

AGENDA
HARMONY CITY COUNCIL
Regular Meeting

March 13, 2018
7:00 P.M.

Council Room
Community Center

1. Call To Order
2. Roll Call
3. Public Forum
4. Consent Agenda
 - a. Minutes
 - b. Claims
 - c. Administrator Report
 - d. Financial Report
 - e. CD
5. Reports
 - a. Fire Department
 - b. Hahn Development
 - c. Liquor Ordinance Modification
 - d. Fire and Ambulance Billing Ordinance
 - e. Planning and Zoning
 - f. Building & Maintenance Report
 - g. EDA Board
 - h. Park Board
 - i. Library Board
 - j. Arts Board
 - k. Sidewalk Policy
 - l. April Council Meeting Time
 - m. Council Room Sound System
6. Adjourn

**BACKGROUND INFORMATION
HARMONY CITY COUNCIL
REGULAR MEETING**

**March 13, 2018
7:00 P.M.**

**Council Room
Community Center**

1. Call To Order
2. Roll Call
3. Public Forum
4. Consent Agenda
 - a. Minutes
 - b. Claims
 - c. Administrator Report-See report.
 - d. Financial Report-See report.
 - e. CD-Cash in CD #43788.
5. Reports
 - a. Fire Department-Fire Chief Rod Johnson will be present to discuss radio equipment.
 - b. Hahn Development-Consider engineer proposal. Discuss next steps.
 - c. Liquor Ordinance Modification-Consider liquor ordinance modification on number of allowed for off-sale liquor licenses. Consider fee structure change.
 - d. Fire/Ambulance Billing Ordinance-Consider ordinance for fire and ambulance billing. Consider modifying ambulance per capita charge to townships from \$7 to \$9.
 - e. Planning and Zoning-Discuss residency enforcement on ground floor in commercially zoned areas.
 - f. Building & Maintenance Report-Tractor and Skidloader. Discuss snow plow truck. Discuss salt order 18-19. Lift Station maintenance contract.
 - g. EDA Board
 - h. Park Board
 - i. Library Board
 - j. Arts Board
 - k. Sidewalk Policy-Discuss.
 - l. April Council Meeting Time-Consider starting meeting at 6 or 6:30 and do audit presentation first with board of review and council meeting to follow.
 - m. Council Room Sound System-Status Update.
6. Adjourn

FEBRUARY 13, 2018

REGULAR MEETING

HARMONY CITY COUNCIL

A Regular meeting of the Harmony City Council was called to order by Mayor Steve Donney at 7:30 PM. Present were Mayor Donney, Councilmembers Kyle Morem, Steve Sagen and Lynn Mensink; Attorney Greg Schieber, Chris Johnson, Dan Dornink, Joe Hahn, Hannah Wingert, Melissa VanderPlas, and Chris Giesen. Absent was Councilmember Debbie Swenson.

PUBLIC FORUM:

No one was present.

CONSENT AGENDA:

Motion by Mensink and seconded by Morem to approve the Consent Agenda which consisted of the Minutes to the January 9, 2018 meeting, the claims, the Administrator's Report, the Financial Report, Cashing CD#43702 to the General Fund, Liquor License for Kwik Trip, County Ambulance Subsidy Contract, Water Tower Inspection Contract with Maguire Iron. All present voting yes. Absent was Swenson. Motion carried.

HAHN DEVELOPMENT:

Joe Hahn was present to discuss his development project to add an additional lot on the east end of 6th St SE. He shared the street and utility estimated costs to complete. He is proposing to plat out the lot and street right of way. He would dedicate the ROW and utilities to the city. He would pay for the utility installation costs. He proposes that the street installation costs be assessed to himself and the adjoining property owners. Dan Dornink, an adjoining property owner, had some concerns on the potential street assessment costs to his property. Dan would like to see the project completely. Morem mentioned that he would like to have a time frame to complete the street, curb and gutter, and paving. Administrator Illg mentioned that the plans should be reviewed and approved by a licensed engineer, since it will ultimately be the city utilities and street. Consensus was to draft a development agreement once Joe Hahn is comfortable moving forward with the project.

BUILDING & MAINTENANCE:

Chris Johnson mentioned everything was operating good.

EDA BOARD:

Results of the community survey were discussed. An update from the chamber was given. Local real estate market was discussed. EDA board recommended renewing housing incentive program. Motion by Morem, seconded by Sagen to renew program for 2018. All present voting yes. Absent was Swenson. Motion carried.

PARK BOARD:

Did not meet this month.

LIBRARY BOARD:

- Reviewing Patron Survey results.
- Discussed patio project. Administrator Illg mentioned that the project should maybe wait, since the school may be doing a parking lot on the north side of the community center that was discussed at the meeting earlier tonight, so the drainage can be tied into the potential parking lot. Consensus was the plans should be shared so it does not conflict.

ARTS BOARD:

Discuss movie camp project with the JEM Theater. Discuss some projects with the school.
Looking at poetry read with Kris Bigalk.

A nuisance at a property by the north manor was discussed. Administrator Illg will discuss with property owner.

Upon no further business, Mayor Donney adjourned the meeting at 8:35 PM.

Mayor Steve Donney

Jerome Illg, City Administrator

Harmony EDA Minutes

February 13, 2018
6:30 PM

Community Center
Council Room

Present: Chris Skaalen, Steve Donney, Andy Batstone, and Kerry Kingsley

Also present: Lynn Mensink, Craig Britton, Richard Keith, Jerome Illg, Jim Love, Steve Sagen, Kyle Morem, Roxanne Johnson, Chris Johnson, Dan Dornink, Joe Hahn, Greg Schieber, Hannah Wingert, Melissa Vander Plas, and Chris Giesen

The special joint meeting was called to order at 6:30 PM by Mayor Steve Donney.

Special Joint Meeting Discussion

The Harmony Economic Development Authority met in joint session with the Harmony City Council and Fillmore County School board for the purposes of discussing current project updates, short and long term goals of each board, and opportunities for collaboration on common goals.

Representatives of each board participated in an open discussion workshop. No official action was taken by any board.

Consensus among all groups was that over the next year they would continue to seek opportunities to work together on issues. Specific issues that were discussed included:

- The EDA's efforts to extend the bike trail to the Iowa boarder and Niagara Cave, the Experience Harmony II placemaking project, an update on the Harmony Spirits project that it was nearing fruition, that the EDA continues to work towards attracting a dentist, that the industrial park continues to receive inquiries from development projects, and that the EDA finalized its selection of a new city logo.
- The Fillmore Central school board mentioned that the recent land swap with the city and related construction of their new garage and the city's new helipad was successful. They also reported that they had recently met with city officials to discuss a potential project to improve the high school football field which would require the relocation of the junior high baseball field. Britton presented two concept plans showing various alignments of the new football field improvements which included moving the field, new stands, and a new scoreboard. It was mentioned that the most affordable and probably best option was able to reuse the existing lighting and some of the existing stands but would still require the baseball field to be moved elsewhere. It was proposed that the baseball field be moved behind the community center on the current football field towards the north end of the property. This project would include a need for additional parking at the community center near the Library. Consensus was that the additional parking would also benefit the Library and community center. It was also discussed that some of the trees may need to be removed, but it wasn't clear how many or what condition any of the trees were in.
- The city council reported that it will be completing approximately \$1 million in road improvement projects this spring in addition to the

improvement/development of 3rd AVE SE in conjunction with the new residential subdivision. It was also mentioned that the city looped the water mains between Hwy 139 and 3rd Ave SE along Garden Road SE which will greatly improve circulation, pressure, and redundancy for that entire section of town including at the fire hall and waste water plant. The city also reported that the new municipal well had been finished, the water tower had been repainted, and that Highway 52 will be repaved from the Industrial Park to Preston sometime in the summer of 2018.

- The Harmony Area Community Foundation reported that they raised about \$15,000 at the annual “Swing into Spring” event, raised about \$20,000 from “Give to the Max” day donors, and that last year they gave grants to the city for a new helipad, the trail project, a library patio project, the Monster Bash, Golden Happenings, the Harmony Historical Society for a new computer system and interpretive signage around the downtown area, and several school projects. This year they are celebrating their 5th anniversary and given back \$125,000 to the community in that time.

Consensus of all three boards was that they found value in this event and should continue the practice of meeting annually in a similar fashion.

Adjournment

Hearing no objections, Donney adjourned the meeting. The meeting adjourned at 7:23 PM.

CITY OF HARMONY
City Council Claims for Review

March 13, 2018

Fund Descr	Department	Object of Expense	Vendor	Comments	Amount
Fund 101 General Fund					
General Fund		Union Central Pension Fund	CENTRAL PENSION FUND	Pension plan Chris, Brian, Corey	\$252.00
General Fund		Health Insurance	I.U.O.E. LOCAL 49 FRINGE BENEF	health insurance Chris/Brian/Corey	\$3,720.00
General Fund		Health Insurance	I.U.O.E. LOCAL 49 FRINGE BENEF	add premium March health Ins	\$210.00
General Fund		Union Dues	IUOE LOCAL #49	Union Dues-Brian/Chris/Corey	\$103.50
General Fund		NCPERS Insurance	NCPERS GROUP LIFE INS	511800	\$48.00
General Fund		Life Insurance	USABLE LIFE	101421301G	\$75.10
General Fund	Administration	Envelopes and Letterhead	TULIP TREE STUDIOS, LLC	Business Cards, Letterhead, Envelops with	\$409.00
General Fund	Administration	General Operating Supplies	1 SOURCE	office supplies	\$56.28
General Fund	Administration	Motor Fuels/Lubricants	KWIK TRIP,INC	Van-gas	\$27.79
General Fund	Administration	Postage	HARMONY POST OFFICE	PO Box Annual Rental	\$116.00
General Fund	Administration	Postage	NEOPOST USA INC.	Annual postage meter 2018	\$237.48
General Fund	Civil Defense	Telephone	HARMONY TELEPHONE COMPANY	Sirens/DSL Phone	\$89.51
General Fund	Community Center	Building Repair Materials	HAHN LUMBER CO	glass board panels for gym ceiling	\$384.00
General Fund	Community Center	Cleaning Supplies	DALCO	stain remover	\$10.98
General Fund	Community Center	Cleaning Supplies	DALCO	wipes/paper toweling/soap	\$268.33
General Fund	Community Center	Contractual Services	CUSTOM COMMUNICATIONS, INC	reprogram alarm for phone lines to work p	\$290.00
General Fund	Community Center	Contractual Services	CUSTOM COMMUNICATIONS, INC	2nd Qtr Fire Alarm Monitoring	\$94.50
General Fund	Community Center	Electric Utilities	HARMONY PUBLIC UTILITIES	Elec-Comm Ctr	\$3,259.03
General Fund	Community Center	Gas Utilities	MINNESOTA ENERGY	monthly gas bill-Comm Ctr	\$687.46
General Fund	Community Center	General Operating Supplies	HARMONY FOODS	bleach	\$1.52
General Fund	Community Center	General Operating Supplies	KINGSLEY MERCANTILE	paint rollers/tape/surge protector screws	\$50.54
General Fund	Community Center	Motor Fuels/Lubricants	KWIK TRIP,INC	Terry pickup-gas	\$25.46
General Fund	Community Center	Sewer Utilities	HARMONY PUBLIC UTILITIES	sewer-Comm Ctr	\$66.20
General Fund	Community Center	Telephone	HARMONY TELEPHONE COMPANY	Admin Phone/DSL	\$227.70
General Fund	Community Center	Water Utilities	HARMONY PUBLIC UTILITIES	water-Comm Ctr	\$41.53
General Fund	Community Development	Legal Fees	STANTEC CONSULTING SERVICES, I	Engineering Services-Hahn	\$826.00
General Fund	Community Events	General Operating Supplies	DOWE, BETTY	printer ink reimbursed	\$27.79
General Fund	Community Events	Program Services	DOWE, BETTY	program fees	\$55.00
General Fund	Financial Administration	Auditing and Acct g Services	ABDO, EICK & MEYERS, LLP	Audit progression 2017	\$1,500.00
General Fund	Ice & Snow Removal	Contractual Services	BRUENING ROCK PRODUCTS, INC	snow removal 2/9/18	\$510.00
General Fund	Ice & Snow Removal	Contractual Services	BRUENING ROCK PRODUCTS, INC	snow removal 2/6/18	\$440.00
General Fund	Ice & Snow Removal	Contractual Services	BRUENING ROCK PRODUCTS, INC	snow removal 2/25/16	\$620.00
General Fund	Ice & Snow Removal	Equipment Parts	IRONSIDE TRAILER SALES & SERVI	Plow blade guide kit	\$21.60
General Fund	Ice & Snow Removal	Equipment Parts	S & S AUTOMOTIVE	skidloader fuse kit	\$44.66
General Fund	Ice & Snow Removal	Motor Fuels/Lubricants	KWIK TRIP,INC	Gas/diesel-snow removal	\$302.69
General Fund	Ice & Snow Removal	Motor Fuels/Lubricants	SEVERSON OIL CO.	gas/diesel-snow removal	\$210.35

