



**CITY OF MAYER  
REGULAR CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS – VIRTUAL MEETING VIA ZOOM  
MONDAY, APRIL 13, 2020  
6:30 PM**

**AGENDA**

**1. Call Meeting to Order**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Mayer will hold its regular meeting on Monday, April 13, 2020 at 6:30 p.m. at City Hall, 413 Bluejay Ave., Mayer, MN 55360.

In accordance with the requirements of Minn. Stat. Section 13D.021, the City Administrator has determined that an in-person meeting is not practical or prudent because of a health pandemic and emergency declared under Chapter 12 of the Minnesota Statutes.

Because of the health pandemic and emergency declaration, it has been determined that attendance at the regular meeting location by members of the public is not feasible.

Because of the health pandemic and emergency declaration, it has been determined that the City Administrator and Mayor will be the only people physically present at the regular meeting location.

Therefore, some or all of the City Council members may be participating by telephone or other electronic means.

*Under Minn. Stat. Sec. 13D.021, subd. 3, to the extent practical and possible, the City Council will allow individuals to monitor the meeting electronically as provided below:*

Meeting Link: [https://zoom.us/meeting/register/tJlkfu2opzMoAnVxGh7liQlcs\\_XsaM95EQ](https://zoom.us/join/zoom/register/tJlkfu2opzMoAnVxGh7liQlcs_XsaM95EQ)

Meeting ID: 969-940-982

After registering, you will receive a confirmation email containing information about joining the webinar.

**2. Pledge of Allegiance**

**3. Approval of Agenda**

**4. Public Comment (Please limit comments to 5 minutes)**

**5. Consent Agenda**

A. Minutes

1. March 16, 2020 Special City Council Meeting Minutes
2. March 23, 2020 City Council Meeting Minutes

B. Claims

C. Jaguar Cable Franchise: Change of Control of Cable System – Resolution 4.7.20.16

D. Coldwater Crossing 8<sup>th</sup> Addition Extension Request

E. Limited Use Permit with MnDOT – Highway 25 Project – Resolution 4.7.20.017

F. Fire Department – Purchase of Three Motorola Radios

G. Extension of State of Emergency – May 4, 2020

H. Sewer Jetting and Televising Quote Approval – Annual Maintenance

**6. Reports and Recommendations of City Departments, Consultants, Commissions and Committees**

1. Administration

A. New Germany Wastewater Treatment Study

**7. City Council Reports**

**8. Other Business**

**9. Upcoming Meetings & Events**

April 27, 2020 City Council Meeting

**10. For Your Information**

**11. Adjournment**

MAYER CITY SPECIAL COUNCIL MEETING MINUTES – MARCH 19, 2020

Call Regular meeting to order at 5:30 p.m. by Mayor Dodge

PRESENT: Mayor Dodge, Council Members Boder, Butterfield, McNeilly, and Stieve-McPadden

ABSENT: None

STAFF: City Administrator McCallum, and Deputy Clerk Gildemeister

ALSO PRESENT: Don Wachholz, Tim Rogers, Deputy Sheriff Bengtson

The meeting was opened with the Pledge of Allegiance.

AGENDA

A MOTION to approve the Agenda as presented was made by Council Member Boder and seconded by Council Member Butterfield. Motion carried 5/0.

CITY RESPONSE TO COVID-19

1. **Mayoral Proclamation State of Emergency** – Mayor Dodge notified Council that at 12:00 p.m. today, he signed a Mayoral Proclamation State of Emergency in which he declares a local emergency exists within the City of Mayer with all the powers and responsibilities attending thereto as provided by Minnesota Statutes Chapter 12. This declaration of local emergency will invoke the City’s Emergency Operations Plan. The portions that are necessary for the response to end recovery from the Situation are authorized, including but not limited to all appropriate community containment and mitigation strategies. The Emergency Declaration shall continue for three (3) days from its effective date of March 19, 2020, unless further extended by Council. Mayor Dodge requested City Council discuss the Situation and the Emergency Declaration.

City Administrator McCallum provided a Community Update and Adjustments City Staff are implementing.

- Critical City Services will continue. This includes Public Works Department water, sewer, and vital maintenance. Fire and Police response services. Administrative Staff will maintain services that are vital and keep the City running. This includes accounts payable, accounts receivable, payroll, project management, and the like.
- Staff contacted neighboring community Staff and private consultants to utilize as backup if needed.
- Currently, most consultants are working remotely, except for building inspectors who are conducting business as usual.
- City has taken steps to implement social distancing in its public spaces including the closing of the Community Center to all events and is promoting all non-essential services be conducted over the phone, by email, or through City website.
- Council Meetings will continue to be held at City Hall.
- City Hall currently remains open. If closure occurs, City Staff will continue to work on site or remotely to keep critical services active. Staff has begun cross training of duties.
- Public Works will assist property owners over the phone and will only do home visits in emergency situations. Public Works will continue to ride and work separately.
- City continues to work with Community Partners, including Carver County Public Health and the League of Minnesota Cities, to prepare for and adjust to this rapidly changing environment.
- Staff continues to post important updates and resources on the City website and social media.

2. **Approval Resolution 3-19-20-14 Extend the Period of a Mayoral Proclamation State of Emergency**  
A MOTION was made by Council Member Boder to approve Resolution 3-19-20-14 to Extend the Period of a Mayoral Declared Local Emergency till April 30, 2020 and seconded by Council Member McNeilly. Motion carried 5/0.

Mayor Dodge asked if Staff is setup with the ability to work remotely if needed and directed City Administrator to have a contract ready for maintaining the Water Treatment Plant and Waste Water Treatment Facility, in the event the Public Works Staff are not able to work. Council Member Stieve-McPadden asked Deputy Sheriff Bengtson if the Sheriff Department would watch over the local businesses. Deputy Bengtson stated yes.

3. **Discussion on Non-Essential Gatherings** - City Administrator McCallum recommended Council cancel all gatherings and non-essential meetings through April 30, 2020. This would include April 7, 2020 Planning Commission Meeting, and April 14, 2020 Park Commission Meeting. A MOTION to cancel non-essential gatherings and meetings was made by Council Member Stieve-McPadden and seconded by Council Member Butterfield. Motion carried 5/0.
4. **Approve Resolution 3-19-20-15 Public Meetings During Period of Local Emergency** – Council agreed to continue having Council Meetings on site and that it sends the right message to residents. Mayor Dodge recommended Staff keep the agendas small, and not to schedule any Public Hearings or items that would be controversial. A MOTION to approve Resolution 3-19-20-15 Public Meetings During Period of Local Emergency was made by Council Member and seconded by Council Member Stieve-McPadden. Motion Carried 5/0
5. **Authorize Additional Funds for Cleaning Services** – A MOTION to authorize Squeaky Clean Services to do additional cleaning at Fire Department and Public Works was made by Council Member McNeilly and seconded by Council Member Boder. Motion carried 5/0.
6. **Discussion on Staff Shifts** – City Administrator stated that Staff continues to implement social distancing by working in separated parts of City Hall and separate buildings. A MOTION to keep Staff shifts status quo was made by Counsel Member Butterfield and seconded by Counsel Member McNeilly. Motion carried 5/0.
7. **Discussion on Public Services** – Water and sewer services are vital services to the residents of Mayer and thus the City will not shut-off City water and sewer services during the state of emergency. A MOTION to approve the stay of “shutting off” City water and sewer services was made by Council Member Boder and seconded by Council member McNeilly. Motion carried 5/0.
8. **Discussion on Employee Sick Leave** – Council acknowledged the new federal law mandating 80 hours of additional PTO for anyone who needs to be quarantined due to the Coronavirus. Council agreed that this is a great benefit for employees and supports it 100%. Question as to what happens if any employee needs additional time off beyond the 80 hours. Council agreed to allow employees to go negative PTO if employee does not have enough PTO banked.

#### FOR YOUR INFORMATION

- Knuckleheads Bar and Grill and Agave Mexican Restaurant are doing take-out services.

ADJOURN

There being no further business, a MOTION was made by Council Member McNeilly and seconded by Council Member Stieve-McPadden to adjourn the meeting at 6:00 p.m. Motion Carried 5/0

---

Mike Dodge, Mayor

Attest: \_\_\_\_\_  
Janell Gildemeister, Deputy Clerk MCMC

DRAFT

MAYER CITY COUNCIL MEETING MINUTES – MARCH 23, 2020

Call Regular meeting to order at 6:30 p.m. by Mayor Dodge

PRESENT: Mayor Dodge, Council Members Butterfield, Boder, McNeilly, and Stieve-McPadden

ABSENT: None.

STAFF: City Administrator McCallum, City Engineer Martini.

ALSO PRESENT: Don Wachholz.

The meeting was opened with the Pledge of Allegiance.

APPROVE AGENDA

McCallum recommended adding COVID-19 update to the agenda.

A MOTION was made by Council Member McNeilly with a second by Council Member Stieve-McPadden to approve the agenda with the addition of COVID-19 update. Motion Carried 5/0.

