



**AGENDA FOR
REGULAR CITY COUNCIL MEETING
TUESDAY, OCTOBER 17, 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. October 3, 2023
5. **Audience Participation** (10-minute time limit for items not on the agenda)
6. **Consent Agenda**
 - A. Approve City Assistance with Celebrate Redwood Falls – Haunted Hotel
 - B. Declare Portable Radios as Surplus Property and Authorize Sale
7. **Scheduled Public Hearings**
 - A. Assessment for Delinquent Utility Account – Resolutions #58
8. **Old Business**
9. **Regular Agenda**
 - A. Compensation Study – Establishment of Comparison Organizations
 - B. Updated Schedule of Offenses and Administrative Penalties – Resolution #59
 - C. 2024 Street Sealcoat Project – Final Payment
 - D. MnDOT Local Road Improvement Program Funding Application – Resolution #60
 - E. Designation of Annual Election Polling Places – Resolution #61
 - F. Snow Emergency Ordinance Update – Ordinance #87
 - G. Shop Mechanic/Street Maintenance Worker Position
 - H. Street Maintenance Worker Position
 - I. Establish City Council Work Session Agenda
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, OCTOBER 3, 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, October 3, 2023, at 5:00 p.m.

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

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 Sandgren and seconded by Council Member Buckley to approve the agenda. Motion passed by unanimous vote.

A motion was made by Council Member Kerkhoff and seconded by Council Member Arentson to approve the September 19, 2023 minutes as presented. Motion passed by unanimous vote.

A motion was made by Council Member Sandgren and seconded by Council Member Smith to approve the following item on the Consent Agenda.

1. Proclamation Recognizing October 15 as National Pregnancy and Infant Loss Remembrance Day.

Motion passed by unanimous vote.

Mayor Quackenbush opened a public hearing at 5:05 p.m. to discuss delinquent utility accounts, maintenance charges, and surcharges.

Finance Director Klages introduced Resolution No. 52 of 2023 – Resolution Adopting Assessments for Delinquent Accounts, Resolution No. 53 of 2023 – Resolution Adopting Assessments for Unpaid Maintenance Costs, and Resolution No. 54 of 2023 – Resolution Adopting Assessments for Unpaid Surcharges.

Ms. Klages stated the proposed Resolutions are to adopt assessments for delinquent utility accounts, maintenance cost charges, and surcharges that are more than 30 days past due. Similar resolutions are brought to the City Council on a quarterly basis in order to improve the time between the delinquent billing and the ability to disclose the information to new property owners. The delinquent account resolutions will be presented each year at the first meeting in January, April, July, and October.

Ms. Klages further explained the delinquent process. Delinquent letters are first mailed to the utility account holders. Delinquent letters are then mailed to the property owners if not collected from the account holders. Electricity consumed by a tenant is not assessable to the property. Any unpaid balance is then brought to Council to be approved by resolution. Any pending assessments passed by resolution and still outstanding as of November 1st will be charged a \$50.00 fee and are then transferred to Redwood County to be assessed on the tax rolls.

No one was present to voice any concerns.

Mayor Quackenbush closed the public hearing at 5:07 p.m.

A motion was made by Council Member Kerkhoff and seconded by Council Member Smith to waive the reading of Resolution No. 52 of 2023 – Resolution Adopting Assessments for Delinquent Accounts. Motion passed by unanimous vote.

A motion was made by Council Member Sandgren and seconded by Council Member Buckley to approve Resolution No. 52 of 2023 – Resolution Adopting Assessments for Delinquent Accounts. Motion passed by unanimous vote.

A motion was made by Council Member Arentson and seconded by Council Member Buckley to waive the reading of Resolution No. 53 of 2023 – Resolution Adopting Assessments for Unpaid Maintenance Costs. Motion passed by unanimous vote.

A motion was made by Council Member Smith and seconded by Council Member Sandgren to approve Resolution No. 53 of 2023 – Resolution Adopting Assessments for Unpaid Maintenance Costs. Motion passed by unanimous vote.

A motion was made by Council Member Buckley and seconded by Council Member Kerkhoff to waive the reading of Resolution No. 54 of 2023 – Resolution Adopting Assessments for Unpaid Surcharges. Motion passed by unanimous vote.

A motion was made by Council Member Arentson and seconded by Council Member Sandgren to approve Resolution No. 54 of 2023 – Resolution Adopting Assessments for Unpaid Surcharges. Motion passed by unanimous vote.

City Attorney Dammann introduced Ordinance No. 86, Fourth Series – An Ordinance Amending Redwood Falls Code of Ordinances §10.20 – Prohibiting the Use of Cannabis in Public Places.

Mr. Dammann stated the proposed Ordinance was introduced at the September 19, 2023, City Council Meeting. On May 30, 2023, Governor Tim Walz signed into law House File 100 relating to the possession, sale, and adult use of cannabis. House File 100 authorizes local units of government to adopt ordinances establishing a petty misdemeanor offense for a person who unlawfully uses cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in certain public places.

Mr. Dammann stated the topic of regulating public use of cannabis within the City of Redwood Falls was previously discussed at a regularly scheduled work session of the City Council on August 29, 2023. After discussion of the topic, Council requested that the City Attorney draft a proposed ordinance prohibiting the use of cannabis in public places within the City of Redwood Falls. The League of Minnesota Cities does not currently offer a model ordinance addressing this issue; however, Proposed Ordinance No. 86 was drafted after reviewing and using examples of similar ordinances already approved by other Minnesota cities. The term “lawn,” was added to the definition of “Public Place,” since the first reading of the Ordinance. A separate resolution and summary for approval to publish will not be required as the Ordinance is rather short and can be published as-is.

A motion was made by Council Member Smith and seconded by Council Member Kerkhoff to approve Ordinance No. 86, Fourth Series – An Ordinance Amending Redwood Falls Code of Ordinances §10.20 – Prohibiting the Use of Cannabis in Public Places. Motion passed by the following roll call vote.

AYE: Council Members Smith, Kerkhoff, Sandgren, Smith, Buckley, and Arentson
NO: None

Finance Director Klages introduced Resolution No. 55 of 2023 – Resolution Authorizing Application for Safety Grant Program.

Ms. Klages stated Water/Wastewater Superintendent Tom Stough has indicated the need to update the City’s current trench box and confined space gas monitoring system. A hazard analysis conducted by our Safety Coordinator has indicated both items are outdated and no longer meet safety standards.

Ms. Klages stated OSHA Workplace Safety Consultation provides a Safety Grant Program that awards employers a dollar-for-dollar match on qualifying projects up to a maximum of \$10,000. Staff is requesting authorization to submit a grant request to OSHA to help cover the costs of updating this equipment. The total cost to replace both items is \$13,539. If the grant is awarded, the City will be responsible for a 50% match of \$6,769.50. The cost will be split between the water and wastewater budgets.

A motion was made by Council Member Buckley and seconded by Council Member Smith to waive the reading of Resolution No. 55 of 2023 – Resolution Authorizing Application for Safety Grant Program. Motion passed by unanimous vote.

A motion was made by Council Member Arentson and seconded by Council Member Buckley to approve Resolution No. 55 of 2023 – Resolution Authorizing Application for Safety Grant Program. Motion passed by unanimous vote.

Public Works Project Coordinator Jim Doering introduced Resolution No. 56 of 2023 – Approval of Bids and Authorization to Execute Agreements for Farmland Rental.

Mr. Doering stated the Redwood Falls Land Rental RFB bids were opened on September 21, 2023, at 11:00 a.m. Bids were solicited for 152.66 acres of farmland comprised of 73.95 acres around the Airport and 78.71 acres known as the “Gilwood 80.”