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Fund Descr	Department	Object of Expense	Vendor	Comments	Amount
General Fund	Ice & Snow Removal	Repair/Maint Machinery/Equip	HAMMELL EQUIPMENT	skidloader switch	\$7.92
General Fund	Ice & Snow Removal	Repair/Maint Machinery/Equip	HAMMELL EQUIPMENT	skidloader seal	\$0.83
General Fund	Ice & Snow Removal	Repair/Maint Machinery/Equip	HAMMELL EQUIPMENT	part for skidloader	\$5.40
General Fund	Legal Services	Legal Fees	NETHERCUT SCHIEBER ATTORNEYS	legal fees for Feb	\$377.00
General Fund	Personnel Administration	General Operating Supplies	CULLIGAN	Wellness Program	\$51.90
General Fund	Personnel Administration	General Operating Supplies	ILLG, JEROME	wellness program	\$77.78
General Fund	Police Department	Motor Fuels/Lubricants	SEVERSON OIL CO.	gas-Squad	\$393.28
General Fund	Police Department	Telephone	HARMONY TELEPHONE COMPANY	Police Phone	\$45.93
General Fund	Public Works Buildings	Cleaning Supplies	SUPERIOR CHEMICAL CORP	cleaners	\$81.68
General Fund	Public Works Buildings	Electric Utilities	HARMONY PUBLIC UTILITIES	Elec-Shop	\$219.16
General Fund	Public Works Buildings	Gas Utilities	MINNESOTA ENERGY	monthly gas bill-Shop	\$493.88
General Fund	Public Works Buildings	General Operating Supplies	KINGSLEY MERCANTILE	cork pads/o-rings/grinder pads	\$16.23
General Fund	Public Works Buildings	General Operating Supplies	MISSISSIPPI WELDERS SUPPLY CO	compressed air cylinder	\$29.68
General Fund	Public Works Buildings	Refuse/Garbage Disposal	HARMONY REPAIR SERVICE	tire disposal	\$100.00
General Fund	Public Works Buildings	Small Tools and Minor Equip	KINGSLEY MERCANTILE	tow rope	\$39.99
General Fund	Public Works Buildings	Water Utilities	HARMONY PUBLIC UTILITIES	water-Shop	\$21.13
General Fund	Streets	Equipment Parts	PRESTON EQUIPMENT CO.	Connector for skid loader	\$6.12
General Fund	Streets	General Operating Supplies	KINGSLEY MERCANTILE	carb cleaner	\$12.86
General Fund	Streets	Motor Fuels/Lubricants	KWIK TRIP,INC	gas-1-ton	\$113.30
General Fund	Streets	Repair/Maint Vehicles	S & S AUTOMOTIVE	oil/filter-'16 Ford F550	\$75.77
General Fund	Tourism Programs	Lodging Tax	HARMONY CHAMBER OF COMMERCE	Annual Lodging tax Asahi Loft	\$500.60
General Fund	Unallocated Expenditures	Miscellaneous	MOSQUITO CONTROL OF IOWA	Mosquito Spraying 2017	\$5,465.00
General Fund	Visitor Center	Cleaning Supplies	TEIGEN PAPER & SUPPLY	heavy duty garbage bags	\$151.28
General Fund	Visitor Center	Electric Utilities	HARMONY PUBLIC UTILITIES	Elec-Vis Ctr	\$123.73
General Fund	Visitor Center	Gas Utilities	MINNESOTA ENERGY	monthly gas bill-Vis Ctr	\$497.78
General Fund	Visitor Center	Motor Fuels/Lubricants	KWIK TRIP,INC	Terry pickup-Gas	\$25.46
General Fund	Visitor Center	Sewer Utilities	HARMONY PUBLIC UTILITIES	sewer-Vis Ctr	\$25.00
General Fund	Visitor Center	Water Utilities	HARMONY PUBLIC UTILITIES	water-Vis Ctr	\$15.78
Fund 101 General Fund					\$24,284.47
Fund 211 Library Fund					
Library Fund	Library	Media-Audio	INGRAM LIBRARY SERVICES, INC	audio book	\$6.59
Library Fund	Library	Media-Audio	INGRAM LIBRARY SERVICES, INC	audio books	\$107.21
Library Fund	Library	Media-Books	BAKER & TAYLOR	book	\$16.50
Library Fund	Library	Media-Books	BAKER & TAYLOR	books	\$240.81
Library Fund	Library	Media-Books	BAKER & TAYLOR	book	\$15.93
Library Fund	Library	Media-Video	AMAZON CAPITAL SERVICES	DVDs	\$21.24
Library Fund	Library	Media-Video	AMAZON CAPITAL SERVICES	DVD	\$13.99

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Fund Descr	Department	Object of Expense	Vendor	Comments	Amount
Library Fund	Library	Media-Video	AMAZON CAPITAL SERVICES	DVD	\$18.96
Library Fund	Library	Media-Video	AMAZON CAPITAL SERVICES	DVDs	\$26.98
Library Fund	Library	Media-Video	AMAZON CAPITAL SERVICES	DVDs	\$17.96
Library Fund	Library	Media-Video	AMAZON CAPITAL SERVICES	DVDs	\$109.15
Library Fund	Library	Media-Video	AMAZON CAPITAL SERVICES	DVDs	\$13.87
Library Fund	Library	Motor Fuels/Lubricants	KWIK TRIP,INC	gas-Van	\$24.16
Library Fund	Library	Office Accessories	COAST TO COAST SOLUTIONS	Plastic Book Bags	\$138.55
Library Fund	Library	Office Accessories	DEMCO, INC	jacket covers for books	\$302.44
Library Fund	Library	Office Equip	SOUTHEASTERN LIBRARIES COOP	Computer, BluTooth Scanner	\$1,115.20
Library Fund	Library	Postage	SOUTHEASTERN LIBRARIES COOP	postage on mailers	\$37.13
Library Fund	Library	Printed Forms	SOUTHEASTERN LIBRARIES COOP	mailers & SMS Notices	\$23.90
Library Fund	Library	Program Supplies	HIMLIE, KAY	reimburse for Summer Reading Crafts	\$100.95
Library Fund	Library	Software Service Fees	SOUTHEASTERN LIBRARIES COOP	Basic Services & PC Support	\$587.42
Library Fund	Library	Telephone	HARMONY TELEPHONE COMPANY	Library Phone	\$47.63
Fund 211 Library Fund					\$2,986.57
Fund 222 Fire Fund					
Fire Fund	Fire Department	Dues	TRI COUNTY FIREFIGHTER S ASSOC	2018 dues	\$50.00
Fire Fund	Fire Department	Dues	VOLUNTEER FIREFIGHTER S BENEFI	2018 Membership dues	\$207.00
Fire Fund	Fire Department	Motor Fuels/Lubricants	KWIK TRIP,INC	Fire-diesel	\$22.38
Fire Fund	Fire Department	Motor Fuels/Lubricants	RUN RIGHT POWER LLC	Ventilation fan oil	\$19.95
Fire Fund	Fire Department	Training Fees	MINN STATE FIRE CHIEFS ASSOC	Fire Chief Convention Craig Morem	\$355.00
Fire Fund	Fire Department	Training Fees	MINN STATE FIRE CHIEFS ASSOC	Fire Chief Convention Ross Bahl	\$300.00
Fire Fund	Fire Department	Training Fees	MINN STATE FIRE CHIEFS ASSOC	Fire Chief Convention Rod Johnson	\$355.00
Fire Fund	Fire Stations and Bldgs	Electric Utilities	HARMONY PUBLIC UTILITIES	Elec-Firehall	\$307.98
Fire Fund	Fire Stations and Bldgs	Gas Utilities	MINNESOTA ENERGY	monthly gas bill-Firehall	\$398.15
Fire Fund	Fire Stations and Bldgs	Repair/Maint Bldg/Structures	MOREM ELECTRIC, INC	change timer	\$170.08
Fire Fund	Fire Stations and Bldgs	Sewer Utilities	HARMONY PUBLIC UTILITIES	sewer Firehall	\$23.80
Fire Fund	Fire Stations and Bldgs	Telephone	HARMONY TELEPHONE COMPANY	Fire Phone	\$45.07
Fire Fund	Fire Stations and Bldgs	Water Utilities	HARMONY PUBLIC UTILITIES	water-Firehall	\$15.03
Fund 222 Fire Fund					\$2,269.44
Fund 223 Ambulance Fund					
Ambulance Fund	Ambulance Service	Medical and Dental Fees	GOLD CROSS AMBULANCE	Intercept chgs MF	\$190.41
Ambulance Fund	Ambulance Service	Medical and Dental Fees	GOLD CROSS AMBULANCE	Intercept chgs AV	\$186.29
Ambulance Fund	Ambulance Service	Medical and Dental Fees	GOLD CROSS AMBULANCE	Intercept chgs MS	\$196.23
Ambulance Fund	Ambulance Service	Medical Supplies	ELAN FINANCIAL SERVICES	Epi Pens (2)	\$342.50
Ambulance Fund	Ambulance Service	Medical Supplies	ELAN FINANCIAL SERVICES	Nitro	\$17.92

