



**CITY OF MAYER
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
MONDAY, APRIL 8, 2019
6:30 PM**

AGENDA

- 1. Call Meeting to Order**
- 2. Pledge of Allegiance**
- 3. Approval of Agenda**
- 4. Public Comment (Please limit comments to 5 minutes)**
- 5. Consent Agenda**
 - A. Minutes
 1. March 25, 2019 City Council Meeting Minutes
 - B. Claims
 - C. Amendment and Extension of Metropolitan Council Local Planning Assistance Program – Grant Agreement
 - D. Quarter 1 – Building Permits Report
 - E. Waste Water Treatment Plant – 2019 Capital Improvement Report
- 6. Reports and Recommendations of City Departments, Consultants, Commissions and Committees**
 - A. Administrative
 1. Sheriff Department – Commander Mike Wollin Introduction
 2. Transfer of Funds – Resolution 4-8-19-16
 3. Street Parking Ordinance 229
 4. Dog License Ordinance 230
 - B. Public Works
 1. Lawn Mower Purchase
- 7. City Council Reports**
- 8. Other Business**
- 9. Upcoming Meetings & Events**

April 9, 2019 Park Commission Meeting
April 22, 2019 City Council Meeting

10. For Your Information

11. Adjournment

MAYER CITY COUNCIL MEETING MINUTES – MARCH 25, 2019

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

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

ABSENT: Council Member McNeilly

STAFF: City Administrator McCallum, Public Works Kuntz, Public Works Hilgers, and Deputy Clerk Gildemeister

ALSO PRESENT: Mark Mitten, Greg Kluver, Don Wachholz, Kaye Timmers

The meeting was opened with the Pledge of Allegiance.

APPROVE AGENDA

A MOTION was made by Council Member Stieve-McPadden with a second by Council Member Butterfield to approve the agenda with the removal of 6A.5 Summer Hours and the addition of 6A.6 Soliciting Cleaning Services. Motion Carried 4/0.

PUBLIC COMMENT

None

APPROVE CONSENT AGENDA

A MOTION was made by Council Member Butterfield with a second by Council Member Stieve-McPadden to approve the Consent Agenda. Motion Carried 4/0.

1. Approve the Minutes of the March 11, 2019 Regular Council Meeting.
2. Approve the Minutes of the March 11, 2019 Council Workshop Meeting.
3. Approve Claims for the Month of March 2019. Check numbers: 22174 to 22192. E-check numbers: 5210E to 5223E.
4. Acknowledge Sheriff's Department Report for the Month of February 2019.
5. Acknowledge City Engineer Summary Report of Projects for February 2019
6. Acknowledge Public Works Report of Activities from February 22 to March 21, 2019.
7. Acknowledge City Administrators Report for the Month of March 2019.
8. Acknowledge Fire Department Report for the Month of February 2019.

CITY ADMINISTRATOR

1. **Approve Resolution 3-25-19-16 Transfer of Funds** –Tabled
Council directed City Administrator to consult the Fire Chief and contacted FEMA for a list of grant funds received from 2014 to 2015.
2. **Approve Request to Install City Hall Generator by Carverlink**– The City was approached by Carverlink to install a generator at City Hall. Carverlink is a publicly owned broadband fiber optics network installed in Carver County. Carverlink is requesting the installation of a generator by Midwest Generator that would provide backup to their hardware when necessary. They proposed contributing \$13,800 toward the cost of the generator. Total cost and installation of the generator and pad will be \$23,800. Midwest will enter the City of Mayer as the owner for the warranty (5 year). Carverlink will give the generator to the City of Mayer. The City would be responsible for maintenance after installation. Public Works will do the yearly maintenance. A MOTION to Approve the Request to Install City Hall Generator by Carverlink and Contribute \$10,000 toward total cost of \$23,800 was made by Council Member Boder and seconded by Council Member Butterfield. Motion Carried 4/0.
Council discussed the proposed pad/generator location and agreed that the location is acceptable.

3. **Discussion on Tower Lease Second Amended Offer to Extend Term Amended Lease** – City Administrator McCallum asked Council for direction on the Tower Lease Second Amended Offer to Extend Term Amended Lease proposed at the August 13, 2018 Council Meeting. After a brief discussion, a MOTION to direct City Attorney to draft the lease agreement for the proposed 20-year term extension and a signing bonus of \$40,000 was made by Council Member Butterfield and seconded by Council Member Stieve-McPadden. Motion Carried 4/0.
4. **Approve Resolution 3-25-19-17 Requesting Comprehensive Road and Transit Funding from the State of Minnesota** – The League of Minnesota Cities is asking cities to help show support for possible solutions to funding street maintenance and repairs. Cities rely heavily on property tax and special assessments to fund road improvements and struggle funding street projects. Existing funding mechanisms for city street maintenance and reconstruction are inadequate with the bulk of these projects not eligible for Municipal State Aid. Cities need a reliable dedicated funding source to support the mobility and economic vitality of their communities.

The Small Cities Assistance Account is aimed at providing street funding for cities that do not receive Municipal State Aid because they do not meet the 5,000 population eligibility threshold for dedicated funds (gas tax, license tabs, and vehicle sales tax revenues) established in the state's constitution. By supporting the solutions; 1) \$10 surcharge on license tabs and motor vehicle title transfers; 2) Establish street improvement districts; 3) Creation of Local Cost-Share Assistance Account; the City of Mayer would ask Governor Tim Walz to sign a comprehensive and balanced transportation funding package that would permanently increase dedicated funding for transportation.

A MOTION to Approve Resolution 3-25-19-17 Requesting Comprehensive Road and Transit Funding from the State of Minnesota was made by Mayor Dodge and seconded by Council Member Stieve-McPadden. After further discussion, Council Members Boder and Butterfield stated their concerns that the funds would not be dispersed to Carver County or the City of Mayer. Council agreed that there is not enough information for approval and were also, not in agreement with the three proposed solutions. Motion fails: 1/3
(*Mayor Dodge, Council Members Boder and Butterfield a nay*)

5. **Approve Request to Advertise for City Hall/Community Center Cleaning Service** – The City of Mayer has terminated its cleaning contract with MN CLN Services as of March 30, 2019. City Administrator McCallum asked Council for permission to advertise for a new cleaning service for the City Hall/Community Center located at 413 Bluejay Ave. A MOTION to Approve Request to Advertise for City Hall/Community Center Cleaning Service was made by Council Member Butterfield and seconded by Council Member Stieve-McPadden. Motion Carried 4/0

PUBLIC WORKS

1. **Waste Water Treatment Facility Annual Report** – Greg Kluver presented to the Council his 2018 annual operation report for the Mayer Waste Water Treatment Facility. Some points of interests are; the WWTF will be receiving its 19th award from the MPCA at the annual Waste Water Operators Conference in March 2019; in September of 2018, the latest phase of the WWTF began year 13 of operation; the 2018 sewer budget was \$244,865 and the actual budget amount came in at \$180,440 due to a CIP in the amount of \$46,637 coming in at the end of 2018 to be reflected in the 2019 budget; Public Works installed all Aeration Basin Diffusers saving \$6,000 by doing the work in house; Greg and Public Works Kuntz complete and submitted an application for new 5 year NPDES permit and a Mercury Minimization Plan at a cost savings of \$7,000; in 2018 bio solids disposal was 319,000 gallons compared to 261,000 in 2017. Mr. Kluver

recommended Council prepare to budget for additional storage for bio solids. He stated that the storage area should hold at least one-year worth of bio solids. Mr. Kluver thanked the City of Mayer for this past year of employment as your contract operator and looks forward to working with the City in 2019 and future years. Council thanked Greg for his years of service and stated that they always appreciate his thorough reports.

2. **Approve Painting at Waste Water Treatment Facility** – Greg Kluver, Kluver Consulting asked Council to approve Waste Water Treatment Facility painting of walls and ceiling in the Pretreatment, Clarifier, and Tertiary buildings. Mr. Kluver received two bids and is recommending approval of bid no. 2 from B & B Commercial Coating LLC, in the amount of \$34,527.00. A MOTION to Approve Painting at Waste Water Treatment Facility and Accept Bid from B & B Commercial Coating LLC in the amount of \$34,527.00 was made by Council Member Stieve-McPadden and seconded by Council Member Boder. Motion carried 4/0.

