08/19/19 21:01	Civil Complaint	2019069524	Civil Complaint	WP19026494	Phone
08/21/19 10:20	Civil Complaint	2019070047	Civil Complaint	WP19026700	911
08/25/19 20:18	Civil Complaint	2019071720	Neighborhood Dispute	WP19027270	911

Civil Process Total: 7

08/05/19 15:51	Civil Process	2019064807			Officer
08/05/19 16:08	Civil Process	2019064813			Officer
08/16/19 13:20	Civil Process	2019068373			Officer
08/20/19 14:04	Civil Process	2019069730			Officer
08/20/19 14:48	Civil Process	2019069747			Officer
08/20/19 15:31	Civil Process	2019069768			Officer
08/21/19 11:26	Civil Process	2019070067			Officer

Compliance Check - Tobacco Total: 5

08/22/19 11:24	Compliance Check -	2019070467			Officer
08/22/19 11:25	Compliance Check -	2019070468			Officer
08/22/19 11:25	Compliance Check -	2019070469			Officer
08/22/19 11:25	Compliance Check -	2019070470			Officer
08/22/19 11:26	Compliance Check -	2019070471			Officer

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
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Court Order Violation Total: 2

08/19/19 17:11	Court Order Violation	2019069455	Neighborhood Dispute	WP19026460	Phone
08/20/19 20:09	Court Order Violation	2019069876	Court Order Violation	WP19026630	Phone

Criminal Damage to Property Total: 3

08/05/19 09:38	Criminal Damage to	2019064699	Criminal Damage to Property	WP19024735	Phone
08/05/19 16:31	Criminal Damage to	2019064819	Criminal Damage to Property	WP19024777	Phone
08/18/19 11:21	Criminal Damage to	2019068973	MVA - No Injuries	WP19026302	911

Disabled Vehicle Total: 3

08/07/19 13:34	Disabled Vehicle	2019065431	Disabled Vehicle	WP19024979	Phone
08/07/19 20:54	Disabled Vehicle	2019065570	Disabled Vehicle	WP19025035	Phone
08/21/19 10:54	Disabled Vehicle	2019070056	Disabled Vehicle	WP19026703	Phone

Domestic Disturbance Total: 7

08/04/19 15:08	Domestic Disturbance	2019064471	Domestic Disturbance	WP19024649	911
08/04/19 20:44	Domestic Disturbance	2019064572	Domestic Disturbance	WP19024691	911
08/11/19 18:26	Domestic Disturbance	2019066828	Domestic Disturbance	WP19025541	Phone
08/12/19 21:54	Domestic Disturbance	2019067190	Domestic Disturbance	WP19025672	911
08/30/19 09:10	Domestic Disturbance	2019073060	Domestic Disturbance	WP19027809	911
08/30/19 10:10	Domestic Disturbance	2019073077	Domestic Disturbance	WP19027812	Phone
08/30/19 10:42	Domestic Disturbance	2019073084	Domestic Disturbance	WP19027818	911

Drugs Total: 2

08/01/19 11:25	Drugs	2019063387	Drugs	WP19024264	Phone
08/25/19 00:35	Drugs	2019071506	Drugs	WP19027196	911

Extra Patrol Total: 1

08/30/19 12:20	Extra Patrol	2019073104	Extra Patrol	WP19027827	Phone
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Fire - Gas Leak Total: 1

08/13/19 16:24	Fire - Gas Leak	2019067456	Fire - Gas Leak	WP19025749	Phone
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Fraud - Checks - Cards Total: 1

08/27/19 15:50	Fraud - Checks - Cards	2019072194	Fraud - Checks - Cards	WP19027470	Phone
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Fraud - Internet Total: 1

08/17/19 00:38	Fraud - Internet	2019068575	Fraud - Internet	WP19026166	911
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Harassment Total: 1

08/14/19 12:46	Harassment	2019067735	Harassment	WP19025844	Phone
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Intoxicated Person Total: 1

08/23/19 20:19	Intoxicated Person	2019071014	Intoxicated Person	WP19027042	Phone
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Juvenile - Complaint Total: 2

08/12/19 18:46	Juvenile - Complaint	2019067133	Juvenile - Complaint	WP19025667	Phone
08/28/19 08:08	Juvenile - Complaint	2019072384	Suspicious - Circumstances	WP19027543	Phone

Medical - Breathing Problems Total: 1

08/14/19 21:03	Medical - Breathing	2019067903	Medical - Breathing Problems	WP19025904	911
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Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
Medical - Choking Total: 1					
08/21/19 17:37	Medical - Choking	2019070185	Death Investigation -	WP19026741	911
Medical - Fall Over 6 Feet Total: 1					
08/21/19 12:00	Medical - Fall Over 6	2019070076	Medical - Fall Over 6 Feet	WP19026708	911
Medical - Fall Under 6 Feet Total: 2					
08/24/19 16:28	Medical - Fall Under 6	2019071319	Medical - Fall Under 6 Feet	WP19027136	Phone
08/31/19 10:09	Medical - Fall Under 6	2019073432	Medical - Fall Under 6 Feet	WP19027953	911
Medical - Non Emergency Transport; Medical - Trauma Total: 1					
08/19/19 14:35	Medical - Non	2019069378	Medical - Non Emergency	WP19026441	911
Medical - Overdose - Poisoning Total: 1					
08/28/19 02:03	Medical - Overdose -	2019072356	Medical - Overdose - Poisoning	WP19027531	911
Medical - Psychiatric - Behavioral Total: 1					
08/24/19 22:53	Medical - Psychiatric -	2019071465	Medical - Psychiatric -	WP19027184	Phone
Medical - Seizure Total: 1					
08/26/19 01:08	Medical - Seizure	2019071774	Medical - Seizure	WP19027290	911
Medical - Sick Total: 5					
08/01/19 11:51	Medical - Sick	2019063396	Medical - Sick	WP19024267	911
08/13/19 04:13	Medical - Sick	2019067255	Medical - Sick	WP19025687	911
08/13/19 21:08	Medical - Sick	2019067534	Medical - Sick	WP19025791	911
08/28/19 12:00	Medical - Sick	2019072445	Medical - Sick	WP19027565	911
08/30/19 19:01	Medical - Sick	2019073236	Medical - Sick	WP19027883	911
Medical - Stroke Total: 1					
08/20/19 12:23	Medical - Stroke	2019069697	Medical - Stroke	WP19026560	911
Medical - Unknown Total: 2					
08/15/19 00:01	Medical - Unknown	2019067942	Medical - Unknown	WP19025913	911
08/28/19 00:01	Medical - Unknown	2019072333	Medical - Unknown	WP19027523	911
Missing Person Total: 1					
08/25/19 14:34	Missing Person	2019071644	Missing Person	WP19027243	Phone
MVA - Car Deer Total: 1					
08/10/19 11:47	MVA - Car Deer	2019066433			911
MVA - Injuries Total: 3					
08/18/19 14:15	MVA - Injuries	2019069030	MVA - Injuries	WP19026321	
08/27/19 17:04	MVA - Injuries	2019072215	MVA - Injuries	WP19027479	911
08/30/19 15:08	MVA - Injuries	2019073155	Agency Assist	WP19027848	911
MVA - No Injuries Total: 3					
08/02/19 17:58	MVA - No Injuries	2019063813	MVA - No Injuries	WP19024425	
08/17/19 14:34	MVA - No Injuries	2019068719	MVA - No Injuries	WP19026223	911
08/29/19 16:09	MVA - No Injuries	2019072832			

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
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Neighborhood Dispute Total: 3

08/01/19 13:54	Neighborhood Dispute	2019063437	Neighborhood Dispute	WP19024292	
08/17/19 15:40	Neighborhood Dispute	2019068735	Neighborhood Dispute	WP19026229	
08/30/19 09:10	Neighborhood Dispute	2019073059			Phone

Noise Total: 5

08/04/19 22:12	Noise	2019064595	Noise	WP19024701	
08/06/19 22:00	Noise	2019065265	Noise	WP19024923	
08/22/19 20:45	Noise	2019070664	Noise	WP19026889	
08/29/19 01:11	Noise	2019072667	Noise	WP19027660	
08/31/19 22:38	Noise	2019073691	Noise	WP19028034	

Off-Road Vehicle Complaint Total: 1

08/09/19 17:58	Off-Road Vehicle	2019066181	Off-Road Vehicle Complaint	WP19025282	Phone
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Open Door - Window Total: 1

08/11/19 07:20	Open Door - Window	2019066674	Open Door - Window	WP19025479	
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Parking Total: 2

08/21/19 15:58	Parking	2019070149	Parking	WP19026726	
08/25/19 18:29	Parking	2019071700	Parking	WP19027260	