CITY OF HARMONY
City Council Claims for Review

March 13, 2018

Fund Descr	Department	Object of Expense	Vendor	Comments	Amount
Ambulance Fund	Ambulance Service	Medical Supplies	ELAN FINANCIAL SERVICES	Glucagon Kit	\$538.15
Ambulance Fund	Ambulance Service	Medical Supplies	EMERGENCY MEDICAL PRODUCTS	Amb supplies	\$92.55
Ambulance Fund	Ambulance Service	Medical Supplies	MISSISSIPPI WELDERS SUPPLY CO	Oxygen	\$54.02
Ambulance Fund	Ambulance Service	Motor Fuels/Lubricants	HAMMELL EQUIPMENT	def fluid	\$13.93
Ambulance Fund	Ambulance Service	Motor Fuels/Lubricants	KWIK TRIP, INC	Amb-Diesel	\$344.43
Ambulance Fund	Ambulance Service	Motor Fuels/Lubricants	SEVERSON OIL CO.	diesel-Amb	\$51.05
Ambulance Fund	Ambulance Service	Taxes, Licenses & Permits	HANSON, JORDON	reimbursed for Nat Registry	\$15.00
Ambulance Fund	Ambulance Service	Taxes, Licenses & Permits	JOHNSON, AUBREY	Nat Registry reimbursed	\$15.00
Ambulance Fund	Ambulance Service	Telephone	VERIZON WIRELESS	monthly cell service	\$47.51
Ambulance Fund	Ambulance Service	Training Fees	ELAN FINANCIAL SERVICES	EMS Conference J Hanson	\$95.00
Ambulance Fund	Ambulance Service	Training Fees	ELAN FINANCIAL SERVICES	EMS Conference A Willford	\$165.00
Ambulance Fund	Ambulance Service	Training Fees	ELAN FINANCIAL SERVICES	EMS Conference RD Tieffenbacher	\$165.00
Fund 223 Ambulance Fund					\$2,529.99
Fund 251 Park Fund					
Park Fund	Parks	Cleaning Supplies	TEIGEN PAPER & SUPPLY	heavy duty garbage bags	\$151.28
Park Fund	Parks	Electric Utilities	HARMONY PUBLIC UTILITIES	Elec-Parks	\$168.00
Park Fund	Parks	Motor Fuels/Lubricants	SEVERSON OIL CO.	gas-new mower	\$11.51
Fund 251 Park Fund					\$330.79
Fund 423 2017 Street & Utility Project					
2017 Street & Utility Pro	2017 Street & Utility Proje	Other Improvements	STANTEC CONSULTING SERVICES, I	Eng Services 2017 St Pjt	\$236.00
Fund 423 2017 Street & Utility Project					\$236.00
Fund 601 Water Fund					
Water Fund		MN Water Testing Fee Due	MN DEPT OF HEALTH	water connection fees	\$949.00
Water Fund	Water Utility Administratio	Auditing and Acct g Services	ABDO, EICK & MEYERS, LLP	Audit progression 2017	\$1,500.00
Water Fund	Water Utility Operation	Chemicals and Chem Products	HAWKINS WATER TREATMENT GROU	Chlorine cylinder demmurrage	\$20.00
Water Fund	Water Utility Operation	Electric Utilities	HARMONY PUBLIC UTILITIES	Elec-pumphouses	\$1,368.33
Water Fund	Water Utility Operation	Gas Utilities	MINNESOTA ENERGY	monthly gas bill-pumphouses	\$88.84
Water Fund	Water Utility Operation	Laboratory & Testing Fees	UTILITY CONSULTANTS, INC	Water Testing Lab Fees	\$40.00
Fund 601 Water Fund					\$3,966.17
Fund 602 Sewer Fund					
Sewer Fund	Sewer Administration	Auditing and Acct g Services	ABDO, EICK & MEYERS, LLP	Audit progression 2017	\$1,500.00
Sewer Fund	Sewer Operation	Chemicals and Chem Products	HAWKINS WATER TREATMENT GROU	chlorine cylinder demmurrage	\$5.00
Sewer Fund	Sewer Operation	Cleaning Supplies	TEIGEN PAPER & SUPPLY	heavy duty garbage bags	\$151.28
Sewer Fund	Sewer Operation	Electric Utilities	HARMONY PUBLIC UTILITIES	Elec-WWTP	\$1,382.50
Sewer Fund	Sewer Operation	Equipment Parts	INTERSTATE POWER SYSTEMS, INC	N Lift station generator sensor	\$176.59

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March 13, 2018

Fund Descr	Department	Object of Expense	Vendor	Comments	Amount
Sewer Fund	Sewer Operation	Gas Utilities	MINNESOTA ENERGY	monthly gas bill-WWTP	\$490.90
Sewer Fund	Sewer Operation	Laboratory & Testing Fees	UTILITY CONSULTANTS, INC	Wastewater Testing Lab Fees	\$958.50
Sewer Fund	Sewer Operation	Motor Fuels/Lubricants	HOVEY OIL COMPANY, INC	diesel for Generator	\$38.59
Sewer Fund	Sewer Operation	Motor Fuels/Lubricants	KWIK TRIP, INC	gas-1-Ton	\$113.31
Sewer Fund	Sewer Operation	Motor Fuels/Lubricants	RUN RIGHT POWER LLC	2 stroke oil	\$6.39
Sewer Fund	Sewer Operation	Motor Fuels/Lubricants	SEVERSON OIL CO.	gas-1 ton	\$55.33
Sewer Fund	Sewer Operation	Repair/Maint Bldg/Structures	MID-AMERICA BACKFLOW PREVENTE	back flow testing	\$100.00
Sewer Fund	Sewer Operation	Repair/Maint Other Improve	KINGSLEY MERCANTILE	sampler cooler repair	\$184.90
Sewer Fund	Sewer Operation	Repair/Maint Other Improve	MOREM ELECTRIC, INC	North Lift Station repair	\$627.33
Sewer Fund	Sewer Operation	Sewer Utilities	HARMONY PUBLIC UTILITIES	sewer-WWTP	\$1,206.92
Sewer Fund	Sewer Operation	Telephone	HARMONY TELEPHONE COMPANY	Lift Stations Dialer/DSL Phone	\$144.73
Sewer Fund	Sewer Operation	Utility Maint Materials	TEAM LABORATORY CHEM. CORP.	Lift station degreaser/Mega Bugs	\$2,646.00
Sewer Fund	Sewer Operation	Water Utilities	HARMONY PUBLIC UTILITIES	water-WWTP	\$754.48
Fund 602 Sewer Fund					\$10,542.75
Fund 603 Solid Waste Fund					
Solid Waste Fund	Solid Waste Administration	Auditing and Acct g Services	ABDO, EICK & MEYERS, LLP	Audit progression 2017	\$1,500.00
Fund 603 Solid Waste Fund					\$1,500.00
Fund 604 Electric Fund					
Electric Fund		Utility Deposits	CITY OF HARMONY	Deposit to Utilities D Pfremmer	\$150.00
Electric Fund	Electric Utility Operation	Electric Power for Resale	MI ENERGY COOPERATIVE	Power for Resale	\$66,515.62
Electric Fund	Electric Utility Operation	Electric Utilities	HARMONY PUBLIC UTILITIES	Elec-Town clock	\$13.03
Electric Fund	Electric Utility Operation	Electric Utilities	HARMONY PUBLIC UTILITIES	Elec-streetlights	\$1,405.82
Electric Fund	Electric Utility Operation	Motor Fuels/Lubricants	SEVERSON OIL CO.	gas-Chris pickup	\$65.94
Electric Fund	Electric Utility Operation	Refuse/Garbage Disposal	T & R ELECTRIC	disposal of 2 transformers	\$1,610.00
Electric Fund	Electric Utility Operation	Repair/Maint Other Improve	MOREM ELECTRIC, INC	Streetlights repaired (5)	\$515.94
Electric Fund	Electric Utility Operation	Repair/Maint Other Improve	MOREM ELECTRIC, INC	repair street lights (2) (LED)	\$887.71
Electric Fund	Electric UtilityAdministratio	Auditing and Acct g Services	ABDO, EICK & MEYERS, LLP	Audit progression 2017	\$1,500.00
Electric Fund	Electric UtilityAdministratio	Postage	HARMONY ENTERPRISES COMPANY	transformer oil samples sent	\$15.11
Electric Fund	Electric UtilityAdministratio	Taxes, Licenses & Permits	MN DEPT OF COMMERCE	4th Qtr Assessment	\$33.85
Fund 604 Electric Fund					\$72,713.02
Fund 605 Storm Water Fund					
Storm Water Fund	Storm Water Operation	Motor Fuels/Lubricants	RUN RIGHT POWER LLC	4-stroke fuel	\$39.90
Storm Water Fund	Storm Water Operation	Motor Fuels/Lubricants	RUN RIGHT POWER LLC	4-stroke fuel	\$39.90
Storm Water Fund	Storm Water Operation	Motor Fuels/Lubricants	RUN RIGHT POWER LLC	20 lb LP	\$18.63
Storm Water Fund	Storm Water Operation	Motor Fuels/Lubricants	SEVERSON OIL CO.	gas-	\$10.63

CITY OF HARMONY
City Council Claims for Review

March 13, 2018

Fund Descr	Department	Object of Expense	Vendor	Comments	Amount
Fund 605 Storm Water Fund					\$109.06
Fund 620 Economic Development Authority					
Economic Development	Economic Development	Advertising	TULIP TREE STUDIOS, LLC	Balance of Logo Design Fee	\$750.00
Economic Development	Economic Development	Miscellaneous	BUNGE, ANDREW	Housing Incentive-Bunge	\$12,000.00
Economic Development	Economic Development	Program Services	LETTERWERKS SIGN CITY & AWARDS	Harmony Folders w/ new logo	\$885.00
Economic Development	Economic Development	Telephone	HARMONY TELEPHONE COMPANY	EDA Phone	\$21.19
Fund 620 Economic Development Authority					\$13,656.19
					\$135,124.45

ADMINISTRATOR'S REPORT

For the Period from February 13, 2018 to March 13, 2018

ADMINISTRATION

Administered year-end audit. Auditors plan to present at April meeting.

MNDOT has approved permit for Historical Society to install 6 signs in right-of-way. They will be installed in Spring 2018.

Have begun process of updating Wellhead Protection Plan for this well.

Need to update Water Supply Plan.

Coordinating with David Drown Associates to update our financial plan.

Contracts have been signed for Hammel House development project. Utilities are installed. All grading with base course is almost complete on street. Curb, gutter, and paving will be completed spring 2018.

UTILITY/BUILDING COMMITTEE

The contractor has water, sewer, curb and gutter installed in all of the areas for our 2017 Street and Utility Project. It has been paved with first lift of asphalt. Final lift will be installed in 2018.

MNDOT has finished up mill and overlay on TH139 from Hwy 52 to State Line in 2017. MNDOT hopes to be closing out project soon for remaining funds determination.

Reviewed contract proposal for lift station annual pump inspections.

Met with engineer and Joe Hahn to discuss project. Engineer has prepared proposal for engineering services for project. Will need to prepare development agreement to move forward with project.

Discussed replacing snow plow truck, tractor, and skidloader.

Need to determine how much salt to order for next Winter '18-'19.

Will be meeting to determine future street/utility projects along with seal coating.