PUBLIC COMMENT

None

APPROVE CONSENT AGENDA

A MOTION was made by Council Member Butterfield with a second by Council Member Boder to approve the Consent Agenda. Motion Carried 5/0.

1. Approve Minutes of the March 9, 2020 Regular Council Meeting.
2. Approve Minutes of the March 9, 2020 Council Workshop Meeting.
3. Approve Claims for the March 23, 2020 meeting. Check numbers 22891 to 22922. E-check numbers 5588 to 5619. Bank check numbers 50135 to 50136.
4. Approve Reports from the City Engineer, Sheriff's Department, Public Works, City Administrator and Fire Department.

ADMINISTRATION

1. 2020 Summer Hours

McCallum presented this item to the Council for discussion. She said that the Council is being asked to discuss 2020 summer hours for staff going from Memorial Day to Labor Day.

The hours would be:

City Hall

7:00 a.m. – 4:30 p.m. – Monday – Thursday

7:00 a.m. – 11:00 a.m. – Friday

Public Works

6:00 a.m. – 3:30 p.m. – Monday – Thursday

6:00 a.m. – 10:00 a.m. – Friday

McCallum informed that the Personnel Committee recommended to Council going to summer hours for staff.

Stieve-McPadden asked if in the past staff had staggered shifts to keep City Hall open on Fridays. McCallum said that the previous time staff did summer hours, there was no staggering of shifts.

Dodge informed that appointments could be made if needed. Dodge asked the City Administrator to check in with the union employees to make sure that adequate notice is given to employees regarding the changes in hours.

**Butterfield moved to go to 2020 summer hours between Memorial Day and Labor Day. Boder Seconded. Motion passed 4-1 (Stieve-McPadden voted against).**

## 2. Administrative Internship

McCallum presented this item to Council. She informed that staff has been looking into hiring an administrative intern throughout the summer to assist staff with specific projects.

McCallum explained that an advertisement could be placed with universities for students looking to get experience in a local government work setting. She also said that the City could put an advertisement on the League of Minnesota Cities website and local newspaper.

She stated that the position would focus on data retention, social media and communications management, grant-writing and other administrative support tasks.

McCallum stated that the position would be a paid internship ranging from \$12-\$13 per hour and would be paid for by transferring \$10,000 from the General Fund as it was not a budgeted position for 2020. She stated that the position would be non-union eligible and would last for about four (4) months.

She said that the Personnel Committee recommended approval of the position.

Stieve-McPadden expressed concern about confidentiality of city documentation. McCallum informed that this would be a temporary city employee and therefore would be considered an employee of the City. She said that they would be working with public land records.

Stieve-McPadden expressed concern over the position not being budgeted for in 2020.

Dodge informed that he would also like to see the position work on asset management.

**Butterfield moved to approve the 2020 Administrative Internship. McNeilly seconded. Motion passed 4-1 (Stieve-McPadden voted against).**

## CITY PLANNING

### 1. Coldwater Crossing 8<sup>th</sup> Addition Extension

McCallum asked the City Council to review and discuss extending the review for the final plat, final planned unit development plan and right of way vacation for Coldwater Crossing 8<sup>th</sup> Addition.

She informed that in July 2018, Coldwater X, LLC initiated the review process with the City of Mayer for the Coldwater Crossing 8<sup>th</sup> Addition in the Coldwater Crossing Development.

She stated that approval of the preliminary plat and planned unit development for CC 8<sup>th</sup> Addition was set to expire.

The Council reviewed a letter from the Developer and tabled the item due to inconsistencies and confusion with the listed dates. Council asked staff to follow up and get clarification from the developer.

2. 2040 Comprehensive Plan Update – Resolution 3.23.20.16

McCallum introduced this item to the City Council. She informed that the Council is to consider officially adopting the City of Mayer 2040 Comprehensive Plan.

McCallum explained that the Metropolitan Council and State Statutes require cities within the seven (7) county metropolitan area to update their comprehensive plans every 10 years. The most recent update has been worked on by the City for the last few years. She stated that on June 24, 2019, the City Council held a public hearing to officially submit the comprehensive plan to the Metropolitan Council for official review and approval.

McCallum further informed that comments were received from the Metropolitan Council last summer and changes were made and the current version of the Comprehensive Plan was submitted to the Metropolitan Council on November 11, 2019.

She informed that the City of Mayer received a letter from the Metropolitan Council on February 28, 2020 stating that the plan met all the requirements and is compatible with the plans of neighboring jurisdictions.

McCallum stated that at this time, the Council needed to adopt resolution 3.23.20.16 to place the City of Mayer 2040 Comprehensive Plan into effect.

**McNeilly moved approve resolution 3.23.20.16 approving the City of Mayer 2040 Comprehensive Plan, a compilation of policy statements, goals, standards and maps for guiding the overall development and redevelopment of the municipality. Stieve-McPadden Seconded. Motion passed 5-0.**

CITY ENGINEER

1. 5<sup>th</sup> Street Lot Development

Martini introduced this item to the City Council.

He informed that the City has received a request from a property owner of a vacant lot at the end of 5<sup>th</sup> Street. He stated that the resident would like to construct a residential building. Martini said that the lot currently has water and sewer service stubs that are available for hook-up, nonetheless that 5<sup>th</sup> Street would need to be extended to provide access to the lot.

Martini explained that the paved surface of 5<sup>th</sup> Street ends at the west edge of the lot. He said to develop the lot, the street would need to be extended approximately 100 feet to the east edge of the lot. He informed that this would be the responsibility of the developer.

Martini estimated the cost to extend the road (28' wide and 100' long) to be approximately \$13,000.00. He stated that this is under the assumption that the road extension is allowed without curb and gutter and that the portion of the existing gravel driveway for the MLHS storage shed can be reused for base.

Martini continued that after a review of the right-of-way records for 5<sup>th</sup> Street, that it has been discovered that the right-of-way covers the south half of the road. He informed that the north half, adjacent to Mayer Lutheran

High School has no right-of-way or easement for the road. Martini said that MLHS indicated that getting an easement from the school for both the proposed road extension and the existing portion of the road should not be an issue. Martini did say that it is proposed that the City would incur the cost of preparing and recording the easement documents.

Martini concluded by asking the Council if they agree with the steps necessary to develop the vacant lot including securing the road easement from MLHS.

**Boder moved to approve working with the developer and communicate the need to extend the road if they choose to move forward with the project. Stieve-McPadden Seconded. Motion passed 5-0.**

**Boder moved that if the developer moves forward, the City will work with Mayer Lutheran High School to obtain and file easement documentation. McNeilly Seconded. Motion passed 2-0.**

2. COVID-19 Update (added)

McCallum provided information to the City Council on COVID-19. She informed that staff continues to work while practicing social distancing. She informed that City Hall remains open, with the possibility that it may close and go to appointment only in the near future. She informed that staff continues to participate in conference calls with the County and State. Staff continues to clean highly used spaces at City Hall.

The City Council decided to keep holding meetings in person until deemed necessary to go online.

COUNCIL REPORTS

No Reports.

OTHER BUSINESS

No Other Business.

ADJOURN

There being no further business, a MOTION was made by Council Member McNeilly and seconded by Council Member Stieve-McPadden to adjourn the meeting at 7:00 p.m. Motion Carried 5/0.

---

Mike Dodge, Mayor

Attest: \_\_\_\_\_  
Margaret McCallum, City Administrator

**ACCOUNTS PAYABLE LIST**

**APRIL 13, 2020**

**Checks: 22923 - 22950 , 5620E - 5637E, 50137**

22923	Postmaster	Postage - COVID-19 Newsletter	\$141.67
22924	Emergency Response Solutions	FD Helmet Equipment	\$49.57
22925	Aloys and Lorene Feldwerd	Utility Refund	\$73.09
22926	Fremont Industries	Coagulant	\$972.00
22927	Gopher State One-Call Inc	Locates	\$41.85
22928	GreatAmerica Financial Services	Copier Lease	\$190.41
22929	Greater MN Communication	March Utility Print - Newsletter	\$1,351.36
22930	Hecksel Machine Inc	WWTP Repair Part	\$128.00
22931	IUOE Local # 49	Employee Health Benefits	\$3,795.00
22932	Lano Equipment	Snowblower Repair/Angle Broom	\$800.00
22933	Mayer Lumber Co Inc	Silicone Sealant	\$594.20
22934	Metro West Inspection Services	Finald Permits - March 2020	\$1,790.90
22935	Minnesota Department of Health	Plan Review Fee WTP Improvements	\$500.00
22936	MN Fire Service Certif Board	Gustafson	\$120.00
22937	Mobil - Exxon/Mobil	March 2020 Statement	\$560.66
22938	Municipal Development Froup	Planning Services	\$732.50
22939	Pro Hydro-Testing LLC	50 SCBA Testing	\$1,375.00
22940	Riteway Business Forms	Checks	\$209.78
22941	Security Bank	McCallum - H.S.A.	\$125.00
22942	Squeaky Clean	Cleaning Services - March	\$661.17
22943	VISA	Office Supplies	\$1,101.86
22944	AEM Workforce Solutions	Payroll Preperation - March	\$540.00
22945	Alex Air Apparatus Inc	4 30 Minutes Clear Coated	\$1,500.00
22946	AME Electric Inc	WWTP - Replace LED	\$296.40
22947	Bolton and Menk	2020 Design Bidding/Misc Engineer	\$29,690.25
22948	Carver County Attorneys	1st Quarter Prosecution Contract	\$689.72
22949	Core and Main	Handheld Docking Station	\$6,719.59
22950	ECM Publishers Inc	Watertown/Mayer Guide	\$280.00
5620E	ADP LLC	Payroll Processing Fee	\$84.29
5621E	ADP LLC	Employee Wages	\$7,169.33
5622E	ADP LLC	Employee Taxes	\$2,844.79