Mr. Doering stated four bids were submitted. Dale and Jason Mathiowetz provided the high bid of \$341.00 per acre or an annual payment of \$26,840.00 on the “Gilwood 80.” Gronau Farms LLC provided the overall high bid for the Airport acreage consisting of \$100.00 per acre for field No.5 (2.6 acres) and \$100.00 per acre for the acreage abutting the runways- fields 7, 8, 9, and 25 consisting of 71.35 acres and a combined total annual payment of \$7,395.00. Staff recommends the acceptance of the overall high bids provided by Dale and Jason Mathiowetz (“Gilwood 80”) and Gronau Farms LLC (Airport Farmland) for the cropping years 2024-2026.

A motion was made by Council Member Kerkhoff and seconded by Council Member Arentson to waive the reading of Resolution No. 56 of 2023 – Approval of Bids and Authorization to Execute Agreements for Farmland Rental. Motion passed by unanimous vote.

A motion was made by Council Member Sandgren and seconded by Council Member Buckley to approve Resolution No. 56 of 2023 – Approval of Bids and Authorization to Execute Agreements for Farmland Rental. Motion passed by unanimous vote.

Finance Director Klages introduced Resolution No. 57 of 2023 – Resolution Authorizing Expenditure of Voting Operations, Technology, & Election Resources (VOTER) Account Funds by Redwood County.

Ms. Klages stated the MN Legislature has approved Voting Operations, Technology, & Election Resources (VOTER) Account funds during the 2023 Session Laws, Chapter 62 (Article 1, Section 43 and Article 4, Section 6) in the amount of \$1.25 million allocated to counties according to a specified formula, with the funds allocated by July 20 of each year, starting with the State’s Fiscal Year 2024 (FY2024), until the law is amended by the legislature.

Ms. Klages stated Resolution No. 57 is allowing the City’s portion of the funds to stay at the County level and authorizing the County to spend the funds for election-related expenditures as authorized by law. For FY2024, Redwood County will receive a total of \$5,405.21 of which \$1,351.30 or 25% must be allocated to the cities and townships of Redwood County based on its proportion of registered voters in the County on May 1 for the most recent statewide general election. The City’s portion for all three wards totals \$416.89 for FY2024. Resolution No. 57 also authorizes any future VOTER Account funds to remain at the County level, with Redwood County authorized to spend at their discretion on election expenses as allowed by law.

A motion was made by Council Member Buckley and seconded by Council Member Sandgren to waive the reading of Resolution No. 57 of 2023 – Resolution Authorizing Expenditure of Voting Operations, Technology, & Election Resources (VOTER) Account Funds by Redwood County. Motion passed by unanimous vote.

A motion was made by Council Member Arentson and seconded by Council Member Kerkhoff to approve Resolution No. 57 of 2023 – Resolution Authorizing Expenditure of Voting Operations, Technology, & Election Resources (VOTER) Account Funds by Redwood County. Motion passed by unanimous vote.

City Administrator Muetzel introduced the Street Foreman Position.

Mr. Muetzel stated the recent resignation of Jerry Mertens created a vacancy for the Street Foreman position. The vacancy was posted internally, two applications were received and both candidates were interviewed on September 28. Staff requests Council approval for appointment of Darren Hacker as Street Maintenance Foreman. Compensation for the Foreman designation is \$1.00/hour over the position's base wage.

A motion was made by Council Member Smith and seconded by Council Member Sandgren to approve the appointment of Darren Hacker to the Street Foreman Position. Motion passed by unanimous vote.

Mayor Quackenbush stated the City's informational booth at the Fall Festival on Saturday, September 23, received good feedback and received a few questions from residents.

City Administrator Muetzel followed up on a concern received by Mayor Quackenbush at the Fall Festival regarding a lack of speed limit signs on County Highway 24, specifically in front of the hospital and new housing development. The Redwood County Engineer stated that all County roads, unless posted, are 55 mph but they would like to initiate a speed study with MnDOT due to the increased activity and changing landscape for that area.

Mayor Quackenbush stated Council members have been invited by Kwik Trip to the store's Grand Opening on Tuesday, October 17, 2023 from 10:00 a.m. to 12:00 p.m. with a ribbon cutting at 11:00 a.m.

City Administrator Muetzel stated the Senate Bonding Tour is tonight, Tuesday, October 3rd, starting at 6:00 p.m. Senate members will be in Redwood Falls to tour the Library and the Airport due to the special project bonding requests for the Library Expansion and Airport improvements.

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

There being no further business, a motion was made by Council Member Kerkhoff and seconded by Council Member Sandgren to adjourn the meeting at 5:32 p.m. Motion passed by unanimous vote.

ATTEST:

Keith Muetzel
City Administrator

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, October 17th
Agenda Item: Celebrate Redwood Falls – Haunted Hotel
Date: Monday, October 2nd, 2023

Summary/Overview:

The Celebrate Redwood Falls Committee is making plans for the Monsters on Main Street Event as well as the Haunted Hotel which is scheduled to be open Saturday, October 21st, Friday, October 27th, Saturday, October 28th, and Tuesday, October 31st.

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 following assistance and waiving of rental fees for the Celebrate Redwood Falls events:

Haunted Hotel – October 21st, 27th, 28th & 31st

- 2nd Street closed nightly from 6:00pm-11:00pm between Mill and Washington (10/31 the event will end at 10p).
- 2nd Street closed on Saturday from 1:00pm-11:00pm between Mill and Washington- Monsters on Main Street Event
- 6 picnic tables (Delivered for the 27th, 28th & 31st dates – Not the 21st)
- Garbage bins along 2nd Street (request from West Central)-Committee Responsibility
- Walk-through inspection by the building inspector the week prior to opening

Meeting Date: October 17, 2023

Agenda Recommendation

Agenda Item: Declare Two Motorola XTS 2500 Portable Radio as Surplus Property

Recommendation/Action Requested: Staff recommends declaring radios surplus property

Summary/Overview:

Redwood Falls Police Department has been in the process of replacing officer's XTS 2500 portable radios with newer APX 6000 units. The XTS 2500 radios are no longer serviceable by Motorola. As new APX 6000 units are issued to officers their old units have been retained as back-up units should a radio need to be serviced. At this time RFPD has four XTS 2500 radios for backup.

Chisolm Police Chief Vern Manner expressed interest in purchasing our old radios and he has agreed to pay \$500 per unit. At this time I believe RFPD can sell two of our units which leaves two spare units as backup should they be needed. Staff recommends selling two XTS 2500 units for \$500 each.

Attachments:

AGENDA RECOMMENDATION

Meeting Date: October 17, 2023

Agenda Item: Resolution No. 58 of 2023 – Resolution Adopting Assessments for Delinquent Utility Accounts

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

Summary/Overview: Attached for your consideration is one resolution handling delinquent utility account charges 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 resolution 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 are transferred to Redwood County to be assessed on the tax rolls.

Attachments: Resolution No. 58 of 2023

**RESOLUTION NO. 58 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
02-05330	WEST 70' X 120' LOT 4, ALL LOT 5 & TRACT 60' X 120' IN NORTHEAST CORNER LOT 6 EXCLUDING NORTHERLY 2'	88-001-1140	\$722.13

PASSED AND ADOPTED by the City Council of the City of Redwood Falls, Minnesota, this 17th day of October 2023.

ATTEST:

Keith T. Muetzel
City Administrator

(City Seal)

Tom Quackenbush
Mayor

Subscribed and sworn to before me

This 17th day of October 2023.



