

## MORRISTOWN CITY COUNCIL MEETING AGENDA

Regular Meeting, 7:00 p.m.

Monday, August 4, 2025

**PUBLIC HEARING, 7:00 p.m. OR SOON THEREAFTER (Abate Public Nuisance)**

**PUBLIC HEARING, 7:00 p.m. OR SOON THEREAFTER (Tobacco Violation)**

- 
1. Call to Order:
  2. Pledge of Allegiance:
  3. Additions/Corrections:
    - Reorder* Move to 6A, then 7A to hold public hearings.
  4. Citizens Comments:
    - Need to sign up prior to meeting*
    - WEM New WEM Superintendent Coming to Speak
- 
5. Consent Agenda:
    - A. Police Report July 2025– to come in separate email
    - B. Fire Department Report July 2025
    - C. Public Works Report July 2025
    - D. City Council Minutes
      - Regular Meeting 7/7/2025
      - Work Session 7/16/2025
      - Special Meeting 7/16/2025
    - E. Zoning Board Minutes Regular Meeting 7/17/2025
    - F. Financial Reports July 2025 – to come in separate email
    - G. Claims & Accounts July 2025
    - H. Zoning Administrator Remove Zoning Administrator as Member of Zoning Board
    - I. Gambling Application Approve the Gambling Application for Sportsmen's Club
    - J. Ordinance 2025-4 Chapter 112 Amendment – Tobacco
    - K. Pay App #6 Payment Application #6 to Holtmeier Construction
    - L. Ordinance 2025-5 Section 71.04 Amendment – Snow Emergency
- 
6. **UNFINISHED BUSINESS:**
    - A. **PUBLIC HEARING** 204 Franklin St W, Order to Abate Public Nuisance
    - B. Sheriff's Contract Discussion on Hours and Contract
- 
7. **NEW BUSINESS:**
    - A. **PUBLIC HEARING** Tobacco Violation at Hiller's Last Call
    - B. Sewer Service Adam Hackney to Discuss Sewer Service Issue
    - C. Produce Stand *Council Member Request: Look at Produce Stand Ordinance*
- 
8. **CORRESPONDENCE & ANNOUNCEMENTS:**
    - Fire Open House Fire Department will be hosting an open house/breakfast on August 16<sup>th</sup>
- 
9. **COUNCIL DISCUSSION & CONCERNS:**
  10. **ADJOURNMENT:**
  11. **NEXT MEETING:** Tuesday, September 2, 2025 – 7:00 p.m.



# MORRISTOWN FIRE DEPARTMENT

P.O. Box 161  
Morristown, Minnesota 55052



## Call Report

Date	Type	Location
7/1	Vehicle Accident	Iona Ave & Hwy 60
7/2	Medical	Farwell Ave
7/3	Medical	9322 76 <sup>th</sup> St. NW
7/3	Medical	7052 66 <sup>th</sup> St. NW
7/3	Medical	8145 220 <sup>th</sup> St.
7/17	Medical	21926 Lind Ave.
7/18	Medical	403 Jane St. E
7/21	Medical	9199 Indus Way
7/22	Medical	107 2 <sup>nd</sup> St. SW Apt. 205
7/23	Medical	9525 230 <sup>th</sup> St. W
7/23	Medical	23469 Falls Ave.
7/23	Medical	6368 Falcon Way
7/24	Medical	203 4 <sup>th</sup> St. SE
7/24	Medical	6525 235 <sup>th</sup> St. W
7/27	MedicalAccident	2215 210 <sup>th</sup> St. W
7/27	Fire	11735 245 <sup>th</sup> St W
7/30	Medical	12775 LeRoy Tr.
7/31	Medical	6666 235 <sup>th</sup> St.

## Training

Water Rescue

## Department Update

Department is having an Open House/Breakfast on August 16<sup>th</sup>.

## Items for Discussion



## **Public Works**

### Council Report

**July 2025**

#### General

- Sweeper maintenance
- Locates as needed
- shop organization
- Weekly Generator checks.
- Fixed up alley behind archies
- Jason has been working on park bathrooms plumbing new meter solve water flow issue
- Mowed
- Mowed intersections on Hwy 60
- Road barricades got put up
- Hauled garbage cans downtown
- Put up new shelving in shop for weed whackers/ chainsaws
- Sharpened chainsaw blades
- Cleaned carb on a weed wacker because it was running poorly.
- Monthly safety training

#### Water

- Daily testing
- Flushed hydrants
- Drawdown tests
- Endpoint installs/ repairs
- Flush tower
- Located watermain and curb stops
- Working on Lead Waterlines
- Rebuilt water meters
- Cleaned water tower building
- Got our water survey done with the state
- Been working on completing fixes to the well required by state
- Valve maintenance
- Painted well piping in well 2

#### Wastewater

- Daily testing
- Cleaned clarifiers.
- Cleaned lift pumps
- Decant weekly
- Cleaned grit chamber
- Cleaned flocculator
- Cleaned both Clarifiers
- Settle meter tests
- Cleaned Grit chamber
- Weekly samples

- Sewer line got fixed
- Cleaned aeration bay 1
- Installed winch for raising and lowering decant pump in the sludge tank.
- Rick will be coming to look at some wiring issues at the plant.
- Installed smaller new fridge at wwtp
- Completed mercury samples

## Streets

- Swept streets
- Manhole checks.
- Cleaned storm sewer intakes on street project
- Fixed legion banners
- Trimmed some trees along roads that were hanging really low
- Crack filling got completed
- Put up no parking signs on Ann ST
- Roads from 22 project got chip sealed
- Sprayed weeds

## Parks/Compost

- Picked up garbage
- Maintained brush pile/burned brush pile
- Picked up brush In the parks that fell
- Hauled grass clippings away from baseball field
- Cut up tree that fell over
- Weed whacked along river
- Trimmed trees along walking path in park.
- Sprayed park bathrooms on outside
- Unplugged dam with trees stuck in it
- Sprayed weeds
- Cleaned park bathrooms at both parks/they get cleaned weekly
- Trimmed trees over volleyball court/ all that we could reach with the equipment we have.



## MORRISTOWN CITY COUNCIL MEETING

Regular Meeting, 7:00 p.m.

Monday, July 7, 2025



Members Present: Tim Flaten (Mayor), Leon Gregor, Joe Caldwell, Anna Nusbaum, Val Kruger  
Ellen Judd (City Administrator), Cassie Eldeen (City Clerk)

Others Present: John Chmelik, Kyle Green, Mike Mallow, Kyle Morris, Tony Lindahl, Pam Petersen,  
Rep. Keith Allen

- 
1. Call to Order: A regular meeting of the Morristown City Council was called to order on Monday, July 7<sup>th</sup>, 2025, at 7:00 p.m. in the Community Hall at 402 Division Street South by Mayor Tim Flaten.
  2. Pledge of Allegiance: The Pledge of Allegiance was recited.
  3. Additions/Corrections:
  4. Citizens Comments: Tony Lindahl came to speak about Memorial Park. Concrete has a black oily substance; the Legion is wondering if the water is causing that and what can be done about that to make it look better. Ellen and Austin will go look at it tomorrow. Rep. Keith Allen, District 19A, introduced himself. He spoke about what was accomplished in latest session: LGA \$ to continue, Bonding Bill, worked hard to stop tax increases given the increases that will be coming to a state/county level next year. He also stated he will be holding some listening sessions in the future.
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5. Consent Agenda: Motion by Gregor, seconded by Kruger, and carried unanimously to approve Consent Agenda.
  6. **UNFINISHED BUSINESS:**
    - A. Sheriff Contract Update on 20 hours per week – Come up with another list of questions. Fire Department stand point, it is nice to have them on hand when they are in the area. If there is a call that they don't feel comfortable going in, they wait for a deputy to go in first. The working relationship could be better. We should be talking to Josh more, but that didn't go well. Mayor Flaten was curious about the Sheriff's Office lack of following the contract. Set up a work session.
- 
7. **NEW BUSINESS:**
    - A. Water Bill James Collins sent a letter to the Council regarding his water bill and endpoint issue. Motion By Gregor, seconded by Nusbaum, and carried unanimously to approve a one-time waiver of late fees (\$245), sign an agreement that full balance is paid by August of 2026. Give option for ACH.
    - B. FEMA Payment Bruce Morris and Mayor Flaten are requesting to be paid for 73 hours of Emergency Management Time from the 2024 flood. Gregor questioned documentation and why the bill is submitted so late. Nusbaum asked for the notebook to confirm times worked. Motion by Caldwell to pay Tim & Bruce for the full 73 hours each. Motion died due to no second.
    - C. Paid Leave Administrator Judd shared the information that she has so far on state plans and private plans for the new Minnesota Paid Leave. No decision needs to be made now, but we need to decide by December. Should have private rates by next month's meeting.
    - D. Office Motion by Kruger, seconded by Caldwell, to divide office and create another office at Public Works. Motion passes with ayes – 3 ayes – 2.
    - E. Set Meeting Motion by Nusbaum, seconded by Kruger, and carried unanimously to set work session for July 16<sup>th</sup> at 6 pm and closed meeting to start at or shortly after 7 pm.
    - F. Building Use Motion by Caldwell, seconded by Nusbaum, and carried unanimously for Public Works to have the north half of the Old Maintenance Shop and other city organizations to have the other half of the space.

- G.                      Reviews      Summary of Performance Evaluations and Event Set-up Wage Discussion.  
Administrator Judd said everyone has been doing a great job and are all great assets to the City. Discussion was held regarding Event Set up Wages. Caldwell thinks wages should stay the same and we can reevaluate it at the next review.

H.                      Closed Meeting      Performance Evaluation for City Administrator

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8.      **CORRESPONDENCE & ANNOUNCEMENTS:** Fire Department Open House on August 16<sup>th</sup>. August 5<sup>th</sup> National Night Out at Centennial Park. City Wide Garage Sales July31 - August 2<sup>nd</sup> Corn Feed on August 2<sup>nd</sup> at the Legion.
9.      **COUNCIL DISCUSSION & CONCERNS:** Mayor Flaten would like council to go around the street project and email Lee if there are any issues that need to be taken care of before the project wraps up.
10.    **ADJOURNMENT:**              Motion by Gregor, seconded by Nusbaum, and carried unanimously to close the regular meeting at 8:45 and open the Closed meeting for Performance Evaluation for City Administrator.
11.    **NEXT MEETING:**              Monday, August 4, 2025 – 7:00 p.m.

Approved:

\_\_\_\_\_  
Mayor, Tim Flaten

Attested:

\_\_\_\_\_  
City Clerk, Cassie Eldeen

## MORRISTOWN CITY COUNCIL MEETING MINUTES

Work session, Closed Meeting to follow

Wednesday, July 16, 2025

**City of Morristown**

IN SOUTHERN MINNESOTA LAKES REGION

Best Little Town By A "Dam Site"



Members Present: Tim Flaten (Mayor), Leon Gregor, Joe Caldwell, Val Kruger, Anna Nusbaum  
Others Present: Ellen Judd (City Administrator), Cassie Eldeen (City Clerk), Tim Boese, Kyle Morris

1. Call to Order: A special meeting of the Morristown City Council was called to order on Wednesday, July 16, 2025, at 6:00 p.m. in the Community Hall at 402 Division Street South by Anna Nusbaum.
2. **UNFINISHED BUSINESS:**
  - A Sheriff Contract Discussions continued regarding Rice County Sheriff contract, hours, and rates given by Sheriff Thomas (\$100/hr for 20 hrs/wk). There will be a discussion with Rice County Commissioners regarding proposals. Discussion on potential survey to get public opinion on the subject.
3. **NEW BUSINESS:**
  - A. Safety Caldwell inquired if there is a process for safety audits. Judd stated the process has started. Discussion on snow plowing and insurance coverage. Judd will find an email from our insurance company and send it out.
  - B. Budget Discussion on the 2026 budget and levy. Judd presented some preliminary options to the council. The Council discussed different goals for the city that they would like to see. At the end of the discussion, the council was in agreement with a preliminary budget for 2026.
4. **ADJOURNMENT:** Motion by Murphy, seconded by Caldwell and was carried unanimously to adjourn the Special Meeting at 7:48 p.m.
5. **NEXT MEETING:** Regular Meeting: Monday August 4, 2025 – 7:00 p.m.

Approved:

\_\_\_\_\_  
Mayor, Tim Flaten

Attested:

\_\_\_\_\_  
City Clerk, Cassie Eldeen

## MORRISTOWN CITY COUNCIL MEETING MINUTES

Special Meeting, 7:00 p.m.