5623E	PERA	Employee Benefits	\$1,393.27
5624E	ADP LLC	Council Wages - 1st Quarter	\$1,689.35
5625E	ADP LLC	Council Taxes Quarter 1 - 2020	\$1,287.87
5626E	VOID	VOID	
5627E	ADP LLC	Payroll Processing Fee	\$160.90
5628E	Verizon Wireless	City Cell Phones	\$245.13
5629E	Verizon Wireless	FD Cell Phone and Tablet	\$41.19
5630E	Verizon Wireless	OSH Lift Dialer	\$14.48
5631E	Xcel Energy	WWTP	\$4,247.24
5632E	ADP LLC	ADP Employee Fees	\$166.88
5633E	Centerpoint Energy	WTP	\$26.54
5634E	Centerpoint Energy	PW	\$97.88
5635E	Centerpoint Energy	FD	\$376.89
5636E	Centerpoint Energy	WWTP	\$728.91
5637E	Centerpoint Energy	City Hall	\$514.12
50137	ADP LLC	Council payroll	\$796.22
			<hr/>
			\$76,915.26



\_\_\_\_\_

## STAFF REPORT

**Date:** April 3, 2020  
**To:** City Council  
**From:** Timothy A. Sullivan, City Attorney  
**Re:** Jaguar Cable Franchise: Change of Control of Cable System

### **Background:**

The City granted Jaguar Communications, Inc. (“Jaguar”) a 15-year cable franchise on November 16, 2018. The City received correspondence from Jaguar, dated March 13, 2020, informing the City that Jaguar’s parent company, Provincial Real Estate Holdings, LLC (“Provincial”), will be purchased by MetroNet Holdings, LLC (“MetroNet”). This will result in a 100% acquisition of Provincial by MetroNet.

After this transaction is completed, Jaguar will remain the grantee under the franchise from the City, merely under different ownership. City customers of Jaguar will not see any gap in service, and no changes will be made to the services provided under the franchise as a result of the transaction.

Per the Section 9 of the Franchise Agreement, Jaguar is obligated to obtain approval from the City prior to any sale, transfer, or fundamental corporate change resulting in a new controlling interest of Jaguar. Jaguar has requested that the City approve this transaction pursuant to the franchise agreement.

Pursuant to Minn. Stat. § 238.083, Jaguar is required to make a written request for approval of such a sale or transfer, which Jaguar has done. The City is also obligated by this same statute to either approve or deny the sale or transfer request in writing, and such approval or denial must not be unreasonably withheld.

While the franchise agreement provides that the City has at least 120 days in which to review a transfer request, Jaguar has requested approval by August 30, 2020. In the event the City does not consent to the transfer, it is a right of first refusal of the offer to purchase the cable system.

The franchise agreement further provides that Jaguar shall reimburse the City for all reasonable legal costs and fees associated with the City’s review of any request for

transfer. I will provide the amount of my legal fees related to this matter to the City Administrator to forward to Jaguar for reimbursement.

**Potential Council Action:**

The City Council may: 1) adopt the proposed resolution, approving the transfer and waiving the City's right of first refusal to purchase the cable system; or 2) exercise its right of first refusal and purchase the cable system from Jaguar.

**Conclusion:**

I advise the City Council to adopt the attached proposed resolution approving the transfer and waiving the City's right of first refusal to purchase the cable system. This is a formality, as the purchase will not affect the services offered and which will continue to be offered by Jaguar.



March 13, 2020

City of Mayer  
Attn: Ms. Margaret McCallum, City Administrator  
413 Bluejay Avenue  
P.O. Box 102  
Mayer, MN 55360

Re: Cable Franchise and Change of Control of Cable System

Dear Ms. McCallum:

On or about November 16, 2018, the City of Mayer, Minnesota (“City”) granted Jaguar Communications, Inc. (“Jaguar”) a cable franchise (“Franchise”). The Franchise was granted for a term of fifteen (15) years and governs the provision of cable services in the City.

This letter is to inform you of a transaction that affects the ownership and control of Jaguar’s parent company, Provincial Real Estate Holdings, LLC (“Provincial”). Pursuant to an Equity Purchase Agreement dated January 17, 2020, MetroNet Holdings, LLC (“MetroNet”), will acquire 100% of the issued and outstanding equity interests of Provincial (the “Transaction”).

After consummation of the Transaction, Jaguar will remain the grantee under the Franchise and Jaguar will continue to provide cable service to its subscribers in the City. Jaguar cable subscribers will see no gap in cable service and effectively no change as a result of the Transaction. Moreover, the City will continue to receive updates from Jaguar. The only change will be the ownership and control of Jaguar, which will be indirectly held by MetroNet.

Under the Franchise and/or Minnesota Statutes, Chapter 238, the Transaction will result in a change of control of Jaguar and therefore may require the City’s consent. To that end, this letter serves as a written request to the City to: (i) approve the Transaction; and (ii) waive any right to purchase the cable system under the Franchise or Minnesota Statutes, Chapter 238. The enclosed Resolution addresses each of these matters.

We look forward to closing the Transaction in the near future and hope that the City’s schedule will permit the City to act on the enclosed Resolution on or before April 30, 2020. We would be happy to have appropriate representatives present at the meeting during which the enclosed Resolution is considered to answer any questions or concerns.

On behalf of Jaguar it remains our pleasure to serve the City and we are confident that once the Transaction is completed we will continue to provide high quality cable services to your

March 13, 2020

Ms. M. McCallum

Page 2

residents. If you have any questions concerning this letter or the enclosed Resolution, please feel free to contact me at (507) 214-0269 or [kanderson@jagcom.net](mailto:kanderson@jagcom.net). Kindly provide a copy of the executed final resolution to Kristine Anderson at Jaguar via mail, email at [kanderson@jagcom.net](mailto:kanderson@jagcom.net), or fax at 507-214-1003. Thank you for your prompt attention to this matter.

Sincerely,

JAGUAR COMMUNICATIONS, INC.

s/

Kristine Anderson  
In-House Counsel

Enclosures

**CITY OF MAYER, MINNESOTA  
RESOLUTION NO. 4.7.20.16**

**RESOLUTION APPROVING THE CHANGE OF CONTROL OF JAGUAR  
COMMUNICATIONS, INC.**

**WHEREAS**, Jaguar Communications, Inc. (“Grantee”) currently holds a cable franchise (“Franchise”) granted by the City of Mayer, Minnesota (“City”), to own, operate and maintain a cable communications system (“System”) in the City; and

**WHEREAS**, the Franchise includes a fifteen (15) year franchise term which will expire on or about November 16, 2033; and

**WHEREAS**, pursuant to an Equity Purchase Agreement dated January 17, 2020, MetroNet Holdings, LLC, will acquire one hundred percent (100%) of the issued and outstanding equity interests of Provincial Real Estate Holdings, LLC, the parent company of Grantee (the “Transaction”); and

**WHEREAS**, the both the Franchise Agreement and Minnesota Statutes, Section 238.083, require that the Grantee obtain the City’s consent to the change of control contemplated under the Transaction.

**NOW, THEREFORE**, BE IT RESOLVED by the City Council of the City of Mayer, Minnesota as follows:

1. The City hereby (i) consents to and approves the Transaction, and (ii) waives any right the City may have under Minnesota Statutes, Chapter 238, or the Franchise Agreement to purchase the System.
2. In the event the Transaction is not completed, for any reason, the City’s consent shall not be effective and shall be null and void

Passed by the City Council of the City of Mayer, Minnesota, this 13 day of April, 2020.

\_\_\_\_\_  
Mike Dodge, Mayor

Attested:

\_\_\_\_\_  
Margaret McCallum, City Administrator

**ACCEPTANCE**

The terms and conditions of Resolution No. 4.7.20.16 are hereby accepted by Jaguar Communications, Inc., this \_\_\_\_ day of \_\_\_\_\_, 2020.

**JAGUAR COMMUNICATIONS, INC.**

By: \_\_\_\_\_

Its: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Notary Public



## Request for Council Action Memorandum

---

Item: Coldwater Crossing 8<sup>th</sup> Addition Extension

Meeting Date: April 13, 2020

Presented By: Margaret McCallum, City Administrator

### **Recommendations/Council Action/Motion Requested:**

To review and discuss allowing an extension for the Coldwater Crossing 8<sup>th</sup> Addition review for the final plat, final planned unit development plan and right of way vacation.