City of Harmony
Cash Balance Report
January 2017 and January 2018

Fund Description	January-17	January-18
General Fund	823,263.16	838,406.08
Revolving Loan Fund	15,358.03	70,992.14
Commercial Rehab Fund	5,558.01	11,502.35
Library Fund	(7,960.90)	(7,485.15)
Fire Fund	17,590.38	24,806.82
Ambulance Fund	7,547.23	81,992.72
Park Fund	50,270.33	61,831.03
Arts Fund	1,149.39	3,531.49
GO Improvement 2010A-3rd St SW	49,738.29	50,347.73
GO Tax Abatement 2013A-Comm Cntr	4,487.52	6,587.72
GO Improvement 2013B-Heritage Grove	20,859.90	23,067.06
GO Improvement 2014A-1st Ave SW	161,283.35	158,883.99
GO Improvement 2017A-Various		99,310.56
Capital Projects Fund	646,553.24	736,323.31
TIF District #5-Antique Mall	125.29	404.77
TIF District #6-HECO	179.42	14.23
2017 Street and Utility Project	(11,068.25)	76,684.81
Water Fund	201,645.22	180,794.44
Sewer Fund	7,176.68	15,220.67
Solid Waste Fund	1,859.69	1,509.86
Electric Fund	529,912.07	610,345.94
Storm Water Fund	4,310.14	7,189.55
Economic Development Fund	75,585.52	110,542.71
Total	2,605,423.71	3,162,804.83



Stantec Consulting Services Inc.
6188 Rome Circle NW
Rochester MN 55901
Tel: (507) 282-2100
Fax: (507) 282-3100

March 2, 2018

Mr. Jerome Illg
City of Harmony
225 3rd Avenue SW
P.O. Box 488
Harmony, MN 55935-0488

Reference: Hahn Utility Extension Improvements
Design and Construction Services Letter Proposal

Dear Mayor and City Council,

In late December of 2017, Joe Hahn approached City Staff about the possibility of extending utility service to an unplanted parcel to the east of Sixth Street SE, within the City of Harmony. After conversations between Joe and Jerome, some discussion was had regarding what the City of Harmony would require of Mr. Hahn to build on the parcel with utility service. Those recommendations were provided to Mr. Hahn on December 28, 2017, and a follow-up meeting between City Staff, Mr. Hahn, myself and the Utility Committee took place on January 22, 2018 to discuss the proposed improvements.

At the Harmony City Council Meeting on February 13, 2018, Mr. Hahn discussed his intentions with the Council, and it was agreed upon that the City would allow Mr. Hahn to extend the trunk sanitary sewer and water main within a corridor that is to be platted as City Right-of-Way in-order to serve his proposed residential lot. The roadway improvements would be allowed to be installed at a later date to be defined within the proposed developers' agreement by the City of Harmony, and assessed back to Mr. Hahn and the other benefitting property owners at a rate determined within the developers' agreement.

Joe Hahn has contacted Stantec to provide engineering services for the extension of the sanitary sewer and water trunk facilities, along with service to the proposed residential lot. The intention is that Stantec will do the "Work" for the City of Harmony, and the City would then be reimbursed by Mr. Hahn via the terms of the developer's agreement.

Below is a proposal to complete the project for the City of Harmony from the preliminary survey through final construction. It has been prepared in accordance with our Professional Services Agreement with the City of Harmony.

Project Understanding

Proposed Wastewater Collection Improvements: An existing trunk sanitary sewer main exists within the Sixth Street SE right-of-way directly west of the proposed improvement. This project will extend the trunk sanitary to the east within the proposed right-of-way. The sanitary sewer will be designed to service Mr. Hahn's proposed residential lot, as well as the undeveloped agricultural property to the north and east to the extent possible.

Proposed Water Distribution Improvements: Existing water trunk facilities exist within the Sixth Street SE right-of-way directly west of the proposed improvement. This project will extend the trunk water main to



Reference: Hahn Utility Extension Improvements; City of Harmony, MN

the east within the proposed right-of-way. The water main will be designed to service Mr. Hahn's proposed residential lot, as well as the undeveloped agricultural property to the north and east to the extent possible.

Proposed Utility Service Improvements: Sanitary sewer service piping would be installed from the trunk line to the edge of the proposed right-of-way. This 4-inch PVC service would allow for private residential service connection to the trunk main from the developed parcel. The created residential lot is proposed to be served with a 1-inch copper water service that is connected to the trunk main with a corporation stop, and terminated at the right-of-way line with a curb stop and box. The only service to be installed along this portion of the trunk utilities, are to Mr. Hahn's proposed residential lot.

Engineering Services

The proposed engineering services include:

1. Project Management & Coordination
2. Preliminary Design, Final Design and Preparation of Plans, Specifications and Bidding Documents
3. Assistance in the Solicitation of Quotes
4. Permitting Assistance (MPCA and MDH)
5. Construction Services (Staking and Part-time Inspection)

The proposal does not include:

1. Permitting Fees
2. Platting Services
3. Record Plans
4. Roadway Design
5. Grading Plan Design

Compensation

We propose to complete engineering service Items 1 – 5 referenced above on an hourly basis as detailed in the attached Tasks and Hours breakdown, and per our Professional Services Agreement. These supplemental services, along with reimbursable expenses are estimated to total \$7,178.00.

In summary, we request authorization to proceed with the included services listed above for the proposed Hahn Utility Extension Improvements in accordance with our Professional Services Agreement with the City of Harmony. If this proposal is acceptable, please sign and return a copy of this proposal letter.



March 2, 2018
Page 3 of 3

Reference: Hahn Utility Extension Improvements; City of Harmony, MN

All services detailed within this letter of understanding are to be completed per the attached project schedule.

Please feel free to call me if you have any questions or concerns at (507) 529-6030.

Respectfully,
STANTEC CONSULTING SERVICES INC.

A handwritten signature in blue ink that reads "Brett A. Grabau".

Brett A. Grabau, PE
City Engineer
Phone: (507) 529-6030
brett.grabau@stantec.com

A handwritten signature in blue ink that reads "Joseph C. Palen".

Joseph C. Palen, PE
Senior Associate
Phone: (507) 529-6036
joseph.palen@stantec.com

By signing this proposal, the City of Harmony authorizes Stantec Consulting Services, Inc. to proceed with the services herein described as Tasks 1 - 5, and the Client acknowledges that this work shall be completed in accordance with the Professional Services Agreement with the City of Harmony.

This proposal is accepted and agreed on the _____ day of _____, 2018.

Per: City of Harmony

Signature

02/28/2018

Re: Hahn Utility Extension Improvements
City of Harmony, MN

TENTATIVE SCHEDULE

<u>Task</u>	<u>Date</u>
Request Proposal for Engineering Services	Complete
Deliver Proposal to City of Harmony/ Hahn	Complete
City of Harmony Authorize Proposal	March 13, 2018
Design Improvement Plans and Specifications	March – April 2018
Owner Approval of Plans and Specifications	April 2018
Solicit Quotes for Work	April 2018
Approve Quote/ Select Contractor	May 2018
Award Contract	May 2018
Begin Construction	May/ June 2018
Substantial Completion	July 2018
Final Completion	July 2018

**Hahn Utility Extension Improvements; Harmony, MN
Design Services**

Supplemental Services - Tasks, Hourly Costs and Fee

Major Tasks	Project/ Design Engineer	Civil Technician	Admin. Assistant	Total Hours	Cost
Team Members	Brett Grabau	Tom Moen	Ann Fogarty		
Summary of Total Estimated Supplemental Services Associated with Final Design - Hourly Costs					
<i>Task 1 - Project Management and Coordination</i>	6			6	\$708.00
<i>Task 2 - Design</i>	12	8		20	\$2,232.00
<i>Task 3 - Solicitation of Quotes</i>	2		2	4	\$388.00
<i>Task 4 - Permitting Assistance</i>		4		4	\$408.00
<i>Task 5 - Construction Services</i>	20	8		28	\$3,176.00
Total Estimated Supplemental Services (Hourly)	40	20	2	62	\$6,912.00
Hourly Rates 2018	\$118.00	\$102.00	\$76.00	---	---
Estimated Stantec Reimbursable Expenses					---
Travel					\$216.00
Supplies & Equipment					\$50.00
Total Reimbursable					\$266.00
Total Project Cost					\$7,178.00

**Hahn Utility Extension Improvements; Harmony, MN
Final Design - Supplemental Services Tasks and Hours**

Tasks	Design Engineer	Senior Technician	Admin. Assistant	Total Hours
Team Members	Brett Grabau	Tom Moen	Ann Fogarty	
Task 1 - Project Management and Coordination				
1.1 - Contract Administration	6			6
Task 1 - Total	6			6
Task 2 - Design				
2.1 - Preliminary Design	4			4
2.2 - Design Plan and Profile		8		8
2.3 - Preparation of Project Specifications	6			6
2.4 - Preparation of Bidding Documents	2			2
Task 2 - Total	12	8		20
Task 3 - Solicitation of Quotes				
3.1 - Correspondence with Contractors and Summation of Quotes Recieved	2		2	4
Task 3 - Total	2		2	4
Task 4 - Permitting Assistance				
4.2 - Preparation of MDH Water Main Extension Permit Application, Transmittal of Plans and Specifications.		2		2
4.1 - Preparation of MPCA Sanitary Sewer Extension Permit Application, Transmittal of Plans and Specifications.		2		2
Task 4 - Total		4		4
Task 5 - Construction Services				
2.1 - Construction Staking and Observation.	16	8		24
2.2 - Documentation of Bid Unit Quantities and Recommendation of Payment	4			4
Task 5 - Total	20	8		28



Project Name: 02/28/2018 - 2:45pm
 Drawing Name: V:\98\9803796\CAD\9803796\Utility\Map_Aerial\UtilityMap.dwg
 Author: 193803796 - 193803796\CAD\9803796\Utility\Map_Aerial\UtilityMap.dwg
 Date: 02/28/2018 2:45:00 PM

CITY OF HARMONY, MINNESOTA
 HAHN UTILITY EXTENSION IMP.

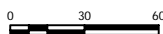
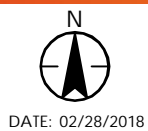


FIGURE 1



HAHN UTILIY EXTENSION IMPROVEMENTS
 JOE HAHN RESIDENTAL LOT
 CITY OF HARMONY, MN
 FEBRUARY 28, 2018

	UNIT	QUANT	UNIT PRICE	TOTAL	
PART 1 - SANITARY SEWER:					
1	CLEAN AND TELEWISE SANITARY SEWER	LF	250	\$2.00	\$500.00
2	4' DIAM. SANITARY SEWER STRUCTURE	EA	1	\$3,600.00	\$3,600.00
3	8" SANITARY SEWER PIPE	LF	180	\$36.00	\$6,480.00
4	IMPROVED PIPE FOUNDATION	LF	180	\$2.50	\$450.00
5	8"x4" WYE	EA	1	\$250.00	\$250.00
6	CONNECT TO EXISTING SANITARY SEWER PIPE	EA	1	\$350.00	\$350.00
SUBTOTAL PART 1 - SANITARY SEWER					\$11,630.00
10% CONTINGENCY					\$1,163.00
TOTAL ESTIMATED PART 1 CONSTRUCTION COST					\$12,793.00
PART 2 - WATER MAIN:					
7	CONNECT TO EXISTING WATER MAIN	EA	1	\$550.00	\$550.00
8	6" DUCTILE IRON WATER MAIN W/ POLY WRAP	LF	200	\$40.00	\$8,000.00
9	IMPROVED PIPE FOUNDATION	LF	200	\$2.50	\$500.00
10	DUCTILE IRON FITTINGS	LB	56	\$5.50	\$308.00
11	HYDRANT	EA	1	\$3,800.00	\$3,800.00
12	6" GATE VALVE AND BOX	EA	2	\$1,200.00	\$2,400.00
SUBTOTAL PART 2 - WATER MAIN					\$15,558.00
10% CONTINGENCY					\$1,555.80
TOTAL ESTIMATED PART 2 CONSTRUCTION COST					\$17,113.80
PART 3 - SERVICE:					
13	4" PVC SANITARY SEWER SERVICE PIPE (SCH. 40)	LF	35	\$24.00	\$840.00
14	IMPROVED PIPE FOUNDATION	LF	35	\$2.50	\$87.50
15	1" CORPORATION STOP	EA	1	\$200.00	\$200.00
16	1" CURB STOP AND BOX	EA	1	\$200.00	\$200.00
17	1" TYPE "K" COPPER WATER SERVICE	LF	23	\$22.00	\$506.00
SUBTOTAL PART 3 - SERVICES					\$1,833.50
10% CONTINGENCY					\$275.03
TOTAL ESTIMATED PART 3 CONSTRUCTION					\$2,108.53