PARKS AND RECREATION

1. **Approve Grills for West Ridge Park** – Park Commission is recommending the purchase of a single and double grill for West Ridge Park not to exceed a total project cost of \$1,500. Public Works would install them. Council discussed whether the park needs two grills. Public Works stated that the grill can be easily moved to another park if needed. A MOTION to Approve the Purchase of Grills for West Ridge Park for an amount not to exceed \$1,500 was made by Council Member Boder and seconded by Council Member Butterfield. Motion carried 4/0.

COUNCIL REPORTS

- Council Member Butterfield informed Council that the EDA Meeting is cancelled.

ADJOURN

There being no further business, a MOTION was made by Council Member Stieve-McPadden and seconded by Council Member Butterfield to adjourn the meeting at 7:32 p.m. Motion Carried 4/0.

Mike Dodge, Mayor

Attest: _____
Janell Gildemeister, Deputy City Clerk

ACCOUNTS PAYABLE LIST

April 8, 2019

Checks: 22193 - 22220, 5224E - 5236E

22193	Minnesota Pollution Control Agency	Type 4 Biosolids Operator	\$15.00
22194	Carver County Taxpayer Services	Special Assessment Payment - 125 West Ridge	\$484.31
22195	Carver County Taxpayer Services	Carver County Special Assessment - Admin. Fee	\$65.00
22196	Janell Gildemeister	Mileage Reimbursement - MCFOA Conference	\$232.00
22197	AEM Workforce Solutions	Payroll Prep (Feb and March), Payroll Integration	\$1,297.50
22198	Ancom Communications	Belt Clips	\$81.75
22199	Bobs Repair of Mayer	FD Brake Repairs, Mobil Oil for WWTP	\$434.90
22200	Bolton and Menk	Engineering	\$3,195.00
22201	Carver County Attorneys Office	Prosecution Expenses- First Quarter	\$501.96
22202	Carverlink	Telephone - Public Buildings	\$160.00
22203	Coordinated Business Solutions	Copier Maintenance Agreement	\$123.75
22204	ECM Publishers	Advertisement in Watertown-Mayer Guide	\$273.00
22205	Great America Financial Services	Copier Lease	\$183.33
22206	Greater MN Communications	Utility Billing and Postage - March	\$526.69
22207	Guardian Pest Control	Pest Control - City Hall/Community Center	\$55.26
22208	Hydro Engineering	WWTP Pump Repairs	\$460.00
22209	Janell Gildemeister	1st Quarter General Mileage Reimbursement	\$60.00
22210	Kliver Consulting	WWTP Contract - First half - April	\$900.00
22211	League of MN Cities	Annual Conference Registration - McCallum	\$420.00
22212	Mayer Lumber	FD & PW Maintenance Materials	\$1,081.41
22213	Mike Dodge	Mileage Reimbursement - Carver Flood Meeting	\$23.20
22214	MN State Fire Chiefs Assn	National Fire Academy Course	\$200.00
22215	OPG-3 Inc	Laserfiche Purchase	\$7,017.87
22216	Ratwik, Rosak and Maloney	Attorneys Fees - February	\$652.50
22217	Techstar IT	IT Services - Council Devices	\$530.80
22218	United Farmers Coop	Maintenance Supplies for Well, LS and WWTP	\$1,240.27
22219	Widmer Construction	Snow Removal - March	\$5,192.50
22220	WM Mueller and Sons	Concrete	\$272.45
5224E	ADP LLC	Payroll	\$7,274.19
5225E	ADP LLC	Payroll Taxes	\$3,217.50
5226E	PERA	PERA Benefits	\$1,485.04

5227E Frontier	WWTP = Phone	\$98.68
5228E Verizon Wireless	OSH Dialer	\$14.08
5229E Verizon Wireless	Fire Dept	\$41.19
5230E Xcel Energy	Public Buildings	\$6,046.97
5231E Delta Dental of MN	Dental Benefits	\$261.10
5232E Preferred One	Health Benefits	\$4,142.35
5233E Security Bank	ACH Fee	\$21.24
5234E ADP LLC	Payroll Processing	\$78.66
5235E Frontier	Water Treatment Facility - Telephone	\$81.38
5236E Verizon Wireless	Staff Cell Phones	\$244.01
<hr/>		\$44,119.20



Memorandum

Item: Amendment and Extension of Metropolitan Council Local Planning Assistance Program – Grant Agreement

Meeting Date: April 8, 2019

Presented By: Margaret McCallum, City Administrator

Details:

In April 2018, Staff submitted a 2040 Comprehensive Plan Extension Request to the Metropolitan Council because certain chapters of the document needed to yet be finalized. Delays occurred due to staff turnover and a hold on the finalization of studies.

The Comprehensive Plan, per state statute, has to be reviewed every 10 years to ensure that the plans conform to the metropolitan system plans. The 2040 plan reviews for all cities were to be completed by December 31, 2018.

The Metropolitan Council is allowed to grant extensions to cities that need additional review time.

Extension requests were due by May 31, 2018. The City of Mayer approved a resolution on May 14, 2018 asking to shift the due date from December 31, 2018 to March 15, 2019.

The Council and the Metropolitan Council agreed to this extension date.

In November 2018, the Metropolitan Council announced a second extension opportunity. The City of Mayer approved a resolution on December 10, 2018 asking again to shift the due date from March 15, 2019 to June 30, 2019.

The Council and the Metropolitan Council agreed to this extension date.

Because the Metropolitan Council granted an extension to the due date of the City of Mayer's Comprehensive Plan, the Metropolitan Council has asked for an amendment and extension of the Metropolitan Council Local Assistance Program Grant Agreement that the City previously agreed to.

Please see the Amended Agreement and the Revised Schedule.

It must be returned to the Metropolitan Council.

Attachments:

2040 Comp Plan Extension Request.

Amendment and Extension of Metropolitan Council Local Assistance Program Grant Agreement.

Resolution 12-10-18-48.

Grantee: City of Mayer

Grant No.: SG05074-01

Revised Submission Date: June 30, 2019

Revised End Date: June 30, 2020

**AMENDMENT AND EXTENSION OF
METROPOLITAN COUNCIL
LOCAL PLANNING ASSISTANCE PROGRAM

GRANT AGREEMENT**

THIS AGREEMENT is made and entered into by the Metropolitan Council (“Council”) and the metropolitan-area governmental unit identified above as the “Grantee.”

WHEREAS, Minnesota Statutes section 473.864 requires local governmental units to review and, if necessary, amend their entire comprehensive plans and their fiscal devices and official controls at least once every ten years to ensure comprehensive plans conform with metropolitan system plans and ensure fiscal devices and official controls do not conflict with comprehensive plans; and

WHEREAS, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their “decennial” reviews by December 31, 2018; and

WHEREAS, the Grantee and the Council entered into a grant agreement identified above (the “Agreement”) under which the Council made local planning assistance grant funds available to the Grantee to help fund certain local comprehensive planning activities associated with the Grantee’s “decennial” comprehensive plan update and the Grantee agreed to update its comprehensive plan by December 31, 2018 as required by Minnesota Statutes section 473.864, subdivision 2; and

WHEREAS, Minnesota Statutes section 473.864, subdivision 2, authorizes the Council to grant extensions to local governmental units to allow local governmental units additional time within which to complete their decennial reviews and, if necessary, amendments required by section 473.864, but the extensions must include timetables and plans for completing the reviews and amendments; and

WHEREAS, at its January 10, 2018 meeting the Metropolitan Council authorized its staff to: (1) administratively review and grant extensions to the December 31, 2018 deadline if extension requests were submitted by May 31, 2018; and (2) execute amendments to planning grant agreements to modify the date by which grantees must complete and submit their decennial updates; and

WHEREAS, the Grantee requested an extension of the December 31, 2018 date by which it must complete its decennial plan review and amendments; and

NOW THEREFORE, pursuant to Paragraphs 4.01 and 4.03 of the Agreement and the Metropolitan Council’s January 10, 2018 action, the Council and the Grantee agree to amend and extend the Agreement as follows:

1. The December 31, 2019 “End Date” identified at Page 1 of the Agreement and referenced in Paragraph 4.01, **Term and End Date**, and Paragraph 2.01(a), **Timely Plan Update Submission**, is changed to the “Revised End Date” identified at Page 1 of this amendment.
2. The December 31, 2018 date in Paragraph 2.01(a), **Timely Plan Update Submission**, by which the Grantee must review and update its local comprehensive plan is changed to the “Revised Submission Date” identified at Page 1 of this amendment. Notwithstanding the extension of the December 31, 2018 date by which the Grantee must complete and submit its decennial update, this extension does not change any due dates for surface water management plans or water supply plans.
3. The Grantee’s work plan and budget is replaced with the attached revised work plan and budget which is incorporated into this Agreement as Revised Attachment A. All references to “work plan” in the Agreement are changed to “revised work plan” and all references to “Attachment A” are changed to “Revised Attachment A.”