### **Details:**

In July 2018, Coldwater X, LLC initiated the review process with the City of Mayer for the Coldwater Crossing 8<sup>th</sup> Addition in the Coldwater Crossing Development.

Approval of the preliminary plat and preliminary planned unit development for Coldwater Crossing 8<sup>th</sup> addition are set to expire on September 10, 2020. Coldwater X, LLC is asking for an extension to allow for the maintenance and approval of those documents to be good through April 1, 2021.

Coldwater X, LLC is also giving the City of Mayer the authority of extend the review deadline for the final plat and final planned unit development planned for the 8<sup>th</sup> addition and the right of way vacation of Park Point to April 1, 2021.

The developer is aware of the additional items needed and required to be submitted or finalized by the applicant in order for the City Council to take action on the application requests.

### **Attachments:**

Letter from Coldwater X, LLC developer Jude Lague.

March 25, 2020

Margaret MacCallum  
City of Mayer  
413 Bluejay Avenue  
Mayer, MN 55360

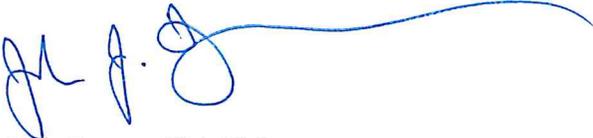
Re: Coldwater Crossing 8th Addition final plat, final planned unit development plan and right of way vacation review extension

As owner of Coldwater X, LLC, I am giving the City of Mayer the authority to extend the review deadline for the final plat and final planned unit development plan for Coldwater Crossing 8th Addition and the right of way vacation for Park Point to April 1, 2021. I am fully aware of what additional items are required to be submitted or finalized by the applicant in order for the City Council for the City of Mayer to take action on these application requests.

At this time, I am also asking for an extension on the preliminary plat and preliminary planned unit development approvals for Coldwater Crossing 8th Addition. These approvals currently would expire on September 10, 2020 and the extension would allow the approvals to be good through April 1, 2021. I do understand the preliminary plat extension needs to be approved by the City Council.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jude Lague', with a long, sweeping horizontal line extending to the right.

Jude Lague, Chief Manager  
Coldwater X, LLC



## Request for Council Action Memorandum

---

Item: Limited Use Permit with MnDOT for Non-Motorized Recreational Trail – Highway 25

Meeting Date: April 13, 2020

Presented By: Margaret McCallum, City Administrator

### **Recommendations/Council Action/Motion Requested:**

To approve a limited use permit with the State of Minnesota Department of Transportation for a non-motorized recreational trail in the right-of-way of trunk Highway 25.

### **Details:**

MnDOT has been planning for the Highway 25 project within and between the cities of Watertown and Mayer for a few years.

A summary of the work includes resurfacing Highway 25 south of 1<sup>st</sup> Street/County Road 30 in Mayer to State Street in Watertown.

Within Mayer, MnDOT will construct a sidewalk from 5<sup>th</sup> Street to 7<sup>th</sup> Street at the roundabout. In addition, MnDOT is proposing upgrades to sidewalks in downtown Mayer to meet current American with Disability Standards (ADA). These include sidewalks between 1<sup>st</sup> Street/County Road 30 and 5<sup>th</sup> Street.

The project is projected to begin in mid-to-late July.

The City of Mayer has approved a plan to have MnDOT construct a non-motorized recreational trail in the right-of-way of Trunk Highway 25 to enhance and promote safe walking/travel along and across Highway 25.

The State of Minnesota, Department of Transportation (MnDOT) needs a Limited Use Permit for the construction and utilization of said pedestrian trail.

After the project is complete, the City of Mayer shall operate and maintain the trail in accordance with the Limited Use Permit granted by MnDOT.

### **Attachments:**

Exhibit A.

Resolution 4.13.20.17  
Limited Use Permit with MnDOT

**STATE OF MINNESOTA  
DEPARTMENT OF TRANSPORTATION**

**LIMITED USE PERMIT**

C.S. 1006 (T.H. 25)  
County of Carver  
LUP # 1006-0044  
Permittee: City of Mayer  
Expiration Date: 03/10/2030  
Coop./Const. Agmt # \_\_\_\_\_

In accordance with Minnesota Statutes Section 161.434, the State of Minnesota, through its Commissioner of Transportation, ("MnDOT"), hereby grants a Limited Use Permit (the "LUP") to City of Mayer, ("Permittee"), to use the area within the right of way of Trunk Highway No. 25 as shown in red on Exhibit "A", (the "Area") attached hereto and incorporated herein by reference. This Limited Use Permit is executed by the Permittee pursuant to resolution, a certified copy of which is attached hereto as Exhibit B.

**Non-Motorized Trail**

The Permittee's use of the Area is limited to only the constructing, maintaining and operating a nonmotorized trail ("Facility") and the use thereof may be further limited by 23 C.F.R. 652 also published as the Federal-Aid Policy Guide.

In addition, the following special provisions shall apply:

**SPECIAL PROVISIONS**

1. **TERM.** This LUP terminates at 11:59PM on 03/10/2030 ("Expiration Date") subject to the right of cancellation by MnDOT, with or without cause, by giving the Permittee ninety (90) days written notice of such cancellation. This LUP will not be renewed except as provided below.

Provided this LUP has not expired or terminated, MnDOT may renew this LUP for a period of up to ten (10) years, provided Permittee delivers to MnDOT, not later than ninety (90) days prior to the Expiration Date, a written request to extend the term. Any extension of the LUP term will be under the same terms and conditions in this LUP, provided:

- (a) At the time of renewal, MnDOT will review the Facility and Area to ensure the Facility and Area are compatible with the safe and efficient operation of the highway and the Facility

and Area are in good condition and repair. If, in MnDOT's sole determination, modifications and repairs to the Facility and Area are needed, Permittee will perform such work as outlined in writing in an amendment of this LUP; and

- (b) Permittee will provide to MnDOT a certified copy of the resolution from the applicable governmental body authorizing the Permittee's use of the Facility and Area for the additional term.

If Permittee's written request to extend the term is not timely given, the LUP will expire on the Expiration Date.

Permittee hereby voluntarily releases and waives any and all claims and causes of action for damages, costs, expenses, losses, fees and compensation arising from or related to any cancellation or termination of this LUP by MnDOT. Permittee agrees that it will not make or assert any claims for damages, costs, expenses, losses, fees and compensation based upon the existence, cancellation or termination of the LUP. Permittee agrees not to sue or institute any legal action against MnDOT based upon any of the claims released in this paragraph.

- 2. **REMOVAL.** Upon the Expiration Date or earlier termination, at the Permittee's sole cost and expense Permittee will:

- (a) Remove the Facility and restore the Area to a condition satisfactory to the MnDOT District Engineer; and
- (b) Surrender possession of the Area to MnDOT.

If, without MnDOT's written consent, Permittee continues to occupy the Area after the Expiration Date or earlier termination, Permittee will remain subject to all conditions, provisions, and obligations of this LUP, and further, Permittee will pay all costs and expenses, including attorney's fees, in any action brought by MnDOT to remove the Facility and the Permittee from the Area.

- 3. **CONSTRUCTION.** The construction, maintenance, and supervision of the Facility shall be at no cost or expense to MnDOT.

Before construction of any kind, the plans for such construction shall be approved in writing by the MnDOT's District Engineer. Approval in writing from MnDOT District Engineer shall be required for any changes from the approved plan.

The Permittee will construct the Facility at the location shown in the attached Exhibit "A", and in accordance with MnDOT-approved plans and specifications. Further, Permittee will construct the Facility using construction procedures compatible with the safe and efficient operation of the highway.

Upon completion of the construction of the Facility, the Permittee shall restore all disturbed slopes and ditches in such manner that drainage, erosion control and aesthetics are perpetuated.

The Permittee shall preserve and protect all utilities located on the lands covered by this LUP at no expense to MnDOT and it shall be the responsibility of the Permittee to call the Gopher State One Call System at 1-800-252-1166 at least 48 hours prior to performing any excavation.

Any crossings of the Facility over the trunk highway shall be perpendicular to the centerline of the highway and shall provide and ensure reasonable and adequate stopping sight distance.

4. MAINTENANCE. Any and all maintenance of the Facility shall be provided by the Permittee at its sole cost and expense, including, but not limited to, plowing and removal of snow and installation and removal of regulatory signs. No signs shall be placed on any MnDOT or other governmental agency sign post within the Area. MnDOT will not mark obstacles for users on trunk highway right of way.
5. USE. Other than as identified and approved by MnDOT, no permanent structures or no advertising devices in any manner, form or size shall be allowed on the Area. No commercial activities shall be allowed to operate upon the Area.

Any use permitted by this LUP shall remain subordinate to the right of MnDOT to use the property for highway and transportation purposes. This LUP does not grant any interest whatsoever in land, nor does it establish a permanent park, recreation area or wildlife or waterfowl refuge. No rights to relocation benefits are established by this LUP.

