



**AGENDA FOR  
REGULAR CITY COUNCIL MEETING  
TUESDAY, APRIL 4, 2023 – 5:00 P.M.**

1. **Pledge of Allegiance**
2. **Call to Order**
  - Roll Call and Establishment of Quorum
3. **Approval of Agenda**
  - Council Changes
  - Staff Changes
4. **Approval of Minutes**
  - A. March 21, 2023
5. **Audience Participation** (10-minute time limit for items not on the agenda)
6. **Consent Agenda**
  - A. Approve Assistance with Celebrate Redwood Falls – NightFalls Event
  - B. Approve Backhoe Annual Trade
  - C. Approve Trencher Purchase
7. **Scheduled Public Hearings**
  - A. Assessments for Delinquent Utility & Maintenance Accounts – Resolutions #19/#20
8. **Old Business**
9. **Regular Agenda**
  - A. Temporary Utility Worker Position
  - B. Water/Waste-Water Position
  - C. 2023 City Archery Deer Hunt Recommendations
  - D. Request to Waive Data Request Fee
  - E. Dog Licensing Amendments – Ordinance #84
  - F. Dog Kennel Licensing Amendments – Ordinance #85
10. **Other Items and Communications**
  - A. Council Items
  - B. Staff Items
11. **Paid Bills and Claims – For Informational Purposes**
  - A. City of Redwood Falls Accounts Payable Summary
12. **Adjournment**

**MINUTES  
REGULAR COUNCIL MEETING  
CITY OF REDWOOD FALLS, MINNESOTA  
TUESDAY, MARCH 21, 2023**

Pursuant to due call and notice thereof, a regular meeting of the Redwood Falls City Council was called to order in the Municipal Chambers on Tuesday, March 21, 2023, at 5:00 p.m.

Roll call indicated Council Members Matt Smith, Denise Kerkhoff, Jim Sandgren, Larry Arentson, and John T. Buckley were present, constituting a quorum. Mayor Tom Quackenbush was absent.

Also present were City Administrator Keith Muetzel, Finance Director Kari Klages, City Attorney Trenton Dammann, Public Works Project Coordinator Jim Doering, and Deputy City Clerk Caitlin Kodet.

A motion was made by Council Member Buckley and seconded by Council Member Kerkhoff to approve the agenda. Motion passed by unanimous vote.

A motion was made by Council Member Smith and seconded by Council Member Arentson to approve the March 7, 2023, minutes as presented. Motion passed by unanimous vote.

A motion was made by Council Member Arentson and seconded by Council Member Buckley to approve the following items on the Consent Agenda.

1. Quote for Fire Hall Door Openers
2. Appointment to Library Expansion Committee

Motion passed by unanimous vote.

Police Chief Jason Cotner was present to introduce Resolution No. 16 of 2023 – Resolution Approving State of Minnesota Joint Powers Agreements with the City of Redwood Falls on Behalf of its Police Department Regarding the Minnesota Internet Crimes Against Children Task Force (ICAC).

Police Chief Cotner stated the Redwood Falls Police Department (RFPD) investigates complaints of internet crimes against children. These crimes usually involve the possession and distribution of pornographic images depicting juveniles. RFPD investigations are often started as a result of leads obtained by the Bureau of Criminal Apprehension (BCA) Internet Crimes Against Children (ICAC) Task Force and are then worked in coordination with BCA and the ICAC Task Force.

Police Chief Cotner stated the BCA and the ICAC Task Force approached RFPD to seek a formal relationship whereby BCA would provide RFPD with funding for equipment, training, and expenses in exchange for assistance with investigations in Southwest Minnesota. This assistance primarily takes the form of staff time for downloading and analysis of electronic devices involved in internet crimes against children. The BCA has established these agreements with various law enforcement agencies throughout the State of Minnesota and is in need of an agency in our region.

Police Chief Cotner further stated if the agreement is approved, it would be used to provide training to an existing staff member whose primary job is investigations. This training would be useful for investigations not directly related to internet crimes against children. In addition, the BCA's funding could be used to purchase and maintain computer equipment RFPD already has purchased and which requires city funds to maintain and replace on a regular basis. Lastly, should requests for assistance require additional staff time over their normal work week the agreement allows for reimbursement of overtime expenditures.

A motion was made by Council Member Arentson and seconded by Council Member Buckley to waive the reading of Resolution No. 16 of 2023 – Resolution Approving State of Minnesota Joint Powers Agreements with the City of Redwood Falls on Behalf of its Police Department Regarding the Minnesota Internet Crimes Against Children Task Force (ICAC). Motion passed by unanimous vote.

A motion was made by Council Member Smith and seconded by Council Member Kerkhoff to approve Resolution No. 16 of 2023 – Resolution Approving State of Minnesota Joint Powers Agreements with the City of Redwood Falls on Behalf of its Police Department Regarding the Minnesota Internet Crimes Against Children Task Force (ICAC). Motion passed by unanimous vote.

Public Utilities Superintendent Chuck Heins was present to introduce the 2023 Electric Distribution Improvement Materials – Change Order #1.

Mr. Heins stated DGR has worked with Irby Utilities to change the quantities, pricing, and delivery times so Staff can complete the 2023 Distribution Improvements in a timely manner. The cost of doing this will increase the project by \$35,292.45.

A motion was made by Council Member Smith and seconded by Council Member Buckley to approve the 2023 Electric Distribution Improvement Materials – Change Order #1 for an increase in the amount of \$35,292.45. Motion passed by unanimous vote.

Public Works Project Coordinator Jim Doering introduced Resolution No. 17 of 2023 – Application for Congressionally Directed Funding For Runway Pavement and Lighting Upgrades at the Redwood Falls Municipal Airport.

Mr. Doering stated Resolution No. 17 affirms the application for Congressionally Directed Funding for a full depth reclamation & lighting system upgrade to LED for Airport Runways 12 and 30. This includes parallel taxiway and apron reclamation with taxiway A2 relocation in the full amount of \$4,500,000.00.

Mr. Doering stated recently the Federal Aviation Administration (FAA) provided direction to reduce the runway length and width from 4,000' x 100' to 3,400' x 75' without proper justification through the Airport Master Plan Update process. City Staff is working with United States Senator Amy Klobuchar's Staff in review of the current airport safety critical pavement and lighting projects in regard to this request. Due to this update, the FAA requested that the City submit the projects for Federal Fiscal Year 2024 Congressionally Directed Funding. Funds will be used to develop FAA approved engineered plans and specifications, bid documents, bidding, letting, costs of construction, and post project close out. Project funds requested include all expected costs at 100%.

Mr. Doering stated City Staff recommends approval of the grant application and affirmation of its submittal for Congressionally Directed funding. The funding request was submitted to U.S. Senator Amy Klobuchar's office and by their direction an identical request was made to U.S. Senator Tina Smith's office.

Council Member Sandgren stated the Airport Commission supports this funding request and the Commission has been working to receive letters of support. Reducing the runway length & width would be an issue for medical services and local businesses that utilize the airport and require the current runway size.

A motion was made by Council Member Buckley and seconded by Council Member Kerkhoff to waive the reading of Resolution No. 17 of 2023 – Application for Congressionally Directed Funding For Runway Pavement and Lighting Upgrades at the Redwood Falls Municipal Airport. Motion passed by unanimous vote.

A motion was made by Council Member Smith and seconded by Council Member Arentson to approve Resolution No. 17 of 2023 – Application for Congressionally Directed Funding For Runway Pavement and Lighting Upgrades at the Redwood Falls Municipal Airport. Motion passed by unanimous vote.

Police Chief Cotner introduced Agenda Item 9D - Installation of a Stop Sign on 5<sup>th</sup> Street at Drew Street.

Police Chief Cotner stated the issue of uncontrolled intersections within the City of Redwood Falls has been under review for several years and Council has approved the installation of signage in several locations. Recently a citizen requested a review of the uncontrolled intersection on 5th Street at Drew Street. This intersection was the location of a car crash on January 21, 2023 in which both cars deployed airbags and were towed from the scene.