Phone Call Total: 2

08/08/19 18:56	Phone Call	2019065863			Other
08/31/19 14:11	Phone Call	2019073497	Phone Call	WP19027981	Other

Probation Check Total: 2

08/01/19 20:01	Probation Check	2019063535			Officer
08/22/19 17:07	Probation Check	2019070588			Officer

Residential General Alarm Total: 1

08/23/19 19:04	Residential General	2019070990	Residential General Alarm	WP19027032	Phone
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Residential Medical Alarm Total: 2

08/15/19 16:17	Residential Medical	2019068141	Residential Medical Alarm	WP19026000	Phone
08/26/19 10:29	Residential Medical	2019071825	Citizen Aid	WP19027314	Phone

Search Warrant Total: 1

08/20/19 08:12	Search Warrant	2019069622	Search Warrant	WSIU19026535	Officer
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SIA Area Watch Total: 2

08/11/19 17:43	SIA Area Watch	2019066812			
08/29/19 22:20	SIA Area Watch	2019072968			

SIA Business Walk Through Total: 1

08/24/19 10:10	SIA Business Walk	2019071195			
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SIA City Council - City Hall Total: 1

08/12/19 18:39	SIA City Council - City	2019067130			
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Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
SIA Community Presentation Total: 2					
08/06/19 18:02	SIA Community	2019065194			
08/06/19 18:36	SIA Community	2019065205			
SIA Door Check Total: 1					
08/06/19 01:11	SIA Door Check	2019064930			
SIA Foot Patrol Total: 2					
08/16/19 16:18	SIA Foot Patrol	2019068430			
08/17/19 22:56	SIA Foot Patrol	2019068873			
Sign - Signal Repair Total: 1					
08/04/19 12:47	Sign - Signal Repair	2019064425			Phone
Stolen - Vehicle Total: 1					
08/19/19 14:07	Stolen - Vehicle	2019069366	Civil Complaint	WP19026437	Phone
Suspicious - Circumstances Total: 4					
08/06/19 14:27	Suspicious -	2019065112	Suspicious - Circumstances	WP19024873	Phone
08/27/19 13:13	Suspicious -	2019072147	Suspicious - Circumstances	WP19027449	Phone
08/28/19 21:49	Suspicious -	2019072622	Motorist Aid	WP19027644	911
08/28/19 22:36	Suspicious -	2019072632	Citizen Aid	WP19027649	Phone
Suspicious - Person - Vehicle Total: 4					
08/04/19 01:05	Suspicious - Person -	2019064327	Suspicious - Person - Vehicle	WP19024594	Phone
08/12/19 21:55	Suspicious - Person -	2019067191	Suspicious - Person - Vehicle	WP19025673	Phone
08/18/19 21:03	Suspicious - Person -	2019069171	Suspicious - Person - Vehicle	WP19026374	Phone
08/31/19 01:51	Suspicious - Person -	2019073378	Suspicious - Person - Vehicle	WP19027929	Phone
Theft Total: 1					
08/25/19 16:18	Theft	2019071677	Theft	WP19027252	Phone
Theft - From Vehicle Total: 1					
08/30/19 22:38	Theft - From Vehicle	2019073327	Theft - From Vehicle	WP19027911	911
Threats Total: 1					
08/04/19 13:55	Threats	2019064454	Domestic Disturbance	WP19024639	Phone
Traffic - Complaint Total: 13					
08/02/19 13:37	Traffic - Complaint	2019063730	Traffic - Complaint	WP19024397	Phone
08/06/19 15:47	Traffic - Complaint	2019065149	Traffic - Complaint	WP19024887	Phone
08/10/19 11:05	Traffic - Complaint	2019066421	Traffic - Complaint	WP19025373	Phone
08/15/19 12:28	Traffic - Complaint	2019068075	Traffic - Complaint	WP19025965	Phone
08/16/19 17:41	Traffic - Complaint	2019068462	Traffic - Complaint	WP19026128	Phone
08/18/19 13:39	Traffic - Complaint	2019069023	Traffic - Complaint	WP19026318	911
08/20/19 11:18	Traffic - Complaint	2019069680	Traffic - Complaint	WP19026551	Phone
08/21/19 21:01	Traffic - Complaint	2019070247	Traffic - Complaint	WP19026765	Phone
08/24/19 22:26	Traffic - Complaint	2019071458			911
08/26/19 09:32	Traffic - Complaint	2019071816	Traffic - Complaint	WP19027309	Phone
08/26/19 17:22	Traffic - Complaint	2019071918	Traffic - Complaint	WP19027361	Phone

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
08/29/19 12:32	Traffic - Complaint	2019072775	Traffic - Complaint	WP19027702	911
08/31/19 19:57	Traffic - Complaint	2019073619	Traffic - Complaint	WP19028017	Phone

Traffic - Hazard Total: 1

08/28/19 15:27	Traffic - Hazard	2019072498			911
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Traffic Stop Total: 51

08/01/19 00:10	Traffic Stop	2019063284	Traffic Stop	WP19024230	Officer
08/01/19 16:56	Traffic Stop	2019063480			Officer
08/02/19 21:55	Traffic Stop	2019063881			Officer
08/02/19 22:26	Traffic Stop	2019063891			Officer
08/03/19 00:46	Traffic Stop	2019063941			Officer
08/03/19 14:40	Traffic Stop	2019064122			Officer
08/03/19 18:27	Traffic Stop	2019064206			Officer
08/03/19 21:33	Traffic Stop	2019064254			Officer
08/04/19 13:11	Traffic Stop	2019064436			Officer
08/04/19 15:48	Traffic Stop	2019064481			Officer
08/04/19 18:11	Traffic Stop	2019064521			Officer
08/04/19 19:37	Traffic Stop	2019064545			Officer
08/06/19 10:48	Traffic Stop	2019065024			Officer
08/06/19 10:57	Traffic Stop	2019065027	Traffic Stop	WP19024838	Officer
08/06/19 10:59	Traffic Stop	2019065029	Traffic Stop	WP19024839	
08/07/19 13:50	Traffic Stop	2019065435			Officer
08/07/19 17:17	Traffic Stop	2019065509			Officer
08/08/19 22:30	Traffic Stop	2019065921			Officer
08/09/19 04:40	Traffic Stop	2019065984			Officer
08/09/19 12:25	Traffic Stop	2019066072			Officer
08/09/19 22:14	Traffic Stop	2019066283			Officer
08/10/19 22:03	Traffic Stop	2019066599			Officer
08/12/19 16:28	Traffic Stop	2019067096	Traffic Stop	WP19025635	Officer
08/12/19 16:51	Traffic Stop	2019067102	Traffic Stop	WP19025637	Officer
08/13/19 00:17	Traffic Stop	2019067220			Officer
08/13/19 17:42	Traffic Stop	2019067477			Officer
08/13/19 22:49	Traffic Stop	2019067559			Officer
08/14/19 06:22	Traffic Stop	2019067627			Officer
08/15/19 15:31	Traffic Stop	2019068128			Officer
08/16/19 14:42	Traffic Stop	2019068401			Officer
08/16/19 15:18	Traffic Stop	2019068412			Officer
08/16/19 18:16	Traffic Stop	2019068470			Officer
08/20/19 18:03	Traffic Stop	2019069815			Officer
08/23/19 16:09	Traffic Stop	2019070937	Traffic Stop	WP19027002	Officer
08/24/19 18:04	Traffic Stop	2019071343			Officer
08/24/19 22:38	Traffic Stop	2019071462			Officer
08/25/19 15:24	Traffic Stop	2019071661			Officer
08/27/19 01:23	Traffic Stop	2019072046			Officer
08/27/19 01:31	Traffic Stop	2019072047			Officer
08/27/19 15:04	Traffic Stop	2019072182			Officer

Incident Start Date/Time	Initial Call	CFS #	Final Incident	Case Number	How Reported
08/27/19 23:37	Traffic Stop	2019072322			Officer
08/28/19 01:03	Traffic Stop	2019072351	Traffic Stop	WP19027527	Officer
08/29/19 13:52	Traffic Stop	2019072798	Traffic Stop	WP19027713	Officer
08/29/19 16:12	Traffic Stop	2019072834			Officer
08/29/19 16:30	Traffic Stop	2019072844	Traffic Stop	WP19027736	Officer
08/29/19 16:38	Traffic Stop	2019072847			
08/29/19 17:12	Traffic Stop	2019072859			
08/29/19 17:37	Traffic Stop	2019072867			
08/30/19 12:44	Traffic Stop	2019073115			Officer
08/31/19 06:59	Traffic Stop	2019073401			Officer
08/31/19 19:50	Traffic Stop	2019073615			Officer