This LUP is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities which may occupy the Area.

6. APPLICABLE LAWS. This LUP does not release the Permittee from any liability or obligation imposed by federal law, Minnesota Statutes, local ordinances, or other agency regulations relating thereto and any necessary permits relating thereto shall be applied for and obtained by the Permittee.

Permittee at its sole cost and expense, agrees to comply with, and provide and maintain the Area, Facilities in compliance with all applicable laws, rules, ordinances and regulations issued by any federal, state or local political subdivision having jurisdiction and authority in connection with said Area including the Americans with Disabilities Act ("ADA"). If the Area and Facilities are not in compliance with the ADA or other applicable laws MnDOT may enter the Area and perform such obligation without liability to Permittee for any loss or damage to Permittee thereby incurred, and Permittee shall reimburse MnDOT for the cost thereof, plus 10% of such cost for overhead and supervision within 30 days of receipt of MnDOT's invoice.

7. CIVIL RIGHTS. The Permittee for itself, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree that in the event improvements are constructed, maintained, or otherwise operated on the Property described in this Limited Use Permit for a purpose for which a MnDOT activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the Permittee will maintain and operate such improvements and services in compliance with all requirements imposed by the Acts and Regulations relative to nondiscrimination in federally-assisted programs of the United States Department of Transportation, Federal Highway Administration, (as may be amended) such that no person on the grounds of race, color, national origin, sex, age, disability, income-level, or limited English proficiency will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said improvements.
8. SAFETY. MnDOT shall retain the right to limit and/or restrict any activity, including the parking of vehicles and assemblage of Facility users, on the highway right of way over which this LUP is granted, so as to maintain the safety of both the motoring public and Facility users.
9. ASSIGNMENT. No assignment of this LUP is allowed.
10. IN WRITING. Except for those which are set forth in this LUP, no representations, warranties, or agreements have been made by MnDOT or Permittee to one another with respect to this LUP.
11. ENVIRONMENTAL. The Permittee shall not dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the State's right of way. In the event of spillage of regulated materials, the Permittee shall notify in writing MnDOT's District Engineer and shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Permittee.
12. MECHANIC'S LIENS. The Permittee (for itself, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto.
13. NOTICES. All notices which may be given, by either party to the other, will be deemed to have been fully given when served personally on MnDOT or Permittee or when made in writing addressed as follows: to Permittee at:

Mayor  
Mayer City Hall  
413 Bluejay Ave  
Mayer, MN 55360-0102

and to MnDOT at:

State of Minnesota  
Department of Transportation  
Metro District Right of Way  
1500 W. County Road B2  
Roseville, MN 55113

The address to which notices are mailed may be changed by written notice given by either party to the other.

14. INDEMNITY. Permittee shall indemnify, defend to the extent authorized by the Minnesota Attorney General's Office, hold harmless and release the State of Minnesota, its Commissioner of Transportation and employees and any successors and assigns of the foregoing, from and against:
- (a) all claims, demands, and causes of action for injury to or death of persons or loss of or damages to property (including Permittee's property) occurring on the Facility or connected with Permittee's use and occupancy of the Area, except when such injury, death, loss or damage is caused solely by the negligence of State of Minnesota, but including those instances where the State of Minnesota is deemed to be negligent because of its failure to supervise, inspect or control the operations of Permittee or otherwise discover or prevent actions or operations of Permittee giving rise to liability to any person;
  - (b) claims arising or resulting from the temporary or permanent termination of Facility user rights on any portion of highway right of way over which this LUP is granted;
  - (c) claims resulting from temporary or permanent changes in drainage patterns resulting in flood damages;
  - (d) any laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever filed or maintained for or on account of any work done or materials furnished; and
  - (e) any damages, testing costs and clean-up costs arising from spillage of regulated materials attributable to the construction, maintenance or operation of the Facility.

MINNESOTA DEPARTMENT

OF TRANSPORTATION

RECOMMENDED FOR APPROVAL

By: \_\_\_\_\_

— District Engineer

Date \_\_\_\_\_

APPROVED BY:

COMMISSIONER OF TRANSPORTATION

By: \_\_\_\_\_  
Director, Office of Land Management

Date \_\_\_\_\_

—

CITY OF MAYER

By \_\_\_\_\_

—

Its

\_\_\_\_\_

And \_\_\_\_\_

—

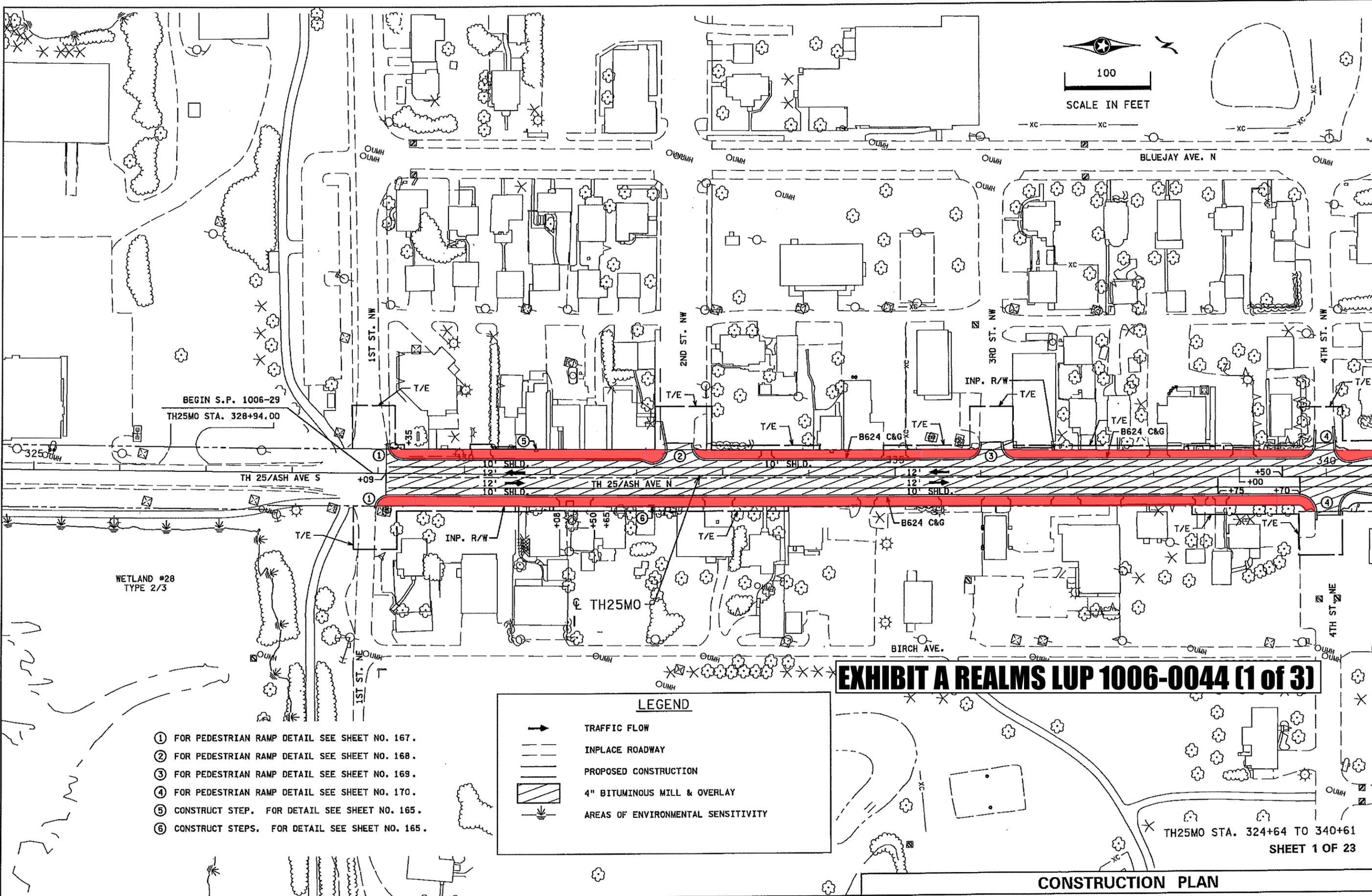
Its

\_\_\_\_\_

The Commissioner of Transportation  
by the execution of this permit  
certifies that this permit is  
necessary in the public interest  
and that the use intended is for  
public purposes.

PLOTTED/REVISED: 7-JAN-2020

DISTRICT #: Metro  
PLOT NAME: d100721.dwg  
FILENAME: Projects\DM\_R05\025\007\021\Design\PlanSheets\d100721.dwg



- ① FOR PEDESTRIAN RAMP DETAIL SEE SHEET NO. 167.
- ② FOR PEDESTRIAN RAMP DETAIL SEE SHEET NO. 168.
- ③ FOR PEDESTRIAN RAMP DETAIL SEE SHEET NO. 169.
- ④ FOR PEDESTRIAN RAMP DETAIL SEE SHEET NO. 170.
- ⑤ CONSTRUCT STEP. FOR DETAIL SEE SHEET NO. 165.
- ⑥ CONSTRUCT STEPS. FOR DETAIL SEE SHEET NO. 165.