Closed Meeting, 7:00 p.m. or soon thereafter

Wednesday, July 16, 2025

**City of Morristown**

IN SOUTHERN MINNESOTA LAKES REGION

*Best Little Town By A "Dam Site"*



Members Present: Tim Flaten (Mayor), Leon Gregor, Joe Caldwell, Anna Nusbaum, Val Kruger

Members Absent:

Others Present: Ellen Judd (City Administrator), Cassie Eldeen (City Clerk), Mark Rahrick (City Attorney)

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1. Call to Order: A special meeting of the Morristown City Council was called to order on Wednesday July 16, 2025 at 7:04 p.m. in the Community Hall at 402 Division Street South by Mayor Tim Flaten.  
Motion by Gregor, seconded by Kruger, and carried unanimously to close the special meeting and open the closed meeting.
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7. **NEW BUSINESS:**  
A Appeal Discussion was held in closed session to discuss litigation.  
Motion by Caldwell, seconded by Nusbaum and carried unanimously to close the closed meeting and open the special meeting at 7:58 p.m.
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10. **ADJOURNMENT:** Motion by Nusbaum, seconded by Kruger and was carried unanimously to adjourn the Special Meeting at 7:59 p.m.
11. **NEXT MEETING:** Regular Meeting: Monday August 4, 2025 – 7:00 p.m.

Approved:

\_\_\_\_\_  
Mayor, Tim Flaten

Attested:

\_\_\_\_\_  
City Clerk, Cassie Eldeen

## MORRISTOWN ZONING BOARD MEETING MINUTES

Regular Meeting, 7:00 p.m.

Thursday, July 17th, 2025

Members Present: Jim Lonergan (Chair), Pamela Petersen, John Krenik, John Schlie, John Chmelik

Members Absent:

Others Present: Cassie Eldeen (City Clerk), Jim Hilpipre

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1. **CALL TO ORDER:** The Morristown Zoning Board Meeting was called to order at 7:00pm by the Zoning Board Chair, Jim Lonergan, on July 17, 2025, in the Council Chambers at City Hall at 402 Division St S.
  2. **ADDITIONS/CORRECTIONS:** Motion by Petersen seconded by Chmelik to accept agenda additions.  
Produce Stand
  3. **APPROVAL OF MINUTES:** Motion by Chmelik, seconded by Krenik to approve minutes as written.  
**REQUESTS TO BE HEARD:**
- 
5. **COUNCIL ACTION AT LAST MEETING:**  
A None
- 
6. **UNFINISHED BUSINESS:**  
A
- 
7. **NEW BUSINESS:**  
A Jim Hilpipre Questions Regarding Building Setback Requirements for a lot that he is interested in purchasing and potentially putting a building on it. He will bring potential plans next month's meeting and go from there to proceed with variance process.  
B Produce Stand Discussion regarding Produce Stand Ordinance. Schlie stated that if we change the ordinance, it opens it up to anybody coming to town to have a produce stand. Motion by Petersen, seconded by Schlie, and approved unanimously to not make any amendments to the ordinance, keep it to residents of Morristown.
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8. **ZONING ADMINISTRATOR'S REPORT:**  
A See attached report.
  9. **BOARD DISCUSSION & CONCERNS:**
  10. **ADJOURNMENT:** Motion by Chmelik, seconded by Krenik and carried unanimously to adjourn at 7:37.
  11. **NEXT MEETING:** Thursday, August 21<sup>st</sup>, 2025 – 7:00 p.m.

Approved:

Attested:

\_\_\_\_\_  
City Clerk, Cassie Eldeen

\_\_\_\_\_  
Mayor, Tim Flaten

# CITY OF MORRISTOWN CLAIMS AND ACCOUNTS

08/01/25 11:18 AM

Page 1

Search Name	Account Descr	Amount	Comments	Check/Receipt Date
G General Ledger				
	G 100-21704 PERA	-\$1,696.90	Labor Distribution	
	G 100-21709 Medicare	-\$11.62	Labor Distribution	
	G 100-21704 PERA	-\$56.09	Labor Distribution	
	G 100-21703 FICA Tax Withholding	-\$49.68	Labor Distribution	
	G 100-21701 Federal Withholding	-\$10.00	Labor Distribution	
	G 100-10100 Cash	-\$333.91	Labor Distribution	
	G 602-10100 Cash	-\$4,013.63	Labor Distribution	
	G 602-10100 Cash	-\$4,455.51	Labor Distribution	
	G 100-21709 Medicare	-\$355.26	Labor Distribution	
	G 100-21703 FICA Tax Withholding	-\$1,519.14	Labor Distribution	
	G 100-21701 Federal Withholding	-\$985.54	Labor Distribution	
	G 601-10100 Cash	-\$1,741.74	Labor Distribution	
	G 100-10100 Cash	-\$2,751.59	Labor Distribution	
	G 100-21709 Medicare	-\$362.36	Labor Distribution	
	G 100-10100 Cash	-\$3,402.40	Labor Distribution	
	G 100-21701 Federal Withholding	-\$1,033.48	Labor Distribution	
	G 100-21702 State Withholding	-\$503.30	Labor Distribution	
	G 100-21704 PERA	-\$1,749.36	Labor Distribution	
	G 601-10100 Cash	-\$1,830.13	Labor Distribution	
	G 100-21703 FICA Tax Withholding	-\$1,549.44	Labor Distribution	
	G 100-21702 State Withholding	-\$536.13	Labor Distribution	
		-\$28,947.21		
G General Ledger				
-E Expenditure				
	E 602-49490-101 Wages and Salaries	\$3,869.29	Labor Distribution	
	E 601-49440-122 Social Security Benefit	\$98.53	Labor Distribution	
	E 601-49440-125 PERA Benefit	\$119.19	Labor Distribution	
	E 601-49440-101 Wages and Salaries	\$1,589.37	Labor Distribution	
	E 100-41946-104 Janitorial	\$94.82	Labor Distribution	
	E 601-49440-123 Medicare Benefit	\$23.04	Labor Distribution	
	E 100-41941-105 Seasonal	\$104.76	Labor Distribution	
	E 100-41425-101 Wages and Salaries	\$1,856.00	Labor Distribution	
	E 100-41425-122 Social Security Benefit	\$115.07	Labor Distribution	
	E 100-41425-123 Medicare Benefit	\$26.91	Labor Distribution	
	E 100-41425-125 PERA Benefit	\$139.21	Labor Distribution	
	E 100-41801-101 Wages and Salaries	\$2,362.08	Labor Distribution	
	E 100-41801-122 Social Security Benefit	\$146.44	Labor Distribution	
	E 100-41801-123 Medicare Benefit	\$34.24	Labor Distribution	
	E 100-41948-104 Janitorial	\$94.82	Labor Distribution	

Check/Receipt  
Date

Search Name	Account Descr	Amount	Comments	
	E 100-41941-101 Wages and Salaries	\$2,279.97	Labor Distribution	
	E 100-41948-125 PERA Benefit	\$5.47	Labor Distribution	
	E 100-41941-122 Social Security Benefit	\$147.86	Labor Distribution	
	E 100-41941-123 Medicare Benefit	\$34.59	Labor Distribution	
	E 100-41941-125 PERA Benefit	\$172.37	Labor Distribution	
	E 100-41946-125 PERA Benefit	\$5.47	Labor Distribution	
	E 100-41946-123 Medicare Benefit	\$1.36	Labor Distribution	
	E 602-49490-122 Social Security Benefit	\$239.92	Labor Distribution	
	E 100-41948-122 Social Security Benefit	\$5.88	Labor Distribution	
	E 100-41948-123 Medicare Benefit	\$1.38	Labor Distribution	
	E 100-41801-125 PERA Benefit	\$177.16	Labor Distribution	
	E 601-49440-101 Wages and Salaries	\$1,512.60	Labor Distribution	
	E 602-49490-122 Social Security Benefit	\$216.10	Labor Distribution	
	E 602-49490-125 PERA Benefit	\$261.43	Labor Distribution	
	E 602-49490-123 Medicare Benefit	\$56.11	Labor Distribution	
	E 602-49490-101 Wages and Salaries	\$3,485.56	Labor Distribution	
	E 100-41946-122 Social Security Benefit	\$5.87	Labor Distribution	
	E 601-49440-125 PERA Benefit	\$113.44	Labor Distribution	
	E 601-49440-123 Medicare Benefit	\$21.93	Labor Distribution	
	E 601-49440-122 Social Security Benefit	\$93.77	Labor Distribution	
	E 100-41941-123 Medicare Benefit	\$47.55	Labor Distribution	
	E 100-41941-122 Social Security Benefit	\$203.33	Labor Distribution	
	E 100-41941-105 Seasonal	\$1,306.28	Labor Distribution	
	E 100-41941-101 Wages and Salaries	\$1,972.96	Labor Distribution	
	E 602-49490-123 Medicare Benefit	\$50.54	Labor Distribution	
	E 100-41801-123 Medicare Benefit	\$34.25	Labor Distribution	
	E 100-41801-122 Social Security Benefit	\$146.45	Labor Distribution	
	E 100-41941-125 PERA Benefit	\$245.94	Labor Distribution	
	E 100-41801-101 Wages and Salaries	\$2,362.08	Labor Distribution	
	E 100-41425-125 PERA Benefit	\$139.20	Labor Distribution	
	E 100-41425-123 Medicare Benefit	\$26.91	Labor Distribution	
	E 100-41425-122 Social Security Benefit	\$115.07	Labor Distribution	
	E 100-41425-101 Wages and Salaries	\$1,856.00	Labor Distribution	
	E 100-41941-125 PERA Benefit	\$30.05	Labor Distribution	
	E 100-41941-123 Medicare Benefit	\$5.81	Labor Distribution	
	E 100-41941-122 Social Security Benefit	\$24.84	Labor Distribution	
	E 100-41941-105 Seasonal	\$400.60	Labor Distribution	
	E 602-49490-125 PERA Benefit	\$290.19	Labor Distribution	
	E 100-41801-125 PERA Benefit	\$177.15	Labor Distribution	
AMAZON BUSINESS	E 100-41948-200 Office Supplies	\$8.99	Sharpies	07/08/25
AMAZON BUSINESS	E 204-42210-215 Operating & Maintenance Supp	\$145.38	Milwaukee Blower	07/08/25
AMAZON BUSINESS	E 602-49490-215 Operating & Maintenance Supp	\$66.59	Trash Bags, Shop Towels	07/08/25