Unwanted Person Total: 1

08/11/19 21:54	Unwanted Person	2019066872			911
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Warrant - Attempt Total: 2

08/12/19 11:17	Warrant - Attempt	2019066998	Warrant - Arrest	WP19025608	Officer
08/22/19 11:05	Warrant - Attempt	2019070431			

Total Records: 223



Monthly Activity Report Montrose Fire Department

Prepared and Presented by
Kevin Triplett – Fire Chief



Period: 08/01/2019 thru 08/31/2019 (AUGUST)

CALLS

Total Calls: 29

EMS Calls: 21

Other Calls:

- 08/30 - #19153 – Vehicle Accident (Hwy 12/Arizona) – Montrose
- 08/27 - #19149 – Vehicle Accident (Buffalo Ave N / Charity Ln – Montrose
- 08/20 - #19142 – Sever Weather Standby – Montrose/Service Area
- 08/18 - #19139 – ATV Accident – Montrose
- 08/13 - #19133 – Gas Leak – Montrose
- 08/13 - #19132 – CO Alarm – Montrose
- 08/07 - #19130 – Assist to Wright County Sheriff's Office – Montrose
- 08/03 - #19127 – Structure Fire – Marysville Township

of Calls JULY 2018 = 15
2018 vs 2019 (2019 = + 14)

Total calls to Date 2019 – 155

2018 vs 2019 (2019 = +6)

Total calls this time in 2018 - 149

Call Districts

Montrose City: 22

Franklin Township: 1

Marysville Township: 3

Woodland Township: 3

Other: 0

TRAINING:

- 08/06/2019 – Staff Meeting/Truck Maintenance
- 08/13/2019 – Truck driving course
- 08/20/2019 – Station cleaning

Other Activities, Special Mention, Etc.

- 08/02, 08/03 – New Germany Soft ball tournament
- 08/10/19 – Winsted Parade (Von Thoma)
- 08/11/19 – Rockford Parade (Weineck & Phillips)
- 08/16 to 08/18 – Montrose Days (ring toss, pork chop dinner, parade, assist w/ day to day operations)
- 08/21/19 – Wright County EMS/Fire Chiefs meeting (Triplett)

SPECIAL INFO

- Montrose Days was a great event! Firefighters put in countless hours assisting the operations of Montrose Days and we are happy to report that no major incident occurred during the event.
- Received new 4 gas monitor which is now in service
- Firefighter Jessica Binkley resigned from Department effective 08/29/2019 (2 years, 2 months, 17 days of service to the Montrose Fire Department

Acknowledgments

- Montrose Days Committee – for putting together a successful 2019 Montrose Days
- Jessica Binkley – For 2 years, 2 months & 17 days of service to the Montrose Fire Department

**CITY OF MONTROSE
COUNTY OF WRIGHT
STATE OF MINNESOTA**

RESOLUTION NO. 2019-21

**A RESOLUTION OPTING TO INCREASE THE BENEFIT LEVEL FOR
FIREFIGHTERS WHO ARE VESTED IN THE VOLUNTARY STATEWIDE
VOLUNTEER FIREFIGHTER (SVF) RETIREMENT PLAN**

The City Council of the City of Montrose, Minnesota, does ordain:

- WHEREAS: The City previously authorized the fire department to join the Voluntary Statewide Volunteer Firefighter Retirement Plan administered by the Public Employees Retirement Association (PERA); and
- WHEREAS: The City requested and obtained a cost analysis of increasing the benefit level for firefighters who are vested in the Voluntary Statewide Volunteer Firefighter Retirement Plan from PERA not more than 120 days ago; and
- WHEREAS: The City understands that Minnesota statute allows an increase in benefit levels if the plan is fully funded, but does not have provisions for a decrease in benefit levels; and
- WHEREAS: The City highly values the contributions of City Fire Department members to the safety and well being of our community and wishes to safeguard their pension investments in a prudent manner.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, MINNESOTA:

- 1) The City hereby approves an increase in the benefit level for firefighters who have completed at least 5 years of good time service credit as a member of the Voluntary Statewide Volunteer Firefighter Retirement Plan administered by PERA at the \$4,000.00 benefit level per year of service, effective January 1, 2020; and
- 2) The City Clerk-Treasurer and Mayor are hereby authorized to execute all documents necessary to effectuate the intent of this resolution.

The motion for the adoption of the foregoing resolution was proposed by Council Member _____ and was duly seconded by Council Member _____ and upon vote being taken thereon, the following voted in favor:

And the following voted against the same:

Whereupon said resolution was declared duly passed and adopted by the City Council of the City of Montrose, on this 9th day of September, 2019.

BY:

ATTEST:

Michelle Otto, Mayor

Deborah R. Boelter, City Clerk-Treasurer

City of Montrose
Park & Recreation Commission
Minutes

September 4, 2019

Pursuant to call and notice the Park & Recreation Commission met on September 4, 2019 at 5:30 pm at Montrose City Hall. Those present were Commission Members Barry Rhineberger and Sylvia Henry, and Jessica Bonniwell from Public Works. Commission Member Matt Russell and City Council Liaison Michelle Otto were absent.

Call to Order

The meeting was called to order at 5:30 p.m. by Commission Member Rhineberger.

Approval of Meeting Agenda

Motion made by Commission Member Rhineberger to approve agenda as written, second by Commission Member Henry.

Motion carried 2-0

Approval of August 5, 2019 Meeting Minutes

Motion made by Commission Member Henry to approve minutes as written, second by Commission Member Rhineberger.

Motion carried 2-0

OLD BUSINESS:

Regional Park & Funding Update

No current update.

2019 Events and To-Do List

No current update.

Skating Rink at Northridge Park for 2020

The motion made by this Commission at the August 5, 2019 meeting was upheld by the City Council and the skating rinks will be located at Carver Field and Lion's Park for the 2019-2020 winter season.

Carver Field

Public Works finished painting the backstop and continues to work on the field and work toward planned improvements.

Community Garden

No current updates but would like to keep as agenda item so the Commission can keep tabs on people cleaning out plots at the end of the season. The end of the season as noted in the "Rules" given to participants in the Community Garden program is November 1, 2019. The Commission will keep an eye on the gardens to ensure the people that used the gardens clean them out by that date.

Sponsor Montrose Days Coin Hunt

The Montrose Days Coin Hunt sounded like it went well with around 100 children participating. We will keep this item on the agenda for the next meeting in October to get a recap from Mayor Otto as she organized and ran the event. Possibility of doing this in subsequent years so the Commission would like to know what went well and what could or should be changed for success with this event next year.

NEW BUSINESS:

Finance Update

Updated finance summary sheet included in packet which included money spent for Montrose Days Coin Hunt. Still on track for spending for recreation events for the year.

Set Dates for Halloween and Christmas Decorating Contests to be included in Newsletter

The Commission Members discussed possible dates for both decorating contests coming up for Halloween and Christmas. The Halloween Decorating will be judged on Monday, October 28th around 6:30 p.m. The Christmas Decorating will be judged on Thursday, December 19, 2019.

Breakfast with Santa & Tree Lighting Event – Dates and Activities to be included in Newsletter

The date for the Breakfast with Santa event will be the first Saturday in December which is December 7, 2019. The Commission Members would like details from Montrose Days about what time they will be running the breakfast event so Park and Recreation can be there to again do ornament decorating for the Tree Lighting Event held that evening. The Tree Lighting Event will take place at Veteran's Park at approximately 6:00 p.m. on December 7, 2019.

City of Delano Playground Equipment from Landscape Structures

The City of Delano contacted one of the residents from the Forest Creek development to possibly work together with the City to install playground equipment in the Forest Creek development. This equipment would not be completely free as the City of Delano has to remove it to make room for new equipment being donated by Landscape Structures and will have some costs involved. The City of Montrose will need to complete grading at the desired location as well as install curbing to contain the woodchips for the playground base, as well as physically move the equipment to the Forest Creek location from Delano once Delano has removed it from where it currently resides. The City Staff is currently in contact with the City of Delano to express our interest in this playground equipment as the need and desire for a park in this area has been known for some time. Updates on the situation will be forthcoming.

Adjourn

Motion to adjourn was made by Commission Member Henry at 5:50 p.m., second by Commission Member Rhineberger.

Motion carried 2-0

2020 Proposed Levy

A preliminary levy proposal has been prepared for your consideration:

This is the proposed levy and is not the final levy. The city council will have an opportunity to review the proposed levy prior to submittal of the final levy in December, 2019.