**LEGEND**

→	TRAFFIC FLOW
---	INPLACE ROADWAY
---	PROPOSED CONSTRUCTION
▨	4" BITUMINOUS MILL & OVERLAY
~	AREAS OF ENVIRONMENTAL SENSITIVITY

**EXHIBIT A REALMS LUP 1006-0044 (1 of 3)**

TH25MO STA. 324+64 TO 340+61  
SHEET 1 OF 23

**CONSTRUCTION PLAN**

DRAWN BY: HG

CHECKED BY: RJM

CERTIFIED BY \_\_\_\_\_

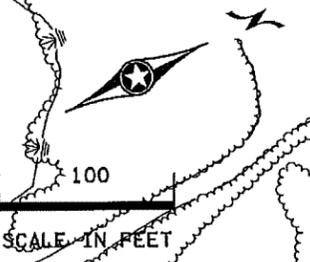
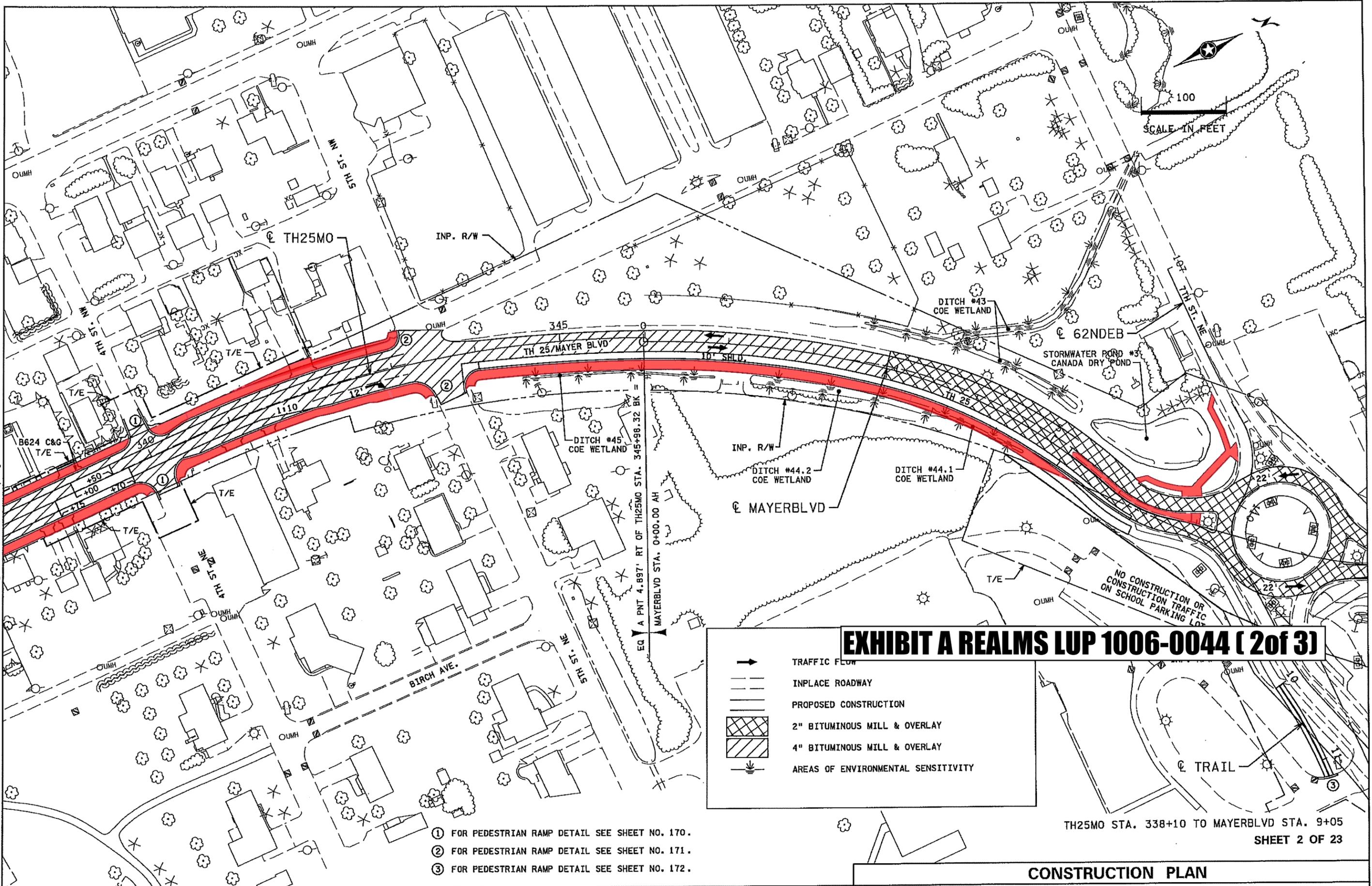
LICENSED PROFESSIONAL ENGINEER

LIC. NO. 23720 DATE \_\_\_\_\_

STATE PROJ. NO. 1007-21 (T.H. 25) SHEET NO.139 OF 267 SHEETS

PLOTTED/REVISED: 7-JAN-2020

DISTRICT: Metro  
PLOT NAME: d100721.dwg  
FILENAME: Proj\proj\DOM\_RCS\025\007\021\Design\PlanSheets\d100721\_cp2.dwg



**EXHIBIT A REALMS LUP 1006-0044 ( 2of 3)**

	TRAFFIC FLOW
	INPLACE ROADWAY
	PROPOSED CONSTRUCTION
	2" BITUMINOUS MILL & OVERLAY
	4" BITUMINOUS MILL & OVERLAY
	AREAS OF ENVIRONMENTAL SENSITIVITY

- ① FOR PEDESTRIAN RAMP DETAIL SEE SHEET NO. 170.
- ② FOR PEDESTRIAN RAMP DETAIL SEE SHEET NO. 171.
- ③ FOR PEDESTRIAN RAMP DETAIL SEE SHEET NO. 172.

TH25MO STA. 338+10 TO MAYERBLVD STA. 9+05  
SHEET 2 OF 23

**CONSTRUCTION PLAN**  
STATE PROJ. NO. 1007-21 (T.H. 25 ) SHEET NO.140 OF 267 SHEETS

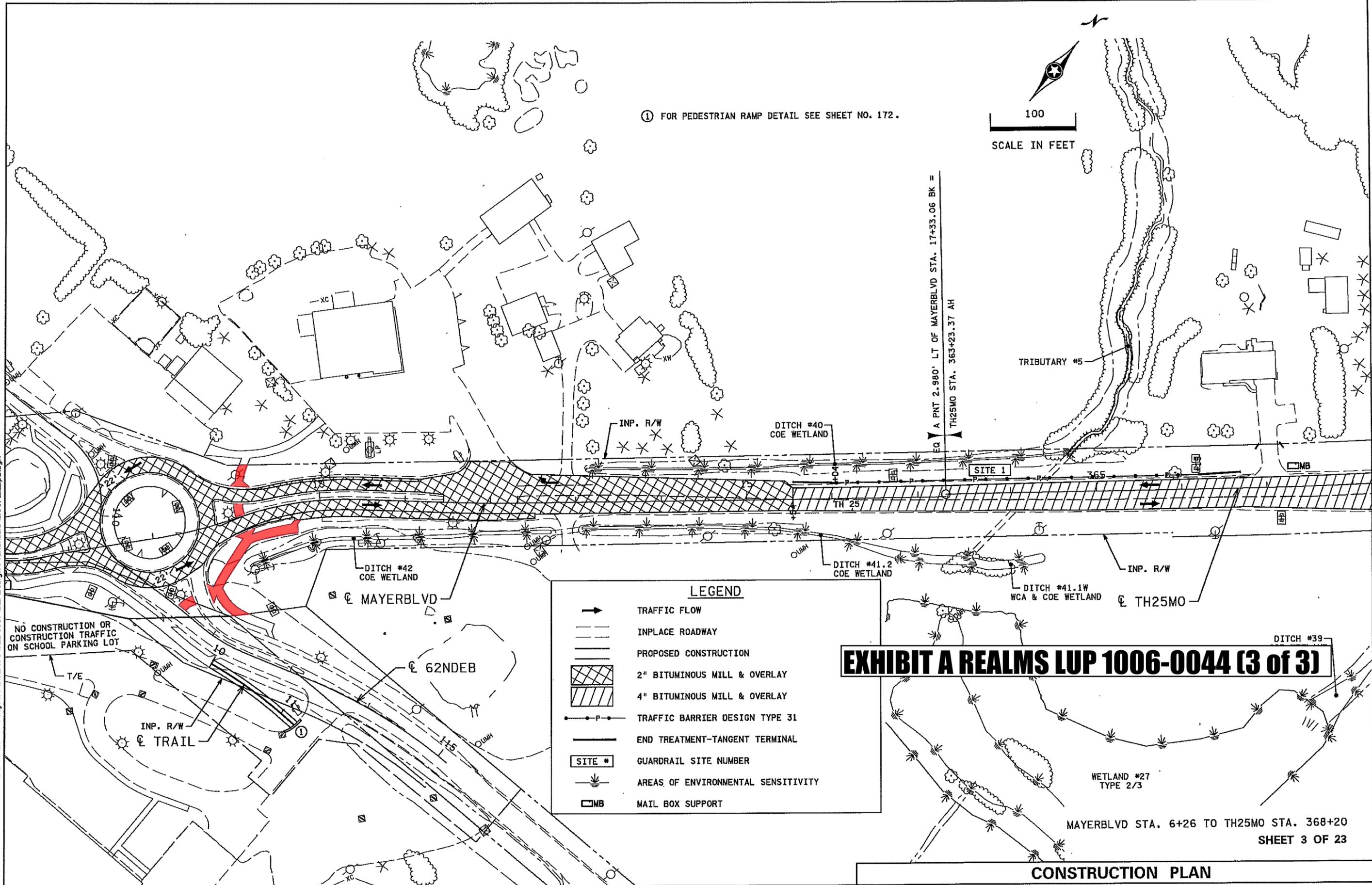
DRAWN BY: HG      CHECKED BY: RJM      CERTIFIED BY \_\_\_\_\_ LIC. NO. 23720      DATE \_\_\_\_\_  
LICENSED PROFESSIONAL ENGINEER