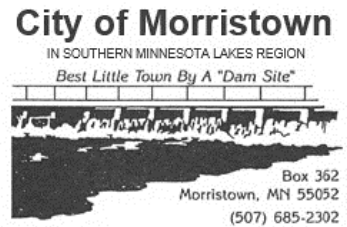
Search Name	Account Descr	Amount	Comments	Check/Receipt Date
AMAZON BUSINESS	E 100-45202-215 Operating & Maintenance Supp	\$76.98	Shelf, Screws	07/08/25
AMAZON BUSINESS	E 100-41946-215 Operating & Maintenance Supp	\$125.99	Government Room Bulletin Board	07/08/25
AMAZON BUSINESS	E 100-41946-240 Small Tools and Equipment	\$53.49	TV Mount	07/08/25
AMAZON BUSINESS	E 100-41941-215 Operating & Maintenance Supp	\$275.76	Tools to organize shop(hooks, hangers, mounts), cauti	07/08/25
ARCHAMBAULT BROTHERS INC	E 603-49520-384 Refuse Disposal	\$5,707.80	June 2025 Trash Removal	07/08/25
BADGER METER	E 602-49490-302 WST Metering & Billing	\$182.65	June 2025 Cellular Service to Endpoints	07/08/25
BADGER METER	E 601-49440-302 WST Metering & Billing	\$182.66	June 2025 Cellular Service to Endpoints	07/08/25
BANYON DATA SYSTEMS	E 602-49490-300 Professional Services	\$285.45	UB Yearly Support	07/08/25
BANYON DATA SYSTEMS	E 601-49440-300 Professional Services	\$285.45	UB Yearly Support	07/08/25
BANYON DATA SYSTEMS	E 603-49520-300 Professional Services	\$294.10	UB Yearly Support	07/08/25
BHE COMMUNITY SOLAR LLC	E 100-41948-380 Utility Services	\$477.69	May 2025 Electricity at 404 Division St S	07/08/25
BHE COMMUNITY SOLAR LLC	E 204-42210-380 Utility Services	\$217.23	May 2025 Electricity at 506 Division St S	07/08/25
BHE COMMUNITY SOLAR LLC	E 601-49440-380 Utility Services	\$635.13	May 2025 Electricity at 504 3rd St SE	07/08/25
BHE COMMUNITY SOLAR LLC	E 100-41941-380 Utility Services	\$217.23	May 2025 Electricity at 109 2nd St SW	07/08/25
BHE COMMUNITY SOLAR LLC	E 100-41946-380 Utility Services	\$477.68	May 2025 Electricity at 404 Division St S	07/08/25
CENTERPOINT ENERGY	E 204-42210-380 Utility Services	\$43.86	5.30.25-7.1.25 Gas Utilities at Fire Hall. Acct#1058355	07/08/25
CLEARWAY COMMUNITY SOLAR LLC	E 602-49490-380 Utility Services	\$1,977.69	5.1.25-5.31.25 Electricity for 75 Verdev Dr: WWTP	07/08/25
CLEARWAY COMMUNITY SOLAR LLC	E 601-49440-380 Utility Services	\$90.78	5.1.25-5.31.25 for 201 Division St: Well #1	07/08/25
COMMUNITY CO-OP OIL ASSN	E 602-49490-212 Motor Fuels	\$97.40	Fuel for June 2025: Acct# 319870	07/08/25
COMMUNITY CO-OP OIL ASSN	E 100-45202-212 Motor Fuels	\$32.47	Fuel for June 2025: Acct# 319870	07/08/25
COMMUNITY CO-OP OIL ASSN	E 204-42210-212 Motor Fuels	\$494.63	Fuel for June 2025: Acct# 620143	07/08/25
COMMUNITY CO-OP OIL ASSN	E 601-49440-212 Motor Fuels	\$64.93	Fuel for June 2025: Acct# 319870	07/08/25
COMMUNITY CO-OP OIL ASSN	E 100-43101-212 Motor Fuels	\$97.40	Fuel for June 2025: Acct# 319870	07/08/25
COMMUNITY CO-OP OIL ASSN	E 100-41941-212 Motor Fuels	\$32.46	Fuel for June 2025: Acct# 319870	07/08/25
DAHLE ENTERPRISES MORRISTOWN	E 100-49201-430 Miscellaneous	\$1,785.00	Dock removal (FEMA covered)	07/08/25
DAHLE ENTERPRISES MORRISTOWN	E 100-49201-430 Miscellaneous	\$1,157.50	Sandbag removal (FEMA covered)	07/08/25
DAHLE ENTERPRISES MORRISTOWN	E 602-49490-300 Professional Services	\$3,407.50	Rented tractor (FEMA covered)	07/08/25
DAHLE ENTERPRISES MORRISTOWN	E 602-49490-300 Professional Services	\$527.00	Temp fix on sanitary manhole (FEMA covered)	07/08/25
ECKBERG LAMMERS	E 100-41610-304 Legal Fees	\$424.36	June 2025 Prosecution Services	07/08/25
ELAN CORPORATE PAYMENT SYSTEM	E 601-49440-202 Postage	\$72.53	1/3 of Postage for utility bills	07/08/25
ELAN CORPORATE PAYMENT SYSTEM	E 602-49490-202 Postage	\$72.51	1/3 of Postage for utility bills	07/08/25
ELAN CORPORATE PAYMENT SYSTEM	E 603-49520-202 Postage	\$72.50	1/3 of Postage for utility bills	07/08/25
ELAN CORPORATE PAYMENT SYSTEM	E 100-41110-215 Operating & Maintenance Supp	\$295.35	Dam Days Parade Candy	07/08/25
ELAN CORPORATE PAYMENT SYSTEM	E 602-49490-432 Training/Conferences	\$300.00	Wastewater training for Ellen	07/08/25
FARIBAULT FLEET SUPPLY	E 100-45202-215 Operating & Maintenance Supp	\$47.32	Oil, Insect Killer, Glue, keys	07/08/25
FREEBORN COUNTY COOP OIL	E 100-43101-300 Professional Services	\$1,209.12	Dust control on Franklin St	07/08/25
HARRY BROWNS	E 601-49440-300 Professional Services	\$288.91	2020 Chevy Diagnostic Codes	07/08/25
HARRY BROWNS	E 602-49490-300 Professional Services	\$288.91	2020 Chevy Diagnostic Codes	07/08/25
HEIMAN INC	E 204-42210-215 Operating & Maintenance Supp	\$995.55	5 - 5 gallon pails foam	07/08/25
JOHNNY ON THE SPOT	E 100-45202-418 Rentals: Portable Rest Rooms	\$208.50	April-May, Portable Restrooms	07/08/25
LINCOLN NATIONAL LIFE INSURANCE	E 100-41425-130 Employer Paid Insurance	\$3.45	**Assign EFT#!!	07/08/25
LINCOLN NATIONAL LIFE INSURANCE	E 100-41801-130 Employer Paid Insurance	\$3.45	MONTH Life Insurance	07/08/25



Search Name	Account Descr	Amount	Comments	Check/Receipt Date
LINCOLN NATIONAL LIFE INSURANCE	E 100-41941-130 Employer Paid Insurance	\$6.90		07/08/25
LINCOLN NATIONAL LIFE INSURANCE	E 100-41801-130 Employer Paid Insurance	\$3.45	July 2025 Life Insurance	07/08/25
LINCOLN NATIONAL LIFE INSURANCE	E 100-41941-130 Employer Paid Insurance	\$3.45	July 2025 Life Insurance	07/08/25
MENARDS - DUNDAS	E 100-41946-215 Operating & Maintenance Supp	\$54.98	Parts for Community Center Door	07/08/25
MENARDS - DUNDAS	E 100-41941-215 Operating & Maintenance Supp	\$21.98	PW Maintenance supplies	07/08/25
MIKE OROURKE	E 708-45202-215 Operating & Maintenance Supp	\$43.71	Centennial Park Supplies	07/08/25
MN PUMP WORKS	E 602-49490-215 Operating & Maintenance Supp	\$10,809.46	New Pump in main liftstation (insurance paid)	07/08/25
MN PUMP WORKS	E 602-49490-300 Professional Services	\$3,874.79	Installation of pump kit (insurance paid)	07/08/25
NAPA WATERVERVILLE	E 100-45202-215 Operating & Maintenance Supp	\$54.05	Mower Parts	07/08/25
NAPA WATERVERVILLE	E 602-49490-215 Operating & Maintenance Supp	\$51.81	Oil & Filter for 1 Ton Chevy	07/08/25
NAPA WATERVERVILLE	E 601-49440-215 Operating & Maintenance Supp	\$51.80	Oil & Filter for 1 Ton Chevy	07/08/25
OK TIRE	E 100-45202-300 Professional Services	\$280.00	LF Axle Seal - Ram 5500	07/08/25
OK TIRE	E 100-43102-300 Professional Services	\$280.00	LF Axle Seal - Ram 5500	07/08/25
PLUNKETTS PEST CONTROL INC	E 100-41948-310 Pest Control	\$113.93	Pest Control at City Hall	07/08/25
PLUNKETTS PEST CONTROL INC	E 204-42210-310 Pest Control	\$214.10	Pest Control at Fire Hall	07/08/25
PLUNKETTS PEST CONTROL INC	E 100-41946-310 Pest Control	\$113.92	Pest Control at Community Center	07/08/25
SMITH, TOLLEFSON RAHRICK AND CA	E 100-41610-304 Legal Fees	\$3,380.40	4.1.25-6.30.25, City Attorney Legal Fees	07/08/25
SUEL PRINTING COMPANY	E 100-41110-350 Printing and Binding	\$66.00	Summary Publication Ordinance Regulaing Cannabis B	07/08/25
UTILITY CONSULTANTS INC	E 602-49490-306 W/S Sample Testing	\$1,081.85	Weekly Sewer Samples	07/08/25
FLATEN TRUCKING	E 100-43101-300 Professional Services	\$637.50	Pallet trucking for 2024 flood. (FEMA covered)	07/16/25
CENTERPOINT ENERGY	E 602-49490-380 Utility Services	\$24.03	June 2025 Sewer Plant Gas Utilities	07/22/25
CENTERPOINT ENERGY	E 100-41948-380 Utility Services	\$34.06	June 2025 City Hall Gas Utilities	07/22/25
CENTERPOINT ENERGY	E 100-41941-380 Utility Services	\$21.30	June 2025 Maintenance Shop Gas Utilities	07/22/25
CENTERPOINT ENERGY	E 601-49440-380 Utility Services	\$16.91	June 2025 Water Pump Gas Utilities	07/22/25
CENTERPOINT ENERGY	E 601-49440-380 Utility Services	\$18.00	June 2025 Water Tower Gas Utilities	07/22/25
CENTERPOINT ENERGY	E 100-41946-380 Utility Services	\$34.06	June 2025 Community Center Gas Utilities	07/22/25
EO JOHNSON CO INC	E 204-42210-206 Printer/Rental/Software	\$15.91	7.8.25-8.7.25 Toshiba Coverage	07/22/25
EO JOHNSON CO INC	E 601-49440-206 Printer/Rental/Software	\$31.83	7.8.25-8.7.25 Toshiba Coverage	07/22/25
EO JOHNSON CO INC	E 602-49490-206 Printer/Rental/Software	\$31.83	7.8.25-8.7.25 Toshiba Coverage	07/22/25
EO JOHNSON CO INC	E 603-49520-206 Printer/Rental/Software	\$15.91	7.8.25-8.7.25 Toshiba Coverage	07/22/25
EO JOHNSON CO INC	E 100-41948-206 Printer/Rental/Software	\$63.66	7.8.25-8.7.25 Toshiba Coverage	07/22/25
HAWKINS INC	E 601-49440-216 Chemicals	\$1,836.03	Water Tower Chemicals	07/22/25
HAWKINS INC	E 602-49490-216 Chemicals	\$50.00	WWTP Chemicals	07/22/25
HAWKINS INC	E 601-49440-216 Chemicals	\$10.00	Water Tower Chemicals	07/22/25
MENARDS - DUNDAS	E 100-41948-215 Operating & Maintenance Supp	\$48.86	Vault Door Kick Plate	07/22/25
MENARDS - DUNDAS	E 602-49490-215 Operating & Maintenance Supp	\$599.00	Refrigerator for Treatment Plant	07/22/25
MN POLLUTION CONTROL AGENCY	E 602-49490-433 Dues/Subscriptions	\$23.00	Ellen Wastewater Operator Renewal	07/22/25
MN POLLUTION CONTROL AGENCY	E 602-49490-433 Dues/Subscriptions	\$1,450.00	Annual Wastewater Permit Fee	07/22/25
SUEL PRINTING COMPANY	E 100-41110-350 Printing and Binding	\$66.00	Publishing of Ordinance Amending Section 110.14	07/22/25
TEAM LAB	E 602-49490-216 Chemicals	\$849.50	WWTP Super/mega bugs	07/22/25
TOMS LOCK AND KEY LLC	E 100-41946-300 Professional Services	\$1,310.00	Keyless Locks for Bar & Storage	07/22/25
US BANK	E 372-47210-611 Bond Interest	\$36,296.25	2025 Fall Payment, Interest: Series 2024A	07/22/25

Search Name	Account Descr	Amount	Comments	Check/Receipt Date
US BANK	E 371-47210-611 Bond Interest	\$36,550.00	2025 Fall Payment, Interest: Series 2022A	07/22/25
US BANK	E 370-47210-611 Bond Interest	\$9,460.00	2025 Fall Payment, Interest: Series 2020A	07/22/25
USA BLUEBOOK	E 601-49440-216 Chemicals	\$193.17	Water Chemicals	07/22/25
USA BLUEBOOK	E 602-49490-216 Chemicals	\$193.16	Sewer Chemicals	07/22/25
XCEL ENERGY	E 602-49490-380 Utility Services	-\$422.34	6.11.25-7.13.25 Electricity: Sewer Pump (WWTP)	07/22/25
XCEL ENERGY	E 100-43101-387 Street Lighting	\$1,432.69	6.11.25-7.13.25 Electricity: Street Lights Co-owned	07/22/25
XCEL ENERGY	E 100-41944-380 Utility Services	\$36.63	6.11.25-7.13.25 Electricity: Historic Site (Feed Mill)	07/22/25
XCEL ENERGY	E 100-43101-387 Street Lighting	\$18.72	6.11.25-7.13.25 Electricity: Auto Protective	07/22/25
XCEL ENERGY	E 100-43101-387 Street Lighting	\$8.69	6.11.25-7.13.25 Electricity: Street Lights	07/22/25
XCEL ENERGY	E 204-42210-380 Utility Services	\$652.96	6.11.25-7.13.25 Electricity: Fire Hall	07/22/25
XCEL ENERGY	E 601-49440-380 Utility Services	-\$101.33	6.11.25-7.13.25 Electricity: Water Tower	07/22/25
XCEL ENERGY	E 602-49490-380 Utility Services	\$9.54	6.11.25-7.13.25 Electricity: Water Pump (Liftstation)	07/22/25
XCEL ENERGY	E 100-41941-380 Utility Services	-\$66.96	6.11.25-7.13.25 Electricity: Maintenance Shop	07/22/25
XCEL ENERGY	E 100-41946-380 Utility Services	\$298.38	6.11.25-7.13.25 Electricity: Community Center	07/22/25
XCEL ENERGY	E 100-45202-380 Utility Services	\$27.84	6.11.25-7.13.25 Electricity: Parks	07/22/25
XCEL ENERGY	E 601-49440-380 Utility Services	\$82.13	6.11.25-7.13.25 Electricity: Water Pump (Well#1)	07/22/25
XCEL ENERGY	E 100-43101-387 Street Lighting	-\$72.80	6.11.25-7.13.25 Electricity: Street Lights	07/22/25
-E Expenditure		\$165,045.24		
		\$136,098.03		

# AGENDA MEMO



**Agenda Item:** Zoning Administrator

**To:** City Council

**From:** Ellen Judd

**Meeting Date:** 8/4/2025

**Meeting Type:** Regular Meeting

**Subject:** Zoning Administrator – Remove Zoning Administrator as Member of Zoning Board

**Action Requested:** Motion to remove the Zoning Administrator from the Zoning Board.

**Staff Recommends:** Approve

**Committee Recommends:** Approve

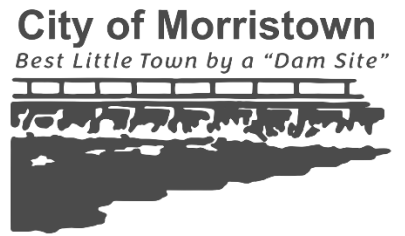
**Attachments:** None

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**Previous Council Action:** 10/2/2023: Jim Lonergan, the Zoning Chair, stated that the Zoning Board frequently doesn't have a quorum and would benefit from adding the Zoning Administrator as a voting member to help them have a quorum.  
- Motion by Gregor, seconded by Golombeski and was carried unanimously to appoint the Zoning Administrator to the Zoning Board.