Except for these modifications, the provisions of the Agreement shall remain in force and effect without change.

IN WITNESS WHEREOF, the Grantee and the Council have caused this amendment to be executed by their duly authorized representatives. This amendment is effective on the date of final execution by the Council.

GRANTEE

By: _____

Its: _____

Date: _____

By: _____

Its: _____

Date: _____

METROPOLITAN COUNCIL

By: _____

LisaBeth Barajas, Director
Community Development

Date: _____

REVISED ATTACHMENT A

Grantee's Revised Work Plan and Budget

This Revised Attachment A comprises this page and the Grantee's revised work plan and budget as approved by the Council.

CITY OF MAYER
RESOLUTION NO. 12-10-18-48

**RESOLUTION REQUESTING ADDITIONAL TIME
WITHIN WHICH TO COMPLETE COMPREHENSIVE PLAN
“DECENNIAL” REVIEW AND UPDATE OBLIGATIONS**

WHEREAS, Minnesota Statutes section 473.864 requires local governmental units to review and, if necessary, amend their entire comprehensive plans and their fiscal devices and official controls at least once every ten years to ensure comprehensive plans conform with metropolitan system plans and ensure fiscal devices and official controls do not conflict with comprehensive plans; and

WHEREAS, Minnesota Statutes sections 473.858 and 473.864 require local governmental units to complete their “decennial” reviews by December 31, 2018; and

WHEREAS, Minnesota Statutes section 473.864 authorizes the Metropolitan Council to grant extensions to local governmental units to allow local governmental units additional time within which to complete the “decennial” review and amendments; and

WHEREAS, any extensions granted by the Metropolitan Council must include a timetable and plan for completing the review and amendment; and

WHEREAS, at its November 15, 2018 meeting the Metropolitan Council authorized its staff to administratively review and grant extensions if extension requests are submitted by December 21, 2018; and

WHEREAS, extensions for completing decennial updates do not change any due dates for surface water management plans or water supply plans; and

WHEREAS, the City will not be able to complete its “decennial” review by December 31, 2018 for the following reasons: There was changeover in staff. In addition the land use chapter was not complete due to the fact that the transportation, sanitary sewer and surface water management chapters needed to be finalized. These chapters were delayed because the Transportation chapter was delayed because the City was working with Carver County to review the State Trunk Highway 25 bypass study. Mayer discussed moving the corridor further east to undeveloped areas and that needed to be determined prior to finalizing the mentioned chapters above. The final draft of the Mayer Comprehensive Plan was sent to jurisdictions on September 26, 2018.

WHEREAS, the City Council finds it is appropriate to request from the Metropolitan Council an extension so the City can have additional time to complete and submit to the Metropolitan Council for review an updated comprehensive plan and amend its fiscal devices and official controls.

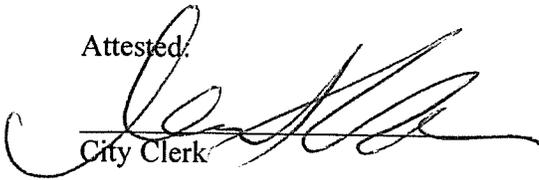
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MAYER, MINNESOTA, AS FOLLOWS:

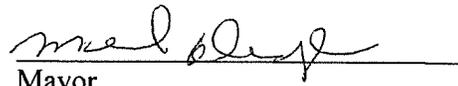
1. The City Administrator is directed to submit to the Metropolitan Council no later than May 31, 2018 a letter requesting an extension to June, 2019.
2. The City Administrator must include with the request a reasonably detailed timetable and plan for completing the review and amendment by June, 2019.

Adopted by the City Council of the City of Mayer on December 10 , 2018.

Approved: *December 10, 2018*

Attested:


City Clerk


Mayor
Mike Dodge

2040 COMP PLAN EXTENSION REQUEST

LOCAL PLANNING
HANDBOOK

Please send your completed request form and accompanying Resolution via email or mail to the **Reviews Coordinator** at the Metropolitan Council by **December 21, 2018**. Your responses to the following questions will provide the Metropolitan Council with information needed to review your extension request.

1. Please provide the following information:

Community Name	City of Mayer
Contact Person	Margaret McCallum
Request Date	November 28, 2018
Phone Number	952-657-1502
Email Address	Margaret.McCallum@cityofmayer.com

2. **PLANNING PROCESS TIMELINE:** Please provide the target dates for each step of the planning process identified below. If you have already completed a step, indicate "completed" with the date in the table.

Process Step	Target Date
Completion of draft plan text and mapping	Sept 1, 2018
Initiation of 6-month review/comment period by adjacent jurisdictions, affected special districts, and school districts	Sept 26, 2018
Public hearing date	May 7, 2019
City Council / Town Board / County Board action	May 13, 2019
Date of plan submission to the Metropolitan Council	May 20, 2019
Completion of fiscal devises and official controls review/amendment	July 1, 2020

3. **PLANNING ISSUES:** Please identify the issue(s) below that are contributing to the need for the requested extension.

- | | |
|--|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Staff workload <input type="checkbox"/> Contract planner delays <input type="checkbox"/> Issues affecting adjacent communities <input type="checkbox"/> Data/mapping/GIS <input type="checkbox"/> Area development or redevelopment plan(s) in process <input type="checkbox"/> Planning Commission/City Council/Board member concerns <input type="checkbox"/> Population, household, employment forecast issues <input type="checkbox"/> Sewer flow forecast issues <input checked="" type="checkbox"/> MUSA/Growth staging plan <input type="checkbox"/> Public participation process <input type="checkbox"/> Density policy issues | <ul style="list-style-type: none"> <input type="checkbox"/> Community Designation considerations <input type="checkbox"/> Development of plan components: <ul style="list-style-type: none"> <input type="checkbox"/> Existing Land Use <input checked="" type="checkbox"/> Future Land Use <input type="checkbox"/> Housing <input checked="" type="checkbox"/> Surface Water Management <input checked="" type="checkbox"/> Transportation <input checked="" type="checkbox"/> Wastewater <input type="checkbox"/> Parks and Trails <input checked="" type="checkbox"/> Water Supply <input type="checkbox"/> Implementation <input type="checkbox"/> Mississippi River Corridor Critical Area (MRCCA) <input type="checkbox"/> Other _____ |
|--|---|

Continue to next page →

4. Mark all that apply to your community.

- Planning Grant recipient
 Mapping Services requested

5. **ADDITIONAL INFORMATION:** Please provide explanation of the planning issues checked on the previous page. Include a realistic appraisal of your community's ability to submit your updated plan for review by indicated deadline, as well as the subsequent review/amendment of fiscal devices and official controls.

We had delays throughout the comprehensive plan update process. This included change in staff.

The land use chapter was delayed because the transportation, water, sanitary sewer and surface water management chapters needed to be finalized.

The delay came mostly from the transportation chapter because the city was working on plans with Carver County to move a corridor further east to undeveloped areas. (TH25 bypass)

This corridor needed to be prior to finalizing the other chapters mentioned above. The corridor was determined. The chapters were then finalized. The document was sent out on September 26, 2018 for initial review.