PLOTTED/REVISED: 7-JAN-2020

DISTRICT: Metro  
PLOT NAME: d100721\_cp3  
FILENAME: Projects\DM\_RCS\025\007\021\Design\PlanSheets\d100721\_cp3.dgn

① FOR PEDESTRIAN RAMP DETAIL SEE SHEET NO. 172.

100  
SCALE IN FEET



**LEGEND**

	TRAFFIC FLOW
	INPLACE ROADWAY
	PROPOSED CONSTRUCTION
	2" BITUMINOUS MILL & OVERLAY
	4" BITUMINOUS MILL & OVERLAY
	TRAFFIC BARRIER DESIGN TYPE 31
	END TREATMENT-TANGENT TERMINAL
	GUARDRAIL SITE NUMBER
	AREAS OF ENVIRONMENTAL SENSITIVITY
	MAIL BOX SUPPORT

**EXHIBIT A REALMS LUP 1006-0044 (3 of 3)**

MAYERBLVD STA. 6+26 TO TH25MO STA. 368+20  
SHEET 3 OF 23

**CONSTRUCTION PLAN**

DRAWN BY: HG

CHECKED BY: RJM

CERTIFIED BY \_\_\_\_\_  
LICENSED PROFESSIONAL ENGINEER

LIC. NO. 23720 DATE \_\_\_\_\_

STATE PROJ. NO. 1007-21 (T.H. 25 ) SHEET NO.141 OF 267 SHEETS

RESOLUTION NO 4.7.20.16  
CITY OF MAYER LIMITED USE PERMIT  
WITH THE STATE OF MINNESOTA  
DEPARTMENT OF TRANSPORTATION  
FOR A NON-MOTORIZED RECREATIONAL TRAIL IN THE RIGHT- OF-WAY OF  
TRUNK HIGHWAY 25 BETWEEN 5<sup>TH</sup> STREET AND 62<sup>ND</sup> STREET

WHEREAS, the City of Mayer is a political subdivision, organized and existing under the laws of the State of Minnesota; and,

WHEREAS, the City of Mayer has approved a plan for the State of Minnesota, Department of Transportation to construct a non-motorized recreational trail in the right-of way of Trunk Highway 25 to promote orderly and safe pedestrian traffic along the highway; and,

WHEREAS, the State of Minnesota, Department of Transportation requires a Limited Use Permit for the construction and utilization of said pedestrian trail.

NOW, THEREFORE, BE IT RESOLVED, that the City of Mayer enters into a Limited Use Permit with the State of Minnesota, Department of Transportation for the following purposes:

To operate and maintain a non-motorized recreational trail constructed by the State of Minnesota within the right- of- way of Trunk Highway 25 of the State of Minnesota between 5<sup>th</sup> Street and 62<sup>nd</sup> Street. The City of Mayer shall operate and maintain said trail in accordance with the Limited Use Permit granted by the Minnesota Department of Transportation.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Administrator Mayor are authorized to execute the Limited Use Permit and any amendments to the Permit.

CERTIFICATION

I certify that the above Resolution is an accurate copy of the Resolution adopted by the City Council of the City of Mayer at an authorized meeting held on the 13<sup>th</sup> day of 2020, as shown by the minutes of the meeting in my possession.

Subscribed and sworn to before me this _____ day of _____, 20__
Notary Public _____
My Commission Expires _____
<b>NOTARY STAMP</b>

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Type or Print Name)

\_\_\_\_\_  
(Title)



## Request for Council Action Memorandum

---

Item: Fire Department – Purchase of Three Motorola Radios

Meeting Date: April 13, 2020

Presented By: Margaret McCallum, City Administrator

**Recommendations/Council Action/Motion Requested:**

To approve the purchase of three Motorola Radios to replace three current nonfunctioning Fire Department radios.

**Details:**

The Fire Department is looking to purchase three Motorola Radios to replace three nonfunctioning radios.

The cost would be \$3,701.00 per radio for a total of \$11,103.00.

The radios would be paid for out of the 210 fund for capital investments.

This fund currently has \$255,298.61 in it for capital expenditures that come up.

**Attachments:**

Quote.



QUOTE-1229339  
APX-6000 Portable Radio 3-5-2020

Billing Address:  
MAYER FIRE DEPT, CITY OF  
400 ASH AVE N  
MAYER, MN 55360  
US

Shipping Address:  
MAYER FIRE DEPT, CITY OF  
413 BLUEJAY AVE  
MAYER, MN 55360  
US

Quote Date:03/05/2020  
Expiration Date:06/03/2020  
Quote Created By:  
Sid Sanocki  
Sales  
sid.sanocki@ancom.org  
6517148359

End Customer:  
MAYER FIRE DEPT, CITY OF  
Rod Maetzold  
mayerfd@frontiernet.net  
952-657-2291

Contract: 20927 - MN DOT 119587  
Payment Terms:30 NET

Line #	Item Number	Description	Qty	List Price	Disc %	Sale Price	Ext. Sale Price
	APX™ 6000 Series	APX6000 LI					
1	H98UCF9PW6BN	APX6000 700/800 MODEL 2.5 PORTABLE	1	\$3,026.00	27.18%	\$2,203.50	\$2,203.50
1a	Q58AL	ADD: 3Y ESSENTIAL SERVICE	1	\$110.00	0.0%	\$110.00	\$110.00
1b	QA02756AA	ENH: LI 9600 OR 3600 SINGLE SYSTEM DIGITAL TRUNKING	1	\$1,570.00	25.0%	\$1,177.50	\$1,177.50
1c	H122BR	ALT: 1/4 WAVE 7/8 STUBBY (NAR6595)	1	\$24.00	25.0%	\$18.00	\$18.00
1d	QA07577AA	ALT: BATT IMPRES 2 LIION TIA4950 IP68 3100T STD	1	\$135.00	25.0%	\$101.25	\$101.25
2	PMMN4069A	MICROPHONE,IMPRES RSM, 3.5MM JACK, IP55	1	\$133.00	31.77%	\$90.75	\$90.75

Grand Total

\$3,701.00(USD)  
x3



## Request for Council Action Memorandum

---

Item: Extension of State of Emergency – May 4, 2020

Meeting Date: April 13, 2020

Presented By: Margaret McCallum, City Administrator

### **Recommendations/Council Action/Motion Requested:**

To approve the extension of the City's State of Emergency to May 4, 2020 to be in conjunction with the Governor's Stay At Home Order.

### **Details:**

On March 19, 2020, Mayor Dodge declared a State of Peacetime Emergency for the City of Mayer related to the COVID-19 Health Pandemic. At the March 19, 2020 Special Council meeting, the Council approved by resolution extending the State of Emergency to April 30, 2020.

Globally, Nationally, and locally declarations and orders have been given.

On March 13, 2020 Minnesota Governor, Tim Walz issued a statewide Executive Order declaring a Peacetime State of Emergency until April 10, 2020.

On April 8, 2020, Governor Walz extended the Order to May 4, 2020.

According to research, this order will continue to promote and protect the health, safety and welfare of the citizens of Minnesota by slowing down the spread of COVID-19.

The City of Mayer is looking to remain consistent with statewide directives and therefore is seeking to extend the City State of Peacetime Emergency from April 30, 2020 to May 4, 2020.

### **Attachments:**

None.