Police Chief Cotner stated a committee made up of City Administrator Keith Muetzel, Police Chief Jason Cotner, Street Superintendent Darrell Bowers, and Public Works Project Coordinator Jim Doering reviewed this intersection as well as the locations of stop signs at nearby intersections and overall traffic flow. After considering traffic flow and past practices for stop sign installation, the committee recommends that stop signs should be installed to stop eastbound and westbound traffic on 5th Street at the Drew Street intersection.

A motion was made by Council Member Smith and seconded by Council Member Buckley to approve the Installation of a Stop Sign on 5<sup>th</sup> Street at Drew Street. Motion passed by unanimous vote.

Public Utilities Superintendent Heins introduced Resolution No. 18 of 2023 – Authorization to Execute Award of Contract for the Mainline Circuit Development DGR Project #421125 with Castrejon Incorporated.

Mr. Heins stated this project is being completed to bury the overhead distribution system and to enhance reliability to provide power to the existing sections of the City. Two bids for the project were received, opened, and publicly read on Thursday, March 16, 2023 at 1:15 p.m. Both bidders are very qualified to complete this project. DGR had provided a budget estimate of \$530,000 which was in the 2023 capital budget. DGR reviewed the bids for completeness and mathematical errors. DGR recommends the bid be awarded to Castrejon Incorporated of Blaine, Minnesota in the amount of \$443,840.00.

Council Member Arentson noted a typo in Resolution No. 18 of 2023 of the bid amount. Mr. Arentson requested the bid amount shown in the Resolution be changed to \$443,840.00 to match the bid amount received from Castrejon Incorporated.

A motion was made by Council Member Arentson and seconded by Council Member Buckley to waive the reading of Resolution No. 18 of 2023 – Authorization to Execute Award of Contract for the Mainline Circuit Development DGR Project #421125 with Castrejon Incorporated in the amount of \$443,840.00. Motion passed by unanimous vote.

A motion was made by Council Member Kerkhoff and seconded by Council Member Smith to approve Resolution No. 18 of 2023 – Authorization to Execute Award of Contract for the Mainline Circuit Development DGR Project #421125 with Castrejon Incorporated in the amount of \$443,840.00. Motion passed by unanimous vote.

City Administrator Muetzel stated the Local Board of Appeal and Equalization meeting is scheduled for Tuesday, April 18, 2023 at 6:00 p.m.

Bills and Claims were presented to Council for informational purposes. No questions, comments, or concerns were raised.

There being no further business, a motion was made by Council Member Smith and seconded by Council Member Kerkhoff to adjourn the meeting at 5:34 p.m. Motion passed by unanimous vote.

ATTEST:

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Keith Muetzel  
City Administrator

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Tom Quackenbush  
Mayor



Ross Nachreiner  
 Redwood Falls Parks & Rec Director  
 Phone: 507-616-7444  
 Fax: 507-644-2199  
 rnachreiner@ci.redwood-falls.mn.us

**Council Meeting:** Tuesday, April 4<sup>th</sup>, 2023

**Agenda Item:** Celebrate Redwood Falls – NightFalls Event

**Date:** Wednesday, March 29<sup>th</sup>, 2023

**Summary/Overview:**

The Celebrate Redwood Falls Committee will be hosting the annual NightFalls Event on Thursday, May 4<sup>th</sup> thru Saturday, May 6<sup>th</sup> in Ramsey Park.

City of Redwood Falls staff have met and will continue to meet with the Celebrate Redwood Falls Committee as they plan for these community events.

Staff is recommending to the city council the below assistance, waiving of rental fees, as well as allowing only one way traffic entering Ramsey Park from the west for The Celebrate Redwood Falls-NightFalls event.

**NightFalls Event: May 4<sup>th</sup> -May 6<sup>th</sup>, 2023**

- Setup scheduled for April 22-May 3. Teardown is scheduled for May 7-May 10.
- Use of the Falls & Zeb Gray Shelter (use would include decorating with lights but open for daytime use/reservations)
- Event attendees will have the option to walk the trails or drive through the park to see the light displays. Walking in the park will be encouraged as many of the trails will be lit. One way traffic would enter Grove St. and exit Oak St. The entrance and exit will be staffed by Celebrate Redwood Falls volunteers. They will also have volunteers at all parking entrances/exits to ensure traffic goes the correct direction. See attached map.
- Volunteers will be at all pedestrian crossings within the park to halt traffic for walkers. See attached map.
- Closure of the park road from one direction Grove Street through to the Swayback Bridge from 8:00 p.m. until 11:00 p.m. for all 3 evenings.
- Use of various city equipment such as barricades & cones etc.
- Event Time: 8:30 p.m. – 11:00 p.m. (park closes at 11:00 p.m.)
- Request Redwood Falls Police Department assistance throughout the event.
- Food trucks located near the zoo – City will assist with garbage receptacles.

# NIGHTFALLS

At Ramsey Park in Redwood Falls

LEGEND	
	One-way Traffic
	Road Closure Barricade
	Road Barricade (controlled entry/exit)
	Volunteer Staffing
	Lighted Trails
	No Parking
	Illuminator Area





Keith Muetzel  
City Administrator  
Phone: 507-616-7400  
Fax: 507-637-2417  
kmuettel@ci.redwood-falls.mn.us

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**Meeting Date: April 4, 2023**

## **AGENDA RECOMMENDATION**

**Agenda Item:** Approve Backhoe Annual Trade

**Recommendation/Action Requested:** Staff requests approval of the Case backhoe annual trade with Titan Machinery in the amount of \$17,033.52.

**Summary/Overview:**

The 2023 operating budget includes \$21,000 for the backhoe annual trade agreement. The actual trade amount is \$17,033.52 and staff requests approval.

**Attachments:** Backhoe Quote – Titan Machinery





# Invoice

RSA #: 359477

Date: 1/25/2023

**Customer:** CITY OF REDWOOD FALLS  
**Address:** 333 S WASHINGTON ST  
 REDWOOD FALLS, MN 56283-0526  
**County:** REDWOOD **PO:**  
**Phone:** 507-637-5755

**Seller:** TITAN MACHINERY-MARSHALL  
**Address:** 1201 HWY 59 N  
 MARSHALL, MN 56258-2710  
**Phone:** 507-532-5783 JOSEPH SWENHAUGEN

**2nd Signer:**  
**Address:**

**Sales Tax Possession / Receiving Location:**  
 MN, REDWOOD, REDWOOD FALLS

- NOTICE TO PURCHASER**
1. Read this contract before you sign it.
  2. You are entitled to an exact and completely filled in copy of this contract when you sign it. Keep it to protect your legal rights.
  3. Purchaser acknowledges receipt of a fully completed copy of this contract and Purchaser waives notice of the acceptance or rejection of this order by the seller.
  4. The Acknowledgments and Additional Terms and Conditions are a part of this contract and are incorporated herein by reference.

**Purchased Equipment Information**

Type	Qty	Product	PDI	Warranty	Tag #	Serial Number	Sales Price
New	1	CASE, 580SN, BACKHOE	NO	Factory	3062319	NNC780589	112,783.52
-							
-							
-							
-							
-							
-							
-							
-							
-							

**Trade-In Equipment Information**

I (we) offer to sell, transfer and convey the following item(s) at or prior to the time of delivery of the above product, as a "trade-in" to be applied against the cash price. Such items shall be free and clear of all security agreements, liens, and encumbrances at the time of transfer to you. The following is a description and the price allowed for each item.