HAHN UTILITY EXTENSION ESTIMATED CONSTRUCITON COSTS	
TOTAL PART 1 - SANITARY SEWER	\$12,793.00
TOTAL PART 2 - WATER MAIN	\$17,113.80
TOTAL PART 3 - SERVICE	\$2,108.53
TOTAL ESTIMATED CONSTRUCTION COSTS	\$32,015.33

CHAPTER 112: LIQUOR REGULATIONS

Section

General Provisions

- 112.01 Adoption of state law by reference
- 112.02 City may be more restrictive than state law
- 112.03 Definitions
- 112.04 Nudity on the premises of licensed establishments prohibited
- 112.05 Consumption in public places

Licensing

- 112.20 Number of licenses which may be issued
- 112.21 Term and expiration of licenses
- 112.22 Kinds of liquor licenses
- 112.23 License not required
- 113.24 License fees; pro rata
- 112.24 Council discretion to grant or deny a license
- 112.25 Application for license
- 112.26 Description of premises
- 112.27 Applications for renewal
- 112.28 Transfer of license
- 112.29 Investigation
- 112.30 Hearing and issuance
- 112.31 Restrictions on issuance
- 112.32 Conditions of license
- 112.33 Hours and days of sale
- 112.34 Minors on premises
- 112.35 Restrictions on purchase and consumption
- 112.36 Suspension and revocation

.99 Penalty

GENERAL PROVISIONS**' 112.01 ADOPTION OF STATE LAW BY REFERENCE.**

The provisions of M.S. Ch. 340A, as they may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sales, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor and 3.2 percent malt liquor are hereby adopted by reference and are made a part of this Chapter as if set out in full. It is the intention of the City Council that all future amendments to M.S. Ch. 340A are hereby adopted by reference or referenced as if they had been in existence at the time this Chapter is adopted.

' 112.02 CITY MAY BE MORE RESTRICTIVE THAN STATE LAW.

The Council is authorized by the provisions of M.S. ' 340A.509, as it may be amended from time to time, to impose, and has imposed in this chapter, additional restrictions on the sale and possession of alcoholic beverages within its limits beyond those contained in M.S. Ch. 340A, as it may be amended from time to time.

' 112.03 DEFINITIONS.

In addition to the definitions contained in M.S. ' 340A.101, as it may be amended from time to time, the following terms are defined for purposes of this chapter:

LIQUOR. As used in this chapter, without modification by the words intoxicating or 3.2 percent malt includes both intoxicating liquor and 3.2 percent malt liquor.

RESTAURANT. An eating facility, other than a hotel, under the control of a single proprietor or manager, where meals are regularly prepared on the premises, where full waitress/waiter table service is provided, where a customer orders food from printed menus and where the main food course is served and consumed while seated at a single location. To be a *Restaurant* as defined by this section, an establishment shall have a license from the state as required by M.S. ' 157.16, as it may be amended from time to time, and meet the definition of either a *Small establishment*, a *Medium establishment* or a *Large establishment* as defined in M.S. ' 157.16, Subd. 3(d), as it may be amended from time to time. An establishment which serves prepackaged food that receives heat treatment and is served in the package or frozen pizza that is heated and served, shall not be considered to be a restaurant for purposes of this chapter unless it meets the definitions of *Small establishment*, *Medium establishment* or *Large establishment*.

' 112.04 NUDITY ON THE PREMISES OF LICENSED ESTABLISHMENTS PROHIBITED.

(A) The City Council finds that it is in the best interests of the public health, safety, and general welfare of the people of the city that nudity is prohibited as provided in this section on the premises of any establishment licensed under this chapter. This is to protect and assist the owners, operators, and employees of the establishment, as well as patrons and the public in general, from harm stemming from the physical immediacy and combination of alcohol, nudity, and sex. The Council especially intends to prevent any subliminal endorsement of sexual harassment or activities likely to lead to the possibility of various criminal conduct, including prostitution, sexual assault, and disorderly conduct. The Council also finds that the prohibition of nudity on the premises of any establishment licensed under this chapter, as set forth in this section, reflects the prevailing community standards of the city.

(B) It is unlawful for any licensee to permit or allow any person or persons on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material. It is unlawful for any person to be on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material.

(C) A violation of this section is a misdemeanor punishable as provided by law, and is justification for revocation or suspension of any liquor, wine, or 3.2 percent malt liquor license or the imposition of a civil penalty under the provisions of ' 112.99(B).

Penalty, see ' 112.99

' 112.05 CONSUMPTION IN PUBLIC PLACES.

Except in the park shelters, no person shall consume intoxicating liquor or 3.2 percent malt liquor in a public park, on any public street, sidewalk, parking lot or alley, or in any public place other than on the premises of an establishment licensed under this chapter, in a municipal liquor dispensary if one exists in the city, or where the consumption and display of liquor is lawfully permitted.

Penalty, see ' 112.99

LICENSING

' 112.20 NUMBER OF LICENSES WHICH MAY BE ISSUED.

State law establishes the number of liquor licenses that a city may issue. However, the number of licenses which may be granted under this chapter is limited to the number of licenses which were issued as of the effective date of this chapter, even if a larger number of licenses are authorized by law or election. The Council in its sound discretion may provide by ordinance that a larger number of licenses may be issued up to the number of licenses authorized by M.S. Ch. 340A, as it may be amended

from time to time. If a larger number of licenses in a particular category has been authorized by a referendum held under the provisions of M.S. ' 340A.413, Subd. 3, as it may be amended from time to time, but not all of them have been issued, the larger number of licenses is no longer in effect until the Council by ordinance determines that any or all of the licenses may be issued. The Council is not required to issue the full number of licenses that it has available.

' 112.21 TERM AND EXPIRATION OF LICENSES.

Each license shall be issued for a maximum period of one year. All licenses, except temporary licenses, shall expire on June 30 of each year. All licenses shall expire on the same date. Temporary licenses expire according to their terms. Consumption and display permits issued by the Commissioner of Public Safety, and the accompanying city consent to the permit, shall expire on March 31 of each year.

' 112.22 KINDS OF LIQUOR LICENSES.

The Council of a city that does not have a municipal liquor store is authorized to issue the following licenses and permits, up to the number specified in ' .

(A) 3.2 percent malt liquor on-sale licenses, which may be issued only to golf courses, restaurants, hotels, clubs, bowling centers, and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks.

(B) 3.2 percent malt liquor off-sale licenses, which may include Sunday sales.

(C) Temporary 3.2 percent malt liquor licenses which may be issued only to a club, charitable, religious, or nonprofit organization for events held in a public facility, and dispensed only to persons attending the event.

(D) Off-sale intoxicating liquor licenses, which may be issued only to exclusive liquor stores The fee for an off-sale intoxicating liquor license established by the Council under ' 112.23 shall not exceed \$100 or a greater amount which may be permitted by M.S. ' 340A.408, Subd. 3, as it may be amended from time to time. No more than two (2) off-sale liquor licenses shall be issued under this section. Any person licensed to sell intoxicating liquor at off-sale may also sell 3.2 percent malt beverages without further license.

(E) On-sale intoxicating liquor licenses, which may be issued to the following establishments as defined by M.S. ' 340A.101, as it may be amended from time to time, and this chapter: hotels, restaurants, bowling centers, theaters, clubs or congressionally chartered veterans organizations, and exclusive liquor stores. Club licenses may be issued only with the approval of the Commissioner of Public Safety. The fee for club licenses established by the Council under ' 112.23 shall not exceed the amounts provided for in M.S. ' 340A.408, Subd. 2(b), as it may be amended from time to time. The Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off

the licensed premises at a community festival held within the city under the provisions of M.S. ' 340A.404, Subd. 4(b), as it may be amended from time to time. The Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at any convention, banquet, conference, meeting, or social affair conducted on the premises of a sports, convention, or cultural facility owned by the city, under the provisions of M.S. ' 340A.404, Subd. 4(a), as it may be amended from time to time; however, the licensee is prohibited from dispensing intoxicating liquor to any person attending or participating in an amateur athletic event being held on the premises.

(F) Sunday on-sale intoxicating liquor licenses, only after authorization to do so by voter approval at a general or special election as provided by M.S. ' 340A.504, Subd. 3, as it may be amended from time to time. Sunday on-sale intoxicating liquor licenses may be issued only to a restaurant as defined in ' 112.03, club, bowling center, or hotel which has a seating capacity of at least 30 persons, which holds an on-sale intoxicating liquor license, and which serves liquor only in conjunction with the service of food. The maximum fee for this license, which shall be established by the Council under the provisions of ' 112.23, shall not exceed \$200, or the maximum amount provided by M.S. ' 340A.504, Subd. 3(b), as it may be amended from time to time.

(H) Temporary on-sale intoxicating liquor licenses, with the approval of the Commissioner of Public Safety, which may be issued only in connection with a social event sponsored by a club, charitable, religious, or other nonprofit corporation that has existed for at least three years. No license shall be for longer than four consecutive days, and the city shall issue no more than 12 days worth of temporary licenses to any one organization in one calendar year.

(I) On-sale wine licenses, with the approval of the Commissioner of Public Safety to: theaters, restaurants that have facilities for seating at least 25 guests at one time and meet the criteria of M.S. ' 340A.404, Subd. 5, as it may be amended from time to time, and which meet the definition of restaurant in ' 112.03; and to licensed bed and breakfast facilities which meet the criteria in M.S. ' 340A.4011, Subd. 1, as it may be amended from time to time and to theaters that meet the criteria in M.S. ' 340A.404 Subd. 1(b). The fee for an on-sale wine license established by the Council under the provisions of ' 112.23 shall not exceed one-half of the license fee charged for an on-sale intoxicating liquor license. The holder of an on-sale wine license who also holds an on-sale 3.2 percent malt liquor license is authorized to sell malt liquor with a content over 3.2 percent (strong beer) without an additional license.

(J) One day consumption and display permits with the approval of the Commissioner of Public Safety to a nonprofit organization in conjunction with a social activity in the city sponsored by the organization. A permit issued under this section authorizes the establishment to permit the consumption and display of intoxicating liquor on the premises, but does not authorize the sale of intoxicating liquor.

(K) Approval of the issuance of a consumption and display permit by the Commissioner of Public Safety. The maximum amount of the additional fee which may be imposed by the Council on a person who has been issued a consumption and display permit under the provisions of ' 112.23 shall not exceed \$300, or the maximum amount permitted by M.S. ' 340A.414, Subd. 6, as it may be amended from time to time. Consumption and display permits shall expire on March 31 of each year.

§113.23 BED & BREAKFAST FACILITIES; WHEN LICENSE IS NOT REQUIRED.

For purposes of this section, “bed and breakfast facility” means a place of lodging that:

- (1) Provides not more than eight rooms for rent to no more than 20 guests at a time;
- (2) Is located on the same property as the owner’s personal residence;
- (3) Provides no meals other than breakfast served to persons who rent rooms; and
- (4) Was originally built and occupied, or was converted to, a single-family residence prior to being used as a place of lodging.