Below is a list of major items the levy includes:

- Police Protection 10 hours/day @ \$78.25/hour = \$286,395
- Legal Services = \$35,000
- Election Salaries & Equipment - \$6,000
- Street Crack Fill and Seal Coating = \$80,000
- Single Axle Plow Truck Municipal Lease = \$30,000
- Street Reconstruction = \$325,000

2020 BUDGET COMPARISON

General Fund	2019	2020
Council	\$26,985.00	\$31,350.00
Elections	\$3,500.00	\$6,000.00
Administration	\$196,365.00	\$209,275.00
Assessing	\$20,000.00	\$27,000.00
Legal	\$40,000.00	\$35,000.00
P&Z	\$53,450.00	\$93,100.00
Buildings	\$12,000.00	\$11,500.00
Police	\$271,925.00	\$286,395.00
Building Inspect/Permits	\$56,000.00	\$56,000.00
Emergency Mgmt.	\$12,440.00	\$12,440.00
Animals	\$300.00	\$300.00
Public Works/Streets	\$255,150.00	\$260,900.00
WCAT	\$1,000.00	\$0.00
General Fund Total	\$949,115.00	\$1,029,260.00
 Park & Rec (General)	 \$139,525.00	 \$146,975.00
Park Development	\$10,000.00	\$100,000.00
EDA	\$25,000.00	\$30,000.00
Community Center	\$33,490.00	\$33,800.00
Debt Service	\$435,000.00	\$385,000.00
Capital Projects	\$389,751.00	\$355,000.00
 Total Budget excluding Enterprise Funds	 \$1,981,881.00	 \$2,080,035.00
 Less: LGA	 -\$594,851.00	 -\$618,500.00
Other Revenue	<u>-\$147,700.00</u>	<u>-\$148,900.00</u>
 TOTAL LEVY	 \$1,239,330.00	 \$1,312,635.00

This is a 5.9% increase or \$73,305

STATE of MINNESOTA
COUNTY of WRIGHT
CITY of MONTROSE

Return by: September 30, 2019
City Taxes Voted

To the AUDITOR of Wright County: I hereby certify that the Council for the City of Montrose, County of Wright, Minnesota, did at a meeting on _____ levy the following amount to be raised by taxation for the City of Montrose for the payable year 2020.

2019 Final						2020 Proposed			
A	B	C	D (A-B-C=D)			A	B	C	D (A-B-C=D)
2019 Budget Requirement	2019 LGA	2019 Other Resources	2019 Tax Levy	#	Fund	2020 Budget Requirement	2020 LGA	2020 Other Resources	2020 Certified Levy
949,115	355,100	144,700	449,315	5	Revenue	1,029,260	363,500	145,900	519,860
149,525	50,000		99,525	11	Parks	246,975	100,000		146,975
375,000			375,000	19	Debt Service	325,000			325,000
389,751	189,751		200,000	26	Capital Imp	355,000	155,000		200,000
33,490		3,000	30,490	27	Comm Center	33,800		3,000	30,800
25,000			25,000	32	EDA	30,000			30,000
60,000			60,000	45	HWY	60,000			60,000

* Do not include any Disparity Reduction Aid or Fiscal Disparity taxes.

Dated this _____ day of _____, 2019.

Deborah Boelter, Clerk/Treasurer

GAS FRANCHISE ORDINANCE

ORDINANCE NO. 2019-08

CITY OF MONTROSE, WRIGHT COUNTY, MINNESOTA

AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSES OF CONSTRUCTING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF MONTROSE, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO THE CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH THE CITY AND TO USE THE PUBLIC GROUNDS AND PUBLIC WAYS OF THE CITY FOR SUCH PURPOSES.

THE CITY COUNCIL OF THE CITY OF MONTROSE, WRIGHT COUNTY, MINNESOTA, ORDAINS:

SECTION 1. DEFINITIONS.

For purposes of this Ordinance, the following capitalized terms listed in alphabetical order shall have the following meanings:

- 1.1 **City.** The City of Montrose, County of Wright, State of Minnesota.
- 1.2 **City Utility System.** Facilities used for providing non-energy related public utility service owned or operated by City or agency thereof, including sewer and water service, but excluding facilities for providing heating, lighting or other forms of energy.
- 1.3 **Commission.** The Minnesota Public Utilities Commission, or any successor agency or agencies, including an agency of the federal government, which preempts all, or part of the authority to regulate Gas retail rates now vested in the Minnesota Public Utilities Commission.
- 1.4 **Company.** Northern States Power Company, a Minnesota corporation, its successors and assigns.
- 1.5 **Gas.** "Gas" as used herein shall be held to include natural gas, manufactured gas, or other form of gaseous energy.
- 1.6 **Gas Facilities.** Pipes, mains, regulators, and other facilities owned or operated by Company for the purpose of providing gas service for public use.

1.7 **Notice.** A written notice served by one party on the other party referencing one or more provisions of this Ordinance. Notice to Company shall be mailed to the General Counsel, 404 Nicollet Mall, 8th Floor, Minneapolis, MN 55401. Notice to the City shall be mailed to the City Clerk/Treasurer, City Hall, 311 Buffalo Avenue South, P.O. Box 25, Montrose, MN 55363. Either party may change its respective address for the purposes of this Ordinance by written notice to the other party.

1.8 **Public Ground.** Land owned by the City for park, open space or similar purposes, which is held for use in common by the public.

1.9 **Public Way.** Any street, alley, walkway or other public right-of-way within the City.

SECTION 2. ADOPTION OF FRANCHISE.

2.1 **Grant of Franchise.** City hereby grants Company, for a period of 20 years from the date passed and approved by the City, the right to transmit and furnish Gas energy for light, heat, power and other purposes for public and private use within and through the limits of the City as its boundaries now exist or as they may be extended in the future. For these purposes, Company may construct, operate, repair and maintain Gas Facilities in, on, over, under and across the Public Grounds and Public Ways of City, subject to the provisions of this Ordinance. Company may do all things reasonably necessary or customary to accomplish these purposes, subject, however, to such reasonable regulations as may be imposed by the City pursuant to ordinance and to the further provisions of this franchise agreement

2.2 **Effective Date, Written Acceptance.** This franchise agreement shall be in force and effect from and after passage of this Ordinance, its acceptance by Company, and its publication as required by law. The City, by Council resolution, may revoke this franchise agreement if Company does not file a written acceptance with the City within 90 days after publication of this Ordinance.

2.3 **Service and Rates.** The service to be provided and the rates to be charged by Company for Gas service in City are subject to the jurisdiction of the Commission.

2.4 **Publication Expense.** The expense of publication of this Ordinance will be paid by City and reimbursed to City by Company.

2.5 **Dispute Resolution.** If either party asserts that the other party is in default in the performance of any obligation hereunder, the complaining party shall provide written notification to the other party of the default and the desired remedy. Representatives of the parties must promptly meet and attempt in good faith to negotiate a resolution of the dispute. If the dispute is not resolved within 30 days of the written notice, the parties may jointly select a mediator to facilitate further discussion. The parties will equally share the fees and expenses of this mediator. If a mediator is not used or if the parties are unable to resolve the dispute within 30 days after first meeting with the selected mediator, either party may commence an action in District Court to interpret and enforce this franchise for such other relief as may be permitted by law or equity for

breach of contract, or for any other action permitted by law.

SECTION 3. LOCATION. OTHER REGULATIONS.

3.1 Location of Facilities. Gas Facilities shall be located, constructed and maintained so as not to interfere with the safety and convenience of ordinary travel along and over Public Ways and so as not to disrupt normal operation of any City Utility System previously installed therein. Gas Facilities shall be located on Public Grounds as determined by the City. Company's construction, reconstruction, operation, repair, maintenance and location of Gas Facilities shall be subject to permits if required by separate ordinance and to other reasonable regulations of the City to the extent not inconsistent with the terms of this franchise agreement. Company may abandon underground gas facilities in place, provided, at City's request, Company will remove abandoned metal pipe interfering with a City improvement project, but only to the extent such metal pipe is uncovered by excavation as part of the City's improvement project.

3.2 Field Locations. Company shall provide field locations for its underground Gas Facilities within City consistent with the requirements of Minnesota Statutes, Chapter 216D.

3.3 Street Openings. Company shall not open or disturb any Public Ground or Public Way for any purpose without first having obtained a permit from the City, if required by a separate ordinance, for which the City may impose a reasonable fee. Permit conditions imposed on Company shall not be more burdensome than those imposed on other utilities for similar facilities or work. Company may, however, open and disturb any Public Ground or Public Way without permission from the City where an emergency exists requiring the immediate repair of Gas Facilities. In such event Company shall notify the City by telephone to the office designated by the City as soon as practicable. Not later than the second working day thereafter, Company shall obtain any required permits and pay any required fees.