Qty	Description of Trade In	Tag #	Serial Number	Amount
1	CASE, 580SN, BACKHOE	3215310	NMC773269	95,750.00
-				
-				
-				
-				
-				
-				
-				
-				
-				

**1. Total Sales Price** 112,783.52

**Tax Breakdown**

Amount
<b>Total Taxes</b> 0.00

**Other Options, Charges & Fees**

Amount
FINANCE FEES 0.00
<b>Total Other Options, Charges and Fees</b> 0.00

- 2. Total Trade In Allowance** 95,750.00
- 3. Balance** 17,033.52
- 4. Total TAX (No Sales if Paying Excise Tax)** 0.00
- 5. Other Options, Charges, Fees** 0.00
- 6. Trade Payoff / Pre Barter** 0.00
- 7. Total Due** 17,033.52

**SETTLEMENT**

- 8. Cash Payment** 17,033.52
- 9. Cash Due: (Date)** 0.00
- 10. Retail Installment Contract** 0.00
- 11. Total Settlement** 17,033.52

It is understood that this is the entire agreement between the parties

Customer CITY OF REDWOOD FALLS Date \_\_\_\_\_ Salesperson: JOSEPH SWENHAUGEN

Customer \_\_\_\_\_ Date \_\_\_\_\_ Accepted By: \_\_\_\_\_

**Meeting Date: April 4, 2023**

**AGENDA RECOMMENDATION**

**Agenda Item:** Approve Trencher Purchase

**Recommendation/Action Requested:** Staff requests approval to purchase a Vermeer RTX250 trencher in the not to exceed amount of \$25,356.56.

**Summary/Overview:**

The 2023 operating budget includes \$30,000 to replace the electric department walk-behind trencher. The not to exceed amount is \$25,356.56 and staff requests approval.

**Attachments:** Trencher Quote – RDO Equipment



# Investment Proposal (Quote)

RDO Equipment Co.  
 1675 126 Street West  
 Burnsville (VM) MN, 55337  
 Phone: (952) 890-6144 - Fax: (952) 882-2980

**Proposal for:**  
 CITY OF REDWOOD FALLS  
 333 SOUTH WASHINGTON  
 PO BOX 526  
 REDWOOD FALLS, MN, 56283  
 REDWOOD

**Investment Proposal Date:** 3/30/2023  
**Pricing Valid Until:** 4/13/2023  
**Deal Number:** 1567524  
**Customer Account#:** 5755014  
**Account Manager:** Christopher Conrad  
**Phone:** (507) 282-8888  
**Fax:** (507) 387-1838  
**Email:** CConrad@rdoequipment.com

## Comments

Sourcewell Contract: 110-421-VRM Public Utilities  
 Member ID #: 2406

Due to volatility in the supply chain and delayed lead times, equipment will be capped at a price increase of 4% per quarter between the PO being placed and delivery. Price increases are currently determined on a quarterly basis on April 1, July 1 and Oct. 1. Members should consult with local dealer on the estimated delivery.  
 Estimated Delivery is currently Dec 2023.

Current total price is \$22,727.32 and will remain that price in the event no additional price increases occur.

## Equipment Information

Quantity	Serial Number Stock Number	Hours (approx.)	Status / Year / Make / Model Additional Items	Cash Price
1	TBD TBD	0	New 2023 VERMEER RTX250	\$19,107.48
			RTX250201 ADJUSTABLE BACKFILL BLADE (AB26)	
			RTX2503VP RTX250 VALUE PACKAGE	
			RTX250499 FACTORY INSTALL OF BOOM AND CHAIN KIT	
			Prep / Reconditioning Freight/Prep	\$817.00
			Other 48GRRB-48" BOOM GREASEABLE IDLER W/ RESTRAINT BAR, 84 PINS-42" CUT DEPTH	\$957.87
			Other 2250SRC05084-2250S ROTARY COMBO, 5in, 84 PIN CHAIN	\$1,844.97
			Other Estimated Price Increase (End of 2023 Delivery)	\$2,629.24
			<b>Equipment Subtotal:</b>	<b>\$25,356.56</b>

## Purchase Order Totals

<b>Balance:</b>	\$25,356.56
<b>Total Taxable Amount:</b>	\$0.00
<b>MN STATE TAX:</b>	\$0.00
<b>MN SPECIAL TAX:</b>	\$0.00
<b>Sales Tax Total:</b>	\$0.00
<b>Sub Total:</b>	\$25,356.56
<b>Cash with Order:</b>	\$0.00
<b>Balance Due:</b>	<b>\$25,356.56</b>



Amy Kerkhoff  
Accounts Receivable/Customer Service Coordinator  
Phone: 507-616-7400  
Fax: 507-637-2417  
akerkhoff@ci.redwood-falls.mn.us

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## AGENDA RECOMMENDATION

**Meeting Date:** April 4, 2023

**Agenda Item:** Resolution No. 19 of 2023 – Resolution Adopting Assessments for Delinquent Utility Account  
Resolution No. 20 of 2023 – Resolution Adopting Assessments for Unpaid Maintenance Costs

**Recommendation/Action Requested:** Open public hearing to discuss proposed resolutions. After discussions are held, close the public hearing. Read the resolutions or make a motion to waive the reading of the resolutions. If there are no concerns, adopt proposed resolutions by motion in accordance with Chapter 4 of the City Charter.

**Summary/Overview:** Attached for your consideration are two resolutions handling delinquent utility and maintenance cost charges that are 30 days past due. Similar resolutions are brought to the Council on a quarterly basis in order to improve the time between the delinquent utility bill and our ability to disclose the information to new owners. The delinquent account resolutions will be presented at the first meeting in January, April, July, and October. Staff recommends approval of the resolutions as mentioned above.

**Delinquent Process:**

- Delinquent letters are mailed to the utility account holders.
- Delinquent letters are then mailed to the property owners if not collected from account holders.
- Pending assessments are published two weeks prior to the Public Hearing.
- Any unpaid balance is then brought to the Council to be approved by resolution.
- Pending assessments passed by resolution and still outstanding as of November 1 will be charged a \$50 fee and then transferred to Redwood County to be assessed on the tax rolls.

**Attachments:** Resolution No. 19 of 2023  
Resolution No. 20 of 2023

**RESOLUTION NO. 19 OF 2023  
RESOLUTION ADOPTING ASSESSMENTS FOR DELINQUENT UTILITY ACCOUNTS**

**WHEREAS**, Section 9.02 of the Home Rule Charter of the City of Redwood Falls provides that the City Council may provide by Ordinance that the costs of any utility services provided to a property located within the City of Redwood Falls may be assessed against the property benefited and collected in a like manner as are special assessments; and

**WHEREAS**, Section 3.04, Subd. 8(D) of the Redwood Falls City Code of Ordinances provides that each utility account which is more than thirty (30) days delinquent may when authorized by Resolution of the City Council, be certified by the City Administrator of the City of Redwood Falls to the County Auditor for payment in a single installment; and

**WHEREAS**, certain accounts, as listed on this resolution, have been established with the Redwood Falls Public Utilities Department for the purpose of providing utility services to the premises specified for each account listed therein, said premises being located in the City of Redwood Falls, Redwood County, Minnesota; and

**WHEREAS**, there is an outstanding balance that is more than thirty (30) days delinquent on the customer accounts listed below in the amount as set forth therein; and

**WHEREAS**, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to the proposed assessment of delinquent utility accounts listed below.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF REDWOOD FALLS, MINNESOTA:**

1. The properties listed below are hereby specially assessed in the amount specified for each parcel. The amounts certified may include a \$50.00 assessment fee.
2. Such assessments shall be payable in a single installment.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property to the City Treasurer.
4. Before certification of the assessment to the County Auditor, the City Administrator or other authorized official is authorized and directed to accept partial prepayment of the assessment, but not less than 50% of the total amount of any assessment, and reduce the amount certified to the County Auditor accordingly. Partial prepayment may be accepted only during the 30-day period following approval of the assessment.
5. The Accounts Receivable Coordinator shall forthwith transmit certified duplicates of the assessments to the county auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