Please contact your **Sector Representative** if you need any assistance.

November 2018

QUARTER 1 BUILDING REPORT – 2019

JANUARY

Detached new homes -	3	
Attached new homes -	0	
Other -	6	Basement Finish (3), Mechanical
Commercial -	1	MLHS – Sign Permit – Variance

FEBRUARY

Detached new homes -	2	
Attached new homes -	0	
Other -	5	Plumbing (2), Mechanical (2) Redoor
Commercial -	2	Antenna Tower Updates

MARCH

Detached new homes -	0	
Attached new homes -	0	
Other -	4	Plumbing, Mechanical, Fireplace
Commercial	0	

QUARTER 1 TOTALS

Detached new homes -	5
Attached new homes -	0
Other -	15
Commercial -	3



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: March 25, 2019

Item Name: Wastewater Treatment Facility 2019 Capital Improvements

Originating Department: Wastewater Consultant

Presented by: Greg Kluver/ Kluver Consulting L.L.C.

Previous Council Action (if any):

Item Type (X only one): Consent Regular Session Discussion Session

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

Motion to accept schedule as listed.

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

Identified in the 2019 Wastewater Treatment Plant Sewer Fund Budget Capital Outlay are a number of items that are to be replaced. The items listed in the 2019 Budget were taken from the new WWTF Capital Improvement Plan adopted by City Council in 2015.

It is staff's intent in this memo to identify a time frame in which budget items will be replaced in 2019, also which of these items fall within the City's Purchasing Policy Limit of \$5,000 and which items are above this amount requiring Council approval.

<u>Capital Outlay Items</u>	<u>Replacement Period</u>	<u>Below Purchase Policy</u>	<u>Above Purchase Policy</u>
1. Influent Sampler	April		\$5,600
2. Influent Ph Monitor	April	\$1,500	
3. Pretreatment Building			
Paint of wall and ceiling	April-May		\$7,360
4. Clarifier Building –paint			
of wall and ceiling	April-May		\$11,477
5. Tertiary Building – paint			
Wall and ceiling	April-May		\$ 14,490
6. Anaerobic Mixer	May		\$ 7,320
7. Anoxic Mixer	May		\$ 7,770

FINANCIAL IMPLICATIONS:

Funding Sources & Uses: 2019 WWTF BUDGET , 640-49480-500 CAPITOL OUTLAY

Budget Information:

\$55,517 Budgeted

Non Budgeted

Amendment Required

ADVISORY BOARD RECOMMENDATIONS:

Other

Approved _____ Denied _____ Tabled _____ Other _____
 Resolution No. _____ Ordinance No. _____



Request for Council Action Memorandum

Item: Closing and Transferring Funds

Meeting Date: April 8, 2019

Presented By: Margaret McCallum, City Administrator

Recommendations/Council Action/Motion Requested:

To review closing and transferring funds.

Details:

During the 2018 Audit, it was determined that some funds had the potential to be closed due to lack of use and need.

Those funds that have balances in them would be transferred to other accounts for future use. There was one account that had a negative balance that would be zeroed out with the use of funds from the General Fund.

The following transfer is proposed to close the following account:

Fund 215 (Fire Department FEMA Fund) –

The negative balance of \$9,985.66 would be paid off by transferring that amount from the Fund 100, General Fund or another fund as determined by the Council. It would then be closed.

FEMA –

Since the early 2000s, the Mayer Fire Department has been applying for and receiving FEMA Grants for new equipment purchases.

Currently, there the fund hasn't been used since 2016 and there is a negative balance of \$9,985.66 .

Since 2003, the account has fluctuated up and down.

Audit History of FEMA Account:

		Increase/decrease from prior year
2005	2004	
\$0	\$0	\$0
2006	2005	
\$0	\$0	\$0
2007	2006	
\$0	\$0	\$0
2008	2007	
\$0	-\$8,289	\$8,289
2009	2008	
\$0	\$0	\$0
2010	2009	
\$890	\$0	\$890
2011	2010	
\$942	\$890	\$52
2012	2011	
-\$1,130	\$942	-\$2,072
2013	2012	
\$1,053	-1,130	\$2,183
2014	2013	
\$1,053	\$1,053	\$0
2015	2014	
-\$9,719	\$1,053	-\$10,722
2016	2015	
-\$9,845	-\$9,719	-\$126
2017	2016	
-\$9,888	-\$9,845	-\$43 (Interest Earnings)
2018	2017	
-9,986	-9,888	-\$98

The City received grants in 2013 and 2014 for Fire Department Equipment. The grant covered 95% of the amount spent. The City was required to contribute 5%.

It looks as though some of the coding was incorrect for some of the expenses; put into the 212 fund instead of the 215 FEMA fund. A Journal Entry for \$179,529.00 was made in 2015 to move the expenses into the 215 FEMA fund. Nonetheless, the Journal Entry likely included the 5% of the City’s portion that shouldn’t come out of the 215 FEMA Fund. **This is likely where the discrepancy is coming from.**

Expenses:

Date Paid	Items	Code	Actual Cost	Total	
April 2015	24 SCBA	212-42260-580	\$160,711.00		
April 2015	Other Equip.	100-42260-580	\$8,458.04	\$169,169.04	\$160,711.00 FEMA \$8,458.04 CITY
May 2015	FD Equip	212-42260-580	\$11,697.72		
June 2015	Rescueaire II, Face Piece Accessories	215-42260-580	\$4,206.09		
June 2015	30 Fire Hoods	212-42260-580	\$771.72		
July 2015	Turnout Gear (2 Sets)	215-42260-580	\$4,040.46	\$20,715.99	\$18,269.00 – FEMA \$2,446.99 CITY
November 2015	Radios/accessories	215-42260-580	\$6,099.00		
December 2015	Fire Dept Equip	215-42200-500	\$39,589.33	\$45,688.33	\$43,581.00 FEMA \$2,107.33 CITY

- Coding -
- 215-42200-500 – FEMA Capital Outlay
 - 215-42260-580 – FEMA New Equipment
 - 100-42260-580 – Fire Equipment
 - 212-42260-580 – New Equipment

The City received the appropriate amount of reimbursement from FEMA. Documentation was found and good record keeping was maintained. All receipts were recorded in the 215 FEMA Fund.

Requested Receipts:

		95% Federal	Total
2015	215-52260-33160	\$160,711.00	\$160,711.00
2015	215-42260-33160	\$18,269.00	\$18,269.00
2015	215-42260-33160	\$37,610.00	
2016	215-42260-33160	\$5,971.00	\$43,581.00

Coding - 215-42260-33160- Other Federal Grants

FEMA Grants History:

YEAR	ITEMS	95% - FEMA	5% CITY	TOTAL
2003	Thermal Imaging Camera, 12 SCBA, Fill Station, RIT PAC	\$76,138.73	\$13,459.85	\$89,598.58
2006	Thermal Imaging Camera, 30 sets of turnout gear	\$62,320.00	\$3,004.70	\$65,312.70
2007	Extrication Tools, 2 SCBA	\$42,275.00	\$3,944.51	\$46,219.51
2008	Washer/Extractor PPE Dryer, 600 ft of fire hose, manifold)	\$24,700.00	\$1,300.00	\$26,000.00
2013	24 SCBA, 24 Spare tanks, 6 extra masks, 30 hoods, one RIT pack, 2 sets of PPE, one battery.	\$178,980.00	\$9,420.00	\$188,400.00
Spent and was reimbursed in 2015				
April 2015 - \$160,711.00 + \$18,269.00 = \$178,980.00 (FEMA) and \$8,458.04 + \$2,694.53 = \$11,152.57 (CITY)				
2014	Battery, spreader, cutter, ram, 3 chargers, electric cords, safety struts, air bags and controls, step chocks	\$43,581.00 – FEMA	\$2,107.33 - CITY	\$45,688.33 – TOTAL
Spent and was reimbursed in 2015/2016				
December 2015/March 2016 - \$37,610.00 + \$5,971.00 = \$43,581.00 (FEMA) and \$1,979.47 + \$304.95 = \$2,107.33(CITY)				