AGENDA MEMO

Meeting Date: October 17, 2023

Agenda Item: Request to approve Comparison Organizations for 2024 Compensation Study

Recommendation/Action Requested: Staff recommends the approval of market comparators for the 2024 Compensation Study.

Summary/Overview: On September 5, 2023, City Council gave the approval for Staff to go ahead with a Compensation Study to be done by David Drown & Associates in 2024. The next step in the process is to select the benchmark communities in the region to serve as a comparison group for the study. Mark Goldberg from DDA met with staff on September 26, 2023, to get the benchmark communities selected and the process started for the Compensation Study.

In that meeting staff selected the attached list of communities which includes cities in the State which are similar to Redwood Falls in terms of size, service offerings, tax capacity, and with whom the City may compete for employees.

After careful review, staff is recommending that the attached list of Comparison Organizations be used in the Compensation Study for 2024.

Attachments: Compensation Study List of Comparison Organizations.



Minneapolis Office
 DDA Human Resources, Inc.
 5029 Upton Avenue South
 Minneapolis, MN 55410
 Phone: (612)920-3320 x103 | Fax: (612)605-2375
www.daviddrown.com

September 27, 2023

Keith Muetzel
 City Administrator
 333 S. Washington Street | P.O. Box 526
 Redwood Falls, MN 56283

RE: Compensation Study List of Comparators Preliminary Report

Dear Mr. Muetzel

The City of Redwood Falls has hired DDA Human Resources to conduct a classification and compensation study. We have compiled an initial list of communities that we have selected and wish to have you and the Council approve before proceeding.

Benchmark Communities and Jobs

A list of 20 jurisdictions in the region were selected to serve as a comparison group – benchmarks. The list includes cities in the State which are similar to you in terms of size, service offerings, tax capacity, and cities with whom you may compete for employees. We have also included Redwood County in the market analysis.

City	Pop	General Govt	Police	Streets	Tax Cap	Property Tax	SA Levy
Carver	4,727	2	0	4	4,300,601	2,419,496	87,513
Chisago city	5,414	3	0	1	5,745,025	2,532,983	230,165
Glencoe	5,520	5	9	3	3,207,819	2,254,686	221,608
Kasson	6,504	5	9	2	3,735,069	2,978,274	178,329
La Crescent	5,169	3	8	2	3,953,705	2,676,123	80,861
Le Sueur	4,091	5	8	6	2,868,851	2,462,618	325,248

Litchfield	6,763	4	10	5	4,174,623	2,464,585	26,707
Marshall	13,783	7	22	20	11,537,391	6,321,084	919,315
Montevideo	5,287	5	11	7	2,574,734	2,298,642	177,588
Morris	5,452	6	9	4	2,644,766	1,524,995	341,238
New Ulm	13,645	11	26	15	8,941,590	7,300,317	651,405
Olivia	2,439	5	5	4	1,240,831	1,230,797	228,165
Saint Charles	3,838	5	4	2	2,385,572	1,038,169	11,990
Saint James	4,545	5	8	6	1,407,781	1,223,709	75,207
Saint Joseph	7,318	4	9	2	3,565,731	2,179,906	198,958
Sauk Centre	4,554	4	7	4	3,492,200	1,699,547	102,802
Sleepy Eye	3,464	4	6	3	1,545,060	1,246,768	85,176
Windom	4,539	8	10	5	2,460,740	1,346,710	194,273
Worthington	13,510	14	34	5	7,579,393	3,950,978	258,771
Redwood county							
Redwood Falls	5,236	15	13	5	2,893,971	2,588,766	9,908

Please let me know if you have any questions or concerns with this list.

Sincerely,



Mark Goldberg, Principal Consultant
 DDA Human Resources, Inc.
 5029 Upton Avenue South
 Minneapolis, MN 55410
 markg@daviddrown.com
 612-920-3320 ext. 114

AGENDA MEMO

Meeting Date: October 17, 2023

Agenda Item: Resolution No. 59 of 2023 – Resolution to Adopt a Comprehensive Schedule of Offenses and Establish Administrative Penalties.

Recommendation/Action Requested: Read the proposed Resolution or make a motion to waive the reading of the Resolution. Discuss the proposed Resolution. If there are no concerns, adopt proposed Resolution by motion in accordance with Chapter 4 of the City Charter.

Summary/Overview: The City Council previously adopted Ordinance 91, Third Series, an ordinance establishing a procedure for adjudicating administrative offenses and providing for a schedule of offenses and administrative penalties. Over the years the Council has supplemented Ordinance 91 with several Resolutions adopting a schedule of offenses and establishing administrative penalties. The last resolution to do so was Resolution No. 4 of 2023.

Given recent changes in City Ordinance creating new petty misdemeanor offenses within Chapter 10, an update to the schedule of offenses and administrative penalties is needed. These updates include providing for new fine amounts for the use of cannabis in a public place (10.20), keeping more than 5 dogs in a single household (10.46.4.D), and allowing dangerous or potentially dangerous dog in the City dog park (10.46.16.E.2). Chapter 10 was also renumbered correctly to correspond with the current City Code. Amendments and additions are underlined within the resolution.

Attachment: Resolution No. 59 of 2023

RESOLUTION NO. 59 OF 2023

RESOLUTION TO ADOPT A COMPREHENSIVE SCHEDULE OF OFFENSES AND ESTABLISH ADMINISTRATIVE PENALTIES

WHEREAS, the City Council for the City of Redwood Falls has adopted an ordinance establishing a procedure for adjudicating administrative offenses and providing for a schedule of offenses and administrative penalties; and

WHEREAS, said ordinance authorizes the City Council, from time to time, to identify administrative offenses and establish penalties for such offenses; and

WHEREAS, the City Council has established by Resolution 29 of 2003, Resolution 20 of 2004, Resolution 32 of 2010, Resolution 9 of 2012, Resolution 28 of 2013, Resolution 36 of 2014, Resolution 70 of 2016, Resolution 30 of 2021, and Resolution 4 of 2023 established various administrative penalties to be addressed in the Administrative Citation Process established by Ordinance 91, Third Series; and

WHEREAS, in an effort to consolidate the various resolutions, the City Council intends by this Resolution to consolidate the various resolutions into one comprehensive list of Administrative Penalties.

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

SECTION 1. The Redwood Falls City Council hereby establishes the following administrative penalties for the listed offenses to be payable under Ordinance 91, Third Series.

OFFENSE **ADMINISTRATIVE PENALTY**

CHAPTER 3 - MUNICIPAL AND PUBLIC UTILITIES

SEC. 3.04. Rules and regulations relating to municipal utilities.	
Subd. 7. Unlawful Acts-Tampering or improperly connecting with Municipal Utilities.....	\$50.00
Subd. 9. Damaging Municipal Utility Equipment.....	\$50.00
SEC. 3.20 Rules and regulations relating to refuse collection and disposal.	
Subd. 3. Illegal Storage, Dumping or Transporting Solid Waste.....	\$50.00
SEC. 3.30 Rules and regulations relating to water service.	
Subd. 6. Violation of Prohibited Uses or Restricted Hours.....	\$50.00
Subd. 8. Opening Hydrants.....	\$50.00
Subd. 12. Tampering With Water Meters.....	\$50.00
SEC. 3.40 Rules and regulations relating to sewerage use.	
Subd. 2. Illegal dumping or discharge of waste.....	\$50.00
Subd. 4. Illegal connections to public sewer.....	\$50.00
Subd. 5. Illegal discharge into public sewer.....	\$50.00

Subd. 6. Damaging wastewater facilities.....	\$50.00
SEC. 3.50. Violation of sump pump drain regulations.....	\$50.00

A second or subsequent violation of the above listed ordinances by the same person within 12 months of the most recent violation shall result in a doubling of the previously imposed penalty.