ACCOUNT	LEGAL DESCRIPTION	PARCEL	AMOUNT
01-03920	ORIGINAL SECOND, N 24' LOTS 11 & 12, BLOCK 15	88-200-2620	\$187.96
01-04080	ORIGINAL, PART LOTS 7 & 8 COM 24' NORTH OF SW COR LOT 7; TH NORTH	88-200-1840	\$371.10
01-04130	48', EAST 120', SOUTH 48', WEST 120' TO POB		
01-05510	HITCHCOCK SECOND, NORTH ½ LOT 1 & EAST ½ LOT 2, BLOCK 4	88-423-0620	\$176.75
02-01550	HITCHCOCK, LOT 8, BLOCK 11	88-422-2280	\$176.75
02-04180	ORIGINAL, LOT 11, BLOCK 1	88-200-0060	\$404.92
02-04630	LAMBERTON, LOT 5, BLOCK 1	88-533-0100	\$218.80
02-04720	HITCHCOCK, SOUTH 45' LOTS 1 & 2, BLOCK 3	88-422-0420	\$419.55
02-06740	EASTERN, LOT 7, BLOCK 12	88-323-2880	\$196.49
02-07130	EASTERN, LOT 5, BLOCK 6	88-323-1100	\$176.75
03-00760	WATSONS FIRST, NORTH ½ LOTS 1 & 2, BLOCK 1	88-865-0060	\$152.77
03-04320	WATSON THIRD, LOTS 5 & 6 EX COM 17' EAST OF SW COR; TH WEST 17', NORTH TO NW COR, EAST 50', SWLY TO POB OF LOT 6, BLOCK 10	88-867-1740	\$176.75
04-00140	TR 112 ½ X 100' COM AT SW COR LOT 1, BLOCK 5, PART AUDIT LOT 1, ALSO TR 70' X 200' COM AT NE COR LOT 4, BLOCK 5 EX SOUTH 12 ½ X 100' OF VACATED ALLEY	88-029-2090	\$253.53
04-01960	PACEM TERRA, LOT 4, BLOCK 1	88-650-0100	\$586.59
04-02190	K-V, LOT 7, BLOCK 2	88-505-0320	\$176.75
06-02140	AUDITOR SUBDIVISION ONE, COM NW LOT 21, TH EAST 40', SOUTH 240', WEST 40', NORTH 240' TO POB, 01-112-36	88-001-2031	\$176.75

**PASSED AND ADOPTED** by the City Council of the City of Redwood Falls, Minnesota, this 4<sup>th</sup> day of April 2023.

ATTEST:

\_\_\_\_\_  
Keith T. Muetzel  
City Administrator

\_\_\_\_\_  
Tom Quackenbush  
Mayor

(City Seal)

Subscribed and sworn to before me

This 4<sup>th</sup> day of April 2023.

**RESOLUTION NO. 20 OF 2023**  
**RESOLUTION ADOPTING ASSESSMENTS FOR UNPAID MAINTENANCE COSTS**

**WHEREAS**, Sections 7.05 and 11.15 of the Redwood Falls City Code of Ordinances imposes certain maintenance obligations upon every property owner; and

**WHEREAS**, said sections provide that in the event the property owner fails to do so, the City may go upon the property and perform the necessary maintenance; and

**WHEREAS**, said sections further provide that the costs associated therewith may be certified as special assessments against such property; and

**WHEREAS**, on or about the date as hereinafter set forth, the City found it necessary to perform the necessary maintenance on the following described properties, all of which are located in the City of Redwood Falls, Redwood County, Minnesota; and

**WHEREAS**, the City incurred costs as specified herein in maintaining the said properties; and

**WHEREAS**, the owner(s) of said properties has failed or refused to pay the said amount; and

**WHEREAS**, pursuant to proper notice duly given as required by law, the council has met and heard and passed upon all objections to the proposed assessment of unpaid maintenance costs listed below.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF REDWOOD FALLS, MINNESOTA:**

1. The properties listed below are hereby specially assessed in the amount specified for each parcel. The amounts certified may include a \$50.00 assessment fee.
2. Such assessments shall be payable in a single installment.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property to the City Treasurer.
4. The Accounts Receivable Coordinator shall forthwith transmit certified duplicates of the assessments to the county auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

ACCOUNT	LEGAL DESCRIPTION	PARCEL	AMOUNT
02-00860-04	HITCHCOCK SECOND, LOT 2, BLOCK 10	88-423-1860	\$212.01
05-02420-04	SUNNYSIDE HEIGHTS, LOT 12 & TR IN SE COR LOT 13, BLOCK 15	88-766-2860	\$212.01
04-02915-00	PT LOT 14 AUDITOR SUBDIVISION ONE, LYING WEST LOT 1, BLOCK 2, NORTHWOOD TERRACE, SOUTH C/L SWAIN STREET	88-131-3090	\$212.01
02-07130-05	EASTERN, LOT 5, BLOCK 6	88-323-1100	\$314.02
02-07550-01	EASTERN, LOT 2, BLOCK 12	88-323-2640	\$212.01
02-07630-01	AUDITOR SUBDIVISION ONE, TR 60' X 120' IN LOT 9, 1-11-36	88-001-1310	\$109.01
03-04640-04	WATSON THIRD, LOT 6 & WEST 8' LOT 5, BLOCK 4	88-867-0620	\$212.01
02-08180-09	HITCHCOCK THIRD, WEST 50' OF N ½ BLOCK, BLOCK 1	88-424-0120	\$212.01

**PASSED AND ADOPTED** by the City Council of the City of Redwood Falls, Minnesota, this 4<sup>th</sup> day of April 2023.

ATTEST:

\_\_\_\_\_  
Keith T. Muetzel  
City Administrator

(City Seal)

\_\_\_\_\_  
Tom Quackenbush  
Mayor

Subscribed and sworn to before me  
This 4<sup>th</sup> day of April 2023.

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



Keith Muetzel  
City Administrator  
Phone: 507-616-7400  
Fax: 507-637-2417

kmuettel@ci.redwood-falls.mn.us

**Meeting Date: April 4, 2023**

## **AGENDA RECOMMENDATION**

**Agenda Item:** Temporary Utility Worker Position

**Recommendation/Action Requested:** Staff requests approval to establish a 1,000-hour Temporary Utility Worker position.

**Summary/Overview:**

Historically, the Electric Department has operated with five Lineman positions. In the fall of 2022 one of the Lineman positions became vacant and due to workload uncertainty, staff postponed the decision to fill the position. Now that we have a better understanding of our 2023 projects, staff would like to create a 1,000-hour Temporary Utility Worker position to assist with this summer's utility work.

Under the proposed scenario, a temporary employee will be employed for up to 1,000 hours (6 months) and then the position will end. The minimum requirements for the position include the completion of at least one year of post-secondary training as a utility worker and a Class A Commercial Driver's License. The proposed compensation is 85% of the step 1 Lineman wage schedule which results in a wage of \$26.10 per hour.

The 2023 operating budget fully funds a fifth Lineman position. Creating this position will provide the electric department with the workforce necessary to complete the planned 2023 projects with a cost savings and potentially provide an opportunity to recruit a permanent full-time employee.

**Attachments:** 1,000-hour Temporary Utility Worker Job Description

<b>CITY OF REDWOOD FALLS POSITION DESCRIPTION</b>		
<b>1000 HOUR TEMPORARY UTILITY WORKER</b>		
<b>DEPARTMENT/DIVISION:</b> Utilities	<b>SUPERVISOR:</b> Utilities Superintendent	<b>LOCATION:</b> Utility Facility
<b>CLASSIFICATION:</b> Temporary -40hrs/week, Non-Union, Non-Exempt		<b>DATE:</b> March, 2023

**SUMMARY OF POSITION:**

This is a temporary position working 40 hours a week on a temporary basis May – October with the line crew to work on seasonal duties associated with the Utilities department. Candidates will be paid an hourly rate, with no benefits. Employment will run May – October of current year. Work performed will be under supervision of the Line Foreman and Electric Superintendent.

**SUMMARY OF TASKS:**

1. Ability to follow oral or written instructions.
2. Safely assist crews in the installation, maintenance and troubleshooting of underground/overhead distribution, streetlight, and utility systems.
3. Ability to do heavy manual labor, including operating shovels, jackhammers, manually pulling wire, etc.
4. Ability to operate heavy equipment such as diggers, trenchers, bucket trucks, etc.
5. Install cabinets, conduit, and cables in underground trenches, etc.
6. Make electrical terminations both primary and secondary.
7. Work well with City employees, workers from other utilities, customers, and the public.
8. Work overtime in times of demand.
9. Adhere to all City policies, procedures, and safety regulations.