Attachments:

Resolution 3-25-19-16

Account Coding Information

	2015	2016	venodor	Description	Batch Name
Revenue					
R 215-42260-33160 Other Federal Grants	(\$18,269.00)		FEMA	PAY REQUEST #2 2013 FEMA GRANT	07/21/15FEMA
R 215-42260-33160 Other Federal Grants	(\$160,711.00)			2015 JE ADJ CODING OF FEMA MONIES & EXPEND.	2015JE ADJ
R 215-42260-33160 Other Federal Grants	(\$37,610.00)			2015 JE ADJ TO RECORD 2016 A/R	2015JE ADJ
		(\$5,971.00)	FEMA	FEMA GRANT TRANSFER TO CKG PAY REQUEST #2 2014	05/10/16FEMA
Total	(\$216,590.00)	(\$5,971.00)			
Expense					
E 215-42200-500 Capital Outlay (GENERAL)	\$39,589.33		ALEX AIR APPARATUS, INC.	TELECRIB STRUT KIT; HURST TOOLS, VETTER & EQUIP, CRIB CHOCKS - FEMA GRANT	12/28/15 PAY
E 215-42260-580 New Equipment	\$4,206.09		EMERGENCY RESPONSE SOLUTIONS	RESCUEAIRE ii, FACE PIECE ACCESSORIES - FEMA GRANT	07/13/15 PAY
E 215-42260-580 New Equipment	\$4,040.46		EMERGENCY RESPONSE SOLUTIONS	TWO SETS TURN OUT GEAR - FEMA GRANT	07/13/15 PAY
E 215-42260-580 New Equipment	\$179,529.00			2015 JE ADJ CODING OF FEMA MONIES & EXPEND.	2015JE ADJ
E 215-42260-580 New Equipment		\$6,099.00	MOTOROLA SOLUTIONS, INC.	2014 FEMA GRANT -O 2 PORTABLE 800 MGZ	
	<u>\$227,364.88</u>	<u>\$6,099.00</u>			
expense in excess of revenue	<u>\$10,774.88</u>	<u>\$128.00</u>			

**RESOLUTION NO. 4-8-19-16
CITY OF MAYER**

**RESOLUTION CLOSING FUND 400 AND TRANSFERRING FUND BALANCE TO
GENERAL FUND 405 STREET IMPROVEMENT FUND.
CLOSING FUND 222 AND TRANSFERRING FUND BALANCE TO PARK IMPROVEMENT
FUND 220.
CLOSING FUND 215 AND PAYING THE DEFICIT FROM THE FIRE TRUCK FUND 210.**

It is hereby resolved by the City of Mayer, Minnesota that:

WHEREAS, the City held an account, Fund 400, for the 70th Street Improvement Fund; and

WHEREAS, there is a balance of \$43,867.86; and

THEREFORE, Staff would recommend transferring the balance of the fund 400 to fund 405 (Street Improvement Fund) in the amount of \$43,967.86 and closing the fund.

WHEREAS, the City held an account, Fund 215, for a Fire Department FEMA Grant, and

WHEREAS, the balance is currently -\$9,985.66; and

THEREFORE, Staff would recommend closing the account by transferring funds from the Fire Truck Fund 210 in the amount of \$9,985.66 to close the account.

WHEREAS, the City held an account, Fund 222, for Old School House Park, and

WHEREAS, the balance is currently \$5,486.33; and

THEREFORE, Staff would recommend transferring the balance of fund 222 to the Park Improvement Fund 220 in the amount of \$5,486.33 and closing the account.

BE IT RESOLVED, that the Mayer City Council does hereby approve these transfers listed above.

Adopted this 9th day of April, 2019.

Mike Dodge, Mayor

Attest:

Margaret McCallum, City Administrator



Memorandum

Item: Winter Street Parking – Ordinance Amendment

Meeting Date: April 8, 2019

Presented By: Margaret McCallum, City Administrator

Details:

There has been discussion from staff regarding winter street parking and snow plowing operations.

The current code allows for street parking until there is a snowfall of one inch or more in accumulation. The enforcement of this ordinance has proven to be difficult because the measuring of 1 inch can be difficult and confusing to those who park on the street.

Staff is proposing an ordinance amendment that would be more clear. It would be for set dates and times, instead of accumulation of snow. For example, **the sign would say from November 1 – April 1 there is no parking on either side of the street between the hours to midnight and 8 am.**

Like now, signs would be posted at the entrance of each neighborhood and residents would be educated on the change.

This type of signage is common in other communities.

A set parking schedule will help the public works department clear snow more efficiently if residents have a clear understanding of when they can and cannot park somewhere.

Below is the current sign and the proposed sign.



Attachments:

Proposed Ordinance 229.

**CITY OF MAYER
ORDINANCE #229**

**AN ORDINANCE AMENDING TITLE VII: TRAFFIC CODE, CHAPTER
71: PARKING REGULATIONS, SECTION 71.06 PARKING DURING SNOW
REMOVALS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAYER THAT THE FOLLOWING SECTION OF THE PARKING REGULATIONS ORDINANCE, RELATED TO PARKING DURING SNOW REMOVALS, BE AMENDED TO READ AS FOLLOWS:

Section 1. Title VII: Traffic Code, Chapter 71: Parking Regulations, Section 71.06: Parking During Snow Removals, of the City of Mayer Municipal Code, is hereby amended to add the provisions with underlined text and delete the provisions with the strike-through text as follows:

§ 71.06 WINTER PARKING.~~PARKING DURING SNOW REMOVALS.~~

(A) During the months of November to April of each year commencing and ending on the first day of November and April, no motor vehicle shall be parked on either side of any street or alley within the city limits between the hours of 12 midnight and 8:00am.~~following a snowfall of one inch or more, or to otherwise interfere with snow removal operations following the accumulation of one inch of snow or more, until the completion of snow removal operations after which time parking can again be resumed upon these streets which have been cleaned of snow.~~

(B) No person shall park a vehicle or permit it to stand whether attended or unattended, upon any street or highway within the city within 25 feet from the intersection of the curb lines or if none, within 15 feet of the intersection of the property lines at any intersection of streets or highways.

ADOPTED by the City Council of the City of Mayer, Carver County, Minnesota this ____ day of _____, 2019.

Mike Dodge, Mayor

ATTEST:

Moved by:
Seconded by:

Margaret McCallum, City Administrator

Published:



Memorandum

Item: Animal Licensing – Ordinance Amendment

Meeting Date: April 8, 2019

Presented By: Margaret McCallum, City Administrator

Details:

Like many cities, the City has a section of the City Code that regulates animals.

Currently, the City of Mayer has required the licensing of dogs six months or older. The City requires documentation that the animal was vaccinated and in good health.

This requirement has helped the City keep track of animals that get lost or picked up by the City.

However, more cities are eliminating pet licensing because the noncompliance rate is so high and there are other ways to find a lost pet.

Many cities are finding it difficult to or are simply not enforcing the licensing ordinance.

The City of Mayer has offered a yearly license or a lifetime license for dogs. It is hard to guess how many dogs reside within the City of Mayer. Nonetheless, according to number of registrations each year shows that there is likely many in noncompliance.

2019	3	Annual
	4	Lifetime
2018	14	Annual
	17	Lifetime
2017	13	Annual
	20	Lifetime
2016	17	Annual
	26	Lifetime
2015	13	Annual
	21	Lifetime

Since 2011, the City has had about 170 Lifetime Licensed dogs.

If the City did go away from licensing animals, historical information would be maintained at City Hall on the animals already registered.

Attachments:

Proposed Ordinance 230.

Star Tribune Article – Animal Licensing.