**REQUEST FOR CITY COUNCIL ACTION**

<b>Meeting Date:</b>	April 13 <sup>th</sup> 2020				
<b>Item Name:</b>	Sewer Jetting And Televising				
<b>Originating Department:</b>	Public Works				
<b>Presented by:</b>	Kyle Kuntz				
<b>Previous Council Action (if any):</b>					
<b>Item Type (X only one):</b>	Consent		Regular Session	<u>X</u>	Discussion Session

***RECOMMENDATIONS/COUNCIL ACTION/MOTION REQUESTED (Include motion in proper format.)***

A motion approving the scheduling of the yearly sewer jetting and televising.

***EXPLANATION OF AGENDA ITEM (Include a description of background, benefits, and recommendations.)***

Staff is proposing to have about 25,000 linear feet of sanitary sewer line be jetted and televised by Overline and Son in the amount of \$22,620. The areas scheduled for the maintenance this year include the Cold Water Crossing and Hidden Creek developments. This is routine maintenance that the city is required to do on a yearly basis. Jetting and televising removes build-up of debris that happens overtime and it also reduces the risk of the sewer becoming plug and backing up. It also gives City Staff the ability to inspect the current condition of the city's gravity sewer pipe. Once this work is complete the city will have cleaned and televised approximately all 62,000 linear feet of sanitary sewer pipe over the last three years.

Attached are the bids City Staff collected from two different contractors along with a map of the areas that are to be jetted and televised.

<b><i>FINANCIAL IMPLICATIONS:</i></b>		<b><i>ADVISORY BOARD RECOMMENDATIONS:</i></b>			
Funding Sources & Uses: <b>Repairs and Maintenance \$43,500</b>		Other _____			
Budget Information:					
_____ Budgeted	_____ Non Budgeted				
_____ Amendment Required					
<b>Approved</b> _____	<b>Denied</b> _____	<b>Tabled</b> _____	<b>Other</b> _____		
<b>Resolution No.</b> _____		<b>Ordinance No.</b> _____			



# Overline & Son, Inc

19370 County Road 40  
Belle Plaine, MN 56011

Phone # 952-873-4330  
Fax # 952-873-4330 overlineandson@yahoo.com

## Estimate

Date	Estimate #
3/20/2020	136

Customer
City of Mayer 413 Bluejay Avenue Mayer, MN 55360

Description	Qty	Rate	Total
Estimate for Vactor and Televising Services - Approx 25,000/lf			
Vactor Services to jet clean and vacuum 8 - 10" sanitary sewer lines	19,500	0.59	11,505.00
Vactor services to jet clean and vacuum approximately 5,500/lf of 15" sanitary sewer lines performed at hourly rate: Jet clean and vacuum - one man & truck \$245/hr Additional man labor for Vactor services \$90/hr		0.00	0.00
Televising and reporting of 8 - 10" sanitary sewer lines	19,500	0.57	11,115.00
Televising services for approximately 5,500/lf of 15" sanitary sewer lines performed at hourly rate: Televising and reporting - one man & truck \$225/hr Additional man labor for Televising services \$90/hr		0.00	0.00
Includes mobilization and dump			
<ul style="list-style-type: none"> <li>•CITY to provide legal and physical access for equipment to manholes in the sewers to be cleaned and to exposure to buried manholes.</li> <li>•CITY to provide water at nearby hydrants and water meter necessary to conduct cleaning operations at no additional cost to Overline &amp; Son, Inc.</li> <li>•CITY to provide 4 copies of maps with manhole numbering system, street names and distance between manholes.</li> <li>•Overline &amp; Son, Inc. will provide root cutting and additional work performed at hourly billed rate.</li> <li>•Overline &amp; Son, Inc. to dispose of vacuumed material at CITY designated dumpsite.</li> <li>•Overline &amp; Son, Inc. to provide TV Inspection, 1 printed copy of report, significant findings of troubled segments, and one DVD (data &amp; video).</li> </ul>			
<b>Thank you for considering our firm for this project.</b> <b>Estimate valid for 60 days</b>		<b>Total</b>	\$22,620.00



Des Moines, IA      Mankato, MN      Rogers, MN      Sioux Falls, SD      Watertown, SD  
 Bovey, MN      Kansas City, KS      Wausau, WI

# PROPOSAL

Bill To: City of Mayer  
 413 Blue Jay Ave  
 Mayer, MN 55360

Ship To: City of Mayer  
 TBD  
 Mayer, MN 55360

Date	Expires
3/13/2020	5/12/2020
Hydro-Klean Quote Number	Delivery / Availability
QTE045589	As Schedule Permits
Prepared By	
Jake Nanti	
Freight On Board	
Terms	

Quantity	Units	Description	Price	Amount
----------	-------	-------------	-------	--------

Per unit and time and materials cost (if applicable) to conduct the Pipeline Inspection and Proactive Evaluation program as described to the customer. Pricing is conditional to the acceptance and execution of the Pipeline Inspection and Proactive Evaluation Service Agreement. Mayer, MN. Clean & TV 25,000LF of 8"-15" sanitary pipe w/ mainline TV truck and combination jet vac. Customer to provide an adequate water source such as a fire-hydrant at no additional cost to HK. All debris and waste collected to be disposed on site at customer designated location. If required, reverse set-ups for televising will be \$75/ea. Truck access to exposed manholes, is required. Standard traffic control (i.e. cones) is included. Non-standard traffic control, bypassing or easement work will be additional. Cleaning to consist of 3 passes or less. Any cleaning requested beyond 3 passes will be charged at HK's standard hourly rate of \$335/hour standard time or \$375/ hour overtime. Scheduling will be at the discretion of the contractor. Prices below are based on a one year agreement for a minimum of 25,000 LF per year under the P.I.P.E. program.

**Deliverables include:**

- Standard PACP export or GraniteNet export with database, videos and photos.
- Printed, bound reports of Main Inspection and Pipe Run and Defects by Inspection.
- No charge recommendations for rehabilitation throughout the project area. Basic manual inspection of manholes w/ hand written reports \$50/manhole or upgrade to 3D Spider manhole inspections @ \$125/per manhole upon request.
- Review of all pipeline video including evaluation and recommendations for rehabilitation.
- Discounts for all manhole and pipeline rehabilitation performed throughout the P.I.P.E. service agreement.
- Discounts on product purchases throughout the P.I.P.E. service agreement

37.00 Miles	Mobilization of Cleaning Crew (\$10/mile - one way)	\$10.00	\$370.00
37.00 Miles	Mobilization of Televising Crew (\$10/mile - one way)	\$10.00	\$370.00
25000.00 Foot	Cleaning of 8"-15" Sanitary Pipe (3 or less passes)	\$0.82	\$20,500.00
0.00 Foot	Easement Cleaning of 8"-15" Sanitary Pipe (3 or less passes)	\$2.46	\$0.00



**Experience the difference.**  
**One call. One service provider. One experience.**

**855-845-5326**

Des Moines, IA	Mankato, MN	Rogers, MN	Sioux Falls, SD	Watertown, SD
	Bovey, MN	Kansas City, KS	Wausau, WI	
25000.00 Foot	Televising of 8"-15" Sanitary Pipe		\$0.59	\$14,750.00
0.00 Foot	Easement Televising of 8"-15" Sanitary Pipe		\$1.77	\$0.00
0.00 Each	Basic Manhole Inspections (If Requested)		\$50.00	\$0.00
0.00 Each	3D manhole Inspections w/ Spider Camera System (If Requested)		\$125.00	\$0.00

\*NOTE: Proposal does not include any applicable taxes

Prepared By: Jake Nanti  
 Approved By: Wade Anderson  
 Accepted By: \_\_\_\_\_  
 Title: \_\_\_\_\_

Title: Estimator  
 Title: President  
 Date: \_\_\_\_\_  
 PO#: \_\_\_\_\_

*Total
\$35,990.00



**BOLTON  
& MENK**

Real People. Real Solutions.

2638 Shadow Lane  
Suite 200  
Chaska, MN 55318-1172

Ph: (952) 448-8838  
Fax: (952) 448-8805  
Bolton-Menk.com

April 7, 2020

City of Mayer  
Attn: Mrs. Margaret McCallum  
413 Bluejay Avenue  
Mayer, MN 55360

RE: New Germany Wastewater Treatment Study

Dear Maggie:

Last fall the City of New Germany approach the City of Mayer to discuss options to increase the capacity of its sewer system. One of the options being considered was a connection to Mayer's WWTF. At that time, the City Council agreed that they would be willing to discuss a proposal from New Germany with the understanding the City of Mayer would not be responsible for any of the costs, such as studies, and engineering fees. Based on that understanding, Bolton and Menk provided New Germany with a fee estimate for the engineering work that would be necessary to assist with the evaluation.

Since that time, New Germany has been in discussions with Met Council to get funding assistance. Met Council has agreed to fund the necessary studies. Therefore, upon approval of the City, Bolton & Menk proposes to work with New Germany and Met Council develop the information necessary information for both cities to consider its options.

I will be participating in the Council Meeting on April 13<sup>th</sup>. If you have questions or need additional information before then, please let me know.

Sincerely,  
**Bolton & Menk, Inc.**

**David P. Martini, P.E.**