**WORK ENVIRONMENT:** Outdoor work in all weather conditions often near energized equipment. This position will be very limited to any energized work, if any.

**EQUIPMENT USED:** Ability to operate various hand and power tools, volt meters, bucket truck, trench packer, air compressor, vactor truck, concrete saws, skid steers, boom truck, diggers, and trenchers, and more.

**MINIMUM QUALIFICATIONS:**

1. High school graduate or GED.
2. Completion of 1st year of vocational training in the field of Power Line worker or at least one year experience in power line maintenance and construction.
3. Must have a valid Class A CDL with airbrakes.

**PHYSICAL REQUIREMENTS:**

Possess physical strength, flexibility, and mental capacity to safely perform the duties of the position.

Must wear appropriate safety items when performing safety sensitive duties. Proper PPE will be provided.

While performing the duties of this job, the employee is frequently required to sit, talk and hear, use hands and fingers to handle or feel objects, tools, or controls and to reach with hands and arms.

The employee must be able to lift and/or move varying amounts of weight up to 75 lbs, depending upon the task at hand. Specific vision abilities required by this job include close vision and the ability to adjust focus. Must be able to kneel, bend at the waist and work in a standing position for long periods. Duties will require individual to work at various heights via ladders or other lift equipment available. Must be able to walk on foot over rough terrain at varying degrees of slope. Employee must be able to work in various temperature and climatic conditions.

Must be capable of comprehending and receiving and giving instructions through verbal and written means.

**PAY GRADE:** Non-Union - Seasonal Pay

For informational purposes only, does not constitute a contract.

**Meeting Date: April 4, 2023**

**AGENDA RECOMMENDATION**

**Agenda Item:** FT Water Waste-Water Operator Position

**Recommendation/Action Requested:** Staff recommends appointment of Calvin Mannz as full-time Water/Waste-Water Operator.

**Summary/Overview:**

The 2023 operating budget includes funding for the addition of a full-time Water/Waste Water Operator position. After advertising for this position, an Interview Team consisting of Keith Muetzel, Sheila Stage, Tom Stough and Pete Albu interviewed six candidates. The position has been offered to Calvin Mannz and he has accepted our offer and terms of employment.

Staff requests City Council approval for appointment of Calvin Mannz as full-time Water Waste-Water Operator. Please see attached offer letter for details of this offer.



Sheila Stage  
Human Resources Coordinator  
Phone: 507-616-7400  
Fax: 507-637-2417  
sstage@ci.redwood-falls.mn.us

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March 27, 2023

Mr. Calvin Mannz  
100 Valley View Drive  
Redwood Falls, MN 56283

Dear Calvin,

We are very pleased to offer you the full-time position of Water/Wastewater Operator. We look forward to having you as part of our team. Please be advised that this offer of employment is contingent upon the following:

- City Council approval at the City Council meeting on April 4, 2023.
- A satisfactory background check.
- For this position you will need to obtain a Class B Driver's License you will have one year to complete this. The City of Redwood falls will cover the costs associated with this training. Once you obtain your CDL permit and you start working/driving in a CDL Safety Sensitive area you will be required to have a satisfactory query report from the FMCSA Clearinghouse of your CDL driver record. You will be required to register on the Clearinghouse website for the City to query and review your driver record. Human Resources can provide instructions on how to do this.

This position is classified as full-time, non-exempt overtime eligible. Your salary will be based on a forty-hour work week. This position is eligible for overtime compensation or comp time. The hours for the position will normally work 7 a.m. to 4 p.m. Monday through Friday, with rotating weekend responsibilities. Due to a specific project or water main breaks, hours may be extended or vary in days or hours. After an appropriate training period, you will be scheduled for "on call" and paid for "on call" status.

You will be expected to work eight (8) hours/day and 40 hours/week. Your starting wage will be \$24.476 per hour and your first day of work is projected to be on April 24, 2023. Per our standard procedure, this offer letter is not intended, nor should it be considered as, an employment contract for a definite or indefinite period. The City of Redwood falls will comply with the Fair Labor Standards in relation to any hours worked in excess of forty hours (you will be eligible for time and half for overtime).

You will be placed on a six-month probationary period and after receiving a satisfactory job performance evaluation, you will be eligible for a step increase. On January 1<sup>st</sup>, 2024, you will be eligible for a 3% COLA increase as established by the City Council. You currently have your Operators Licenses for your Water Class D and Wastewater Class D Licenses. Once you provide those licenses and we ensure they are valid through the State of Minnesota you will be compensated for those bi-weekly based on the 2023 License and Certification pay list.

You will be eligible for our full-time employee benefits package as outlined in the Employee Benefit Summary given to you at your interview. In accordance with City policy and applicable law, the following deductions will be made from your payroll checks:

- Insurance premiums for health, life, and flex accounts *only if elected*.
- Statutorily required PERA contributions if your position is eligible.
- Federal and state withholding for taxes, social security, etc.
- HCSP – Healthcare Savings Plan deduction.

Your position is subject to a 14 day pay period and our regularly scheduled pay period is bi-weekly. Since your start date is projected to be April 24, 2023, your first pay day is projected to be on May 5, 2023.

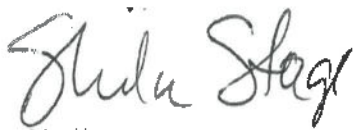
As a full-time employee, you will accrue vacation and sick leave on a bi-weekly basis. Your vacation leave accrual will begin at 1.85 hours per pay period. Your sick leave accrual will be 3.69 hours per pay period.

In accordance with the Immigration and Reform and Control Act of 1986, you must provide appropriate documentation to establish identity and eligibility for employment on your first day of work. **I've included a copy of the Department of Homeland Security's list of acceptable documents for your review.** Please complete the highlighted section of the I-9 form and bring this completed document with you on your first day of employment. In addition, benefit enrollment forms will be completed on your first day of employment. As such, please bring the dates of birth and social security numbers for any dependent you want covered by your health insurance.

Please report to the Water Plant on April 24, 2023, at 7:00 a.m. and ask for Tom Stough. **Please be advised that safety requirements are established for employees in the Public Utilities Department. All employees are required to wear steel toed shoes and long pants. You must wear the required footwear and apparel on your first day of employment.**

We are pleased that you will be joining our team and look forward to working with you in this position. If you have any questions prior to your start date, please feel free to contact me.

Sincerely,



Sheila Stage  
HR Coordinator

cc: Personnel File

By signing below, I acknowledge I have received the foregoing information regarding my employment offer and related pay and benefits provided in accordance with Minnesota Statutes sec. 181.032. I understand that the City of Redwood Falls employment is not for a specific term and can be terminated by me or by the City of Redwood Falls at any time for any reason, with or without cause.



3/29/2023

**Name**

**Date**

Once signed to indicate you'll be joining our team, email the entire offer letter to [sstage@ci.redwood-falls.mn.us](mailto:sstage@ci.redwood-falls.mn.us) or send to our confidential fax number at (507) 637-2417.

You have a right to receive this notice in a language other than English. If you need this letter translated in other languages, please contact our office at (507) 616-7400.

**Meeting Date: April 4, 2023**

## **AGENDA RECOMMENDATION**

**Agenda Item:** 2023 City Deer Hunt Recommendation

**Recommendation/Action Requested:** The 2022 City Archery Deer Hunt Review Committee, along with Staff are recommending for approval, the submittal of the 2023 hunt application to the DNR with the following listed provisions:

1. Double “Earn A Buck”, 20 hunters with maximum bag limit of 40
2. Season to coincide with the full archery season, Sept. 16 - December 31
3. Set the fees to a \$20.00 application fee with a \$40 hunt fee to 20 participants selected by a minimum proficiency test and lottery draw with a 20-hour minimum in-stand expectation. (Exemption for those who tag out early) to qualify to participate again in 2024.
4. Continue with the current Hunt Coordinator for the 2023 season.
5. Continue to provide education materials for residents to keep deer off their yards.
6. During the trapping season, maintain (set) tending times between the hours of 10 a.m. and 3 p.m. on City owned property to minimize interference between the two activities.
7. Continue to use the vital area on a 3D deer target for proficiency testing at 20 yards.
8. Continue with the annual review committee each year to determine the program’s effectiveness.
9. The hunt coordinator is eligible to test and participate in the hunt and is subject to the same fees and selection criteria that policy for all applicants.