**CITY OF MAYER
ORDINANCE #230**

**AN ORDINANCE AMENDING TITLE IX: GENERAL REGULATIONS,
CHAPTER 92: ANIMALS, SECTION 92.01 DEFINITIONS, SECTION 92.02 DOGS AND
CATS, SECTION 92.05 IMPOUNDING, SECTION 92.10 DISEASED ANIMALS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAYER THAT THE FOLLOWING SECTIONS OF THE ANIMALS ORDINANCE, RELATED TO DEFINITIONS, DOGS AND CATS, IMPOUNDING, AND DISEASED ANIMALS, BE AMENDED TO READ AS FOLLOWS:

Section 1. Title IX: General Regulations, Chapter 92: Animals, Section 92.01, Definitions, of the City of Mayer Municipal Code, is hereby amended to add the provisions with underlined text and delete the provisions with the strike-through text as follows:

§ 92.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ANIMAL. Any mammal, reptile, amphibian, fish, bird (including all fowl and poultry) or other member commonly accepted as a part of the animal kingdom. Animals shall be classified as follows:

(1) **DOMESTIC ANIMALS.** Those animals commonly accepted as domesticated household pets. Unless otherwise defined, domestic animals shall include dogs, cats, caged birds, gerbils, hamsters, guinea pigs, domesticated rabbits, fish, non-poisonous, non-venomous and non- constricting reptiles or amphibians, and other similar animals.

(2) **FARM ANIMALS.** Those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, farm animals shall include members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees, and other animals associated with a farm, ranch, or stable.

(3) **NON-DOMESTIC ANIMALS.** Those animals commonly considered to be naturally wild and not naturally trained or domesticated, or which are commonly considered to be inherently dangerous to the health, safety, and welfare of people. Unless otherwise defined, non- domestic animals shall include:

(a) Any member of the large cat family (family felidae) including lions, tigers, cougars, bobcats, leopards and jaguars, but excluding commonly accepted domesticated house cats.

(b) Any naturally wild member of the canine family (family canidae) including wolves, foxes, coyotes, dingoes, and jackals, but excluding commonly accepted domesticated dogs.

(c) Any crossbreeds such as the crossbreed between a wolf and a dog, unless the crossbreed is commonly accepted as a domesticated house pet.

(d) Any member or relative of the rodent family including any skunk (whether or not descended), raccoon, squirrel, or ferret, but excluding those members otherwise defined or commonly accepted as domesticated pets.

(e) Any poisonous, venomous, constricting, or inherently dangerous member of the reptile or amphibian families including rattlesnakes, boa constrictors, pit vipers, crocodiles and alligators.

(f) Any other animal which is not explicitly listed above but which can be reasonably defined by the terms of this section, including but not limited to bears, deer, monkeys and game fish.

APIARY. The assembly of one (1) or more colonies of honeybees at a single location.

AT LARGE. Off the premises of the owner and not under the custody and control of the owner or other person, either by leash, cord, chain, or otherwise restrained or confined.

BEEKEEPER. A person who owns or has charge of one (1) or more colonies of honeybees.

BEEKEEPING EQUIPMENT. Anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

CAT. Both the male and female of the felidae species commonly accepted as domesticated household pets.

COLONY. An aggregate of honeybees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.

DOG. Both the male and female of the canine species, commonly accepted as domesticated household pets, and other domesticated animals of a dog kind.

HIVE. The receptacle inhabited by a colony that is manufactured for that purpose.

HONEYBEE. All life stages of the common domestic honeybee, *Apis mellifera* species of European origin.

NUCLEUS COLONY. A small quantity of honeybees with a queen housed in a smaller than usual hive box designed for a particular purpose.

OWNER. Any person or persons, firm, association or corporation owning, keeping, or harboring an animal.

RELEASE PERMIT. A permit issued by the Animal Control Officer or other person in charge of the pound for the release of any animal that has been taken to the pound. A release permit may be obtained upon ~~payment of a fee to the City Clerk in accordance with the regular license requirement if the animal is unlicensed,~~ payment of a release fee, and payment of any maintenance costs incurred in capturing and impounding the animal, and, if the animal is a dog or cat, presentation of a valid certificate of vaccination for rabies and distemper shots. The release fee shall be as established by resolution of the City Council.

SUPER. That part of a honeybee hive used to collect honey.

SWARMING. The natural process where a queen bee leaves a colony with a large group of worker bees.

UNUSUAL AGGRESSIVE BEHAVIOR. Any instance in which unusual aggressive characteristics such as stinging without provocation or attacking without provocation occurs.

Section 2. Title IX: General Regulations, Chapter 92: Animals, Section 92.02, Dogs and Cats, of the City of Mayer Municipal Code, is hereby amended to add the provisions with underlined text and delete the provisions with the strike-through text as follows:

§ 92.02 DOGS AND CATS.

(A) *Running at large prohibited.* It shall be unlawful for the dog or cat of any person who owns, harbors, or keeps a dog or cat, to run at large. A person, who owns, harbors, or keeps a

dog or cat which runs at large shall be guilty of a misdemeanor. Dogs or cats on a leash and accompanied by a responsible person or accompanied by and under the control and direction of a responsible person, so as to be effectively restrained by leash, shall be permitted in streets or on public land unless the city has posted an area with signs reading "Dogs or Cats Prohibited."

~~(B) License required.~~

~~—(1) All dogs over the age of six months kept, harbored, or maintained by their owners in the city, shall be licensed and registered with the city. Dog licenses shall be issued by the City Clerk upon payment of the license fee as established by resolution of the City Council. The owner shall state, at the time application is made for the license and upon forms provided, his or her name and address and the name, breed, color, and sex of each dog owned or kept by him or her. No license shall be granted for a dog that has not been vaccinated against distemper and rabies, as evidenced by a certificate by a veterinarian qualified to practice in the state in which the dog is vaccinated annually.~~

~~—(2) It shall be the duty of each owner of a dog subject to this section to pay to the City Clerk the license fee established by resolution of the City Council.~~

~~—(3) Upon payment of the license fee as established by resolution of the City Council, the Clerk shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it the year for which it is issued and the number corresponding with the number on the certificate. Every owner shall be required to provide each dog with a collar to which the license tag must be affixed, and shall see that the collar and tag are constantly worn. In case a dog tag is lost or destroyed, a duplicate shall be issued by the City Clerk. A charge shall be made for each duplicate tag in an amount established by resolution of the City Council. Dog tags shall not be transferable from one dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner's leaving the city before the expiration of the license period.~~

~~—(4) The licensing provisions of this division (B) shall not apply to dogs whose owners are non-residents temporarily within the city, nor to dogs brought into the city for the purpose of participating in any dog show, nor shall this provision apply to "seeing eye" dogs properly trained to assist blind persons for the purpose of aiding them in going from place to place.~~

~~—(5) The funds received by the City Clerk from all dog licenses and metallic tags fees as established by resolution of the City Council, shall first be used to defray any costs incidental to the enforcement of this chapter, including but not restricted to the costs of licenses, metallic tags, and impounding and maintenance of the dogs.~~

~~(B) Cats.~~ Cats shall be included as controlled by this division insofar as running-at-large, pickup, impounding, and boarding is concerned. All other provisions of this section shall also apply to cats unless otherwise provided.

~~(C) Vaccination.~~

(1) All dogs and cats kept harbored, maintained, or transported within the city shall be vaccinated at least once every three years by a licensed veterinarian qualified to practice in the state in which the dog or cat is vaccinated for:

- (a) Rabies - with a live modified vaccine; and
- (b) Distemper.

(2) A certificate of vaccination must be kept on which is stated the date of vaccination, owner's name and address, the animal's name (if applicable), sex, description and weight, the type of vaccine, and the veterinarian's signature. Upon demand made by the City Clerk, the Animal Control Officer or a police officer, the owner shall present for examination the required

certificate(s) of vaccination for the animal(s). In cases where certificates are not presented, the owner or keeper of the animal(s) shall have seven days in which to present the certificate(s) to the City Clerk or officer. Failure to do so shall be deemed a violation of this section.

(DE) *Limitation.*

(1) It is unlawful for any person in the city to possess, harbor, shelter or keep more than three adult animals, excepting veterinary hospitals and pet shops, or other establishments, properly licensed by the city. For purposes of this division (E), an **ADULT ANIMAL** shall be deemed to be any animal six months or older.

(2) No person, firm, or corporation shall maintain in this city a kennel.