Notwithstanding §340A.401, no license under this chapter is required for a bed and breakfast facility to provide, at no additional charge, to a person renting a room at the facility not more than two glasses per day, each containing not more than four fluid ounces of wine. Wine so furnished may be consumed only on the premises of the bed and breakfast facility. A bed and breakfast facility may furnish wine only if the facility is registered with the Commissioner of Public Safety. Application for such registration must be on a form the Commissioner provides, and such registration may be revoked for any violation of §340A.4011 or rules adopted under it.

§113.24(L) Culinary class limited on-sale licenses may be issued to a business establishment not otherwise eligible for an on-sale intoxicating liquor license that, as part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance reservation required. The license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, up to a maximum of six ounces of wine or 12 ounces of intoxicating malt liquor, during and as part of the class, for consumption on the licensed premises only.

(N) Brew pub on-sale intoxicating liquor or on-sale 3.2% malt liquor licenses, with the approval of the Commissioner of Public Safety, may be issued to brewers who operate a restaurant in their place of manufacture and who meet the criteria established at M.S. ' 340A.301, Subd. 6(d) and 7(b), as it may be amended from time to time. Sales under this license at on-sale may not exceed 3,500 barrels per year. If a brew pub licensed under this section possesses a license for off-sale under division (O) below, the brew pub=s total combined retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels.

(O) Brewer off-sale intoxicating liquor license, with the approval of the Commissioner of Public Safety, may be issued to a brewer that is a licensee under division (N) above or that produces fewer than 3,500 barrels of malt liquor in a year and otherwise meets the criteria established as M.S. ' 340A.301, Subd. 6(d) and 7(b), as it may be amended from time to time. Off-sale of malt liquor shall be limited to the legal hours for off-sale at exclusive liquor stores in the city. Malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. All malt liquor sold under this license shall be packaged in the manner required by M.S. ' 340A.301, Subd.

7 as it may be amended from time to time. Sales under this license may not exceed 500 barrels per year. If a brewer licensed under this section possesses a license under division (N) above, the brewer=s total retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels.

(P) Brewer temporary on-sale intoxicating liquor licenses may be issued, with the approval of the Commissioner of Public Safety, to brewers who manufacture fewer than 3,500 barrels of malt liquor in a year for the on-sale of intoxicating liquor in connection with a social event within the municipality sponsored by the brewer.

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(Q) Brewer taproom license, may be issued to the holder of a brewer=s license under M.S. ' 340A.301 Subd. 6(c), (i) or (j) as it may amended from time to time. A brewer=s taproom license authorizes on-sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. A brewer may have only one taproom license and may not have an ownership interest in a brewer licensed under M.S. ' 340A.301 Subd. 6(d) as it may be amended from time to time. A brewer taproom license may not be issued to a brewer that brews more than 250,000 barrels of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually. Within ten days of issuing a brewer taproom license the City Clerk will inform the Commissioner of Public Safety of the licensee=s name, address, trade name and the effective date and expiration date of the license. The City Clerk will inform the Commissioner of Public Safety of a license transfer, cancellation, suspension, or revocation during the license period.

(R) A cocktail room license may be issued to the holder of a microdistillery license under M.S. ' 340A.301 subd. 6(c). A microdistillery cocktail room license authorizes on-sale of distilled liqueur produced by the distiller for consumption on the premises of or adjacent to ne distillery location owned by the distiller. The holder of a microdistillery cocktail room license may also hold a license to operated a restaurant at the distillery. No more than one cocktail room license may be issued to any distiller and a microdistillery cocktail room license may not be issued to any person having an ownership interest in a distillery licensed under M.S. ' 340A.301 subd. 6 (a). No single entity may hold both a microdistillery cocktail room and taproom license and a microdistillery cocktail room and taproom license may not be co-located. Within ten days of the issuance of a microdistillery cocktail room license, the city shall inform the commissioner of public safety of the licensee=s name and address and trade name, and the effective date and expiration date of the license. The city shall also inform the commissioner of public safety of a microdistillery cocktail room license transfer, cancellation, suspension, or revocation during the license period.

' 112.23 LICENSE FEES; PRO RATA.

(A) No license or other fee established by the city shall exceed any limit established by M.S. Ch. 340A, as it may be amended from time to time, for a liquor license.

(B) The Council may establish from time to time in the Ordinance Establishing Fees and Charges the fee for any of the liquor licenses it is authorized to issue. The current schedule of fees is attached to this code; see §30.11.) The license fee may not exceed the cost of issuing the license and other costs directly related to the enforcement of the liquor laws and this chapter. No liquor license fee shall be increased without providing mailed notice of a hearing on the proposed increase to all affected licensees at least 30 days before the hearing.

) All license fees shall be paid in full at the time the application is filed with the city. If the application is denied, the license fee shall be returned to the applicant.

' 112.24 COUNCIL DISCRETION TO GRANT OR DENY A LICENSE.

The Council in its sound discretion may either grant or deny the application for any license or for the transfer or renewal of any license. No applicant has a right to a license under this chapter.

No retail license may be issued to:

(1) A person under 21 years of age;

(2) A person not of good moral character and repute;

(3) A person who has a direct or indirect interest in a manufacturer, brewer, or wholesaler; or

(4) A person who has had an intoxicating liquor or 3.2 percent malt liquor license revoked within five years of the license application, or to any person who at the time of the violation owned any interest, whether as a holder of more than five percent of the capital stock of a corporation licensee, as a partner or otherwise, in the premises or in the business conducted thereon, or to a corporation, partnership, association, enterprise, business, or firm in which any such person is in any manner interested.

In addition, no new retail license may be issued to, and the Council may refuse to renew the license of, a person who, within five years of the license application, has been convicted of a felony or a willful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution or possession for sale of an alcoholic beverage.

§113.26**' 112.25 APPLICATION FOR LICENSE.**

(A) *Form.* Every application for a license issued under this chapter shall be on a form provided by the city. Every application shall state the name, address, and telephone number of the applicant and for any partners in the business to be licensed, the applicant's age, representations as to the applicant's character, with references as the Council may require, the type of license applied for, the business in connection with which the proposed license will operate and its location, a description of the premises, whether the applicant is owner and operator of the business, how long the applicant has been in that business at that place, and other information as the Council may require from time to time. An application for an on-sale intoxicating liquor license shall be in the form prescribed by the Commissioner of Public Safety and shall also contain the information required in this section. The form shall be verified and filed with the city. No person shall make a false statement in an application.

(B) *Financial responsibility.* Prior to the issuance of any license under this chapter, the applicant shall demonstrate proof of financial responsibility as defined in M.S. ' 340A.409, as it may be amended from time to time, with regard to liability under M.S. ' 340A.801, as it may be amended from time to

time. This proof will be filed with the city and the Commissioner of Public Safety. Any liability insurance policy filed as proof of financial responsibility under this section shall conform to M.S. ' 340A.409, as it may be amended from time to time. Operation of a business which is required to be licensed by this chapter without having on file with the city at all times effective proof of financial responsibility is a cause for revocation of the license.

Penalty, see ' 112.99

' 112.26 DESCRIPTION OF PREMISES.

The application shall specifically describe the compact and contiguous premises within which liquor may be dispensed and consumed. The description may not include any parking lot or sidewalk.

' 112.27 APPLICATIONS FOR RENEWAL.

At least 90 days before a license issued under this chapter is to be renewed, an application for renewal shall be filed with the city. The decision whether or not to renew a license rests within the sound discretion of the Council. No licensee has a right to have the license renewed.

' 112.28 TRANSFER OF LICENSE.

No license issued under this chapter may be transferred without the approval of the Council. Any transfer of stock of a corporate licensee is deemed to be a transfer of the license, and a transfer of stock without prior Council approval is a ground for revocation of the license. An application to transfer a license shall be treated the same as an application for a new license, and all of the provisions of this code applying to applications for a license shall apply. In the case of the death of a retail licensee, the personal representative is authorized to continue operation of the business for not more than 30 days after the death of the licensee.

Penalty, see §113.99

' 112.29 INVESTIGATION.

(A) *Preliminary background and financial investigation.* On an initial application for a license, on an application for transfer of a license and, in the sound discretion of the Council that it is in the public interest to do so, on an application for renewal of a license, the city shall conduct a preliminary background and financial investigation of the applicant or it may contract with the Commissioner of Public Safety for the investigation. The applicant shall pay with the application an investigation fee of \$500 which shall be in addition to any license fee. If the cost of the preliminary investigation is less than \$500, the unused balance shall be returned to the applicant. The results of the preliminary investigation shall be sent to the Commissioner of Public Safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.

(B) *Comprehensive background and financial investigation.* If the results of a preliminary investigation warrant, in the sound discretion of the Council, a comprehensive background and financial investigation, the Council may either conduct the investigation itself or contract with the Commissioner of Public Safety for the investigation. The investigation fee for this comprehensive background and financial investigation to be paid by the applicant shall be \$500, less any amount paid for the initial investigation if the investigation is to be conducted within the state, and \$10,000, less any amount paid for the initial investigation, if the investigation is required outside the state. The unused balance of the fee shall be returned to the applicant whether or not the application is denied. The fee shall be paid in advance of any investigation and the amount actually expended on the investigation shall not be refundable in the event the application is denied. The results of the comprehensive investigation shall be sent to the Commissioner of Public Safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.

' 112.30 HEARING AND ISSUANCE.

The Council shall investigate all facts set out in the application and not investigated in the preliminary or comprehensive background and financial investigations. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the Council shall in its sound discretion grant or deny the application. No license shall become effective until the proof of financial security has been approved by the Commissioner of Public Safety.

' 112.31 RESTRICTIONS ON ISSUANCE.

(A) Each license shall be issued only to the applicant for the premises described in the application.

(B) Not more than one license shall be directly or indirectly issued within the city to any one person.

(C) No license shall be granted or renewed for any premises when an applicant's taxes, assessments, utility charges, service fees, loans, or other obligations due to the City or to the Harmony Economic Development Authority, related to any property owned by applicant, or by an entity in which the applicant holds a controlling interest, within the City, are delinquent.

(D) No license shall be issued for any place or any business ineligible for a license under state law.

(E) No license shall be issued to any person who is not a resident of the state. If the applicant is a corporation, all of the shareholders shall be residents of the state. The provisions of this division (E) shall not apply to any license existing on the effective date of this chapter or to the renewal of an existing license.

(F(E) No license shall be granted within 500 feet of any school or church. The distance is to be measured from the closest side of the school or church to the closest side of the structure on the premises within which liquor is to be sold.

Penalty, see ' 112.99

' 112.32 CONDITIONS OF LICENSE.

The failure of a licensee to meet any one of the conditions of the license specified below shall result in a suspension of the license until the condition is met.

) Every licensee is responsible for the conduct of the place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this chapter and the law equally with the employee.

(C) Every licensee shall allow any peace officer, health officer, city employee or any other person designated by the Council to conduct compliance checks and to otherwise enter, inspect, and search the premises of the licensee during business hours and after business hours during the time when customers remain on the premises without a warrant.

(D) No on-sale establishment shall display liquor to the public during hours when the sale of liquor is prohibited.

(E) Compliance with financial responsibility requirements of state law and of this chapter is a continuing condition of any license.

Penalty, see ' 112.99

' 112.33 HOURS AND DAYS OF SALE.

(A) The hours of operation and days of sale shall be those set by M.S. ' 340A.504, as it may be amended from time to time, except that the City Council may, by resolution or ordinance, provide for more restrictive hours than state law allows.

(B) No person shall consume nor shall any on-sale licensee permit any consumption of intoxicating liquor or 3.2 percent malt liquor in an on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.