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**Overview:** The Zoning Board now has five people appointed to it. The Zoning Administrator makes six, and can result in a tie-vote. Requesting a motion to remove him from the Zoning Board.



# ***AGENDA MEMO***

**Agenda Item:** Gambling Application

**To:** City Council

**From:** Ellen Judd

**Meeting Date:** 8/4/2025

**Meeting Type:** Regular Meeting

**Subject:** Gambling Application – Approve the Gambling Application for Sportsmen’s Club  
Motion to approve the application ‘LG220 Application for Exempt Permit’ for the

**Action Requested:** Waterville Sportsmen’s Club for October 11<sup>th</sup>, and authorize the City Clerk to sign the application.

**Staff Recommends:** Approve

**Committee Recommends:**

**Attachments:** LG220 Application for Exempt Permit’

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**Previous Council Action:** Council has approved similar applications in the past.

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**Overview:** Make a motion to approve the application as submitted.



**LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization

Name: Waterville Sportsman's Club

Previous Gambling

Permit Number: X- 40003-24-20

Minnesota Tax ID

Number, if any: \_\_\_\_\_

Federal Employer ID

Number (FEIN), if any: \_\_\_\_\_

Mailing Address: 228 2<sup>nd</sup> St. S.

City: Waterville State: MN Zip: 56096 County: LeSueur

Name of Chief Executive Officer (CEO): Troy Tolzman

CEO Daytime Phone: \_\_\_\_\_ CEO Email: \_\_\_\_\_

(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): \_\_\_\_\_

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):

- ☐ Fraternal ☐ Religious ☐ Veterans ☒ Other Nonprofit Organization

**Attach a copy of one of the following showing proof of nonprofit status:**

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

☒ **A current calendar year Certificate of Good Standing**

Don't have a copy? Obtain this certificate from:

MN Secretary of State, Business Services Division  
60 Empire Drive, Suite 100  
St. Paul, MN 55103

Secretary of State website, phone numbers:

[www.sos.state.mn.us](http://www.sos.state.mn.us)

651-296-2803, or toll free 1-877-551-6767

☐ **IRS income tax exemption (501(c)) letter in your organization's name**

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**

If your organization falls under a parent organization, attach copies of both of the following:

1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted

(for raffles, list the site where the drawing will take place): Morristown Community Center

Physical Address (do not use P.O. box): 402 Division St. S.

Check one:

☒ City: Morristown Zip: 55052 County: Rice

☐ Township: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Date(s) of activity (for raffles, indicate the date of the drawing): October 11

Check each type of gambling activity that your organization will conduct:

- ☐ Bingo ☐ Paddlewheels ☐ Pull-Tabs ☐ Tipboards ☒ Raffle

**Gambling equipment** for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to



**LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT (required before submitting application to the Minnesota Gambling Control Board)**

**CITY APPROVAL  
for a gambling premises  
located within city limits**

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
- ☐ The application is denied.

Print City Name: \_\_\_\_\_

Signature of City Personnel: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**The city or county must sign before  
submitting application to the  
Gambling Control Board.**

**COUNTY APPROVAL  
for a gambling premises  
located in a township**

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30-day waiting period, and allows the Board to issue a permit after 30 days.
- ☐ The application is denied.

Print County Name: \_\_\_\_\_

Signature of County Personnel: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**TOWNSHIP (if required by the county)**

On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits. (A township has no statutory authority to approve or deny an application, per Minn. Statutes, section 349.213.)

Print Township Name: \_\_\_\_\_

Signature of Township Officer: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**CHIEF EXECUTIVE OFFICER'S SIGNATURE (required)**

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief Executive Officer's Signature: [Signature] Date: 7-14-25  
(Signature must be CEO's signature; designee may not sign)

Print Name: Troy Tolzman

**REQUIREMENTS**

**Complete a separate application for:**

- all gambling conducted on two or more consecutive days; or
- all gambling conducted on one day.

Only one application is required if one or more raffle drawings are conducted on the same day.

**Financial report to be completed within 30 days after the gambling activity is done:**

A financial report form will be mailed with your permit. Complete and return the financial report form to the Gambling Control Board.

Your organization must keep all exempt records and reports for 3-1/2 years (Minn. Statutes, section 349.166, subd. 2(f)).

**MAIL APPLICATION AND ATTACHMENTS**

**Mail application with:**

- \_\_\_\_\_ a copy of your proof of nonprofit status; and
- \_\_\_\_\_ application fee (non-refundable). If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**. Make check payable to **State of Minnesota**.

**To:** Minnesota Gambling Control Board  
1711 West County Road B, Suite 300 South  
Roseville, MN 55113

**Questions?**

Call the Licensing Section of the Gambling Control Board at 651-539-1900.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the

application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to Board members, Board staff whose work requires access to the information; Minnesota's Depart-

ment of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.



INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JAN 14 2020

THE WATERVILLE SPORTSMENS CLUB  
C/O LEAH KAISER  
129 1ST STREET N  
WATERVILLE, MN 56096-0000

Employer Identification Number:  
84-3982589  
DLN:  
26053752002419  
Contact Person:  
CUSTOMER SERVICE ID# 31954  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
June 30  
Public Charity Status:  
509(a)(2)  
Form 990/990-EZ/990-N Required:  
Yes  
Effective Date of Exemption:  
December 16, 2019  
Contribution Deductibility:  
Yes  
Addendum Applies:  
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947



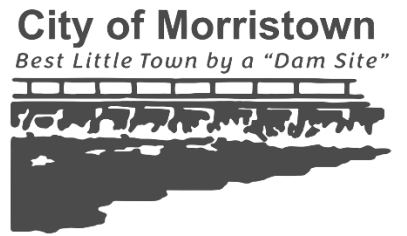
THE WATERVILLE SPORTSMENS CLUB

Sincerely,

*Stephen A. Martin*

Director, Exempt Organizations  
Rulings and Agreements





# AGENDA MEMO

**Agenda Item:** Ordinance 2025-4

**To:** City Council

**From:** Ellen Judd

**Meeting Date:** 8/4/2025

**Meeting Type:** Regular Meeting

**Subject:** Ordinance 2025-4 – Chapter 112 Amendment - Tobacco

**Action Requested:** Motion to post Ordinance 2025-4 Chapter 112 Amendment – Tobacco for 10 days.

**Staff Recommends:** Approve

**Committee Recommends:**

**Attachments:** Ordinance 2025-4 Chapter 112 Amendment

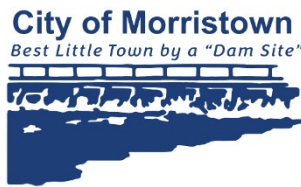
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**Previous Council Action:**

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**Overview:** Updating the legal age to purchase tobacco from 18 to 21 years of age.

Updating the administrative fine amount to follow State Statute.



**ORDINANCE 2025-4**  
**AN ORDINANCE AMENDING CHAPTER 112**  
**OF THE MORRISTOWN CITY CODE**

THE CITY COUNCIL OF THE CITY OF MORRISTOWN DOES ORDAIN:

Morristown City Code Chapter 112, entitled, “Tobacco Regulations”, is hereby amended as follows (changes are underlined):

**§ 112.01 PURPOSE**

Because the city recognizes that many persons under the age of 18 21 years purchase or otherwise obtain, possess, and use tobacco, tobacco products, and tobacco related devices, and the sales, possession, and use are violations of both state and federal laws; and because studies, which the city hereby accepts and adopts, have shown that most smokers begin smoking before they have reached the age of 18 21 years and that those persons who reach the age of 18 21 years without having started smoking are significantly less likely to begin smoking; and because smoking has been shown to be the cause of several serious health problems which subsequently place a financial burden on all levels of government, this chapter shall be intended to regulate the sale, possession, and use of tobacco, tobacco products, and tobacco related devices for the purpose of enforcing and furthering existing laws, to protect minors against the serious effects associated with the illegal use of tobacco, tobacco products, and tobacco related devices, and to further the official public policy of the State of Minnesota in regard to preventing young people from starting to smoke as stated in M.S. § 144.391, as it may be amended from time to time.

**§ 112.02 DEFINITIONS AND INTERPRETATIONS**

**COMPLIANCE CHECKS.** The system the city uses to investigate and ensure that those authorized to sell tobacco, tobacco products, and tobacco related devices are following and complying with the requirements of this chapter. Compliance checks shall involve the use of minors persons at least 17 years of age, but under the age of 21 as authorized by this chapter. Compliance checks shall also mean the use of minors persons at least 17 years of age, but under the age of 21 who attempt to purchase tobacco, tobacco products, or tobacco related devices for educational, research and training purposes as authorized by state and federal laws. Compliance checks may also be conducted by other units of government for the purpose of enforcing appropriate federal, state, or local laws and regulations relating to tobacco, tobacco products, and tobacco related devices.

**§ 112.06 PROHIBITED SALES**

It shall be a violation of this chapter for any person to sell or offer to sell any tobacco, tobacco product, or tobacco related device:

- (A) To any person under the age of 18 21 years.

**§ 112.08 SELF-SERVICE SALES**

(B) *Exception.* A license holder who operates an establishment that sells only tobacco related products is exempt from the self service merchandising provision if the license holder prohibits anyone under 18 21 years of age from entering the establishment, unless accompanied by a parent, and the license holder conspicuously displays a notice prohibiting persons under 18 21 years of age from entering the establishment unless accompanied by a parent.

**§ 112.09 COMPLIANCE CHECKS AND INSPECTIONS**

All licensed premises shall be open to inspection by the city police or other authorized city official during regular business hours. From time to time, but at least once per year, the city shall conduct compliance checks by

engaging, minors over the age of 15 years but less than 18 years, persons at least 17 years of age, but under the age of 21 with the written consent of their parents or guardians, if the person is under the age of 18, to enter the licensed premise to attempt to purchase tobacco, tobacco products, or tobacco related devices. Minors Persons used for the purpose of compliance checks shall be supervised by city designated law enforcement of officers or other designated city personnel. Minors Persons used for compliance checks shall not be guilty of unlawful possession of tobacco, tobacco products, or tobacco related devices when the items are obtained as a part of the compliance check. No minor persons used in compliance checks shall attempt to use a false identification misrepresenting the minor's person's age, and all minors persons lawfully engaged in a compliance check shall answer all questions about the minor's person's age asked by the licensee or his or her employee and shall produce any identification, if any exists, for which he or she is asked. Nothing in this section shall prohibit compliance checks authorized by state or federal laws for educational, research, or trading purposes, or required for the enforcement of a particular state or federal law.

## § 112.10 OTHER ILLEGAL ACTS

(A) *Generally.* Unless otherwise provided, the following acts shall be a violation of this chapter.

(B) *Specifically.*

(1) *Illegal sales.* It shall be a violation of this chapter for any person to sell or otherwise provide any tobacco, tobacco product, or tobacco related device to any minor person under the age of 21 years.

(2) *Illegal possession.* It shall be a violation of this chapter for any minor person under the age of 21 years to have in his or her possession any tobacco, tobacco product, or tobacco related device. This division (B)(2) shall not apply to minors persons lawfully involved in a compliance check.

(3) *Illegal use.* It shall be a violation of this chapter for any minor person under the age of 21 to smoke, chew, sniff, or otherwise use any tobacco, tobacco product, or tobacco related device.

(4) *Illegal procurement.* It shall be a violation of this chapter for any minor person under the age of 21 to purchase or attempt to purchase or otherwise obtain any tobacco, tobacco product, or tobacco related device, and it shall be a violation of this chapter for any person to purchase or otherwise obtain the items on behalf of a minor person under the age of 21. It shall further be a violation for any person to coerce or attempt to coerce a minor person under the age of 21 to illegally purchase or otherwise obtain or use any tobacco, tobacco product, or tobacco related device. This division (B)(4) shall not apply to minors persons lawfully involved in a compliance check.

(5) *Use of false identification.* It shall be a violation of this chapter for any minor person under the age of 21 to attempt to disguise his or her true age by the use of a false form of identification, whether the identification is that of another person or one on which the age of the person has been modified or tampered with to represent an age older than the actual age of the person.

## § 112.11 VIOLATIONS

(B) *Licensees and employees.* Any licensee, and any employee of a licensee, violating this chapter shall be charged an administrative fine(s) in accordance with M.S. § 161.12 Subd. 2. of \$75 for a first violation of this chapter; \$200 for a second offense at the same licensed premises within a 24 month period; and \$250 for a third or subsequent offense at the same location within a 24 month period. In addition, after the third offense, the license shall be suspended for not less than 7 days, or action taken pursuant to division (E) below.