~~(F) *Lifetime licenses.*~~

~~(1) Lifetime dog licenses may be issued by the city as an alternate to annual licenses. To be eligible for a lifetime license the following conditions are required:~~

~~(a) The dog shall be electronically tagged/microchipped. Microchips shall include such information as the city may determine appropriate including the unique identifying information related to an electronic device, the manufacturer, and demonstration that the implanted device can be read by city or county equipment.~~

~~(b) Certification by a licensed veterinarian that the dog has been vaccinated for rabies and distemper.~~

~~(c) Payment of the required fees as established by the city fee schedule.~~

~~(2) There shall be no reimbursement of any license fee, including lifetime fees, upon the death or removal of the dog from the city and fees shall not be prorated. Dogs declared dangerous and potentially dangerous are not eligible for lifetime licenses.~~

~~(3) Lifetime licenses may be revoked by the city without refund of fees paid if the dog's vaccinations are not kept current or if the dog is declared dangerous or potentially dangerous. When a lifetime license has been revoked, if eligible, a new lifetime license may be obtained through the procedures established in this section and payment of the appropriate fees.~~

Penalty, see § 92.99

Section 3. Title IX: General Regulations, Chapter 92: Animals, Section 92.05, Impounding, of the City of Mayer Municipal Code, is hereby amended to add the provisions with underlined text and delete the provisions with the strike-through text as follows:

§ 92.05 IMPOUNDING.

(A) *Running at large.* Any ~~unlicensed~~ animal running at large is hereby declared a public nuisance. Any Animal Control Officer or police officer may impound any dog or other animal ~~found unlicensed or any animal~~ found running at large and shall give notice of the impounding to the owner of the dog or other animal, if known. In case the owner is unknown, the officer shall post notice at the city office that if the dog or other animal is not claimed within the time specified in division (C) of this section, it will be sold or otherwise disposed of. Except as otherwise provided in this section, it shall be unlawful to kill, destroy, or otherwise cause injury to any animal, including dogs and cats running at large.

(B) *Biting animals.* Any animal that has not been inoculated by a live modified rabies vaccine and which has bitten any person, wherein the skin has been punctured or the services of

a doctor are required, shall be confined in the city pound for a period of not less than ten days, at the expense of the owner. The animal may be released at the end of the time if healthy and free from symptoms of rabies, and by the payment of all costs by the owner. However, if the owner of the animal shall elect immediately upon receipt of notice of need for the confinement by the officer to voluntarily and immediately confine the animal for the required period of time in a veterinary hospital of the owner's choosing, not outside of the county in which this city is located, and provide immediate proof of confinement in the manner as may be required, the owner may do so. If, however, the animal has been inoculated with a live modified rabies vaccine and the owner has proof of the vaccination by a certificate from a licensed veterinarian, the owner may confine the dog or other animal to the owner's property.

(C) *Reclaiming.* All animals conveyed to the pound shall be kept, with humane treatment and sufficient food and water for their comfort, at least five regular business days, unless the animal is a dangerous animal as defined under § 92.11 in which case it shall be kept for seven regular business days or the times specified in § 92.11, and except if the animal is a cruelly-treated animal in which case it shall be kept for ten regular business days, unless sooner reclaimed by their owners or keepers as provided by this section. In case the owner or keeper shall desire to reclaim the animal from the pound, the following shall be required, unless otherwise provided for in this code or established from time to time by resolution of the City Council:

(1) Payment of the release fee and receipt of a release permit as established by resolution of the City Council.

(2) Payment of maintenance costs, as provided by the pound, per day or any part of day while animal is in the pound; and

(3) ~~If a dog is unlicensed, payment of a regular license fee as established by resolution of the City Council, and~~ Presentation of a valid certificate of vaccination for rabies and distemper shots is required if the animal is a dog or cat.

(D) *Unclaimed animals.*

(1) At the expiration of the times established in division (C) of this section, if the animal has not been reclaimed in accordance with the provisions of this section, the owner shall be deemed to have forfeited all rights to the animal and the officer appointed to enforce this section shall, in the following order:

- (a) Attempt to place the animal for adoption through a "no-kill" animal rescue;
- (b) Let any person claim the animal by complying with all provisions of this section;
- (c) Cause such animal to be disposed of in a proper and humane manner.

(2) All money collected under this section shall be payable to the City Treasurer.

Penalty, see § 92.99

Section 4. Title IX: General Regulations, Chapter 92: Animals, Section 92.10, Diseased Animals, of the City of Mayer Municipal Code, is hereby amended to add the provisions with underlined text and delete the provisions with the strike-through text as follows:

§ 92.10 DISEASED ANIMALS.

(A) *Running at large.* No person shall keep or allow to be kept on his or her premises, or on premises occupied by them, nor permit to run at large in the city, any animal which is diseased so as to be a danger to the health and safety of the city, ~~even though the animal be properly licensed~~

~~under this section.~~

(B) *Confinement.* Any animal reasonably suspected of being diseased and presenting a threat to the health and safety of the public, may be apprehended and confined in the pound by any person, the Animal Control Officer or a police officer. The officer shall have a qualified veterinarian examine the animal. If the animal is found to be diseased in a manner so as to be a danger to the health and safety of the city, the officer shall cause the animal to be painlessly killed and shall properly dispose of the remains. The owner or keeper of the animal killed under this section shall be liable to the city for the cost of maintaining and disposing of the animal, plus the costs of any veterinarian examinations.

(C) *Release.* If the animal, upon examination, is not found to be diseased the animal shall be released to the owner or keeper free of charge.

Penalty, see § 92.99

ADOPTED by the City Council of the City of Mayer, Carver County, Minnesota this
____ 8th day of April, 2019.

Mike Dodge, Mayor

ATTEST:

Moved by:
Seconded by:

Margaret McCallum, City Administrator

Published:

No license, no problem: More cities eliminating pet licenses

Growing number of cities in the metro area are eliminating the requirement
By [Erin Adler](#) Star Tribune

NOVEMBER 5, 2018 — 12:12PM

From Burnsville to Crystal, many cities in the metro area no longer require residents to obtain pet licenses, calling the practice out-of-touch in an age when rabid dogs rarely roam and people have other ways to find their missing pets.

"What I've seen is some cities finding it is more of a headache ... than it is a benefit," said Graham Brayshaw, head veterinarian for the Animal Humane Society in Golden Valley.

The latest municipalities to drop pet licenses include Mound, in 2016, and Orono, in 2017. The Crystal City Council in August informally decided to end licensing, and Burnsville officials agreed to do so at a work session last month (but likely won't vote on it until next year).

The main reason, say city officials, is mass noncompliance. Few pet owners keep licenses up to date, if they get them at all.

"We're only penalizing people who are rule followers," said Jeff Kolb, a Crystal City Council member, adding that those individuals probably already are responsible pet owners.

Pet licenses once purported to ensure that animals were vaccinated and could be easily reunited with their owners if lost. Yet, out of 8,000 households, only a few hundred Crystal residents have licenses. The fees probably don't even cover administration costs, Kolb said.



DAVID JOLAS • STAR TRIBUNE

Smaller dogs bounded toward a fence at Alimagnet Dog Park in Burnsville on Friday to check out a passing Doberman pinscher on the other side.

More

"We're not out there enforcing," said Catherine Pausche, Mound city finance director.

Orono Police Chief Correy Farniok said that social media and microchips combine to make a highly effective way to locate lost pets, recalling a Facebook post by an officer on a missing dog that was shared 4,000 times in an hour.

Ideas about pets have changed, said Burnsville City Council Member Cara Schulz. People used to keep them outside, let them run loose and brought them to the vet only rarely.

"Now your pets sleep on the bed with you," she said.

Some cities say that licenses still serve a purpose. Minneapolis' website highlights the revenue they generate, which pays for the sheltering and feeding of lost pets.

Changing practices

The practice of licensing pets emerged in the 1950s in rural areas as a way to figure out who they belonged to, Schulz said. During a rabies scare in the 1970s, licenses were a means to show that the pets were up-to-date on vaccinations.

Minnesota law doesn't require cities to license pets. That's up to municipalities, which can enact ordinances specifying who must get a license, for what period and for how much.