**Note: Provisions have remained the same from the previous year.**

**Summary/Overview:** The 2022 Deer Hunt Review Committee met at 3:00 p.m. on March 29, 2023, to review the 2022 results. They were tasked to identify changes to the program, if any and provide a recommendation to the City Council to meet an end of April application deadline. Participating at the committee meeting were John Buckley, Council Member; Officer Brady Stough, Jim Doering, Public Works Project Coordinator; Paul Parsons, Deer Hunt Coordinator, Dr. Steve Medrud adjacent landowner and Jeff Bommersbach 2022 hunt participant.

**Attachments:** Reference – 2023 Committee minutes

# Redwood Falls Deer Hunt Committee

## Meeting Minutes

29, March 2023

### Meeting Convened at 3:30 p.m.

Jim Doering called to order the annual meeting of the Redwood Falls Deer Hunt Committee in the Redwood Falls Council Chambers.

### Roll call

The following members were present; John Buckley, Council Member; Officer Brady Stough, Jim Doering, Public Works Project Coordinator; Paul Parsons, Deer Hunt Coordinator, Dr. Steve Medrud adjacent landowner and Jeff Bommersbach 2022 hunt participant.

**Meeting Agenda:** Doering presented the agenda: 1 Review 2022 final report 2. Review last year's recommendations 3. Review carry over recommendations 4. Any recommended changes for 2023 and 5. Recommendation to Council for 2023.

**Review the Final Report:** Paul parsons reviewed the outcomes and final report as he presented on January 17, 2023, to the Redwood Falls City Council. He noted the participation rates, hunter's allotted times in stand, harvest/deer counts per stand location and provided a comparison to the previous two hunts, 19 deer were harvested, and the number of deer recorded sightings were near the same as last year and correlated with the amount of time hunters sat in the deer stand.

**Review 2022 recommendations to Council:** Reviewed 2022 recommendations and possible carry over policies to 2023 provided from last year's recommendation and minutes.

### **What worked in 2022:**

Paul Parsons reported that overall, the 2022 hunt was on par with previous years with 19 deer harvested and all hunters meeting time in stand or quickly harvested deer. The change in qualifying parameters streamlines the process. Applications were up this year and discussion reviewed the change from previous years. Applicants in 2022 only had to place 5 arrows in vital area (larger area than the 5" paper plate used previously) of a 3D deer target at 20 yards to qualify and entered into a draw of the hat drawing for the 20 available stands. This method removes some of the stress of competing for points and allows for a more relaxed shooting experience

**Improvements needed:** Continued promotion of the hunt upon Council approval for the 2023 season to boost participation. Getting the applications on the website along with texting/emailing previous year's participants of the available application along with timely promotion on the City Facebook page early rather than waiting until July which is when the hunting regulations book is released by the DNR.

Use the City's web and Facebook page to alert resident trappers of the tending times from 10 a.m.-3 p.m. on City property to minimize conflict between the two outdoor activities.

**Changes for 2023:** Discussion centered on developing hunter connectivity where a hunter in a hot stand who has other commitments for a weekend could post that stand availability to the group allowing another hunter from a cold stand to utilize its availability. Parson's reported that he would do that when a hunter tagged out and the hunters themselves would notify or contact each other if they had a conflict and couldn't make it to the stand over a weekend. Limited stand locations within the City makes this important for program success.

**Recommendation to Council:** The 2022 City Archery Deer Hunt Review Committee, along with Staff are recommending for approval the submittal of the 2023 hunt application to the DNR with the following listed provisions: (Same provisions used in 2022-No Changes)

1. Double “Earn A Buck”, 20 hunters with maximum bag limit of 40
2. Season to coincide with the full archery season, Sept. 16 - December 31
3. Set the fees to a \$20.00 application fee with a \$40 hunt fee to 20 participants selected by a minimum proficiency test and lottery draw with a 20-hour minimum in-stand expectation. (Exemption for those who tag out early) to qualify to participate again in 2024.
4. Continue with the current Hunt Coordinator for the 2023 season.
5. Continue to provide education materials for residents to keep deer off their yards.
6. During the trapping season, maintain (set) tending times between the hours of 10 a.m. and 3 p.m. on City owned property to minimize interference between the two activities.
7. Continue to use the vital area on a 3D deer target for proficiency testing at 20 yards.
8. Continue with the annual review committee each year to determine the program’s effectiveness.
9. The hunt coordinator is eligible to test and participate in the hunt and is subject to the same fees and selection criteria that policy for all applicants.

**Next Committee Meeting:** March 2024

**Adjournment**

Meeting adjourned at 4:05 p.m.





Kari Klages  
Finance Director  
Phone: 507-616-7400  
kklages@ci.redwood-falls.mn.us

## AGENDA MEMO

**Meeting Date:** April 4, 2023

**Agenda Item:** Request to Waive Fees related to Data Request

**Recommendation/Action Requested:** Staff recommends denying the request to waive the data request fees.

**Summary/Overview:** Attached for your consideration is a letter from Jessica Kluever, legal secretary at Southern Minnesota Regional Legal Services (SMRLS), requesting that \$25.75 in data request charges be waived. The identity of the actual requestor has been redacted to maintain the integrity of any private data connected to this request.

All fees related to this data request have been charged in accordance with Minnesota State Statutes, Chapter 13 and the City's Data Practices Act Guidelines and Procedures. According to Chapter 13, the City is not allowed to charge for the time of searching for and retrieving data when the requestor is the data subject, however the City is able to charge for the actual costs of making and certifying copies of the requested data. In addition, it is not normal practice for the City to adjust fees based on income level. Accordingly, staff is recommending the request be denied.

**Attachments:** SMRLS Data Request Waiver Letter  
SMRLS Data Request Invoice



**MANKATO OFFICE**

12 Civic Center Plaza, Suite 3000  
Mankato, MN 56001

Phone: (507) 396-6815 • Toll-Free: 1-800-247-2299

FAX: (507) 387-2321

Website: [www.smrls.org](http://www.smrls.org) • Email: [mankato@smrls.org](mailto:mankato@smrls.org)

March 22, 2023

City of Redwood Falls  
P.O. Box 526  
Redwood Falls, MN 56283-0526

Re: Records and/or Reports Request  
Customer #01-1645  
Invoice #202303070164

To Whom It May Concern:

Please consider this our formal request, to ask that you waive any fees that are associated with the invoice referenced above.

██████████ is eligible for free legal representation from our organization based upon her level of income. Neither she nor our organization has the funds available to pay for the requested information.

Thank you for your assistance with this matter. Please feel free to contact me if you have any questions.

Sincerely,

*/s/ Jessica Kluever*

Jessica Kluever  
Legal Secretary



**Exhibit 2  
DATA REQUEST & COST CALCULATION FORM**

*Fees charged are in accordance with Minnesota Statutes Section 13.03 (3).*

Date of Request: 3-13-2023

Description of Information Requested: (please be specific) All incident reports regarding [REDACTED]

*Please use this section to calculate fees for duplication of standard materials and other data requests.  
(Standard materials photocopied by staff - \$.25/page or \$.50 for two-sided copy with copies in excess of 100 or for subject of data at actual costs.)*

			Estimated Cost	Actual Cost
A.	LABOR	<u>        </u> x <u>        </u> # hours            hourly rate		
		<u>        </u> x <u>        </u> # hours            hourly rate		
B.	PHOTOCOPY	<u>.25</u> x <u>103</u> rate            # pages		<u>25.75</u>
C.	MAILING	<u>                                </u>		
D.	PRINTING COSTS	<u>                                </u>		
E.	OTHER COSTS	(may include computer time, programming, terminal access, microfilming and any other costs not listed above)		
1.	<u>                                </u>			
2.	<u>                                </u>			
3.	<u>                                </u>			
4.	<u>                                </u>			