(C) No on-sale licensee shall permit any glass, bottle, or other container containing intoxicating liquor or 3.2 percent malt liquor to remain upon any table, bar, stool, or other place where customers are served, more than 30 minutes after the time when a sale can legally occur.

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(D) No person, other than the licensee and any employee, shall remain on the on-sale licensed premises more than 30 minutes after the time when a sale can legally occur.

(E) Any violation of any condition of this section may be grounds for revocation or suspension of the license.

Penalty, see ' 112.99

' 112.34 MINORS ON PREMISES.

(A) No person under the age of 18 years shall be employed in any rooms constituting the place in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale, except that persons under the age of 18 may be employed as musicians or to perform the duties of a bus person or dishwashing services in places defined as a restaurant, hotel, motel or other multi-purpose building serving food in rooms in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale.

(B) No person under the age of 21 years may enter a licensed establishment except to work, consume meals on premises that qualify as a restaurant, or attend social functions that are held in a portion of the premises where liquor is not sold.

Penalty, see ' 112.99

' 112.35 RESTRICTIONS ON PURCHASE AND CONSUMPTION.

No person shall mix or prepare liquor for consumption in any public place of business unless it has a license to sell on-sale, or a permit from the Commissioner of Public Safety under the provisions of M.S. ' 340A.414, as it may be amended from time to time, which has been approved by the Council, and no person shall consume liquor in any such place, except under the one-day consumption and display permit.

Penalty, see ' 112.99

' 112.36 SUSPENSION AND REVOCATION.

(A) The Council shall either suspend for a period not to exceed 60 days or revoke any liquor license upon finding that the licensee has failed to comply with any applicable statute, regulation, or provision of this chapter relating to liquor. Except in cases of lapse of proof of financial responsibility, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to the Administrative Procedures Act, M.S. ' ' 14.57 to 14.70, as it may be amended from time to time. The Council may act as the hearing body under that act, or it may contract with the Office of Hearing Examiners for a hearing officer.

(B) The following are the minimum periods of suspension or revocation which shall be imposed by the Council for violations of the provisions of this chapter or M.S. Ch. 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time:

(1) For commission of a felony related to the licensed activity, sale of alcoholic beverages while the license is under suspension, sale of intoxicating liquor where the only license is for 3.2 percent malt liquor, or violation of ' 112.04, the license shall be revoked.

(2) The license shall be suspended by the Council after a finding under division (A) that the licensee has failed to comply with any applicable statute, rule, or provision of this chapter for at least the minimum periods as follows:

(a) For the first violation within any three-year period, at least one day suspension in addition to any criminal or civil penalties which may be imposed.

(b) For a second violation within any three-year period, at least three consecutive days suspension in addition to any criminal or civil penalties which may be imposed.

(c) For the third violation within any three-year period, at least seven consecutive days suspension in addition to any criminal or civil penalties which may be imposed.

(d) For a fourth violation within any three-year period, the license shall be revoked.

(3) The Council shall select the day or days during which the license will be suspended.

(C) Lapse of required proof of financial responsibility shall cause an immediate suspension of any license issued pursuant to this chapter or state law without further action of the Council. Notice of cancellation or lapse of a current liquor liability policy shall also constitute notice to the licensee of the impending suspension of the license. The holder of a license who has received notice of lapse of required insurance or of suspension or revocation of a license may request a hearing thereon and, if a request is made in writing to the City Administrator/Clerk-Treasurer, a hearing before the Council shall be granted within ten days. Any suspension under this division (C) shall continue until the Council determines that the financial responsibility requirements of state law and this chapter have again been met.

(D) The provisions of ' 112.99 pertaining to administrative penalty may be imposed in addition to or in lieu of any suspension or revocation under this chapter.

Penalty, see ' 112.99

.99 PENALTIES.

Any person violating the provisions of this chapter or M.S. Ch. 340A as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

(B) The Council shall impose a civil penalty of up to \$2,000 for each violation of M.S. Ch. 340A, as it may be amended from time to time, and of this chapter. Conviction of a violation in a court of law is not required in order for the Council to impose the civil penalty. A hearing under the Administrative Procedures Act, M.S. ' ' 14.57 to 14.70, as it may be amended from time to time, is not required before the penalty is imposed, but the Council shall hold a hearing on the proposed violation and the proposed penalty and hear any person who wishes to speak. Non-payment of the penalty is grounds for

suspension or revocation of the license. The following is the minimum schedule of presumptive civil penalties which must be imposed in addition to any suspension unless the licenses is revoked:

- (1) For the first violation within any three-year period, \$500.
- (2) For the second violation within any three-year period, \$1,000.
- (3) For the third and subsequent violations within any three-year period, \$2,000.

(C) The term “a violation” as used in this section includes any and all violations of the provisions of this chapter, or of M.S. Ch. 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time. The number of violations shall be determined on the basis of the history of violations for the preceding three-year period. Revocation shall occur within 60 days following a violation for which revocation is imposed.

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING FEES FOR EMERGENCY FIRE PROTECTION AND AMBULANCE SERVICE

The City Council of Harmony, Minnesota ordains:

SECTION ONE: PURPOSES AND INTENT

This ordinance is adopted for the purpose of authorizing the City of Harmony to charge for fire, rescue, medical, and related services as authorized by Minn. Stat. §§ 366.011, 366.012, and 415.01.

SECTION TWO: DEFINITIONS

- (A) “Fire service” means any deployment of firefighting personnel and/or equipment to extinguish a fire or perform any preventative measure in an effort to protect equipment, life, or property in an area threatened by fire. It also includes the deployment of firefighting personnel and/or equipment to provide fire suppression, rescue, search, extrication, and any other services related to fire and rescue as may occasionally occur.
- (B) “Fire service charge” means the charge imposed by the City for receiving fire service.
- (C) “Motor vehicle” means any self-propelled vehicle designed and originally manufactured to operate primarily upon public roads and highways, and not operated exclusively upon railroad tracks. It includes semi-trailers. It does not include snowmobiles, manufactured homes, all-terrain vehicles, or park trailers.
- (D) “Fire protection contract” means a contract between the City and a township or other city for the City to provide fire service.
- (E) “Mutual aid agreement” means an agreement between the City and a township or other city for the City’s fire department to provide assistance to the fire department of a town or other city.
- (F) “Medical service and care” means any ambulance personnel and equipment dispatched to provide medical care through basic life support (BLS), advanced life support (ALS), standby service, lift assistance, or air ambulance.
- (G) “Ambulance service charge” means the charge imposed by the City for the Harmony Ambulance Service providing medical service and care.
- (H) “Ambulance protection contract” means a contract between the City and a township, or other city or county to provide ambulance service.

SECTION THREE: PARTIES AFFECTED

- (A) Owners of property within the City who receive fire service and/or ambulance service.
- (B) Anyone who receives fire and/or ambulance service as a result of a motor vehicle accident or fire within the City.
- (C) Owners of property in towns, cities, townships to which the City provides fire and/or ambulance service pursuant to a fire and/or ambulance protection contract.

SECTION FOUR: RATES

The fire and/or ambulance charges shall be established by the Ordinance Establishing Fees and Charges adopted pursuant to §30.11 of this code as that ordinance may be amended from time to time.

SECTION FIVE: BILLING AND COLLECTION

- (A) Parties requesting and receiving fire and/or ambulance services will be billed directly by the City of Harmony or billing agency. Additionally, if the party receiving fire and/or ambulance services did not request services but a fire and/or medical need or other situation exists which, at the discretion of the fire and/or ambulance department personnel in charge requires fire and/or ambulance service, the party will be charged and billed. All parties will be billed whether or not the fire and/or ambulance service is covered by insurance. Any billable amount of the fire and/or ambulance charge not covered by a party's insurance remains a debt of the party receiving the fire and/or ambulance service.
- (B) Parties billed for fire and/or ambulance service will have 90 days to pay. If the fire and/or ambulance service charge is not paid by that time, it will be considered delinquent and the City will send a notice of delinquency.
- (C) If the fire and/or ambulance service charge remains unpaid for 30 days after this notice of delinquency is sent, the City will use all practical and reasonable legal means to collect the fire and/or ambulance service charge. The party receiving fire and/or ambulance service shall be liable for all collection costs incurred by the City including, but not limited to, reasonable attorney fees and court costs.
- (D) If the fire and/or ambulance service charge remains unpaid for 30 days after the notice of delinquency is sent, the City Council may also, on or before October 15 of each year, certify the unpaid fire and/or service charge to the county auditor in which the recipient of the services owns real property for collection with taxes. The county auditor is responsible for remitting to the city all charges collected on behalf of the city. The City must give the property owner notice of its intent to certify the unpaid fire and/or ambulance service charge by September 15.
- (E) False alarms will be billed as a fire or ambulance call.

SECTION SIX: MUTUAL AID AGREEMENT

When the City fire department and/or ambulance service provides service to another department pursuant to a Mutual Aid Agreement, the billing will be determined by the Mutual Aid Agreement.

SECTION SEVEN: BILLING PROCEDURE FOR FIRE AND/OR AMBULANCE PROTECTION CONTRACTS WITH TOWNS, TOWNSHIPS, COUNTIES, OR OTHER CITIES

When the City fire department and/or ambulance service provides service to another department pursuant to a Contract, the billing will be determined by the Contract.

SECTION EIGHT: APPLICATION OF COLLECTIONS TO BUDGET

All collected fire and/or ambulance charges will be city funds and used to offset the expenses of the City in providing those services.

SECTION NINE: EFFECTIVE DATE

The ordinance shall become effective upon publication.

Passed by the City Council of Harmony, Minnesota this 13th day of March, 2018.

Mayor

Attested:

City Clerk

Resolution No. 18-03

**A RESOLUTION MODIFYING A SCHEDULE OF FEES AND CHARGES FOR
VARIOUS SERVICES, LICENSES AND PERMITS FOR THE CITY OF
HARMONY, MINNESOTA**

WHEREAS, the City Council of the City of Harmony has adopted the Minnesota Basic Code as it has been amended and supplemented to be its city code and that the code permits the city to adopt and modify by resolution a schedule of fees and charges for various services, licenses, and permits,

NOW THEREFORE the City Council of the CITY OF HARMONY, MINNNESOTA, ordains:

Section 1. All fees and charges in effect as of the date of the adoption of the city code for the city shall remain in effect unless otherwise modified by the provisions of this resolution. All citations below are to various sections of the city code unless otherwise indicated.

Section 2. The following are the fees and charges for permits, licenses, and services listed below which are referenced to the section of the city code which authorizes their establishment:

(See Attached Schedule)

The foregoing resolution was introduced and moved for adoption by Council Member _____ and seconded by Council Member _____.

Voting for the Resolution:
Voting against the Resolution:
Abstained from Voting:
Absent from Voting:

Motion carried and resolution adopted this 13th day of March 2018.