3.4 Restoration. After undertaking any work requiring the opening of any Public Ground or Public Way, Company shall restore the same, including paving and its foundation, to as good a condition as formerly existed, and shall maintain any paved surface in good condition for one year thereafter. The work shall be completed as promptly as weather permits, and if Company shall not promptly perform and complete the work, remove all dirt, rubbish, equipment and material, and put the Public Ground or Public Way in the said condition, the City shall have, after demand to Company to cure and the passage of a reasonable period of time following the demand, but not to exceed five days, the right to make the restoration at the expense of Company. Company shall pay to the City the cost of such work done for or performed by the City. This remedy shall be in addition to any other remedy available to the City for noncompliance with this Section 3.4, but the City hereby waives any requirement for Company to post a construction performance bond, certificate of insurance, letter of credit or any other form of security or assurance that may be required, under a separate existing or future ordinance of the City, of a person or entity obtaining the City's permission to install, replace or maintain facilities in a Public Way.

3.5 Avoid Damage to Gas Facilities. Nothing in this Ordinance relieves any person from liability arising out of the failure to exercise reasonable care to avoid damaging Gas Facilities while performing any activity.

3.6 Notice of Improvements. The City must give Company reasonable notice of plans for improvements to Public Grounds or Public Ways where the City has reason to believe that Gas Facilities may affect or be affected by the improvement. The notice must contain: (i) the nature and character of the improvements, (ii) the Public Grounds and Public Ways upon which the improvements are to be made, (iii) the extent of the improvements, (iv) the estimated time when the City will commence the work, and (v) if more than one Public Ground or Public Way is involved, the order in which the work is to proceed. The notice must be given to Company a sufficient length of time in advance of the actual commencement of the work to permit Company to make any necessary additions, alterations or repairs to its Gas Facilities.

SECTION 4. RELOCATIONS.

4.1 Relocation of Gas Facilities in Public Ways. If the City determines to vacate a Public Way for a City improvement project, or whenever it shall be necessary for the City to grade, regrade, or change the line of any Public Way, or construct or reconstruct any City Utility System in any Public Way, it may order Company to relocate its Gas Facilities located therein if relocation is reasonably necessary to accomplish the City's proposed public improvement. Except as provided in Section 4.3, Company shall relocate its Gas Facilities at its own expense. The City shall give Company reasonable notice of plans to vacate for a City improvement project, or to grade, regrade, or change the line of any Public Way or to construct or reconstruct any City Utility System. If a relocation is ordered within five years of a prior relocation of the same Gas Facilities, which was made at Company expense, the City shall reimburse Company for non-betterment costs on a time and material basis, provided that if a subsequent relocation is required because of the extension of a City Utility System to a previously unserved area, Company may be required to make the subsequent relocation at its expense. Nothing in this Ordinance requires Company to relocate, remove, replace or reconstruct at its own expense its Gas Facilities where such relocation, removal, replacement or reconstruction is solely for the convenience of the City and is not reasonably necessary for the construction or reconstruction of a Public Way or City Utility System or other City improvement.

4.2 Relocation of Gas Facilities in Public Ground. City may require Company at Company's expense to relocate or remove its Gas Facilities from Public Ground upon a finding by City that the Gas Facilities have become or will become a substantial impairment to the existing or proposed public use of the Public Ground

4.3 Projects with Federal Funding. City shall not order Company to remove or relocate its Gas Facilities when a Public Way is vacated, improved or realigned for a right-of-way project or any other project which is financially subsidized in whole or in part by the Federal Government or any agency thereof, unless the reasonable non-betterment costs of such relocation are first paid to Company. The City is obligated to pay Company only for those portions of its relocation costs

for which City has received federal funding specifically allocated for relocation costs in the amount requested by the Company, which allocated funding the City shall specifically request. Relocation, removal or rearrangement of any Company Gas Facilities made necessary because of a federally-aided highway project shall be governed by the provisions of Minnesota Statutes, Section 161.46, as supplemented or amended. It is understood that the rights herein granted to Company are valuable rights.

4.4 No Waiver. The provisions of this franchise apply only to facilities constructed in reliance on a franchise from the City and shall not be construed to waive or modify any rights obtained by Company for installations within a Company right-of-way acquired by easement or prescriptive right before the applicable Public Ground or Public Way was established, or Company's rights under state or county permit

SECTION 5. TREE TRIMMING.

Company is also granted the permission and authority to trim all shrubs and trees, including roots, in the Public Ways of City to the extent Company finds necessary to avoid interference with the proper construction, operation, repair and maintenance of Gas Facilities, provided that Company shall save City harmless from any liability arising therefrom, and subject to permit or other reasonable regulation by the City.

SECTION 6. INDEMNIFICATION.

6.1 Indemnity of City. Company shall indemnify, keep and hold the City, its officials, consultants and agents, free and harmless from any and all liability on account of injury to persons or damage to property occasioned by the construction, maintenance, repair, inspection, the issuance of permits, or the operation of the Gas Facilities located in the Public Grounds and Public Ways. The City shall not be indemnified for losses or claims occasioned through its own negligence except for losses or claims arising out of or alleging the City's negligence as to the issuance of permits for, or inspection of, Company's plans or work. The City shall not be indemnified if the injury or damage results from the performance in a proper manner of acts reasonably deemed hazardous by Company, and such performance is nevertheless ordered or directed by City after notice of Company's determination.

6.2 Defense of City. In the event a suit is brought against the City under circumstances where this agreement to indemnify applies; Company at its sole cost and expense shall defend the City in such suit if written notice thereof is promptly given to Company within a period wherein Company is not prejudiced by lack of such notice. If Company is required to indemnify and defend, it will thereafter have control of such litigation, but Company may not settle such litigation without the consent of the City, which consent shall not be unreasonably withheld. This section is not, as to third parties, a waiver of any defense or immunity otherwise available to the City; and Company, in defending any action on behalf of the City shall be entitled to assert in any action every defense or immunity that the City could assert in its own behalf.

SECTION 7. VACATION OF PUBLIC WAYS.

The City shall give Company at least two weeks prior written notice of a proposed vacation of a Public Way. Except where required for a City improvement project, the vacation of any Public Way, after the installation of Gas Facilities, shall not operate to deprive Company of its rights to operate and maintain such Gas Facilities, until the reasonable cost of relocating the same and the loss and expense resulting from such relocation are first paid to Company. In no case, however, shall City be liable to Company for failure to specifically preserve a right-of-way under Minnesota Statutes, Section 160.29.

SECTION 8. CHANGE IN FORM OF GOVERNMENT.

Any change in the form of government of the City shall not affect the validity of this Ordinance. Any governmental unit succeeding the City shall, without the consent of Company, succeed to all of the rights and obligations of the City provided in this Ordinance.

SECTION 9. FRANCHISE FEE.

9.1 Fee Schedule. During the term of the franchise hereby granted, and in lieu of any permit or other fees being imposed on the Company, the City may impose on the Company a franchise fee by collecting the amounts indicated in a Fee Schedule set forth in a separate ordinance from each customer in the designated Company Customer Class.

9.2 Separate Ordinance. The franchise fee shall be imposed by a separate ordinance duly adopted by the City Council, which ordinance shall not be adopted until at least 90 days after written notice enclosing such proposed ordinance has been served upon Company by certified mail. The fee shall not become effective until the beginning of a Company billing month at least 90 days after written notice enclosing such adopted ordinance has been served upon Company by certified mail. Section 2.5 shall constitute the sole remedy for solving disputes between Company and the City in regard to the interpretation of, or enforcement of, the separate ordinance. No action by the City to implement a separate ordinance will commence until this Ordinance is effective. A separate ordinance which imposes a lesser franchise fee on the residential class of customers than the maximum amount set forth in Section 9.1 above shall not be effective against Company unless the fee imposed on each other customer classification is reduced proportionately in the same or greater amount per class as the reduction represented by the lesser fee on the residential class.

9.3 Collection of the Fee. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made by imposing a surcharge equal to the designated franchise fee for the applicable customer classification in all customer billings for gas service in each class. The payment shall be due the last business day of the month following the period for which the payment is made. The franchise fee may be changed by ordinance from time to time; however, each change shall meet the same notice requirements and not occur more often than annually and no change shall require a collection from any customer for gas service in excess of the amounts specifically permitted by this Section 9. The time and manner of collecting the franchise fee is subject to the approval of the

Commission. No franchise fee shall be payable by Company if Company is legally unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company's applicable rates for gas service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers.

9.4 Terms Defined.

9.4.1 "Customer Class" shall refer to classes listed in the Fee Schedule and as defined or determined in Company's gas rate book on file with the Commission.