TOTAL CHARGES                                 

PREPARED BY: Abby Larson

AMOUNT TO BE PREPAID  
(50% of Est. Total if exceeds \$100)                                 

DEPARTMENT: Police

DATE: 3-13-2023

AMOUNT DUE UPON COMPLETION                                   
10

CITY OF REDWOOD FALLS ACCOUNTS RECEIVABLE INVOICE

P. O. BOX 526

REDWOOD FALLS, MN 56283-0526

PHONE (507) 616-7400



SOUTHERN MN REGIONAL LEGAL  
1567 MCMILLAN ST N STE 6  
WORTHINGTON MN 56187-2801

CUSTOMER#: 01-1645  
INVOICE# : 202303070164  
INV. DATE: 3/21/2023  
DUE DATE : 3/22/2023

===== CHARGE DETAIL =====

ITEM DESCRIPTION	UNITS	TYPE	PRICE	AMOUNT
DATA REQUEST				25.75

TOTAL DUE : 25.75

PLEASE CUT ALONG LINE

>-----  
SOUTHERN MN REGIONAL LEGAL 01-1645

INVOICE#: 202303070164  
-----<

TOTAL DUE : \$ 25.75

PLEASE REMIT BOTTOM PORTION WITH YOUR PAYMENT

THANK YOU

## AGENDA MEMO

**Meeting Date:** April 4, 2023

**Agenda Item:** Proposed Ordinance No. 84, Fourth Series – An Ordinance Amending Redwood Falls City Code of Ordinances §10.46 Pertaining to Animal Licensing and Regulation.

**Recommendation/Action Requested:** Read the proposed ordinance or make a motion to waive the first reading of the ordinance. Discuss the proposed ordinance. If no concerns, proposed ordinance will be discussed again at the next Council Meeting on April 18, 2023, and approved by motion in accordance with Chapter 4 of the City Charter.

**Summary/Overview:** City Staff have met and discussed the current conditional lifetime licensing process for dogs found in §10.46 of the Redwood Falls City Code. Upon reviewing §10.46 in conjunction with the dog kennel licensing regulations found in §6.28 of the Redwood Falls City Code, staff have identified and made several changes to both ordinances to more logically identify and regulate land use for dog kennels as well as to better locate the license limitation for dogs within §10.46 instead of §6.28.

Proposed changes to §10.46 include a limitation of five (5) conditional lifetime licenses for dogs per “household;” adding a definition of “household;” better identifying the “Shelter,” as defined in §10.46; adding a provision to make it a petty misdemeanor violation for owners of potentially dangerous dogs to allow those dogs to use the Redwood Falls City Dog Park; and a change to the dangerous dog hearing procedure to provide for two council members, at large, to serve on a dangerous dog review panel. Staff recommends adoption of these proposed changes.

**Attachment:** Proposed Ordinance No. 84, Fourth Series

**ORDINANCE NO. 84, FOURTH SERIES**

**AN ORDINANCE AMENDING REDWOOD FALLS CODE OF ORDINANCES § 10.46 PERTAINING TO ANIMAL LICENSING AND REGULATION.**

**FINDINGS AND PURPOSE:**

**WHEREAS**, pursuant to Minn. Stat. § 412.221 Subd. 21 and § 347.53, the City Council of Redwood Falls has broad authority through its police powers to regulate the keeping of animals, to restrain their running at large, to authorize their impounding and sale or summary destruction, to establish pounds, and to regulate potentially dangerous and dangerous dogs; and

**WHEREAS**, the City Council of Redwood Falls finds that limiting the number of dogs per household is substantially related to controlling the problems of dog noise and odor, and the health and general welfare of the community as affected by dogs; and

**WHEREAS**, the City also now provides the use of the Redwood Falls City Dog Park to dog owners where they can take their dogs to exercise and socialize with other dogs; and

**WHEREAS**, on October 1, 2019, the City Council of the City of Redwood Falls, Minnesota Passed and Adopted Ordinance No. 65, Fourth Series, Titled “AN ORDINANCE AMENDING REDWOOD FALLS CODE OF ORDINANCES §10.46 PERTAINING TO ANIMAL LICENSING AND REGULATION;” and

**WHEREAS**, Ordinance No. 65, Fourth Series did not address the issues of the number of dogs that may be kept per household or the use of the City Dog Park by potentially dangerous dogs; and

**WHEREAS**, the City Council finds that the keeping of more than five (5) dogs in a single household is subject to great abuse, causing discomfort to persons in the area by way of smell, noise, hazard, and general aesthetic depreciation and is a public nuisance; and

**WHEREAS**, the City Council finds that allowing dogs declared or deemed potentially dangerous to be present within the Redwood Falls City Dog Park creates an unreasonable safety risk for other patrons of the park; and

**WHEREAS**, the City Council of Redwood Falls finds that it is necessary to amend Redwood Falls City Code of Ordinances §10.46 to address these public health and safety concerns.

**NOW THEREFORE, THE CITY OF REDWOOD FALLS DOES ORDAIN:**

**SECTION 1.** That Redwood Falls City Code of Ordinances §10.46, Subd. 1, shall be amended by amending and inserting the following provisions, in their entirety, in lieu thereof:

Subd. 1. *Definitions.* As used in this section, the following definitions shall apply.

A. The term "animal" means either a cat or dog unless indicated otherwise.

B. The term "dangerous dog" means any dog that has:

1. Without provocation, inflicted substantial bodily harm on a human being on public or private property;

2. Killed a domestic animal without provocation while off the owner's property; or

3. Been found to be potentially dangerous, and after the owner has been sent notice that the dog is potentially dangerous, the dog aggressively bites, attacks or endangers the safety of humans or other domestic animals.

C. The term "dog" means both male and female and includes any animal of the dog kind.

D. The term "feral cat" means an unowned free-roaming cat that is partially socialized or unsocialized to humans and tends to resist contact with humans.

**E. The term "household" refers to a single-family residence or single unit of a town home, condominium, apartment or comparable structure which is rented, leased or used as a single unit.**

¶ F. The term "owner" means any person owning, keeping, harboring or maintaining an animal within the city or permitting the animal to be at large within the city. An animal shall be deemed to be harbored if it is fed or sheltered for three days or more.

¶ G. The term "potentially dangerous dog" means any dog that:

1. When unprovoked, inflicts bites on a human or domestic animal on public or private property;

2. When unprovoked, chases or approaches a person upon the streets, sidewalks or any public or private property, other than the dog owner's property, in an apparent attitude of attack; or

3. Has a known propensity, tendency or disposition to attack without provocation causing injury or otherwise threatening the safety of humans or other domestic animals.

G H. The term "Shelter" means the Redwood Area Friends of the Animal Shelter.

H I. The term "stray cat" means any cat whose owner from time to time allows the cat to run free off of the property of the owner.

**SECTION 2.** That Redwood Falls City Code of Ordinances §10.46, Subd. 4, shall be amended by amending and inserting the following provisions, in their entirety, in lieu thereof:

Subd. 4. *Conditional Lifetime License and Limitations.*

A. Conditional lifetime licenses shall be issued upon completion of the required application and payment of the required fee as established by the city fee schedule, as amended from time to time. A conditional lifetime license shall be in effect during the lifetime of the licensed dog unless suspended pursuant to Subd. 5.

B. As a condition to the continued validity of an issued conditional lifetime license, the owner shall submit to the city or any entity designated by the city, proof of the dog's current rabies vaccination.

C. It shall be the duty of the city or any entity designated by the city, to send all dog owners who hold a valid conditional lifetime license, a notice that indicates per the city's records, the dog's vaccination will expire within 30 days and failure to provide proof of current rabies vaccination to the city or any entity designated by the city, will cause the conditional lifetime license to be suspended.