## § 112.13 EXCEPTIONS AND DEFENSES

Nothing in this chapter shall prevent the providing of tobacco, tobacco products, or tobacco related devices to a minor person under the age of 21 as part of a lawfully recognized religious, spiritual, or cultural ceremony. It

shall be an affirmative defense to the violation of this chapter for a person to have reasonably relied on proof of age as described by state law.

Passed and adopted this \_\_\_\_ day of \_\_\_\_, 2025, with the following vote: Aye \_\_ ; Nay \_\_ ; Abstain \_\_ .

\_\_\_\_\_  
Tim Flaten  
Mayor

ATTEST:

\_\_\_\_\_  
Cassie Eldeen  
City Clerk

DRAFT



# ***AGENDA MEMO***

**Agenda Item:** Pay App #6

**To:** City Council

**From:** Ellen Judd

**Meeting Date:** 8/4/2025

**Meeting Type:** Regular Meeting

**Subject:** Pay App #6 – Payment Application #6 to Holtmeier Construction

**Action Requested:** Motion to approve paying payment application #6 to Holtmeier Construction in the amount of \$254,042.72.

**Staff Recommends:** Approve

**Committee Recommends:**

**Attachments:** Payment Application #6

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**Previous Council Action:**

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**Overview:**



Application for Payment  
(Unit Price Contract)  
No. Six

Eng. Project No.: MORRT 175931

Location: Morristown, Minnesota

Contractor	Holtmeier Construction, Inc.	Contract Date	May 21, 2024
	3301 Third Avenue		
	Mankato, MN 56001	Contract Amount	\$ 2,495,098.58

Contract for 2024 Street and Utility Improvement Project

Application Date August 4, 2025

For Period Ending September 31, 2025

Item No.	Item	Unit	Est. Quantity	Previous Quantity	Quantity to Date	Unit Price	Total Price
<b>BASE BID</b>							
<b>Street, Curb</b>							
2021.501	MOBILIZATION	LUMP					
		SUM	1.0	0.95	1.00	\$49,413.00	\$49,413.00
2101.524	CLEARING (12"-28" DIAMETER)	TREE	1.0	4.0	4.0	\$750.00	\$3,000.00
2101.524	GRUBBING (12"-28" DIAMETER)	TREE	1.0	8.0	8.0	\$150.00	\$1,200.00
2104.503	REMOVE CURB AND GUTTER	LIN FT	392.0	340.0	340.0	\$2.00	\$680.00
2104.503	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	715.0	826.0	826.0	\$3.00	\$2,478.00
2104.518	REMOVE CONCRETE WALK	SQ FT	6,190.0	5,996.0	5,996.0	\$0.75	\$4,497.00
2104.504	REMOVE BITUMINOUS PAVEMENT (P)	SQ YD	11,257.0	12,550.9	12,550.9	\$2.00	\$25,101.80
2104.504	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	550.0	582.5	582.5	\$3.50	\$2,038.75
2104.504	REMOVE CONCRETE DRIVEWAY PAVEMENT	SQ YD	655.0	459.2	459.2	\$6.50	\$2,984.80
2105.504	GEOTEXTILE FABRIC, TYPE 5, (NON- WOVEN)	SQ YD	14,790.0	12,161.3	12,161.3	\$1.65	\$20,066.13
2105.609	MINOR GRADING	ROAD STA	24.0	15.0	15.0	\$1,000.00	\$15,000.00
2105.609	CRUSHED ROCK (PIPE FOUNDATION) MNDOT 3149.2G2	TON	400.0	242.4	242.4	\$23.55	\$5,708.52
2106.507	EXCAVATION-COMMON (EV) (P)	CU YD	10,040.0	10,040.0	10,040.0	\$12.40	\$124,496.00
2106.507	EXCAVATION-SUBGRADE (EV)	CU YD	1,004.0	483.0	483.0	\$10.75	\$5,192.25
2106.507	SELECT GRANULAR EMBANKMENT (CV) (P)	CU YD	4,930.0	4,930.0	4,930.0	\$16.05	\$79,126.50
2112.519	SUBGRADE PREPARATION	ROAD STA	36.0	7.0	7.0	\$580.00	\$4,060.00
2118.509	AGG SURFACING, CLASS 5 (DRIVEWAYS, 100% CRUSHED LIMESTONE)	TON	625.0	5.4	27.4	\$30.75	\$842.55
2123.510	INVESTIGATIVE EXPLORATION	HOUR	10.0	12.0	12.0	\$285.00	\$3,420.00
2123.610	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	10.0	8.0	8.0	\$125.00	\$1,000.00
2130.523	WATER (DUST CONTROL)	M GALLON	40.0	0.0	0.0	\$60.00	\$0.00
2211.507	SHOULDER BASE AGGREGATE (CV)	TON	63.0	45.1	45.1	\$53.70	\$2,421.87
2211.507	AGGREGATE BASE (CV) CLASS 5 (P)	CU YD	3,287.0	3,287.0	3,287.0	\$30.95	\$101,732.65
2302.502	DRILL AND GROUT REINFORCEMENT BARS	EACH	82.0	84.0	84.0	\$10.00	\$840.00

Item No.	Item	Unit	Est. Quantity	Previous Quantity	Quantity to Date	Unit Price	Total Price
2357.506	BITUMINOUS MATERIAL FOR TACK COAT	GALLON	875.0	55.2	950.0	\$0.01	\$9.50
2360.504	TYPE SP 9.5 WEARING COURSE MIX (2,B)(SPWEA230B) (4")	SY	210.0	171.2	203.0	\$44.00	\$8,932.00
2360.509	TYPE SP 12.5 NON WEAR COURSE MIX (2,B) (SPNWB230B)	TON	1,891.0	1,888.4	1,888.0	\$75.25	\$142,072.00
2360.509	TYPE SP 9.5 WEAR COURSE MIX (3,C) (SPWEA340C)	TON	1,203.0	29.0	1,179.6	\$90.00	\$106,164.00
2502.503	6" PERF PVC PIPE DRAIN W/GEOTEXTILE WRAP AND GRANULAR BEDDING	LIN FT	5,772.0	5,644.0	5,644.0	\$12.60	\$71,114.40
2502.602	6" PVC PIPE DRAIN CLEANOUT	EACH	19.0	20.0	20.0	\$398.35	\$7,967.00
2506.502	CASTING ASSEMBLY SPECIAL	EACH	1.0	0.0	0.0	\$341.35	\$0.00
2521.518	4" CONCRETE WALK	SQ FT	6,183.0	6,830.0	6,830.0	\$6.85	\$46,785.50
2521.518	6" CONCRETE WALK	SQ FT	4,465.0	4,317.0	4,317.0	\$10.40	\$44,896.80
2531.503	CONCRETE CURB & GUTTER, DESIGN D418	LIN FT	2,817.0	3,093.5	3,093.5	\$19.30	\$59,704.55
2531.503	CONCRETE CURB & GUTTER, DESIGN B418	LIN FT	534.0	483.0	483.0	\$25.50	\$12,316.50
2531.503	CONCRETE CURB & GUTTER, DESIGN B618	LIN FT	313.0	115.0	282.0	\$34.90	\$9,841.80
2531.603	CONCRETE SILL	LIN FT	420.0	555.0	555.0	\$4.50	\$2,497.50
2531.604	8" CONCRETE VALLEY GUTTER	SQ YD	445.0	142.0	142.0	\$95.85	\$13,610.70
2531.504	7" CONCRETE DRIVEWAY PAVEMENT	SQ YD	848.0	683.4	683.4	\$95.40	\$65,196.36
2531.618	TRUNCATED DOMES	SQ FT	75.0	77.0	77.0	\$55.00	\$4,235.00
2540.602	SALVAGE AND INSTALL MAIL BOX	EACH	11.0	11.0	11.0	\$250.00	\$2,750.00
2563.601	TRAFFIC CONTROL	LUMP					
		SUM	1.0	0.90	1.00	\$12,500.00	\$12,500.00
2564.518	SIGN PANELS TYPE C	SQ FT	18.7	8.0	8.0	\$70.00	\$560.00
2564.502	SALVAGE AND INSTALL SIGN TYPE SPECIAL (STREET PLAQUES)	EACH	9.0	17.0	17.0	\$350.00	\$5,950.00
2573.502	STABILIZED CONSTRUCTION ENTRANCE	EACH	12.0	3.0	3.0	\$0.01	\$0.03
2573.502	STORM DRAIN INLET PROTECTION	EACH	36.0	33.0	33.0	\$175.00	\$5,775.00
2573.503	SEDIMENT CONTROL LOG TYPE STRAW	LIN FT	600.0	200.0	260.0	\$2.00	\$520.00
2574.507	BOULEVARD TOPSOIL BORROW (CV)	CU YD	1,514.0	1,238.0	1,262.0	\$18.75	\$23,662.50
2575.504	OVER-SEEDING	SQ YD	9,245.0	0.0	3,369.0	\$0.75	\$2,526.75
2575.504	WEED SPRAYING	SQ YD	9,245.0	0.0	9,511.0	\$0.10	\$951.10
2575.523	WATER (TURF RESTORATION)	M					
		GALLON	250.0	7.5	40.5	\$30.00	\$1,215.00
2575.604	TURF ESTABLISHMENT (TEMPORARY)	SQ YD	1,000.0	7,609.6	7,609.6	\$0.75	\$5,707.17
2575.604	TURF ESTABLISHMENT (PERMANENT)	SQ YD	9,245.0	4,167.44	8,886.70	\$1.75	\$15,551.73
2582.503	8" SOLID LINE MULTI-COMPONENT (WHITE)(PED RAMP CROSSINGS)	LIN FT	113.0	0.0	113.0	\$10.00	\$1,130.00
<b>Street, Curb &amp; Gutter, Sidewalk, Driveways, Drainage Pipe Total</b>							<b>\$1,129,442.70</b>
<b>Storm Sewer</b>							
2104.502	REMOVE DRAINAGE STRUCTURE	EACH	21.0	15.5	15.5	\$300.00	\$4,650.00
2104.503	REMOVE PIPE SEWER OR CULVERT (STORM) (ANY SIZE)	LIN FT	2,612.0	2,475.0	2,475.0	\$9.50	\$23,512.50
2502.602	LAWN SUMP CATCH BASIN (UNIT)	EACH	39.0	10.0	10.0	\$184.65	\$1,846.50
2502.602	LAWN SUMP CATCH BASIN STUB	EACH	39.0	10.0	10.0	\$310.55	\$3,105.50
2503.503	8" PIPE SEWER	LIN FT	415.0	368.0	368.0	\$35.25	\$12,972.00
2503.503	12" PIPE SEWER	LIN FT	480.0	477.0	477.0	\$42.00	\$20,034.00