CHAPTER 4 - CONSTRUCTION LICENSING, PERMITS AND REGULATION

SEC. 4.01. Violation of Building Code.....	\$100.00
SEC. 4.04. Failure to obtain building permit.....	\$100.00
SEC. 4.05. Failure to obtain demolition permit.....	\$100.00
SEC. 4.06. Violation of permit or special requirements for moving buildings.....	\$250.00
SEC. 4.07. Violation of Property Maintenance Code.....	\$100.00
SEC. 4.10. Violation of construction and maintenance of antennae and supporting towers ordinance.....	\$100.00
SEC. 4.21. Subd. 10. Permitting a hazardous building or property.....	\$250.00
SEC. 4.99. Other construction, building or licensing violations.....	\$100.00

A second or subsequent violation of the above listed ordinances by the same person within 12 months of the most recent violation shall result in a doubling of the previously imposed penalty.

CHAPTER 5 - ALCOHOLIC BEVERAGES LICENSING AND REGULATION

SEC. 5.02. Violations of licensing procedures and requirements.....	\$500.00
SEC. 5.08. Violations of after-hours restrictions.....	\$1,000.00*
SEC. 5.11. Failure to permit inspection.....	\$500.00
SEC. 5.15. Minor consumption, purchasing, possession, presence or misrepresentation of age.....	\$100.00
SEC. 5.16. Unlawful gambling.....	\$100.00
SEC. 5.17. Consumption or possession of alcoholic beverages on streets, public property, or private parking lots to which the public has access.....	\$50.00
SEC. 5.18. Possession of alcoholic beverages in prohibited buildings or grounds.....	\$50.00
SEC. 5.19. Other unlawful acts.....	\$50.00
SEC. 5.21. Sale of liqueur-filled candy.....	\$50.00
SEC. 5.31. Illegal beer sales.....	\$500.00*
SEC. 5.50. Illegal liquor sales.....	\$500.00*
SEC. 5.70. Illegal wine sales.....	\$500.00*
SEC. 5.80. Violations of club license restrictions and regulations.....	\$500.00*
SEC. 5.83. Bottle club violations.....	\$500.00*
SEC. 5.86. Permitting Nudity or obscenity in licensed premises.....	\$500.00

*And such other conditions set by the City Council following hearing.

A second violation of the above listed ordinances by the same person within 12 months of a prior violation shall result in a doubling of the penalty. A third violation shall result in the revocation of applicable license.

CHAPTER 6 - OTHER BUSINESS REGULATION AND LICENSING

SEC. 6.02. False statement or omission on application form.....	\$100.00
SEC. 6.06. Permitting the use of real property by unlicensed business.....	\$250.00
SEC. 6.22. Violations of public show, movie, caravan, circus, carnival, theatrical or other performance or exhibition ordinance.....	\$100.00
SEC. 6.23. Tobacco Sales	
Subd. 2. Unlicensed sale of tobacco.....	\$1,000.00**
Subd. 4(a). Sale to Minor.....	\$250.00*
Subd. 4(b). Possession by minor.....	\$50.00
Subd. 4(c). Use by minor.....	\$50.00
Subd. 4(d). Attempted Purchase by Minor.....	\$50.00
Subd. 4(e). Attempted Purchase by Minor Using False Identification.....	\$50.00
Subd. 6(b) . Sale While License is Suspended.....	\$1,000.00**
Subd. 6(c). Conviction of crime relating to sale of tobacco.....	\$1,000.00**
SEC. 6.24. Violations of peddlers, solicitors, and transient merchants ordinance.....	\$100.00
SEC. 6.25. Violations of taxicab ordinance.....	\$100.00
SEC. 6.28. Violations of dog kennels ordinance.....	\$100.00
SEC. 6.29. Violations of lodging tax ordinance.....	\$100.00
SEC. 6.30. Violations of professional therapeutic massage ordinance.....	\$250.00

*First violation will result in a 3-day sale suspension and other conditions set by City Council, a second violation within 12 months will result in a \$500.00 fine a 7-day suspension and other conditions set by City Council, and a third violation within 12 months will result in a \$1,000.00 fine and revocation of license. Violations are determined on a 12 months rolling calendar.

**A violation will also result in a revocation of license.

Except as specified above, a second violation of the above listed ordinances by the same person within 12 months of a prior violation shall result in a doubling of the penalty.

CHAPTER 7 – STREETS AND SIDEWALKS GENERALLY

SEC. 7.03. Failure to comply with traffic officer.....	\$50.00
SEC. 7.04. Violation of traffic and parking control ordinance.....	\$50.00
SEC. 7.05. Failure to remove ice or snow from public sidewalks and private property.....	\$100.00
SEC. 7.06. Violation of roadway surfacing, sidewalk, curb and gutter ordinance.....	\$50.00
SEC. 7.07. Permitting obstructions in streets.....	\$50.00
SEC. 7.08. Street openings or excavation violations.....	\$50.00
SEC. 7.10. Parades.	
Subd. 2. Failure to obtain permit.....	\$50.00
Subd. 5. Interfering with parade.....	\$150.00
SEC. 7.11. Violation of grass, weeds and trees regulations.....	\$50.00
SEC. 7.12. Failure to obtain curb-cut permit.....	\$50.00
SEC. 7.16. Improper use of on-street parking or City-owned parking lots.....	\$50.00

SEC. 7.17. Illegal painting or coloring of curb and gutter, street and sidewalk.....	\$50.00
SEC. 7.18. Driving or operating motorized vehicle on sidewalks.....	\$50.00
SEC. 7.19. Violation of no-fishing from bridge posting.....	\$25.00
SEC. 7.21. Violation of residential picketing ordinance.....	\$50.00
SEC. 7.22. Violation of commercial picketing ordinance.....	\$50.00
SEC. 7.23. Violation of right-of-way management ordinance.....	\$100.00

CHAPTER 8 - TRAFFIC REGULATIONS

SEC. 8.03. Violations of bicycle licensing and riding regulations.....	\$25.00
SEC. 8.20. Violations of snowmobile traffic control and regulations.....	\$25.00
SEC. 8.23. Violations of Permitting for all Specialty Vehicles.....	\$25.00
SEC. 8.24. Violations of Operation for all Specialty Vehicles.....	\$25.00
SEC. 8.25. Violations of Operation for Golf Carts.....	\$25.00
SEC. 8.26. Violations of Recreational Vehicle Operator Age and/or Training Requirements.....	\$25.00
SEC. 8.27. Violations of Mini-Truck Licensing.....	\$25.00
SEC. 8.28. Violations of Hours of Operation.....	\$25.00
SEC. 8.29. Violations of Minimum Equipment Requirements.....	\$25.00
SEC. 8.30. Violations of Street Crossings of Recreational Vehicles And Golf Carts.....	\$25.00
SEC. 8.31. Violation of skateboards, roller skates, in-line skates and roller skis ordinance.....	\$25.00