9.4.2 "Fee Schedule" refers to the Schedule in Section 9.1 setting forth the various customer classes from which a franchise fee would be collected if a separate ordinance were implemented immediately after the effective date of this franchise agreement. The Fee Schedule in the separate ordinance may include new Customer Classes added by the Company to its gas tariffs after the effective date of this franchise agreement.

9.4.3 Therm shall be a unit of gas providing 100,000 Btu of heat content adjusted for billing purposes under the rate schedules of Company on file with the Commission.

9.5 Equivalent Fee Requirement. The separate ordinance imposing the fee shall not be effective against Company unless it lawfully imposes and the City monthly or more often collects a fee or tax of the same or greater equivalent amount on the receipts from sales of energy within the City by any other energy supplier, provided that, as to such a supplier, the City has the authority to require a franchise fee or to impose a tax. The "same or greater equivalent amount" shall be measured, if practicable, by comparing amounts collected as a franchise fee from each similar customer, or by comparing, as to similar customers the percentage of the annual bill represented by the amount collected for franchise fee purposes. The franchise fee or tax shall be applicable to energy sales for any energy use related to heating, cooling or lighting, or to run machinery and appliances, but shall not apply to energy sales for the purpose of providing fuel for vehicles. If the Company specifically consents in writing to a franchise or separate ordinance collecting or failing to collect a fee from another energy supplier in contravention of this Section 9.5, the foregoing conditions will be waived to the extent of such written consent.

SECTION 10. PROVISIONS OF ORDINANCE.

10.1 Severability. Every section, provision, or part of this Ordinance is declared separate from every other section, provision, or part and if any section, provision, or part shall be held invalid, it shall not affect any other section, provision, or part. Where a provision of any other City ordinance conflicts with the provisions of this Ordinance, the provisions of this Ordinance shall

prevail.

10.2 Limitation on Applicability. This Ordinance constitutes a franchise agreement between the City and Company as the only parties and no provision of this franchise shall in any way inure to the benefit of any third person (including the public at large) so as to constitute any such person as a third party beneficiary of the agreement or of any one or more of the terms hereof, or otherwise give rise to any cause of action in any person not a party hereto.

SECTION 11. AMENDMENT PROCEDURE.

Either party to this franchise agreement may at any time propose that this agreement be amended to address a subject of concern and the other party will consider whether it agrees that the amendment is mutually appropriate. If an amendment is agreed upon, this Ordinance may be amended at any time by the City passing a subsequent ordinance declaring the provisions of the amendment, which amendatory ordinance shall become effective upon the filing of Company's written consent thereto with the City Clerk/Treasurer within 90 days after publication by the City of the amendatory ordinance.

SECTION 12. PREVIOUS FRANCHISES SUPERSEDED.

This franchise supersedes any previous Gas franchise granted to Company or its predecessor.

Passed and approved September 9, 2019.

Michelle Otto
Mayor

Deborah R. Boelter
City Clerk-Treasurer

Date Published: September 12, 2019

CITY OF MONTROSE
COUNTY OF WRIGHT
STATE OF MINNESOTA

RESOLUTION 2019-22

A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 2019-08 AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSES OF CONSTRUCTING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF MONTROSE, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO THE CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH THE CITY AND TO USE THE PUBLIC GROUNDS AND PUBLIC WAYS OF THE CITY FOR SUCH PURPOSES

WHEREAS, The City Council of the City of Montrose has determined the publication of the title and a summary of "Ordinance 2019-08 AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSES OF CONSTRUCTING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF MONTROSE, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO THE CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH THE CITY AND TO USE THE PUBLIC GROUNDS AND PUBLIC WAYS OF THE CITY FOR SUCH PURPOSES.", finding a summary publication would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, Pursuant to Minnesota Statutes 412.191, Subdivision 4 and M.S. 331A.01, Subd. 10, the Council may, by a four-fifths vote of its members, direct that only the title of the Ordinance and a summary be published with notice that a printed copy of the Ordinance is available for inspection by any person during regular office hours at the City Offices; and,

WHEREAS, Prior to the publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Montrose, Minnesota that the title and summary of "Ordinance 2019-08 AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSES OF CONSTRUCTING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF MONTROSE, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO THE CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH THE CITY AND TO USE THE PUBLIC GROUNDS AND PUBLIC WAYS OF THE CITY FOR SUCH PURPOSES." be published with notice that a printed copy of Ordinance 2019-08 is available in its entirety for inspection by any person during regular office hours at the City Offices.

BE IT FURTHER RESOLVED: the publication shall read as follows:

"On September 9, 2019 the Montrose City Council approved the reading of Ordinance 2019-08 AN ORDINANCE GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSES OF CONSTRUCTING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF MONTROSE, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO THE CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH THE CITY AND TO USE THE PUBLIC GROUNDS AND PUBLIC WAYS OF THE CITY FOR SUCH PURPOSES.

The following is a summary of the Ordinance. The Ordinance, in its entirety is available for review and/or photocopying during regular office hours at the City of Montrose Offices, 311 Buffalo Avenue South, Montrose Minnesota.

The following Sections can be found in Ordinance 2019-08:

- Section 1. Definitions.
- Section 2. Adoption of Franchise.
- Section 3. Location. Other Regulations.
- Section 4. Relocations.
- Section 5. Tree Trimming.
- Section 6. Indemnifications.
- Section 7. Vacation of Public Ways.
- Section 8. Change in Form of Government.
- Section 9. Franchise Fee.
- Section 10. Provisions of Ordinance.
- Section 11. Amendment Procedure.
- Section 12. Previous Franchises Superseded.

Ordinance 2019-08 shall be in full force and effect from and after the date of its passage (September 9, 2019) and this summary publication according to law.”

The motion for the adoption of the foregoing Resolution was duly made by Council Member and seconded by Council Member and upon vote being taken thereon, the following voted in favor:

And the following voted against the same:

Whereupon said Resolution was declared duly passed and adopted this 9th day of September, 2019.

Michelle Otto
Mayor
City of Montrose

ATTEST:

Deborah R. Boelter
City Clerk-Treasurer
City of Montrose

ORDINANCE NO. 2019-09

AN ORDINANCE IMPLEMENTING A GAS SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING GAS SERVICE WITHIN THE CITY OF MONTROSE

THE CITY COUNCIL OF THE CITY OF MONTROSE DOES ORDAIN:

SECTION 1. The City of Montrose Municipal Code is hereby amended to include reference to the following Special Ordinance.

Subd. 1. Purpose. The Montrose City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide natural gas services within the City of Montrose.

- (a) Pursuant to City Ordinance 2019-08, a Franchise Agreement between the City of Montrose and Northern States Power Company, a Minnesota corporation, its successors and assigns, the City has the right to impose a franchise fee on Northern States Power Company, a Minnesota corporation, its successors and assigns, in an amount and fee design as set forth in the fee schedule attached hereto as Schedule A.

Subd. 2. Terms. A franchise fee is hereby imposed on Northern States Power Company, a Minnesota Corporation, its successors and assigns, under its gas franchise in accordance with the schedule attached here to and made a part of this Ordinance, commencing with the NSPM January 1, 2020 billing month.

The fee shall be in lieu of any permit or other fees being imposed on Company. This fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. If a premise has two or more meters being billed at different rates, the Company may have an account for each rate classification, which will result in more than one franchise fee assessment for electric service to that premise. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate classification for energy delivered to that premise. In the event any entities covered by this ordinance have more than one premise, each premise (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premise, the Company's manner of billing for energy used at all similar premises in the city will control.

Subd. 3. Payment. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made. The payment shall be due the last business day of the month following the period for which the payment is made. The franchise fee may be changed by ordinance from time to time; however, each change shall meet the same notice requirements and not occur more often than annually and no change shall require a collection from any customer for gas service in excess of the amounts specifically permitted by the attached fee schedule. The time and manner of collecting the franchise fee may be subject to the approval of the Commission. No franchise fee shall be payable by Company if Company is unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company's applicable rates for gas service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings.

Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers.

Subd. 4. Surcharge. The City recognizes that the Minnesota Public Utilities Commission may allow Company to add a surcharge to customer rates of city residents to reimburse Company for the cost of the fee.