Some cities require dogs, cats and other small pets to be licensed, while others license only dogs. Delano charges nothing for a license, while Minneapolis charges \$75 to license an unsterilized pet.

While some cities, like Bloomington, offer lifetime licenses with a one-time fee, others want residents to renew every year or two.

But Kevin Toskey, a research attorney for the League of Minnesota Cities, said there was "definitely a trend happening with [cities] not enforcing or repealing pet licensing."

There are a variety of reasons. Technology, including dog facial recognition software and microchips, is changing how we find lost animals, said Brayshaw. Microchips are now implanted between the shoulder blades of every dog at the Animal Humane Society and by many rescue organizations.

About a third of the pets belonging to the 85 million U.S. pet-owning households are microchipped, said Kate Vossen, a spokeswoman for HomeAgain, a popular microchip company. HomeAgain has reunited more than 2 million pets with their owners, she said.

City officials and experts said having pets wear a collar with identification and vaccination tags is still the most effective way to bring them home.

As for vaccinations, rabies is far less common today than in the past, Schulz said. Owners already must present vet records to take out pet insurance or enroll in doggy day care. Farniok said that

when a dog bite is reported, police go directly to the owner to ask about vaccinations rather than checking city records.

Making a statement

The Minneapolis city website says that if pets are licensed, they are three times more likely to be returned if missing. In some cities, licensing fees help offset the costs of dog parks, and a license is needed to visit them.

Not every pet has a microchip, and microchips aren't infallible, Brayshaw said. He added that "dead-end" microchips, which lack current contact information for owners, are common.

Brayshaw said there are more important animal issues to focus on than licensing, though he wondered if licensure and vaccination might be more effective if mandated by counties or states rather than cities.

Few suburban pet owners recently interviewed said they had pet licenses. Some said they didn't know they existed, and others didn't see the point.

Lisa Bernier-Perleberg said she's lived in Crystal for 16 years but never purchased a license for her pets. "We always figured if we did get caught, it would be easier to just pay a fine," she said.

As her two Jack Russell terrier mixes, Fred and Wilma, frolicked at Burnsville's Alimagnet Dog Park, Mary Dean said she thought a dog license was "more paperwork than it's worth." Dean, of Apple Valley, said she might change her mind if license revenue went to animal shelters.

A few pet enthusiasts said there might be value in licensing pets. Amanda Waltz said she went 13 years without getting a dog license, but she wondered if having one would have helped when her dog nipped a kid on a bike.

"Perhaps if licensed, [the dog] wouldn't have been slapped with a potentially dangerous animal label," said Waltz, of Crystal.

Kurt Martinson of Burnsville has a license for his mini Labradoodle, Wilma.

"I'm kind of civic-minded," he said. "If you're going to take on the responsibility of a dog, \$10 isn't a big deal. It makes a statement."



REQUEST FOR CITY COUNCIL ACTION

Meeting Date:	April 8 th 2019		
Item Name:	Lawn Mower Purchase		
Originating Department:	Public Works		
Presented by:	Kyle Kuntz		
Previous Council Action (if any):			
Item Type (X only one):	Consent	Regular Session	<input checked="" type="checkbox"/> Discussion Session

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

A motion approving the purchase of a new 2019 72" Hustler lawn mower.

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

Staff is proposing the purchase of a new 2019 Hustler lawn mower from Bob's Repair in the amount of \$11,344.00. Currently, city staff maintains about 32 acres of grass with one 72" Hustler mower.

Having a second Hustler mower will help city staff for a few different reasons. During the spring season the grass grows fast making it difficult to keep up with only one mower, because some of the parks need to be mowed more than once a week. During the spring and fall staff is typically without seasonal help. This occupies one public works employee for a good part of the week, so by having two mowers it would cut this time in half. Having a second machine will also help reduce down time when one machine is out for maintenance and repairs. If staff were to have an additional mower it would mostly be used at the compost site and wastewater treatment facility during the summer months. Staff would be able to store the machine at the wastewater plant, so this would prevent staff from having to drive the machine up and down the county road every week. Lastly, by purchasing an additional machine it would help "share the load" vs. just having one machine do all of the work. This will help keep the overall hours and workload low resulting in a better trade-in value in the end.

If an additional machine is purchased this year staff would then budget to trade-in the city's current 72" Hustler in 2020. Staff would then alternate trading-in the mowers every other year resulting in a fresh mower every year. This will keep repair cost low and trade-in values high.

Staff is proposing to purchase the new 72" Hustler mower from Bob's Repair in the amount of \$11,344.00. This will give city staff a fresh machine with a new 5 year 500 hour factory warranty.

MTI Distributing	Bob's Repair
72" Toro: \$11,121.00	72" Hustler: \$11,344.00
Trade in Value: \$5,500.00	Trade in Value: \$6,800.00
Total Costs	Total Costs
72" Toro: \$5,621.00	72" Hustler: \$4,544.00

FINANCIAL IMPLICATIONS:
 Funding Sources & Uses:
Capital Outlay:\$74,000 (Lawn Mower \$12,000)

ADVISORY BOARD RECOMMENDATIONS:

Budget Information:

	Budgeted			
	Non Budgeted			
	Amendment Required		Other	
Approved		Denied	Tabled	Other
Resolution No.	_____	_____	Ordinance No.	_____
	_____		_____	

BOB'S REPAIR OF MAYER INC.

6180 HWY 25

PO BOX 99

MAYER MN 55360

952-657-2271

MONDAY-FRIDAY 8:00AM - 6:00PM SATURDAY 8:30AM - 12:00PM

NAPA AUTOCARE CENTER

ASE CERTIFIED TECHNICIANS

4/1/2019 12:19 PM

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Estimate #100189 Sub-Estimate #2

CITY OF MAYER
413 BLUEJAY AVE
MAYER MN 55360

Day Phone : 657-1502
Cell Number : 952-465-9805 KYLE

Vehicle : 2019 LAWN MOWER QUOTE

Created : 3/13/2019 11:18:15 AM

Last Mileage : 0
Odometer In : 0
Odometer Out : 0

Qty	Code/Tech*	Reference	Description	Condition	Unit Price	Price
1			2019 HUSTLER SUPER Z HYPERDRIVE		\$11,344.00	\$11,344.00
			72INCH SIDE DISCHARGE, 36HP CARB ENGINE			
-1			TRADE IN USED MOWER		\$6,800.00	(\$6,800.00)
			Labor			\$0.00
			Parts			\$4,544.00
			Sublet/Misc.			\$0.00
			Shop Supplies			\$0.00
			Charges			\$0.00
			Sales Tax	Tax @ \$0.00 * 7.3750%		\$0.00
				Estimate		\$4,544.00

I hereby authorize the repair work to be done with the necessary material. You and your employees may operate this vehicle for purposes of testing, inspection, or delivery at my risk. An express mechanics lien is acknowledged on above vehicle to secure the amount of repairs. It is also understood that you will not be held responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft or any other cause beyond your control.

Customer Signature _____ Date _____

Estimates are valid for 30 days.



MTI Distributing
 Equipment Proposal
 April 1, 2019



City of Mayer

Expiration Date: 5/1/2019

MINNESOTA STATE CONTRACT PRICING - CONTRACT #150841				
Qty	Model Number	Description	MSRP	MN State Contract Pricing
1	74961	Toro Zmaster 6000 Series w/72" Turbo Force Deck, 31 HP Kawasaki FX Engine	\$15,888.00	\$11,121.60
Delivering Dealer: Lano Equipment				
TOTALS				
Equipment Total				\$11,121.60
7.375% Sales/Use Tax				Exempt
Total				\$11,121.60

Quote is valid for 30 days

Equipment delivery at no additional charge

All commercial products purchased by a credit card will be subject to a 2.5% service fee.

Thank you for the opportunity to submit this quote. If you have any questions, please do not hesitate in contacting us.

Larry Gorman, SCPS
 Outside Sales Representative
 612-877-0830

Karen Wangenstein
 Inside Sales Representative
 763-592-5643

MTI Distributing, Inc. • 4830 Azelia Avenue N. #100 • Brooklyn Center, MN 55429