CHAPTER 9 - PARKING REGULATIONS

SEC. 9.02. General Parking Prohibitions.....	\$30.00
SEC. 9.03. Violations of recreational camping vehicle parking regulations.....	\$30.00
SEC. 9.06. Improper Parallel parking.....	\$30.00
SEC. 9.07. Improper Angle parking.....	\$30.00
SEC. 9.08. Improper parking on streets without curb.....	\$30.00
SEC. 9.09. Violations of parking hours restrictions.....	\$30.00
SEC. 9.10. Violations of snow and other emergency parking restrictions.....	\$30.00
SEC. 9.11. Illegal truck parking.....	\$30.00
SEC. 9.12. Illegal parking rules in city parking lots and ramps.....	\$30.00
SEC. 9.14. Violations of loading zone restrictions.....	\$30.00
SEC. 9.15. Violations of unattended vehicle ordinance.....	\$30.00
SEC. 9.16. Repairing vehicle on street.....	\$30.00
SEC. 9.17. Illegal parking for the purpose of advertising or selling merchandise.....	\$100.00
SEC. 9.18. Violations of courtesy parking restrictions.....	\$30.00
SEC. 9.19. Subd. 1 Violations of Handicapped Parking Restrictions.....	\$100.00
Subd. 2 Violations of Fire Lane.....	\$30.00
SEC. 9.20. Illegal parking in electric vehicle charging stations.....	\$30.00
SEC. 9.21. Illegal commercial parking lots.....	\$30.00

CHAPTER 10 - PUBLIC PROTECTION, CRIMES AND OFFENSES

SEC. 10.01.	Burn Site.....	\$50.00
SEC. 10.03.	Rules and Regulations Governing Public Parks	\$25.00
SEC. 10.04.	Watercraft Regulations.....	\$50.00
SEC. 10.08.	Dangerous Weapons and Articles.....	\$100.00
SEC. 10.09.	Discharge and Transportation of Firearms.....	\$100.00
SEC. 10.10.	Game Hunting within the City.....	\$100.00
SEC. 10.11.	City Deer Hunt by Bow and Arrow	\$100.00
SEC. 10.13.	Disorderly Conduct – Noisy Parties	\$100.00
SEC. 10.14.	Noise Violations	\$50.00
SEC. 10.18.	Public Safety Alarms and False Alarms.....	\$100.00
SEC. 10.19.	Interference with Ambulance Service.....	\$100.00
SEC. 10.20	Cannabis Use in Public Place	\$50.00
SEC. 10.23.	Public Nuisance Prohibition	\$100.00
SEC. 10.24.	Public Nuisance Affecting Health	\$100.00
SEC. 10.25.	Public Nuisance Affecting Morals and Decency.....	\$100.00
SEC. 10.26.	Public Nuisance Affecting Peace and Safety	\$100.00
SEC. 10.34.	Prohibited Use and Parking of Manufactured Homes, Mobile Homes, Prefabricated Buildings, Modular Buildings and Recreational Camping Vehicles.....	\$100.00
SEC. 10.43.	Diseased Trees and Stumps	\$50.00
SEC. 10.46.	Animal Licensing and Regulation	
	Subd. 2. Running at Large.....	\$50.00
	Subd. 3. License Required.....	\$50.00
	Subd. 4. License Limitation	\$100.00
	Subd. 7. Tag Required.....	\$50.00
	Subd. 8. Owner Obligation for Proper Care	\$100.00
	Subd. 9. Feeding of Stray or Feral Cats	\$50.00
	Subd. 14. Barking Dogs	\$50.00
	Subd. 15. Interfering with a Peace Officer	\$100.00
	Subd. 16. Dangerous Dogs	\$500.00
	Subd. 16.E.2 Dog Park Prohibition.....	\$100.00
SEC. 10.47.	Animals and Fowl.....	\$50.00
SEC. 10.48.	Animal Waste	\$50.00
SEC. 10.49.	Feeding of Deer Prohibited	\$50.00
SEC. 10.54.	Required Permits.....	\$100.00
SEC. 10.55.	Premises Identification.....	\$50.00
SEC. 10.56.	Fire Lanes	\$50.00
SEC. 10.57.	Key Boxes	\$50.00
SEC. 10.58.	Deliberate or Negligent Burning.....	\$100.00
SEC. 10.59.	Removal or Tampering with Equipment.....	\$100.00
SEC. 10.60.	Removal of or Tampering with Appurtenances.....	\$100.00
SEC. 10.61.	Obstruction of Egress.....	\$50.00
SEC. 10.62.	Fire or Barbecues on Balconies or Patios.....	\$50.00
SEC. 10.63.	Fire Apparatus Access Roads	\$50.00

SEC. 10.64.	Recreational Fires	\$50.00
SEC. 10.65.	Open Burning	\$50.00

A second violation of the above listed ordinances by the same person within 12 months of a prior violation shall result in a doubling of the penalty.

CHAPTER 11 – PROPERTY MAINTENANCE CODE

SEC. 11.09.	Unsafe Structures and Equipment.....	\$100.00
SEC. 11.14.	General Requirements.....	\$50.00
SEC. 11.15.	Exterior Property Areas.....	\$50.00
SEC. 11.15.4.	Weeds, Grass, and Other Vegetation	\$50.00
SEC. 11.15.8.	Open Pits, Basements and other Excavations.....	\$250.00
SEC. 11.16.	Abandoned and Junk Vehicles.....	\$50.00
SEC. 11.17.	Vehicle Parking on Residential Property	\$50.00
SEC. 11.18.	Swimming Pools, Spas and Hot Tubs.....	\$50.00
SEC. 11.19.	Exterior Structure.....	\$50.00
SEC. 11.20.	Interior Structure.....	\$50.00
SEC. 11.21.	Handrails and Guardrails.....	\$50.00
SEC. 11.22.	Rubbish, Junk, and Garbage.....	\$100.00
SEC. 11.23.	Pest Elimination.....	\$50.00
SEC. 11.24.	Plumbing Facilities and Fixture Requirements	\$50.00
SEC. 11.25.	Storm Drainage.....	\$50.00
SEC. 11.26.	Mechanical and Electrical Requirements.....	\$50.00

A second violation of the above listed ordinances by the same person within 12 months of a prior violation shall result in a doubling of the penalty.

REDWOOD FALLS UNIFIED DEVELOPMENT ORDINANCE (ZONING)

Chapter 3-	Violation of Administration and Enforcement.....	\$100.00
Chapter 4-	Violation of Non Conforming Use	\$100.00
Chapter 5-	Violation of Site Plan Regulations.....	\$100.00
Chapter 7-	Violation of General Provisions.....	\$100.00
Chapter 8-	Violation of Specific Development Standards.....	\$100.00
Chapter 9-	Violation of Off-Street Parking and Loading.....	\$100.00
Chapter 10-	Violation of Sign Regulations.....	\$100.00
Chapter 11-	Violation of Residential District Standards	\$100.00
Chapter 12-	Violation of Business District Standards	\$100.00
Chapter 13-	Violation of Industrial District Standards.....	\$100.00
Chapter 14-	Violation of Overlay and Special District Standards.....	\$100.00
Chapter 15-	Violation of Planned Unit Development District Standards.....	\$100.00
Chapter 16-	Violation of Subdivision Regulations.....	\$100.00

A second violation of the above listed ordinances by the same person within 12 months of a prior violation shall result in a doubling of the penalty.

SECTION 2. The foregoing list of administrative penalties shall, following the effective date of this Resolution, be incorporated into the City's Fines and Fee Schedule, which is reviewed and approved annually by the City Council. The City Council shall hereafter annually review and modify these administrative penalties in conjunction with the annual Fines and Fee Schedule review.

PASSED AND ADOPTED by the City Council of the City of Redwood Falls, Minnesota this 17th day of October, 2023.

ATTEST:

Keith Muetzel
City Administrator

Tom Quackenbush
Mayor

(City Seal)

Subscribed and sworn to before me this
17th day of October, 2023.