Subd. 5. Equivalent Fee Requirement. The separate ordinance imposing the fee shall not be effective against Company unless it lawfully imposes and the City monthly or more often collects a fee or tax of the same or greater equivalent amount on the receipts from sales of energy within the City by any other energy supplier, provided that, as to such a supplier, the City has the authority to require a franchise fee or to impose a tax. The "same or greater equivalent amount" shall be measured, if practicable, by comparing amounts collected as a franchise fee from each similar customer, or by comparing, as to similar customers the percentage of the annual bill represented by the amount collected for franchise fee purposes. The franchise fee or tax shall be applicable to energy sales for any energy use related to heating, cooling or lighting, or to run machinery and appliances, but shall not apply to energy sales for the purpose of providing fuel for vehicles. If the Company specifically consents in writing to a franchise or separate ordinance collecting or failing to collect a fee from another energy supplier in contravention of this section, the foregoing conditions will be waived to the extent of such written consent.

Subd. 6. Enforcement. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

Subd. 7. Effective Date of Franchise Fee. The effective date of this Ordinance shall be after its publication and ninety (90) days after the sending of written notice enclosing a copy of this adopted Ordinance to NSPM by certified mail. Collection of the fee shall commence as provided in above.

Passed and approved September 9, 2019.

Michelle Otto
Mayor

Deborah R. Boelter
City Clerk-Treasurer

Date Published: September 12, 2019

SCHEDULE A

Franchise Fee Rates:

Gas Utility

The franchise fee shall be in an amount determined by applying the following schedule per customer premise/per month based on metered service to retail customers within the City:

<u>Class</u>	<u>Amount per month</u>
Residential	\$4.00
Commercial/Industrial	\$8.00
Interruptible	\$8.00
Transportation Firm/Interruptible	\$8.00

Franchise fees are submitted to the City on a quarterly basis as follows:

January – March collections due by April 30.
 April – June collections due by July 31.
 July – September collections due by October 31.
 October – December collections due by January 31.

+CITY OF MONTROSE
COUNTY OF WRIGHT
STATE OF MINNESOTA

RESOLUTION 2019-23

A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 2019-09 AN ORDINANCE IMPLEMENTING A GAS SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING GAS SERVICE WITHIN THE CITY OF MONTROSE

WHEREAS, The City Council of the City of Montrose has determined the publication of the title and a summary of "Ordinance 2019-09 AN ORDINANCE IMPLEMENTING A GAS SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING GAS SERVICE WITHIN THE CITY OF MONTROSE.", finding a summary publication would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, Pursuant to Minnesota Statutes 412.191, Subdivision 4 and M.S. 331A.01, Subd. 10, the Council may, by a four-fifths vote of its members, direct that only the title of the Ordinance and a summary be published with notice that a printed copy of the Ordinance is available for inspection by any person during regular office hours at the City Offices; and,

WHEREAS, Prior to the publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Montrose, Minnesota that the title and summary of "Ordinance 2019-09 AN ORDINANCE IMPLEMENTING A GAS SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING GAS SERVICE WITHIN THE CITY OF MONTROSE." be published with notice that a printed copy of Ordinance 2019-09 is available in its entirety for inspection by any person during regular office hours at the City Offices.

BE IT FURTHER RESOLVED: the publication shall read as follows:

"On September 9, 2019 the Montrose City Council approved the reading of "Ordinance 2019-09 AN ORDINANCE IMPLEMENTING A GAS SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING GAS SERVICE WITHIN THE CITY OF MONTROSE.

The following is a summary of the Ordinance. The Ordinance, in its entirety is available for review and/or photocopying during regular office hours at the City of Montrose Offices, 311 Buffalo Avenue South, Montrose Minnesota.

The following can be found in Section 1 of Ordinance 2019-09:

Section 1. The City of Montrose Municipal Code is hereby amended to include reference to the following Special Ordinance.

Subdivision 1. Purpose.

Subdivision 2. Terms.

Subdivision 3. Payment.

Subdivision 4. Surcharge.

Subdivision 5. Equivalent Fee Requirement.

Subdivision 6. Enforcement.

Subdivision 7. Effective Date of Franchise Fee.

Ordinance 2019-09 shall be in full force and effect from and after the date of its passage (September 9, 2019) and this summary publication according to law."

The motion for the adoption of the foregoing Resolution was duly made by Council Member and seconded by Council Member and upon vote being taken thereon, the following voted in favor:

And the following voted against the same:

Whereupon said Resolution was declared duly passed and adopted this 9th day of September, 2019.

Michelle Otto
Mayor
City of Montrose

ATTEST:

Deborah R. Boelter
City Clerk-Treasurer
City of Montrose

ORDINANCE NO. 2019-10

AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MONTROSE.

THE CITY COUNCIL OF THE CITY OF MONTROSE DOES ORDAIN:

SECTION 1. The City of Montrose Municipal Code is hereby amended to include reference to the following Special Ordinance.

1. Purpose. The Montrose City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide electric services within the City of Montrose.

- (a) Pursuant to City Ordinance 2012-04, a Franchise Agreement between the City of Montrose and Northern States Power Company, a Minnesota corporation, its successors and assigns, the City has the right to impose a franchise fee on Northern States Power Company, a Minnesota corporation, its successors and assigns, in an amount and fee design as set forth in the fee schedule attached hereto as Schedule A.

2. Terms. A franchise fee is hereby imposed on Northern States Power Company, a Minnesota Corporation, its successors and assigns, under its electric franchise in accordance with the schedule attached here to and made a part of this Ordinance, commencing with the NSPM January 1, 2020 billing month.

The fee shall be in lieu of any permit or other fees being imposed on Company. This fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. If a premise has two or more meters being billed at different rates, the Company may have an account for each rate classification, which will result in more than one franchise fee assessment for electric service to that premise. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate classification for energy delivered to that premise. In the event any entities covered by this ordinance have more than one premise, each premise (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premise, the Company's manner of billing for energy used at all similar premises in the city will control.

3. Payment. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made. The payment shall be due the last business day of the month following the period for which the payment is made. The franchise fee may be changed by ordinance from time to time; however, each change shall meet the same notice requirements and not occur more often than annually and no change shall require a collection from any customer for electric service in excess of the amounts specifically permitted by the attached fee schedule. The time and manner of collecting the franchise fee may be subject to the approval of the Commission. No franchise fee shall be payable by Company if Company is unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company's applicable rates for electric service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its

designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers.

4. **Surcharge.** The City recognizes that the Minnesota Public Utilities Commission may allow Company to add a surcharge to customer rates of city residents to reimburse Company for the cost of the fee.

5. **Equivalent Fee Requirement.** This ordinance shall not be effective against Company unless it lawfully imposes and the City monthly or more often collects a fee or tax of the same or greater equivalent amount on the receipts from sales of energy within the City by any other energy supplier, provided that, as to such a supplier, the City has the authority to require a franchise fee or to impose a tax. The "same or greater equivalent amount" shall be measured, if practicable, by comparing amounts collected as a franchise fee from each similar customer, or by comparing, as to similar customers the percentage of the annual bill represented by the amount collected for franchise fee purposes. The franchise fee or tax shall be applicable to energy sales for any energy use related to heating, cooling or lighting, or to run machinery and appliances, but shall not apply to energy sales for the purpose of providing fuel for vehicles. If the Company specifically consents in writing to a franchise or separate ordinance collecting or failing to collect a fee from another energy supplier in contravention of this section, the foregoing conditions will be waived to the extent of such written consent.

6. **Enforcement.** Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

7. **Effective Date of Franchise Fee.** The effective date of this Ordinance shall be after its publication and ninety (90) days after the sending of written notice enclosing a copy of this adopted Ordinance to NSPM by certified mail. Collection of the fee shall commence as provided above.

Passed and approved September 9, 2019.

Michelle Otto
Mayor

Deborah R. Boelter
City Clerk-Treasurer

Date Published: September 12, 2019

SEAL

SCHEDULE A

Franchise Fee Rates:

Electric Utility

The franchise fee shall be in an amount determined by applying the following schedule per customer premise/per month based on metered service to retail customers within the City:

<u>Class</u>	<u>Amount per month</u>
Residential	\$4.00
Sm C & I – Non-Dem	\$8.00
Sm C & I – Demand	\$8.00
Large C & I	\$8.00
Public Street Ltg	\$ 0
Muni Pumping –N/D	\$ 0
Muni Pumping – Dem	\$ 0

Franchise fees are submitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.

CITY OF MONTROSE
COUNTY OF WRIGHT
STATE OF MINNESOTA

RESOLUTION 2019-24

A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 2019-10 AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MONTROSE.

WHEREAS, The City Council of the City of Montrose has determined the publication of the title and a summary of "Ordinance 2019-10 AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MONTROSE.", finding a summary publication would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, Pursuant to Minnesota Statutes 412.191, Subdivision 4 and M.S. 331A.01, Subd. 10, the Council may, by a four-fifths vote of its members, direct that only the title of the Ordinance and a summary be published with notice that a printed copy of the Ordinance is available for inspection by any person during regular office hours at the City Offices; and,

WHEREAS, Prior to the publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Montrose, Minnesota that the title and summary of "Ordinance 2019-10 AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MONTROSE." be published with notice that a printed copy of Ordinance 2019-10 is available in its entirety for inspection by any person during regular office hours at the City Offices.