Item No.	Item	Unit	Est. Quantity	Previous Quantity	Quantity to Date	Unit Price	Total Price
2503.503	15" PIPE SEWER	LIN FT	240.0	218.0	218.0	\$50.00	\$10,900.00
2503.503	18" PIPE SEWER	LIN FT	906.0	878.0	878.0	\$53.50	\$46,973.00
2503.503	24" PIPE SEWER	LIN FT	1,013.0	1,062.0	1,062.0	\$77.40	\$82,198.80
2503.503	30" PIPE SEWER	LIN FT	352.0	344.0	344.0	\$95.95	\$33,006.80
2506.503	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	LIN FT	52.8	37.5	37.5	\$473.80	\$17,767.50
2506.503	CONSTRUCT DRAINAGE STRUCTURE DESIGN 60-4020	LIN FT	44.3	54.5	54.5	\$894.30	\$48,739.35
2506.503	CONSTRUCT DRAINAGE STRUCTURE SPECIAL (DESIGN H)	LIN FT	14.5	14.5	14.5	\$458.45	\$6,647.53
2506.503	CONSTRUCT DRAINAGE STRUCTURE SPECIAL (TYPE 477)	LIN FT	25.4	19.5	19.5	\$499.40	\$9,738.30
2506.502	CONSTRUCT DRAINAGE STRUCTURE SPECIAL #1 (NYLOPLAST 12")	EACH	6.0	7.0	7.0	\$1,146.25	\$8,023.75
2506.502	CONSTRUCT DRAINAGE STRUCTURE SPECIAL #2 (NYLOPLAST 18")	EACH	9.0	4.0	4.0	\$1,661.70	\$6,646.80
2506.502	CONSTRUCT DRAINAGE STRUCTURE SPECIAL #3 (NYLOPLAST 24")	EACH	3.0	6.0	6.0	\$2,183.80	\$13,102.80
2506.502	CONSTRUCT DRAINAGE STRUCTURE SPECIAL #4 (ROOF DRAIN)	EACH	3.0	0.0	0.0	\$1,292.35	\$0.00
2506.502	CASTING ASSEMBLY (STORM)	EACH	26.0	26.0	26.0	\$1,022.20	\$26,577.20
2506.602	CONNECT TO EXISTING STORM SEWER PIPE	EACH	1.0	4.0	4.0	\$450.00	\$1,800.00
2506.602	CONNECT TO EXISTING STORM SEWER SPECIAL	EACH	4.0	7.0	7.0	\$425.00	\$2,975.00
2506.602	CONNECT TO EXISTING DRAINAGE STRUCTURE	EACH	2.0	2.0	2.0	\$650.00	\$1,300.00
2506.602	CONNECT STORM SPECIAL	EACH	5.0	0.0	0.0	\$443.30	\$0.00
2506.602	STORM SEWER CROSSING	EACH	3.0	4.0	4.0	\$750.00	\$3,000.00
<b>Storm Sewer Total</b>							<b>\$385,517.33</b>
<b>Sanitary Sewer</b>							
2104.502	SALVAGE MANHOLE CASTING (SANITARY)	EACH	10.0	10.0	10.0	\$75.00	\$750.00
2503.601	SANITARY SEWER SPOT REPAIR #1	LUMP SUM	1.0	1.0	1.0	\$5,441.35	\$5,441.35
2503.601	SANITARY SEWER SPOT REPAIR #2	LUMP SUM	1.0	1.0	1.0	\$5,505.95	\$5,505.95
2506.502	CASTING ASSEMBLY, NEENAH R-1642 (SANITARY SEWER)	EACH	10.0	10.0	10.0	\$1,453.15	\$14,531.50
2506.502	EXTERNAL MANHOLE SEAL	EACH	10.0	9.0	9.0	\$246.80	\$2,221.20
2506.602	ADJUST SANITARY SEWER MANHOLE	EACH	2.0	1.0	1.0	\$1,766.60	\$1,766.60
2506.602	SANITARY SEWER SERVICE REPAIR	EACH	5.0	7.0	7.0	\$471.25	\$3,298.75
<b>Sanitary Sewer Total</b>							<b>\$33,515.35</b>
<b>Water Main</b>							
2104.502	REMOVE GATE VALVE	EACH	5.0	5.0	5.0	\$100.00	\$500.00
2104.502	REMOVE HYDRANT	EACH	2.0	1.0	1.0	\$300.00	\$300.00
2104.503	REMOVE OR ABANDON WATER MAIN	LIN FT	2,398.0	742.0	742.0	\$5.50	\$4,081.00
2504.601	TEMPORARY WATER SERVICE	LUMP SUM	1.0	1.00	1.00	\$12,500.00	\$12,500.00
2504.602	CONNECT TO EXISTING WATER MAIN (6", 8" & 10")	EACH	10.0	11.0	11.0	\$1,699.70	\$18,696.70



Item No.	Item	Unit	Est. Quantity	Previous Quantity	Quantity to Date	Unit Price	Total Price
2504.602	HYDRANT SYSTEM	EACH	5.0	5.0	5.0	\$5,745.45	\$28,727.25
2504.602	LOWER WATER MAIN	EACH	2.0	0.0	0.0	\$1,750.00	\$0.00
2504.602	4" GATE VALVE & BOX	EACH	1.0	1.0	1.0	\$2,107.45	\$2,107.45
2504.602	6" GATE VALVE & BOX	EACH	8.0	8.0	8.0	\$2,246.20	\$17,969.60
2504.602	8" GATE VALVE & BOX	EACH	16.0	16.0	16.0	\$3,228.55	\$51,656.80
2504.602	1" or 2" CORPORATION STOP WITH SADDLE	EACH	23.0	27.0	27.0	\$332.00	\$8,964.00
2504.602	1" or 2" CURB STOP & BOX	EACH	23.0	26.0	26.0	\$624.80	\$16,244.80
2504.603	1" OR 2" SERVICE PIPE, TYPE PE/TRACER WIRE	LIN FT	1,132.0	938.0	938.0	\$29.30	\$27,483.40
2504.603	6" WATER MAIN	LIN FT	165.0	161.0	161.0	\$48.25	\$7,768.25
2504.603	8" WATER MAIN	LIN FT	2,730.0	2,639.0	2,639.0	\$55.45	\$146,332.55
2504.604	4" POLYSTYRENE INSULATION	SQ YD	15.0	4.0	4.0	\$40.50	\$162.00
2504.608	WATER MAIN FITTINGS	POUND	1,223.0	1,406.0	1,406.0	\$13.60	\$19,121.60
2506.602	CASTING ASSEMBLY SPECIAL (WATER)	EACH	1.0	1.0	1.0	\$321.35	\$321.35
	<b>Water Main Total</b>						<b>\$362,936.75</b>
	<b>TOTAL BASE BID</b>						<b>\$1,911,412.13</b>
<b>ALTERNATE 1</b>							
<b>Street, Curb &amp; Gutter, Sidewalk, Driveways, Drainage Pipe</b>							
2021.501	MOBILIZATION	LUMP SUM	1.0	0.9	1.0	\$15,387.00	\$15,387.00
2101.524	CLEARING (12"-28" DIAMETER)	TREE	2.0	2.0	2.0	\$750.00	\$1,500.00
2101.524	GRUBBING (12"-28" DIAMETER)	TREE	2.0	2.0	2.0	\$150.00	\$300.00
2104.518	REMOVE CONCRETE WALK	SQ FT	2,110.0	2,820.9	2,820.9	\$0.75	\$2,115.68
2104.504	REMOVE BITUMINOUS PAVEMENT (P)	SQ YD	1,940.0	1,998.16	1,998.16	\$2.00	\$3,996.32
2104.504	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	170.0	167.13	167.13	\$3.50	\$584.96
2106.507	EXCAVATION-COMMON (EV) (P)	CU YD	1,649.0	1,649.0	1,649.0	\$13.80	\$22,756.20
2106.507	EXCAVATION-SUBGRADE (EV)	CU YD	165.0	205.0	205.0	\$10.75	\$2,203.75
2105.609	CRUSHED ROCK (PIPE FOUNDATION) MNDOT 3149.2G2	TON	50.0	29.7	29.7	\$23.55	\$699.44
2123.510	INVESTIGATIVE EXPLORATION	HOUR	2.0	6.76	6.76	\$285.00	\$1,926.60
2123.610	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	2.0	0.0	0.0	\$125.00	\$0.00
2130.523	WATER (DUST CONTROL)	M GALLON	10.0	0.0	0.0	\$60.00	\$0.00
2211.507	AGGREGATE BASE (CV) CLASS 5 (P)	CU YD	1,377.0	1,377.0	1,377.0	\$28.70	\$39,519.90
2302.502	DRILL AND GROUT REINFORCEMENT BARS	EACH	51.0	51.0	51.0	\$10.00	\$510.00
2357.506	BITUMINOUS MATERIAL FOR TACK COAT	GALLON	238.0	0.0	150.0	\$0.01	\$1.50
2360.509	TYPE SP 12.5 NON WEAR COURSE MIX (2,B) (SPNWB230B)	TON	515.0	515.9	515.9	\$75.25	\$38,821.48
2360.509	TYPE SP 9.5 WEAR COURSE MIX (3,C) (SPWEA340C)	TON	328.0	0.0	333.0	\$90.00	\$29,970.00
2502.503	4" PERF PVC PIPE DRAIN W/GEOTEXTILE WRAP AND GRANULAR BEDDING	LIN FT	755.0	631.0	631.0	\$8.65	\$5,458.15
2502.602	4" PVC PIPE DRAIN CLEANOUT	EACH	6.0	6.0	6.0	\$289.05	\$1,734.30
2506.502	CASTING ASSEMBLY SPECIAL	EACH	4.0	0.0	0.0	\$321.35	\$0.00
2521.518	5" CONCRETE WALK	SQ FT	6,370.0	6,807.0	6,807.0	\$7.45	\$50,712.15
2521.601	CONCRETE CURB RAMP WALK	LUMP SUM	1.0	1.0	1.0	\$45,350.00	\$45,350.00
2531.503	CONCRETE CURB & GUTTER, DESIGN D418	LIN FT	869.0	593.0	593.0	\$19.30	\$11,444.90

Item No.	Item	Unit	Est. Quantity	Previous Quantity	Quantity to Date	Unit Price	Total Price
2531.503	CONCRETE CURB & GUTTER, DESIGN B618	LIN FT	488.0	802.0	802.0	\$36.10	\$28,952.20
2531.603	CONCRETE SILL	LIN FT	335.0	335.0	335.0	\$4.50	\$1,507.50
2531.504	7" RESIDENTIAL CONCRETE DRIVEWAY PAVEMENT	SQ YD	80.0	95.0	95.0	\$95.40	\$9,063.00
2531.504	7" COMMERCIAL CONCRETE DRIVEWAY PAVEMENT	SQ YD	260.0	266.0	266.0	\$109.00	\$28,994.00
2564.518	SIGN PANELS TYPE C	SQ FT	27.0	27.0	27.0	\$70.00	\$1,890.00
2521.625	INSTALL SIGN	EACH	6.0	6.0	6.0	\$350.00	\$2,100.00
2521.625	SALVAGE AND INSTALL SIGN TYPE SPECIAL	EACH	3.0	3.0	3.0	\$350.00	\$1,050.00
2573.502	STABILIZED CONSTRUCTION ENTRANCE	EACH	1.0	0.0	0.0	\$0.01	\$0.00
2573.502	STORM DRAIN INLET PROTECTION	EACH	11.0	3.0	3.0	\$175.00	\$525.00
2573.503	SEDIMENT CONTROL LOG TYPE STRAW	LIN FT	60.0	0.0	0.0	\$3.00	\$0.00
2574.507	BOULEVARD TOPSOIL BORROW (CV)	CU YD	140.0	250.0	250.0	\$18.75	\$4,687.50
2521.630	SODDING TYPE LAWN	SQ YD	410.0	593.0	593.0	\$10.00	\$5,930.00
2575.504	OVER-SEEDING	SQ YD	245.0	0.0	245.0	\$0.75	\$183.75
2575.504	WEED SPRAYING	SQ YD	450.0	0.0	245.0	\$0.10	\$24.50
2575.523	WATER (TURF RESTORATION)	M GALLON	70.0	0.0	0.0	\$30.00	\$0.00
2575.604	TURF ESTABLISHMENT (TEMPORARY)	SQ YD	900.0	0.0	0.0	\$0.75	\$0.00
2575.604	TURF ESTABLISHMENT (PERMANENT)	SQ YD	490.0	245.0	245.0	\$1.75	\$428.75
2582.503	4" SOLID LINE PAINT (WHITE)(PARKING SPOT)	LIN FT	1,260.0	3,371.43	4,631.43	\$0.70	\$3,242.00
2582.518	PAVEMENT MESSAGE PAINT (WHITE)(HANDICAP SYMBOL)	SQ FT	10.5	10.5	10.5	\$6.00	\$63.00
<b>Street, Curb &amp; Gutter, Sidewalk, Driveways, Drainage Pipe Total</b>							<b>\$363,633.51</b>
<b>Storm Sewer</b>							
2503.503	8" PIPE SEWER	LIN FT	84.0	87.0	87.0	\$40.25	\$3,501.75
2503.503	12" PIPE SEWER	LIN FT	193.0	182.0	182.0	\$40.95	\$7,452.90
2503.503	15" PIPE SEWER	LIN FT	110.0	109.0	109.0	\$48.00	\$5,232.00
2503.503	18" PIPE SEWER	LIN FT	298.0	297.0	297.0	\$51.50	\$15,295.50
2506.503	CONSTRUCT DRAINAGE STRUCTURE DESIGN 48-4020	LIN FT	11.2	11.13	11.13	\$643.85	\$7,166.05
2506.503	CONSTRUCT DRAINAGE STRUCTURE SPECIAL (TYPE 477)	LIN FT	2.7	11.32	11.32	\$593.05	\$6,713.33
2506.502	CONSTRUCT DRAINAGE STRUCTURE SPECIAL (NYLOPLAST 12")	EACH	1.0	2.0	2.0	\$1,173.10	\$2,346.20
2506.502	CONSTRUCT DRAINAGE STRUCTURE SPECIAL (NYLOPLAST 24")	EACH	2.0	1.0	1.0	\$2,505.90	\$2,505.90
2506.502	CONSTRUCT DRAINAGE STRUCTURE SPECIAL (ROOF DRAIN)	EACH	4.0	4.0	4.0	\$1,295.50	\$5,182.00
2506.502	CASTING ASSEMBLY (STORM)	EACH	6.0	6.0	6.0	\$965.65	\$5,793.90
2506.502	CONNECT STORM SPECIAL	EACH	3.0	3.0	3.0	\$250.00	\$750.00
<b>Storm Sewer Total</b>							<b>\$61,939.53</b>
<b>TOTAL ALTERNATE 1</b>							<b>\$425,573.04</b>
<b>ALTERNATE 2</b>							
2503.603	SEWER INSPECTION (VIDEO INSPECTION MAINLINE)	LIN FT	28,000.0	0.0	0.0	\$0.85	\$0.00
<b>TOTAL ALTERNATE 2</b>							<b>\$0.00</b>

Item No.	Item	Unit	Est. Quantity	Previous Quantity	Quantity to Date	Unit Price	Total Price
<b>CHANGE ORDER #1</b>							
	GEOGRID (TRIAx TYPE 2)						
		SQ YD	1,866.7	<u>3,426.0</u>	<u>3,426.0</u>	\$3.60	<u>\$12,333.60</u>
	<b>TOTAL CHANGE ORDER #1</b>						<u><b>\$12,333.60</b></u>