Notary Public

Meeting Date: October 17, 2023

AGENDA RECOMMENDATION

Agenda Item: Final Pay Application No. 1 (2023 Seal Coat Improvement).

Recommendation/Action Requested: Staff is recommending for approval the Final Pay Reimbursement No. 1 to Allied Blacktop Company, for the “2023 Seal Coat Improvement” for the contract amount of \$277,908.00.

Summary/Overview: The final contract price totals \$277,908.00. The original bid award was 286,000.00. The lesser final amount was due to a field change in scope and the decision to not seal coat the alleys due to Great Plains Natural Gas improvements and Nuvera following in 2024 with fiber.

This action will also set the 1-year maintenance period and final acceptance date of October 17, 2024. Any material deficiencies observed during the maintenance period must be brought to the attention of the Contractor, in writing, before the final acceptance date.

Attachments: Final Pay Application No.1 – Signature Cover

PARTIAL PAY ESTIMATE NO.

1 & Final

2023 SEAL COAT IMPROVEMENT
 CITY OF REDWOOD FALLS
 BMI PROJECT NO. 0S1.130038

FILENAME: H:\REDW\0S1130038\3_Design\A_Calculations\130038_QUANT.xls\Partial Pay Est. #1A

WORK COMPLETED THROUGH SEPTEMBER 1, 2023

BID ITEM NO.	ITEM DESCRIPTION	CONTRACT PRICES				WORK COMPLETED PREVIOUS ESTIMATE			WORK COMPLETED JOB-TO-DATE		
		UNIT PRICE	QNTY	UNIT	AMOUNT	QNTY	UNIT	AMOUNT	QNTY	UNIT	AMOUNT
GROUP A											
	Base Bid - Streets										
1	Bituminous Material for Seal Coat (CRS-2P)	\$4.00	27,355	Gallon	\$109,420.00	0	Gallon	\$0.00	27,875	Gallon	\$111,500.00
3	Seal Coat Aggregate (FA-2, Class A)	\$62.00	950	Ton	\$58,900.00	0	Ton	\$0.00	999	Ton	\$61,938.00
4	Flexible Chip Seal Markers	\$300.00	1	Lump Sum	\$300.00	0	Lump Sum	\$0.00	1	Lump Sum	\$300.00
	Subtotal				\$168,620.00			\$0.00			\$173,738.00
GROUP B											
	Base Bid - Alleys										
1	Bituminous Material for Seal Coat (CRS-2P)	\$4.00	2,140	Gallon	\$8,560.00	0	Gallon	\$0.00	0	Gallon	\$0.00
2	Seal Coat Aggregate (FA-2, Class A)	\$62.00	75	Ton	\$4,650.00	0	Ton	\$0.00	0	Ton	\$0.00
	Subtotal				\$13,210.00			\$0.00			\$0.00
GROUP C											
	Alternate Bid - Streets										
1	Bituminous Material for Seal Coat (CRS-2P)	\$4.00	16,900	Gallon	\$67,600.00	0	Gallon	\$0.00	16,900	Gallon	\$67,600.00
2	Seal Coat Aggregate (FA-2, Class A)	\$62.00	585	Ton	\$36,270.00	0	Ton	\$0.00	585	Ton	\$36,270.00
3	Flexible Chip Seal Markers	\$300.00	1	Lump Sum	\$300.00	0	Lump Sum	\$0.00	1	Lump Sum	\$300.00
	Subtotal				\$104,170.00			\$0.00			\$104,170.00
	Total Amount Bid for Group A through Group C				\$286,000.00			\$0.00			\$277,908.00



Contractor Affidavit Submitted

Thank you, your Contractor Affidavit has been approved.

Confirmation Summary

Confirmation Number:	2-048-378-464
Submitted Date and Time:	28-Aug-2023 8:02:25 AM
Legal Name:	ALLIED BLACKTOP COMPANY
Federal Employer ID:	41-0827871
User Who Submitted:	N10503
Type of Request Submitted:	Contractor Affidavit

Affidavit Summary

Affidavit Number:	1457147904
Minnesota ID:	8606387
Project Owner:	CITY OF REDWOOD FALLS
Project Number:	2023 SEAL COAT IMPROVEMENTS
Project Begin Date:	22-Aug-2023
Project End Date:	23-Aug-2023
Project Location:	VARIOUS ROADS AND STREETS
Project Amount:	\$277,908.00
Subcontractors:	No Subcontractors

Important Messages

A copy of this page must be provided to the contractor or government agency that hired you.

Contact Us

If you need further assistance, contact our Withholding Tax Division at 651-282-9999, (toll-free) 800-657-3594, or (email) withholding.tax@state.mn.us. Business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. Central Time.

Please [print this page](#) for your records using the print or save functionality built into your browser.

CONSENT OF SURETY TO FINAL PAYMENT

AIA Document G707

(Instructions on reverse side)

Bond No. 30185459

OWNER	<input type="checkbox"/>
ARCHITECT	<input type="checkbox"/>
CONTRACTOR	<input type="checkbox"/>
SURETY	<input type="checkbox"/>
OTHER	<input type="checkbox"/>

TO OWNER:

(Name and address)

City of Redwood Falls
333 South Washington Street, P.O. Box 526
Redwood Falls, MN 56283-0526

ARCHITECT'S PROJECT NO.:

CONTRACT FOR:

PROJECT:

(Name and address)

2023 Seal Coat Improvements - Redwood Falls, MN

CONTRACT DATED: April 18, 2023

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Western Surety Company
151 N. Franklin St.
Chicago, IL 60606

, SURETY,

on bond of

(Insert name and address of Contractor)

Allied Blacktop Company
10503 89th Avenue North
Maple Grove, MN 55369

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to

(Insert name and address of Owner)

City of Redwood Falls
333 South Washington Street, P.O. Box 526
Redwood Falls, MN 56283-0526

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: August 24, 2023

(Insert in writing the month followed by the numeric date and year.)

Western Surety Company

(Surety)

(Signature of authorized representative)

Nicole M. Coty

Attorney-in-fact

(Printed name and title)

Attest:

(Seal):



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G707-1994

INSTRUCTION SHEET

FOR AIA DOCUMENT G707, CONSENT OF SURETY TO FINAL PAYMENT

A. GENERAL INFORMATION

1. Purpose

This document is intended for use as a companion to AIA Document G706, Contractor's Affidavit of Payment of Debts and Claims, on construction projects where the Contractor is required to furnish a bond. By obtaining the Surety's approval of final payment to the Contractor and its agreement that final payment will not relieve the Surety of any of its obligations, the Owner may preserve its rights under the bond.

2. Related Documents

This document may be used with most of the AIA's Owner-Contractor agreements and general conditions, such as A201 and its related family of documents. As noted above, this is a companion document to AIA Document G706.

3. Use of Current Documents

Prior to using any AIA document, the user should consult the AIA, an AIA component chapter or a current AIA Documents List to determine the current edition of each document.

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B. CHANGES FROM THE PREVIOUS EDITION

Changes in the location of various items of information were made, without revision to the substance of the document.

C. COMPLETING THE G707 FORM

GENERAL: The bond form is the usual source of required information such as the contract date and the names and addresses of the Surety, Owner, Contractor and Project.

ARCHITECT'S PROJECT NO.: This information is typically supplied by the Architect and entered on the form by the Contractor.

CONTRACT FOR: This refers to the scope of the contract, such as "General Construction" or "Mechanical Work".

D. EXECUTION OF THE DOCUMENT

The G707 form requires both the Surety's seal and the signature of the Surety's authorized representative.