BE IT FURTHER RESOLVED: the publication shall read as follows:

"On September 9, 2019 the Montrose City Council approved the reading of "Ordinance 2019-10 AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MONTROSE.

The following is a summary of the Ordinance. The Ordinance, in its entirety is available for review and/or photocopying during regular office hours at the City of Montrose Offices, 311 Buffalo Avenue South, Montrose Minnesota.

The following can be found in Section 1 of Ordinance 2019-10:

Section 1. The City of Montrose Municipal Code is hereby amended to include reference to the following Special Ordinance.

1. Purpose.
2. Terms.
3. Payment.
4. Surcharge.
5. Equivalent Fee Requirement.
6. Enforcement.
7. Effective Date of Franchise Fee.

Ordinance 2019-10 shall be in full force and effect from and after the date of its passage (September 9, 2019) and this summary publication according to law."

The motion for the adoption of the foregoing Resolution was duly made by Council Member and seconded by Council Member and upon vote being taken thereon, the following voted in favor:

And the following voted against the same:

Whereupon said Resolution was declared duly passed and adopted this 9th day of September, 2019.

Michelle Otto
Mayor
City of Montrose

ATTEST:

Deborah R. Boelter
City Clerk-Treasurer
City of Montrose

ORDINANCE NO. 2019-11

AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON WRIGHT-HENNEPIN COOPERATIVE ELECTRIC ASSOCIATION, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MONTROSE.

THE CITY COUNCIL OF THE CITY OF MONTROSE DOES ORDAIN:

SECTION 1. The City of Montrose Municipal Code is hereby amended to include reference to the following Special Ordinance.

1. Purpose. The Montrose City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide electric services within the City of Montrose.

- (a) Pursuant to City Ordinance 2012-04, a Franchise Agreement between the City of Montrose and Wright-Hennepin Cooperative Electric Association, a Minnesota corporation, its successors and assigns, the City has the right to impose a franchise fee on Wright-Hennepin Cooperative Electric Association, a Minnesota corporation, its successors and assigns, in an amount and fee design as set forth in the fee schedule attached hereto as Schedule A.

2. Terms. A franchise fee is hereby imposed on Wright-Hennepin Cooperative Electric Association, a Minnesota Corporation, its successors and assigns, under its electric franchise in accordance with the schedule attached here to and made a part of this Ordinance, commencing with the Wright-Hennepin Cooperative Electric Association January 1, 2020 billing month.

The fee shall be in lieu of any permit or other fees being imposed on Company. This fee is an account-based fee on each premise and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premise, but only one account, only one fee shall be assessed to that account. If a premise has two or more meters being billed at different rates, the Company may have an account for each rate classification, which will result in more than one franchise fee assessment for electric service to that premise. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate classification for energy delivered to that premise. In the event any entities covered by this ordinance have more than one premise, each premise (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premise, the Company's manner of billing for energy used at all similar premises in the city will control.

3. Payment. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made. The payment shall be due the last business day of the month following the period for which the payment is made. The franchise fee may be changed by ordinance from time to time; however, each change shall meet the same notice requirements and not occur more often than annually and no change shall require a collection from any customer for electric service in excess of the amounts specifically permitted by the attached fee schedule. The time and manner of collecting the franchise fee may be subject to the approval of the Commission. No franchise fee shall be payable by Company if Company is unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company's applicable rates for electric service. Company may pay the City the fee based upon the surcharge billed subject

to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers.

4. **Surcharge.** The City recognizes that the Minnesota Public Utilities Commission may allow Company to add a surcharge to customer rates of city residents to reimburse Company for the cost of the fee.

5. **Equivalent Fee Requirement.** This ordinance shall not be effective against Company unless it lawfully imposes and the City monthly or more often collects a fee or tax of the same or greater equivalent amount on the receipts from sales of energy within the City by any other energy supplier, provided that, as to such a supplier, the City has the authority to require a franchise fee or to impose a tax. The "same or greater equivalent amount" shall be measured, if practicable, by comparing amounts collected as a franchise fee from each similar customer, or by comparing, as to similar customers the percentage of the annual bill represented by the amount collected for franchise fee purposes. The franchise fee or tax shall be applicable to energy sales for any energy use related to heating, cooling or lighting, or to run machinery and appliances, but shall not apply to energy sales for the purpose of providing fuel for vehicles. If the Company specifically consents in writing to a franchise or separate ordinance collecting or failing to collect a fee from another energy supplier in contravention of this section, the foregoing conditions will be waived to the extent of such written consent.

6. **Enforcement.** Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 2.5 of the Franchise Agreement.

7. **Effective Date of Franchise Fee.** The effective date of this Ordinance shall be after its publication and ninety (90) days after the sending of written notice enclosing a copy of this adopted Ordinance to Wright-Hennepin Cooperative Electric Association by certified mail. Collection of the fee shall commence as provided above.

Passed and approved September 9, 2019.

Michelle Otto
Mayor

Deborah R. Boelter
City Clerk-Treasurer

Date Published: September 12, 2019

SEAL

SCHEDULE A

Franchise Fee Rates:

Electric Utility

The franchise fee shall be in an amount determined by applying the following schedule per customer premise/per month based on metered service to retail customers within the City:

<u>Class</u>	<u>Amount per month</u>
Residential	\$4.00
Sm C & I – Non-Dem	\$8.00
Sm C & I – Demand	\$8.00
Large C & I	\$8.00
Public Street Ltg	\$ 0
Muni Pumping –N/D	\$ 0
Muni Pumping – Dem	\$ 0

Franchise fees are submitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.

CITY OF MONTROSE
COUNTY OF WRIGHT
STATE OF MINNESOTA

RESOLUTION 2019-25

A RESOLUTION AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 2019-11 AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON WRIGHT-HENNEPIN COOPERATIVE ELECTRIC ASSOCIATION, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MONTROSE.

WHEREAS, The City Council of the City of Montrose has determined the publication of the title and a summary of "ORDINANCE 2019-11 AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON WRIGHT-HENNEPIN COOPERATIVE ELECTRIC ASSOCIATION, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MONTROSE.", finding a summary publication would clearly inform the public of the intent and effect of the Ordinance; and

WHEREAS, Pursuant to Minnesota Statutes 412.191, Subdivision 4 and M.S. 331A.01, Subd. 10, the Council may, by a four-fifths vote of its members, direct that only the title of the Ordinance and a summary be published with notice that a printed copy of the Ordinance is available for inspection by any person during regular office hours at the City Offices; and,

WHEREAS, Prior to the publication of the title and summary, the Council has read and approved the text of the summary and determined that it clearly informs the public of the intent and effect of the Ordinance.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Montrose, Minnesota that the title and summary "ORDINANCE 2019-11 AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON WRIGHT-HENNEPIN COOPERATIVE ELECTRIC ASSOCIATION, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MONTROSE." be published with notice that a printed copy of Ordinance 2019-11 is available in its entirety for inspection by any person during regular office hours at the City Offices.

BE IT FURTHER RESOLVED: the publication shall read as follows:

"On September 9, 2019 the Montrose City Council approved the reading of "ORDINANCE 2019-11 AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON WRIGHT-HENNEPIN COOPERATIVE ELECTRIC ASSOCIATION, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF MONTROSE.

The following is a summary of the Ordinance. The Ordinance, in its entirety is available for review and/or photocopying during regular office hours at the City of Montrose Offices, 311 Buffalo Avenue South, Montrose Minnesota.

The following can be found in Section 1 of Ordinance 2019-11:

Section 1. The City of Montrose Municipal Code is hereby amended to include reference to the following Special Ordinance.

1. Purpose.
2. Terms.
3. Payment.
4. Surcharge.
5. Equivalent Fee Requirement.
6. Enforcement.
7. Effective Date of Franchise Fee.

Ordinance 2019-11 shall be in full force and effect from and after the date of its passage (September 9, 2019) and this summary publication according to law."

The motion for the adoption of the foregoing Resolution was duly made by Council Member and seconded by Council Member and upon vote being taken thereon, the following voted in favor:

And the following voted against the same:

Whereupon said Resolution was declared duly passed and adopted this 9th day of September, 2019.

Michelle Otto
Mayor
City of Montrose

ATTEST:

Deborah R. Boelter
City Clerk-Treasurer
City of Montrose