Steve Donney, Mayor

ATTEST:

Jerome Illg, City Administrator

CITY OF HARMONY
Section 31.11
Table of Fees and Charges
Effective 03/13/2018

BUSINESS LICENSES		
Liquor, off-sale	Chapter 113	100.00
Liquor, on-sale	Chapter 113	650.00
Liquor, on-sale, Sunday	Chapter 113	125.00
Wine & Strong Beer, on-sale	Chapter 113	225.00
3.2 beer, off-sale	Chapter 113	100.00
3.2 beer, on-sale	Chapter 113	100.00
Plumbers license	53.70	50.00
Consumption and Display Permit	113.22 (J)	50.00
Tree service license	33.179 & 33.181	25.00
Adult Oriented Businesses	116.07	1,000.00
Tattoo & Body Piercing	115.03	500.00
Peddler License	112.03	10.00
Electric License (Non-master)	54.70	100.00
Amusement Activities	111.01	25.00
Motorized Bicycles	72.32	10.00
Golf Carts/UTV/ATV	72.52	10.00
ANIMAL LICENSES		
License fee	91.02	10.00
Late penalty after May 1st	91.02	2.00
Replacement dog tag	91.02	2.00
Impounding Fee (1 st Offense)	91.05	20.00/day
(2 nd Offense)		35.00/day
(3 rd Offense)		50.00/day
Kennel License		50.00
COMMUNITY BUILDINGS		
Community Center		
Meeting room		50.00 per ½ day
Gymnasium		75.00 per ½ day
Gymnasium for auction (two day max incl. kitchen)		250.00
PUBLIC SAFETY		
Accident reports		5.00
Ambulance BLS Rate		650.00
Ambulance ALS Rate		850.00
Ambulance Mileage (per loaded mile)		12.00
Ambulance No Transport/Standby		250.00
Fire calls per hour (outside city limits)		300.00

Fire calls per hour (inside city limits)		200.00
Thermal Image Camera w/operator per hour		100.00
Administrative Parking Citation		25.00
Administrative Citation (other than parking)		75.00
ADMINISTRATION		
Election filing fee		2.00
Copy charges: one sided (B&W)		0.10
two sided (B&W)		0.15
one sided (color)		0.25
Fax charges: out/page		1.00
in/page		0.10
returned check charge		30.00
PUBLIC WORKS		
Labor/hour (minimum 1 hour)		25.00/weekday & 35.00/holiday & weekends
Equipment/hour (minimum 1 hour)		50.00
Salting/Sanding Parking Lot		50.00/sm lot 70.00/lg lot
Right of Way Permit	93.25	25.00
Delay Right of Way Permit (after 30 days)	93.20	10.00/day
Water Cooled Air Conditioning	53.07	50.00
Electric Inspection Permit	54.29 & 54.30	Based on State Board of Elec
Fire Hydrant Fee	53.08	50.00
Sewer hook-up		500.00
Water hook-up		300.00/700.00
Electric hook-up		500.00
COMMUNITY DEVELOPMENT		
Zoning permit (0-999 sq ft)		25.00
Zoning permit (1,000-1,999 sq ft)		100.00
Zoning permit (2,000 & over sq ft)		200.00
Conditional use permit application		50.00
Variance application		150.00
Rezoning application		150.00
Subdivision application		100.00
Subdivision fees per lot		50.00

MINUTES
HARMONY PLANNING & ZONING COMMISSION
Special Meeting

July 14, 2014
7:00 P.M.

Council Room
Community Center

The meeting was called to order by Deb Swenson at 7:15 p.m.

Present: Lynn Mensink, Deb Swenson, Harold Berge, Miles Petree, Erik Olson
Also attending: Jerome Illg, Richard Nethercut, Paula Fisher

Residents in Commercial Zoned Areas:

The planning and zoning board reviewed the zoning ordinance as it relates to residents in commercial zoned areas. The current zoning ordinance does not allow people to live in commercial zoned areas, unless it is a 2nd floor apartment. There are currently several instances in which people are residing on 1st floor or basement level in commercial zoned property that the city is aware of. Although no formal complaint has been made, the council has asked the planning and zoning board review the ordinance regarding this matter to see if any recommended changes should be made given the number of instances.

Discussion occurred that some of the people residing, are renting and not owners of the property. It was stated, that the owner's would be informed of the violation if affirmation of ordinance occurs.

Some discussion occurred regarding possibly having a special district (within the commercial district) that would not allow commercial zoned property in the downtown area to have residents on the 1st floor, but would be allowable in commercial property outside of that area.

Motion by Berge, seconded by Petree to recommend to the city council leave the zoning ordinance as written regarding people residing in commercial zoned areas. Motion carried.

There being no further business the meeting was adjourned by Olson, seconded by Mensink at 8:00 p.m.

Deb Swenson, Zoning Board Member

A T T E S T

Jerome Illg, Zoning Administrator

August 12, 2014

REGULAR MEETING

HARMONY CITY COUNCIL

A Regular Meeting of the Harmony City Council was called to order by Mayor Steve Donney at 8:01 PM. Present were Mayor Donney, Councilmembers Debbie Swenson, Gerald Shuck, and Lynn Mensink; Attorney Greg Schieber, Brett Grabau, Chris Johnson, Steve Sagen, Jade Sexton, Melissa VanderPlas and Eileen Schansberg. Absent was Councilmember Kyle Morem.

Public Forum:

No one

PUBLIC HEARING:

Mayor Donney closed the Regular Meeting and called the PUBLIC HEARING for the purpose of discussing a USDA Grant for an Emergency Siren to Order at 8:03 PM. No one appeared for the Public Hearing. Mayor Donney closed the PUBLIC HEARING and re-opened the REGULAR COUNCIL MEETING.

CONSENT AGENDA:

Motion by Mensink and seconded by Swenson to approve the Consent Agenda consisting of the Minutes, Claims adding one to Village Square for \$34.20 for Election Judges meal, the Administrator's Report, the Financial Report, the Sheriff's Report for May & June, RESOLUTION of SUPPORT for TRI-COUNTY ELECTRIC and cashing in CD #43327 to the General Fund. All present voting yes. Absent was Morem. Motion carried.

Administrator Illg joined the meeting at 8:15 PM.

BUILDING & MAINTENANCE:

Chris Johnson gave the Building and Maintenance Report.

EDA REPORT:

Deb Swenson gave the EDA Report. The chamber reported a good turnout for the events this summer. The Board requested approval for a Revolving Loan for up to \$25,000 over ten years at 3 percent with the first six months being interest only due for someone to purchase Torgerson Floor Coverings. Motion by Donney to approve the loan and seconded by Mensink. All present voting yes. Absent was Morem. Motion carried.

Fillmore County contacted the city regarding a tax forfeiture of property on 2nd Ave NW. The EDA was not interested in acquiring the property. The county will auction off the property. The buildings on the property are very dilapidated.

PARK BOARD REPORT:

Lynn Mensink gave the Park Board Report. Reported working on an enclosed case for plaques thanking volunteers for working on the Selvig Park Playground project.

Park Summer Maintenance staff Trevor Wangen has turned in his notice. The Park Board suggested hiring Blake Bigalk for the remainder of the summer. The maintenance staff will train Bigalk.

LIBRARY BOARD REPORT:

Lynn Mensink gave the Library Report. She reported that the Library Board reaffirmed there would be no Fines and no changes to their policy at this time.
Funds were received from SELCO account to pay for the new Library carpet.
The Library staff is working on having an event in September and one in October.
Staff is researching copier options.

ARTS BOARD:

Ruth Delano will be the student replacement on the Board after the Mayoral appointment.

Charles Zahradnik discussed starting a Theatre Group and Knitting /Crocheting Group.

PLANNING & ZONING BOARD:

At prior council meeting, the council requested that the planning and zoning board review the current zoning ordinance, in relation to residential use in commercial zoned areas. The planning and zoning board had meet and review, and recommended no change to the zoning ordinance, therefore, residential use would not be allowable, unless it is on a second floor. Council did not take any action, thereby affirming the ordinance as written. Administrator Illg asked for direction on enforcing the ordinance. Consensus was to draft notice to current property owners that are in violation, that enforce would occur once a formal complaint occurred on all properties in violation.

FIRE DEPARTMENT:

Mayor Donney mentioned the SCBA tanks at the Firehall need to be replaced over the next three years. Cost would be about \$15,000 over the next three years. Consensus was to budget over the next three years.

Pump on the tanker is leaking and not properly functioning. Approximate cost to replace is \$5,000.

Engineer Brett Grabau discussed the First Ave SW project. They are hoping to complete blacktopping and restoration behind the school, prior to school starting.

Grabau discussed Well #3 Project. The project has qualified for PFA funding being it is on the Intended Use Plan. The well project is anticipated to be bid in the next two months once all the approvals are obtained. The council suggested including a generator in the well house as an alternative bid.

Administrator Illg had reviewed funding options for the civil defense siren. The USDA has a grant program that would fund up to a \$35,000 grant based on Harmony's demographics. The grant would require a 25% match. In order to maximize the grant, a generator at the firehall would be added to the application for the grant. The generator at the firehall was estimated to cost \$34,000. The civil defense siren was estimated to cost \$20,000. Motion by Swenson to go ahead with the Siren but the generator will be contingent upon getting the Grant. Seconded by Mensink. All present voting yes. Motion carried.

RESOLUTION 14-11 was presented: A RESOLUTION TO OBTAIN A USDA GRANT IN THE SUM NOT TO EXCEED \$35,000. Motion by Donney to adopt the resolution and seconded by Shuck.

Voting for the Resolution was: Shuck, Mensink, Swenson and Donney

Voting against the Resolution was: No One

Abstained from voting was: No One

Absent from voting was: Morem

The motion passed and Resolution was adopted.

Administrator Illg stated there was an inquiry about an easement on the entire property at 735 6th St SE. The easement could be confined to a 10 foot wide utility easement around the perimeter of the property. Motion by Shuck to confine the easement to a 10 foot wide corridor utility easement. Seconded by Swenson. All present voting yes. Absent was Morem. Motion carried.

Mayor Donney stated he missed the deadline to file for mayor but would consider a write-in campaign.

Weeds issues and animal issues were discussed. Administrator Illg reminded residents to contact the sheriff's office at the time when the animals are running at large, so they can be dealt with immediately.

A Community Appreciation Picnic sponsored by the Greenfield Lutheran Church is being held at Niagara Cave on Sunday, September 7th. The public is invited.

Upon no further business, Mayor Donney adjourned the meeting.

Mayor Steve Donney

Eileen Schansberg, Deputy Clerk

MEMORANDUM

DATE: March 9, 2018
TO: Mayor & Council Members
FROM: Jerome Illg, City Administrator
RE: Sidewalk Snow Removal

Current Snow Removal Practice:

We remove the snow on the sidewalks from Wheelers to the Visitor Center along the west side of Hwy 52. We remove the snow on the sidewalk by the Selvig Park and south of Greenfield Church to the Nursing on the west side of Hwy 139. We remove the snow on the sidewalk on the sidewalk on 1st Ave SW from 3rd St SW to the Center St W on the west side. We remove the snow on the sidewalk along the east side of 1st Ave SW through Selvig Park. We remove the snow on the sidewalk on the north side of Hwy 52 from Main Ave N to 2nd Ave NE.

Concerns:

A few residents and businesses have requested that we go around their sidewalk, because they prefer to do it themselves. Several business owners have asked why we are clearing snow on businesses and residents along Hwy 52 and Hwy 139 but not downtown. Several people have asked we do not clear the snow on the east side of Hwy 139 since we are doing the west side.

Liability:

We currently do not salt/sand the sidewalks we remove snow on other than by the Visitor Center. We have had several people and businesses address the concern regarding the ice on the sidewalks we remove the snow on. After discussing with our city attorney and insurance agent, it is implied that we are maintaining the sidewalks during the winter months, that we could be liable if someone were to slip and fall and hurt themselves.

Summary:

I wanted the council to be aware and perhaps address the liability concern and some of the concerns of residents and business owners. We do not have the equipment, materials, and manpower to maintain the potential ongoing ice concern on all the sidewalks we remove snow on through the winter months.