Western Surety Company

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That WESTERN SURETY COMPANY, a South Dakota corporation, is a duly organized and existing corporation having its principal office in the City of Sioux Falls, and State of South Dakota, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

**Litton E S Field Jr, Nicole M Coty, Mark Alan Thune, Mutya Alvaran Enoksen, Gayle L Thorson, Jeffrey R Skaar, Jessica A Olson, Sierra McQuoid, Individually, of Mendota Heights, MN
Kevin Paulson, Tom Corneil, Chad Christianson, De Ette J Wurm, Debra M Bledsoe, Brenda S Klimstra, Erin Pohlman, Deb Geislinger, Jacqueline Riley, Amanda Plantenberg, Dena Grunhoyd, Leslie Seehusen, Individually, of Saint Cloud, MN**

its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind it thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the corporation and all the acts of said Attorney, pursuant to the authority hereby given, are hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions printed on the reverse hereof, duly adopted, as indicated, by the shareholders of the corporation.

In Witness Whereof, WESTERN SURETY COMPANY has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 14th day of July, 2023.

WESTERN SURETY COMPANY



Larry Kasten

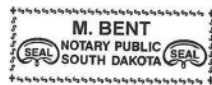
Larry Kasten, Vice President

State of South Dakota }
County of Minnehaha } ss

On this 14th day of July, 2023, before me personally came Larry Kasten, to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of WESTERN SURETY COMPANY described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporation and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporation.

My commission expires

March 2, 2026



M. Bent

M. Bent, Notary Public

CERTIFICATE

I, L. Nelson, Assistant Secretary of WESTERN SURETY COMPANY do hereby certify that the Power of Attorney hereinabove set forth is still in force, and further certify that the By-Law and Resolutions of the corporation printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said corporation this 24th day of August, 2023.



WESTERN SURETY COMPANY

L. Nelson

L. Nelson, Assistant Secretary

Authorizing By-Laws and Resolutions

ADOPTED BY THE SHAREHOLDERS OF WESTERN SURETY COMPANY

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the shareholders of the Company.

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, and Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above Bylaw to execute power of attorneys on behalf of Western Surety Company.

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 27th day of April, 2022:

“RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company.”

Meeting Date: October 17, 2023

AGENDA RECOMMENDATION

Agenda Item: Resolution No.60 of 2023

Recommendation/Action Requested: Read the proposed Resolution or make a motion to waive the reading of the Resolution. Discuss the proposed Resolution. If there are no concerns, adopt the proposed Resolution by motion in accordance with Chapter 4 of the City Charter.

Summary/Overview: Resolution No. 60 authorizes the Local Road Improvement Grant (LRIP) Application for the two required future turn lanes on C.S.A.H 24 for the Reflection's Prairie and Ridge Developments. The deadline for the application is December 8, 2023.

Staff is recommending the approval of Resolution No. 60 that will enable the submission of the grant application to secure up to the \$1,500,000.00 maximum in state funds. LRIP funds can be used for 100% of the construction costs. The turn lanes are to be constructed by the end of the 2026 construction year. A dated project estimate put the construction costs at \$1.2 million. Bolton and Menk Inc. is currently updating the estimate according to current bid costs and projected inflation.

There is an expected high demand for the grant dollars available and in the event the project is not approved, a subsequent application will be made in 2024. Municipal State Aid Street funding can also be used to construct the turn lanes in the event LRIP funding does not come through.

Attachments: Resolution No. 60 of 2023

RESOLUTION NO. 60 OF 2023

**RESOLUTION SUPPORTING PURSUIT OF
2023 LOCAL ROAD IMPROVEMENT PROGRAM FUNDING
FROM MnDOT FOR THE C.S.A.H. 24 TURN LANE IMPROVEMENTS**

WHEREAS, The City of Redwood Falls is authorizing the submission of Local Road Improvement Program (LRIP) grant application to the Minnesota Department of Transportation (MNDOT); and

WHEREAS, the project area includes C.S.A.H 24 from Trunk Highway 67 to 1.25 miles east of Trunk Highway 67; and

WHEREAS, the project provides enhanced access and safety improvements to local residents and the adjacent school and hospital via new turn lanes; and

WHEREAS, the LRIP administered by MNDOT makes available up to \$1,500,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, address transportation deficiencies, and contribute to economic development, and

WHEREAS, the City of Redwood Falls is hereby applying to the Minnesota Department of Transportation for up to \$1,500,000.00 in funds to be used for eligible road reconstruction costs for the “C.S.A.H 24 Turn Lane Improvements”; and

WHEREAS, the proposed year for project construction is 2025 or 2026; and

FURTHERMORE, that the City of Redwood Falls has the legal authority to apply for the grant, and the financial, technical, and managerial capacity to ensure proper construction, operation, and maintenance of the project for its design life; and

FURTHERMORE, that upon approval of its application by MNDOT, the City of Redwood Falls may enter into an agreement with the MNDOT for the above referenced project, and that the City of Redwood Falls certifies that it will comply with all applicable laws and regulations as stated in all contract agreements described in the Compliance listing of the grant application; and

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

1. The Mayor or City Administrator or their successors in office, are hereby authorized to execute such grant applications, grant awards and subsequent contracts, amendments and negotiate changes in the scope of thereto, as are necessary to implement the above project on behalf of the City of Redwood Falls.; and
2. The City Council hereby supports the construction of new turn lanes along CSAH 24; and

3. The City Council hereby provides assurance that the City of Redwood Falls will pay all costs associated with the project and that city staff will ensure that all aspects of LRIP funding requirements are met and the project's schedule is adhered to.

BE IT FURTHER RESOLVED that the City Council of the City of Redwood Falls, Minnesota, approves the request contingent upon compliance with all the requirements of the Minnesota State Statutes.

PASSED AND ADOPTED by the City Council of the City of Redwood Falls, Minnesota this 17th day of October 2023.

ATTEST:

Keith Muetzel
City Administrator

Tom Quackenbush
Mayor

STATE OF MINNESOTA
REDWOOD COUNTY

I hereby certify that the foregoing Resolution is a true and correct copy of the Resolution presented to and adopted by the City of Redwood Falls at a duly authorized meeting thereof held on the ___ day of October 2023, as shown by the minutes of said meeting in my possession.

Witness my hand as the City Clerk and the corporate seal of the City of Redwood Falls, this ___ day of October 2023.

CAITLIN KODET
City Clerk

Seal

AGENDA RECOMMENDATION

Meeting Date: October 17, 2023

Agenda Item: Resolution No. 61 – Designation of Annual Polling Place

Recommendation/Action Requested: Read the proposed Resolution or make a motion to waive the reading of the Resolution. Discuss the proposed Resolution. If no concerns, adopt proposed Resolution to enact the 2024 annual polling place designation as the Redwood Area Community Center located at 901 East Cook Street, Redwood Falls.

Summary/Overview: The change to Minnesota Statute §204B.16 subdivision 1, effective July 1, 2017, impacts the notice of polling locations the City must make each year. All cities and townships must pass a Resolution by December 31 of each year establishing polling places for any elections scheduled for the following year. An annual Resolution is required even if the polling place does not change.

Attachment: Resolution No. 61 – Designation of Annual Polling Place

RESOLUTION NO. 61 OF 2023

**THE CITY OF REDWOOD FALLS OF REDWOOD COUNTY MINNESOTA
RESOLUTION DESIGNATING ANNUAL POLLING PLACE**

WHEREAS, it is important that citizens exercise their right to vote at their local polling place; and

WHEREAS, Minnesota Statute §204B.16 requires the City of Redwood Falls to designate its local polling place for elections annually; and

BE IT RESOLVED, the City of Redwood Falls, Minnesota does hereby designate the Redwood Area Community Center located at 901 East Cook Street, Redwood Falls, Redwood County as its polling place in 2024.