Item No.	Item	Unit	Est. Quantity	Previous Quantity	Quantity to Date	Unit Price	Total Price
<b>CHANGE ORDER #2</b>							
	AGGREGATE BASE (6" MINUS, CRUSHED LIMESTONE)	TON	600.0	1,060.0	1,060.0	\$29.10	\$30,846.00
	<b>TOTAL CHANGE ORDER #2</b>						<b>\$30,846.00</b>
<b>CHANGE ORDER #3</b>							
	TYPE SP 9.5 WEARING COURSE MIX (2,B)(SPWEA230B)(4") Patching	SQ YD	4,500.0	363.0	490.0	\$30.75	\$15,067.50
	<b>TOTAL CHANGE ORDER #3</b>						<b>\$15,067.50</b>
<b>CHANGE ORDER #4</b>							
	SEDIMENT CONTROL LOG TYPE MULCH	LIN FT	4,500.0	3,698.0	3,698.0	\$3.00	\$11,094.00
	<b>TOTAL CHANGE ORDER #4</b>						<b>\$11,094.00</b>
<b>Total Amount Earned</b>							<b>\$2,406,326.27</b>

# **Application for Payment (continued)**

Original Contract Amount	<u>\$2,495,098.58</u>	Total Amount Earned	\$ <u>2,406,326.27</u>
Revised Contract Amount	<u>\$2,564,439.68</u>		

Contract Change Order No. 1 \$12,333.60  
 Contract Change Order No. 2 \$30,846.00  
 Contract Change Order No. 3 \$15,067.50  
 Contract Change Order No. 4 \$11,094.00

**Less Previous Applications:**

AFP No. 1: <u>\$128,865.22</u>	AFP No. 6: _____
AFP No. 2: <u>\$622,566.72</u>	AFP No. 7: _____
AFP No. 3: <u>\$909,516.65</u>	AFP No. 8: _____
AFP No. 4: <u>\$344,036.73</u>	AFP No. 9: _____
AFP No. 5: <u>\$123,234.96</u>	

Material Suitably Stored on Site, Not  
Incorporated into Work

Percent Complete NA (included above)

Percent Complete NA (included above)

Percent Complete \_\_\_\_\_

GROSS AMOUNT DUE \$ 2,406,326.27

LESS 1 % RETAINAGE \$ 24,063.26

AMOUNT DUE TO DATE \$ 2,382,263.00

LESS PREVIOUS APPLICATIONS \$ 2,128,220.28

AMOUNT DUE THIS APPLICATION \$ 254,042.72

**CONTRACTOR'S AFFIDAVIT**

The undersigned Contractor hereby swears under penalty of perjury that (1) all previous progress payments received from the Owner on account of work performed under the Contract referred to above have been applied by the undersigned to discharge in full all obligations of the undersigned incurred in connection with work covered by prior Applications for Payment under said contract, 2024 Street and Utility Improvement Project, Morristown, Minnesota, and (2) all material and equipment incorporated in said Project or otherwise listed in or covered by this Application for Payment and free and clear of all liens, claims, security interests and encumbrances.

Date 8/1/25, 2025

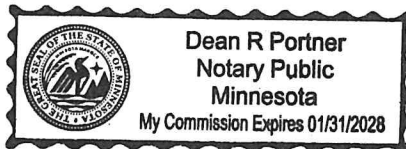
Holtmeier Construction, Inc.  
(Contractor)

COUNTY OF Nicollet )  
STATE OF MN ) SS

By [Signature]  
(Name and Title)

Before me on this 01 day of August, 2025, personally appeared Jim Voda known to be, who being duly sworn did depose and say that he is the COO (office) of the Contractor above mentioned that he executed the above Application for Payment and Affidavit on behalf of said Contractor; and that all of the statements contained therein are true, correct and complete.

My Commission expires



[Signature]  
(Notary Public)

The undersigned has checked the Contractor's Application for Payment shown above. A part of this Application is the Contractor's Affidavit stating that all previous payments to him under this contract have been applied by him to discharge in full all of his obligations in connecting with the work by all prior Applications for Payment.

In accordance with the Contract, the undersigned recommends approval of payment to the Contractor for the Amount due.

**Short Elliott Hendrickson Inc.**

[Signature]

By Douglas J. Scott, PE (Lic. MN)

Date August 4, 2025



# ***AGENDA MEMO***

**Agenda Item:** Ordinance 2025-5

**To:** City Council

**From:** Ellen Judd

**Meeting Date:** 8/4/2025

**Meeting Type:** Regular Meeting

**Subject:** Ordinance 2025-5 – Section 71.04 Amendment – Snow Emergency

**Action Requested:** Motion to post Ordinance 2025-5 Section 71.04 Amendment – Snow Emergency for 10 days.

**Staff Recommends:** Approve

**Committee Recommends:**

**Attachments:** Ordinance 2025-5 Section 71.04 Amendment – Snow Emergency

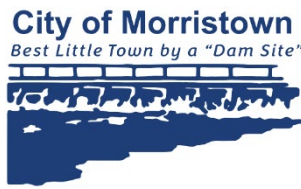
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**Previous Council Action:**

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**Overview:** Updating the officer to allow any peace officer.

Updating the definition of snow emergency to allow for a more concrete definition.



**ORDINANCE 2025-5**  
**AN ORDINANCE AMENDING SECTION 71.04**  
**OF THE MORRISTOWN CITY CODE**

THE CITY COUNCIL OF THE CITY OF MORRISTOWN DOES ORDAIN:

Morristown City Code Section 71.04, entitled, "Declaration of Snow Emergency; Parking Prohibited", is hereby amended as follows (changes are underlined):

**§ 71.04 DECLARATION OF SNOW EMERGENCY; PARKING PROHIBITED**

(A) A snowfall of 3 or more inches within an 8-hour period of time shall constitute a snow emergency. A snow emergency shall be declared by the Mayor or City Administrator and shall be declared before 5 p.m. and take effect at midnight. The emergency shall continue in effect for a period of 24 hours from the end of the snowfall or until snow has been removed from the city's streets.

(B) Notice of the declaration of a snow emergency shall be given by notifying the local news media; however, the notification shall be a service aid only and not a duty on the part of the officials.

(C) During a declared snow emergency, no motor vehicle shall be left parked on any street or public way in the city.

(D) During a declared snow emergency, any police peace officer who finds a motor vehicle in violation of this section shall attempt to contact the owner of the motor vehicle and require the owner to immediately move the motor vehicle so as not to be in violation of this section. If the owner does not immediately remove the motor vehicle or the owner cannot be located, the police peace officer is authorized to have the motor vehicle removed at the owner's expense.

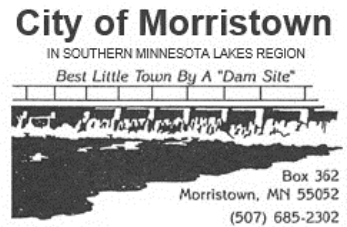
Passed and adopted this \_\_\_\_ day of \_\_\_\_, 2025, with the following vote: Aye \_\_ ; Nay \_\_ ; Abstain \_\_ .

\_\_\_\_\_  
Tim Flaten  
Mayor

ATTEST:

\_\_\_\_\_  
Cassie Eldeen  
City Clerk

# AGENDA MEMO



**Agenda Item:** 204 Franklin St W

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**To:** City Council

**From:** Ellen Judd

**Meeting Date:** 8/4/2025

**Meeting Type:** Regular Meeting

**Subject:** 204 Franklin St W – Order to Abate Public Nuisance

**Action Requested:**

**Staff Recommends:**

**Committee Recommends:**

**Attachments:** Order 204 Franklin St W

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**Previous Council Action:** Have Mark look into the medical lien on the property and move forward.

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- Overview:**
- There is not a medical lien on the property, rather there is a medical claim.
  - Even if there was a lien, State Statute says. "A medical assistance lien is inferior to a lien for taxes or special assessments..."
  - The process to continue:
    - Hold a public hearing
      - Open the hearing
      - Present what's going on at the property
      - Hear from the property owner
      - Close the hearing
    - Adopt the order to abate the public nuisance and assess the cost.
    - Serve the order on the property owner
    - After 30 days of no response, we can apply directly to the district court for permission to tear down the structures and assess the property.
  - Other options:
    - After receiving the order, the homeowner could choose to correct the problems themselves.



- Homeowner could grant the city permission to enter onto the property to abate the problems, in which case, the order may not need to be filed with the courts.
- The order will allow the City to proceed, regardless.

## **ORDER RELATING TO PROPERTY AT 204 FRANKLIN ST.**

TO THE OWNER OF RECORD, LIEN HOLDERS OF RECORD (in any) AND OCCUPYING TENANTS (if any):

The Morristown City Council has declared the property located at 204 Franklin St. W, Morristown Minnesota to be a public nuisance.

### **GROUND FOR THIS ORDER:**

The property described above has the following conditions that present a public nuisance and are threats to public health and safety:

1. Various holes in the structures that present entry points for wild animals/rodents.
2. Structural concerns of buildings located on the property. Specifically, the back porch roof is falling apart; the garage is leaning, and the back is caving in.
3. One or more broken windows exist on the buildings.
4. General overgrowth of vegetation.
5. An abandoned van and boat are located on the property.

### **NECESSARY CORRECTIVE ACTION:**

To correct these conditions, it is hereby ordered that the following actions be performed by the owner of the property:

1. All holes or other entry points for wild animals/rodents must be patched. A company must be hired to eradicate wild animals/rodents existing on the property.
2. The structures must be taped off and signage posted that entry into the structures presents a hazard to public health and safety. The structures must be removed.
3. All broken windows must be repaired or boarded over.
4. All overgrowth of vegetation must be addressed by cutting and removing the overgrowth.
5. The van and boat must be removed from the property.

The person or persons upon whom this Order is served shall cause, within 30 days of service of this Order, a written plan of abatement to be delivered to the city clerk. The written plan of abatement shall state what actions shall occur to bring the property into compliance, and shall state a date by which the property will be brought into compliance. Said actions of abatement must be completed within 90 days of the date of this Order.

### **ANSWER:**

Within twenty (20) days from the date of service, any person or persons upon whom this Order is served may serve an answer in the manner provided for service of an answer in a civil action,

specifically denying such facts in the Order as are in dispute.

If this Order is not complied with or if no answer is served within the time allotted, a Motion for Summary Enforcement of this Order will be made to the District Court of Rice County. If an answer is filed and served, further proceedings in this action will be governed by the Minnesota Rules of Civil Procedure for District Courts.

#### **PERSONAL PROPERTY AND FIXTURES**

If this Order is not complied with, the City intends to seek an order or judgment allowing the City to abate the public nuisance. All personal property shall be removed pursuant to such an order or judgment.

This Order was adopted by the City Council of Morristown, Minnesota on the 4th day of August, 2025.

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Tim Flaten, Mayor

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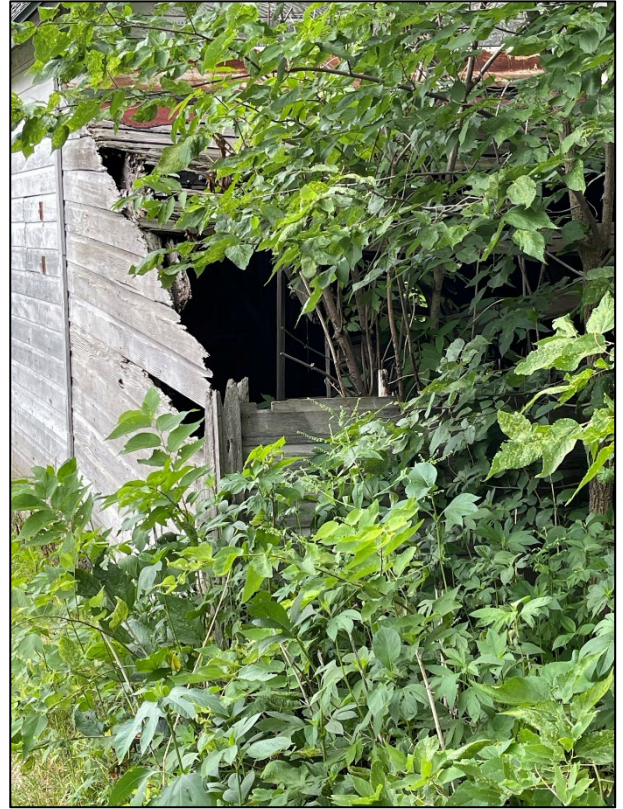
Cassie Eldeen, City Clerk



# 204 Franklin St Pictures

July 31<sup>st</sup>, 2023

Pictures prior to a letter sent to owner to clean-up the property.