**D. No person shall keep more than five (5) dogs over the age of three (3) months within any household in the city. A conditional lifetime license shall not be issued if the owner of a dog or any other resident of that household currently possess(es) a total of five (5) conditional lifetime licenses for that household. In calculating the number of conditional lifetime licenses per household, licenses belonging to all individuals residing at a single household shall be aggregated and the total number of licenses shall be the aggregated number of licenses. This section shall not be construed to limit the ability of apartment managers, landlords, town home associations or other representatives of property owners to impose greater restrictions.**

- 1. Any person who owned more than five (5) dogs prior to the effective date of the ordinance from which this chapter is derived shall be permitted to keep those dogs, provided that those dogs resided in that household and were properly licensed prior to April 18, 2023. No person affected by this subsection shall be permitted to acquire any additional dogs or to replace any dogs in excess of five unless specifically authorized by city council.**



2. **Any person who currently owns dogs who becomes a resident of the city by annexation shall be permitted to keep those dogs, provided that those dogs obtain a conditional lifetime license meeting the requirements of this chapter within 30 days following approval of the annexation. No person affected by this subsection who owns more than five dogs shall be permitted to acquire any additional dogs or to replace any dogs in excess of five unless specifically authorized by city council.**

**SECTION 3.** That Redwood Falls City Code of Ordinances §10.46, Subd. 16, Paragraphs D and E shall be amended to read as follows:

Subd. 16. *Dangerous Dogs.*

D. *Hearing Procedure.* This Review Panel will consist of ~~the Council President, a~~ **two** ~~(2) Council members~~ as appointed by the Mayor **they become available**, and an elector who resides within the city. The Panel will schedule a hearing and may call witnesses and review documents as needed to make a determination on the issue. Owners shall have the right to present evidence on their behalf and to cross-examine any witnesses. A simple majority of the members of the Panel is necessary for a finding that the dog is either dangerous or potentially dangerous. The burden of proof is on the Police Department. A finding supporting a designation of dangerous or potentially dangerous dog must be proven by a preponderance of the evidence. The decision of the Panel shall be in writing and shall indicate the reasons for the findings. A copy of the findings shall be provided to the Police Department and the dog owner.

E. *Effect of Findings that Dog is Potentially Dangerous or Dangerous.* If the Panel finds there is sufficient basis to declare a dog as potentially dangerous or dangerous, that finding will serve as notice to the owner that the dog is in fact a potentially dangerous or dangerous dog. ~~Within 14 days after the owner has received notice that the dog is dangerous, the owner must cause the animal to be humanely destroyed or removed from the city limits.~~

1. **Within 14 days after the owner has received notice that the dog is dangerous, the owner must cause the animal to be humanely destroyed or removed from the city limits.**
2. **An owner that has received notice that a dog is dangerous or potentially dangerous shall not allow the dog to use or be present within the Redwood Falls City Dog Park. A person who violates § 10.46, Subd. 16.E.2 is guilty of a petty misdemeanor.**

**SECTION 4.** Effective Date. This Ordinance becomes effective from and after its passage.

**PASSED AND ADOPTED** by the City Council of the City of Redwood Falls,  
Minnesota this 18<sup>th</sup> day of April, 2023.

ATTEST:

\_\_\_\_\_  
Keith Muetzel  
City Administrator

\_\_\_\_\_  
Tom Quackenbush  
Mayor

(City Seal)

Subscribed and sworn to before me this  
18th day of April 2023.

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

**Introduction:**           04/04/2023  
**Posting:**  
**Adopted:**  
**Approval Published:**



Trenton Dammann  
City Attorney  
Phone: (507)616-7400  
Fax: (507)637-2417

tdammann@ci.redwood-falls.mn.us

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## AGENDA MEMO

**Meeting Date:** April 4, 2023

**Agenda Item:** Proposed Ordinance No. 85, Fourth Series – An Ordinance Amending Redwood Falls City Code of Ordinances §6.28 Relating to Dog Kennels.

**Recommendation/Action Requested:** Read the proposed ordinance or make a motion to waive the first reading of the ordinance. Discuss the proposed ordinance. If no concerns, proposed ordinance will be discussed again at the next Council Meeting on April 18, 2023, and approved by motion in accordance with Chapter 4 of the City Charter.

**Summary/Overview:** City Staff have met and discussed the current dog kennel licensing ordinance, §6.28. Upon reviewing the dog kennel licensing ordinance in conjunction with the conditional lifetime licensing process for dogs provided in §10.46, staff have identified and made several changes to both ordinances to more logically identify and regulate land use for dog kennels as well as to better locate the license limitation for dogs within §10.46 instead of §6.28. Staff recommends adoption of these proposed changes.

**Attachment:** Proposed Ordinance No. 85, Fourth Series

**ORDINANCE NO. 85, FOURTH SERIES**

**AN ORDINANCE AMENDING REDWOOD FALLS CODE OF ORDINANCES § 6.28 RELATING TO DOG KENNELS.**

**WHEREAS**, pursuant to Minn. Stat. § 412.221 Subd. 21 and § 347.53, the City Council of Redwood Falls has broad authority through its police powers to regulate the keeping of animals, to restrain their running at large, to authorize their impounding and sale or summary destruction, to establish pounds, and to regulate potentially dangerous and dangerous dogs; and

**WHEREAS**, City staff have reviewed the kennel licensing ordinance § 6.28 and have identified and made several changes to the licensing requirements and process; and

**WHEREAS**, to make the kennel licensing ordinance harmonious and consistent with recent changes made to dog licensing under § 10.46 several changes are recommended to the existing kennel licensing ordinance.

**NOW THEREFORE THE CITY COUNCIL OF REDWOOD FALLS ORDAINS:**

**SECTION 1.** That Redwood Falls City Code of Ordinances § 6.28 shall be amended by amending and inserting the following provisions, in their entirety, in lieu thereof:

**§ 6.28 DOG KENNELS**

Subd. 1. *Defined.* For the purpose of this section, "kennel," means any single location where any number of dogs of any age are kept, confined, or congregated by a person for the purpose of selling, boarding, temporarily keeping and training, or breeding dogs for himself, herself or others.

Subd. 2. *License Required.* No person shall maintain a kennel in the City without first securing a license from City Hall. Kennel licenses shall be granted by the City Administrator after a conditional use permit has been granted by City Council. All kennel licenses issued by the City, unless sooner revoked or suspended by the City, are annual in nature and shall expire on December 31 of each year.

Subd. 3. *Hearing Required.* Prior to issuance of a kennel license, a hearing before the planning commission requesting a conditional use permit must be held. Notice must be given pursuant to Section 3.11 of the Redwood Falls Unified Development Ordinance. The planning commission will make a recommendation to the City Council on the request.

Subd. 4. *Inspection Required.* Prior to the granting of a kennel license, the proposed facility shall be inspected annually. By obtaining a kennel license, licensees authorize City staff or a City contracted inspector to perform periodic, random inspections of the kennel for the purpose of determining compliance with the conditions of their license.

Subd. 5. *License Fee.* The annual fee for a kennel license shall be adopted by resolution of the Council, subject to limitation set forth in state statutes.

Subd. 6. *License Limitations.* Licensees who relocate to another area of the City need to reapply for a kennel license. Licenses are not assignable to other parties and no party, person, corporation, or other entity will be allowed more than one kennel license.

Subd. 7. *Legal Nonconforming Licenses.* Kennel licenses in effect on residential property at the time of adoption of the ordinance from which this article is derived that do not meet the requirements of this article are considered legal, nonconforming licenses and can continue to keep dogs as authorized by the kennel license in place at the time of adoption of the ordinance from which this article is derived, provided the annual license requirements are maintained as outlined in subdivisions 4 and 5 of this section.

Subd. 8. *Exceptions.* The following entities are exempt from the provisions of this section:

- A. Hospitals and clinics operated by licensed veterinarians exclusively for the care and treatment of animals.
- B. The “Shelter,” as defined in § 10.46 of this code.

Subd. 9. *Zoning.* No license shall be issued to a person for operation of a kennel in a zoning district where the operation is not permitted or otherwise allowed under Chapter 14 of this code.

**SECTION 2.** Effective Date. This Ordinance becomes effective from and after its passage.

**PASSED AND ADOPTED** by the City Council of the City of Redwood Falls, Minnesota this 18th day of April 2023.

ATTEST:

\_\_\_\_\_  
Keith Muetzel  
City Administrator

\_\_\_\_\_  
Tom Quackenbush  
Mayor

(City Seal)

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