BE IT FURTHER RESOLVED, that the City of Redwood Falls notify residents of this designation as required by Minnesota Statute §205.16.

PASSED AND ADOPTED by the City Council of the City of Redwood Falls, Minnesota this 17th day of October, 2023.

ATTEST:

Keith Muetzel
City Administrator

Tom Quackenbush
Mayor

Subscribed and sworn to before me this
17th day of October 2023.

(City Seal)

Notary Public

AGENDA MEMO

Meeting Date: October 17, 2023

Agenda Item: Proposed Ordinance No. 87 – An Ordinance Amending Redwood Falls Code of Ordinances §9.10 – Relating to Weather Emergency

Recommendation/Action Requested: Read the proposed ordinance or make a motion to waive the first reading of the ordinance. Discuss the proposed ordinance. If there are no concerns, the proposed ordinance will be discussed again at the next Council Meeting on November 7, 2023, and approved by motion in accordance with Chapter 4 of the City Charter.

Summary/Overview: City staff annually confront the issues of vehicle parking on city streets and private property during declared weather emergencies. The current section of City Code regulating the declaration of such emergencies and citizens' obligations during such emergencies (Section 9.10) has led to a certain level of confusion amongst citizens that has been heard at administrative hearings as well as difficulties amongst city staff with enforcement.

Proposed Ordinance No. 87 is an amending ordinance that was drafted after reviewing and using examples of language in similar ordinances already approved by other Minnesota cities. Removed language has been stricken through and added language has been underlined for easier comprehension of the proposed modifications.

The proposed modifications include but are not limited to: 1) giving every emergency an effective end date and time to be included in the weather emergency announcement instead of relying on the cessation of precipitation or the completion of street maintenance (plowing, clearing, salt and sand); and 2) allowing citizens to park vehicles on non-impervious surfaces such as lawns on residential premises during the effective times of an emergency to allow for easier compliance with on-street parking regulations.

Attachment: Proposed Ordinance No. 87

ORDINANCE NO. 87, FOURTH SERIES

AN ORDINANCE AMENDING REDWOOD FALLS CODE OF ORDINANCES § 9.10 RELATING TO WEATHER EMERGENCY.

WHEREAS, City staff have received community comment, reviewed the emergency parking ordinance § 9.10, and have identified issues in need of redress; and

WHEREAS, to make the emergency parking process more clear, and more easily followed and enforceable, city staff are recommending changes to the existing ordinance.

NOW THEREFORE THE CITY COUNCIL OF REDWOOD FALLS ORDAINS:

SECTION 1. That Redwood Falls City Code of Ordinances §9.10 shall be amended as follows:

§ 9.10 WEATHER EMERGENCY

Subd. 1. *Definitions.*

A. For purposes of this section, the term "emergency" means a condition created on city streets because of the presence of snow, freezing rain, sleet or ice thereon or other natural phenomenon which create or are likely to create hazardous road conditions or impede or are likely to impede the free movement of fire, health, police, emergency or other vehicular traffic, when the same has been duly declared.

B. For the purposes of this section, the definitions included in Section 11.13 of this City Code, as passed and adopted by the City Council of Redwood Falls, and as the same may be amended from time to time, shall also apply.

Subd. 2. *Declaration of Emergency.* Whenever in the opinion of the City Administrator, or in his or her absence the Chief of Police, an emergency exists, he or she may declare the same and cause an announcement thereof to be made to local news media.

Subd. 3. *Beginning and Duration of Emergency.*

A. When declaring an emergency the City Administrator will state the date and time when the emergency goes into effect and the date and time the emergency will end. The emergency shall begin no earlier than one hour after announcement to news media.

B. Once declared, the emergency shall remain in effect ~~until all streets are completely plowed~~ until the effective end date and time; provided that, the emergency may, in the same manner, be cancelled prior to expiration or redeclared for subsequent like periods of time.

Subd. 4. *Unlawful Acts.*

A. During an emergency, it is unlawful to park or leave standing any vehicle upon a snow emergency route designated and duly sign-posted as such.

B. During an emergency, it is unlawful to park or leave standing any vehicle upon a street on which parking has been restricted by the declaration of an emergency.

~~C. A person who violates Subds. 4.A. or B. of this section is guilty of a misdemeanor punishable by a fine of up to \$1,000 and/or 90 days in jail or that amount which may be lawfully prescribed by a municipality for an ordinance violation that is defined as a misdemeanor.~~

C. The act of parking or permitting a vehicle to remain parked on any street contrary to the prohibitions of this section constitutes a violation notwithstanding the progress of street maintenance operations.

Subd. 5. *Exceptions.* This section shall not apply to persons in charge of wreckers or authorized emergency vehicles while actually servicing mechanical, fire, police or medical emergencies.

~~—A. Persons in charge of wreckers or authorized emergency vehicles while actually servicing mechanical, fire, police or medical emergencies.; or~~

~~—B. Any street when it has been fully and completely (curb to curb) cleared, sanded, salted or cleaned.~~

Subd. 6. *Rules and Regulations.* Rules and regulations relating to snow removal shall be in accordance with the uniform policy promulgated by the City Administrator. The regulations shall be posted in the office of the City Administrator and further notice may otherwise be given as the Council may direct.

Subd. 7. Residential Property Parking During Emergency. Notwithstanding any prohibition or limitation contained within any other provision, paragraph, subdivision, section, or chapter of this Code, after an emergency has been declared and only while the emergency remains active, a person may park or store on residential premises any number of motor vehicles or accessory vehicles on non-impervious surfaces within a side or rear yard. All such vehicles shall be licensed, registered, and operable and must not be parked within any setback line applicable to the particular parcel unless on an impervious surface.

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 7th day of November 2023.

ATTEST:

Keith Muetzel
City Administrator

Tom Quackenbush
Mayor

(City Seal)

Subscribed and sworn to before me this
7th day of November 2023.

Notary Public

Introduction: 10/17/2023
Posting:
Adopted:
Approval Published:

Meeting Date: October 17, 2023

AGENDA RECOMMENDATION

Agenda Item: Shop Mechanic/Street Maintenance Worker Position

Recommendation/Action Requested: Staff will present a recommendation at the October 17 meeting.

Summary/Overview:

The pending retirement of Vern Stage will create a vacancy for the Shop Mechanic/Street Maintenance Worker position. The vacancy was posted internally and externally, and one application was received and the candidate was interviewed on October 12. The hiring committee is scheduled to reconvene and will provide a recommendation to the City Council on October 17.

Attachments: None

Meeting Date: October 17, 2023

AGENDA RECOMMENDATION

Agenda Item: Street Maintenance Worker Position

Recommendation/Action Requested: Staff will present a recommendation at the October 17 meeting.

Summary/Overview:

The promotion of Darren Hacker created a Street Maintenance Worker position vacancy. The vacancy was posted internally and externally, and seven applications were received, and all seven candidates were interviewed. The hiring committee is scheduled to reconvene and will provide a recommendation to the City Council on October 17.

Attachments: None



Meeting Date: October 17, 2023

AGENDA RECOMMENDATION

Agenda Item: Establish City Council Work Session Agenda

Recommendation/Action Requested: Staff requests the City Council formally establish the agenda for the October 31, 2023, work session.

Summary/Overview: The next City Council work session is scheduled for October 31, 2023. In order to prepare for the meeting, and ensure adequate time is allowed for each agenda item, staff requests the City Council formally establish the work session agenda.

Attachments: None