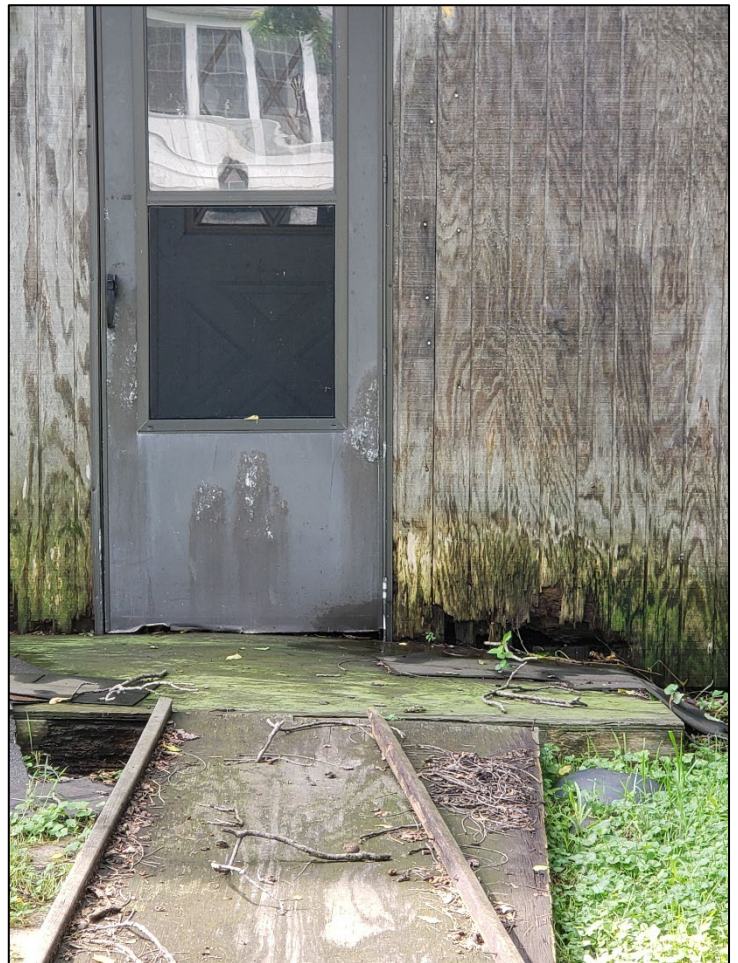




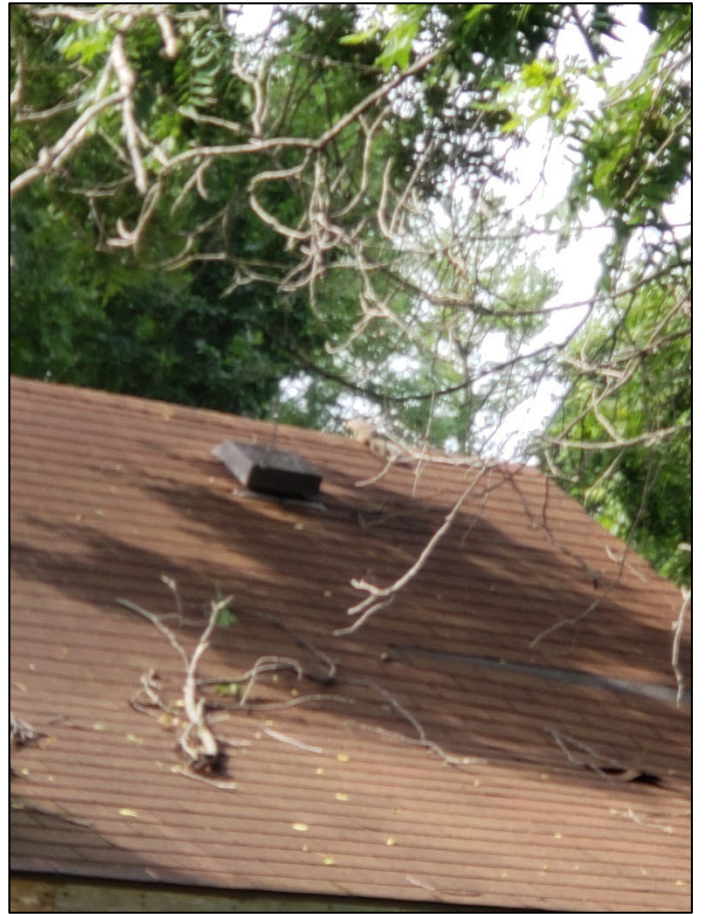


July 29<sup>th</sup>, 2025

Pictures taken two years later.

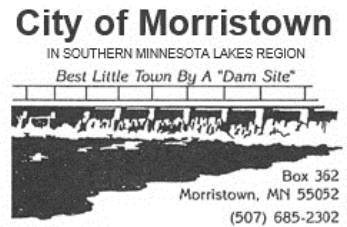








# AGENDA MEMO



**Agenda Item:** Tobacco Violation

**To:** City Council

**From:** Ellen Judd

**Meeting Date:** 8/4/2025

**Meeting Type:** Regular Meeting

**Subject:** Tobacco Violation – Tobacco Violation at Hiller’s Last Call

**Action Requested:**

**Staff Recommends:**

**Committee Recommends:**

**Attachments:** Notice, Letter

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**Previous Council Action:**

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**Overview: Morristown City Code:**

§ 112.09 COMPLIANCE CHECKS AND INSPECTIONS

All licensed premises shall be open to inspection by the city police or other authorized city official during regular business hours. From time to time, but at least once per year, the city shall conduct compliance checks by engaging, minors over the age of 15 years but less than 18 years, with the written consent of their parents or guardians, to enter the licensed premise to attempt to purchase tobacco, tobacco products, or tobacco related devices. Minors used for the purpose of compliance checks shall be supervised by city designated law enforcement of officers or other designated city personnel.

§ 112.11 VIOLATIONS

(B) Licensees and employees. Any licensee, and any employee of a licensee, violating this chapter shall be charged an administrative fine of \$75 for a first violation of this chapter;

**State Statute:**

461.12 MUNICIPAL LICENSE OF TOBACCO, TOBACCO-RELATED DEVICES, AND SIMILAR PRODUCTS.



Subd. 2. Administrative penalties for sales and furnishing; licensees. If a licensee or employee of a licensee sells, gives, or otherwise furnishes tobacco, tobacco-related devices, electronic delivery devices, or nicotine or lobelia delivery products to a person under the age of 21 years, or violates any other provision of this chapter, the licensee shall be charged an administrative penalty of \$300 for the first violation.

I originally was going to send the letter with the \$75 fine, as indicated in Morristown City Code. Mark reviewed prior to sending and said the fine needed to be \$300 to follow State Statute.

Good Afternoon Ellen,

Yesterday the Sheriff's Office conducted Tobacco Compliance Checks at businesses within Rice County. Two Morristown businesses sold to our underage decoy. Hiller's Last Call checked the decoy's ID but still sold to him. Old Town Tavern also sold to our decoy and did not ask to see any ID. Sheriff Thomas was provided a summary of the compliance checks as well as Susan Kalow with Rice County.



# AGENDA MEMO

**Agenda Item:** Sheriff's Contract

**To:** City Council

**From:** Ellen Judd

**Meeting Date:** 8/4/2025

**Meeting Type:** Regular Meeting

**Subject:** Sheriff's Contract – Discussion on Hours and Contract

**Action Requested:**

**Staff Recommends:**

**Committee Recommends:**

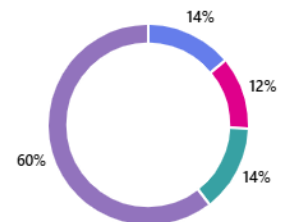
**Attachments:**

**Previous Council Action:** At the last work session, City Council decided to put out a survey to get a feel for what residents of Morristown would like to see.

**Overview:** Form was published on Facebook on July 29<sup>th</sup>. These are the responses as of August 1<sup>st</sup>. Update will be provided at the Council Meeting.

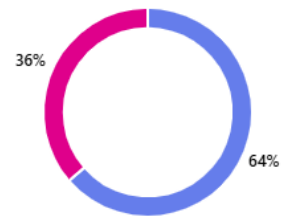
3. The City currently has a contract for 40 hours per week of law enforcement services. Please indicate the number of hours per week you feel the City should contract:

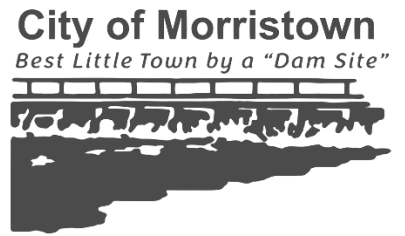
0 hours per week.	6
20 hours per week.	5
30 hours per week.	6
40 hours per week.	26



4. Do you feel this form is adequate, or would you like a public hearing held to voice your opinion?

● This form is adequate.	28
● Please hold a public hearing.	16





# AGENDA MEMO

Agenda Item: Sewer Service

To: City Council

From: Ellen Judd

Meeting Date: 8/4/2025

Meeting Type: Regular Meeting

Subject: Sewer Service – Adam Hackney to Discuss Sewer Service Issue

Action Requested:

Staff Recommends:

Committee Recommends:

Attachments:

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Previous Council Action:

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**Overview:** Adam Hackney's sewer service was backing up which resulted in Dahle Enterprises replacing his sewer service from the house to the sewer main.

When digging, Dahle's found that the sewer service was separated at the sewer main. They also found a repair made to the sewer service directly under the watermain.

The presumption is that the sewer service was repaired in 2002 with the watermain install.

Adam would like to discuss the possibility of the city contributing to the cost of repair

- Diagnostics and Repair: \$7,200.14
- Repair Only: \$5,600.14

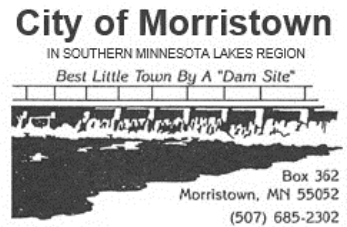
City's responsibility according to the City Code:

(4) **PUBLIC SEWER.** A sewer owned, maintained and controlled by a public authority. The Public Sewer includes the main trunk line that services multiple end users, **but does not include any portion of a lateral line that services an individual property.**

#### **§ 50.057 COSTS AND EXPENSES**

All costs and expenses incidental to the installation, connection, maintenance, **and repair of the building sewer** shall be borne solely by the **owner of the property** serviced by the building sewer. The owner shall indemnify the city from any loss or damage that may be directly or indirectly occasioned by the installation, connection, maintenance or repair of the building sewer, including those costs incurred to restore the public right of way to its prior condition.

# AGENDA MEMO



**Agenda Item:** Produce Stand

**To:** City Council  
**From:** Ellen Judd  
**Meeting Date:** 8/4/2025  
**Meeting Type:** Regular Meeting  
**Subject:** Produce Stand – Council Member Request: Look at Produce Stand Ordinance  
**Action Requested:** Have a discussion  
**Staff Recommends:**  
**Committee Recommends:**  
**Attachments:** Council Member Request Form

**Previous Council Action:** City Council created an Ordinance titled Produce Stands in 2017.

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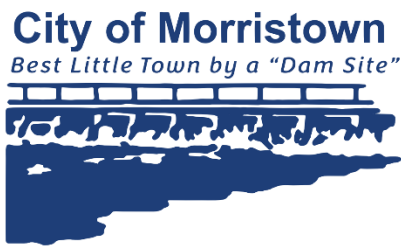
**Overview: Morristown City Code:**

**§ 152.230 PRODUCE STANDS**

- (A) *Generally.* The following standards shall apply to Produce Stands located within the City.
- (B) *Produce Stand Defined.* A Produce Stand shall be defined as a temporary structure located on private property at which agricultural products, such as raw vegetables, fruits, herbs, flowers, plants, nuts, honey and eggs are sold.
- (C) *Standards.* The following standards shall apply to all Produce Stands:
  - (1) Ownership of Business. All Produce Stands shall be family-owned. The owner of the property upon which the Produce Stand is located shall be the owner/proprietor of the Produce Stand.
  - (2) Products Sold. Products sold shall be primarily locally grown. For purposes of this Section, “primarily locally grown” shall mean that no less than 50% of the products sold shall have been grown within 30 miles of the Produce Stand.

(Ord. 2017-4, passed 7/24/2017)





# COUNCIL AGENDA REQUEST FORM

Per the Council Rules of Procedures, a council member may request to have an item placed on the agenda. All requests should follow these guidelines:

- The request must be submitted on a 'Council Member Agenda Request Form' and contain sufficient information to clearly describe the subject matter to be considered by council and any action requested or required. The council member shall strive to provide factual background information and avoid opinion and personal bias on the agenda request form.
- The City Clerk or City Administrator shall review the form for clarity and ask for clarification if needed.
- Staff time will not be spent on an individual council member's agenda request until council as a whole has discussed and requested additional information for possible council action.
- Council Member Agenda Request Forms should be submitted to the City Clerk by 3:00 p.m. on the Thursday before the meeting.

Name: Val Kruger

Agenda Item Subject: Breezy Hill Produce

Action Requested: Modify the Produce Stand Ordinance

Reasons for Action Requested:

As the ordinance is currently written Breezy Hill Produce is unable to place their stand due to no longer being residents of Morristown. Zoning Board made the recommendation to not updated the ordinance. If ordinance is changed, any produce stand can come into town with a property owner's permission.

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