

**AGENDA
SPECIAL MEETING
Monday, November 6, 2023 at 6:00 P.M.**

CALLED TO ORDER AT 6:00 P.M.

TO FOLLOW: Proposed fire hall building options and costs

Adjournment

AGENDA
CITY COUNCIL MEETING
November 6, 2023
Council Meeting - 7:00 P.M.

Stand for The Pledge of Allegiance

To follow: Agenda Approval (motion required)

To follow: Consent Agenda Approval (motion required)

- **Meeting Minutes – September, 2023**
- **Accounts payable, receivables and EFTs for October 2023**
- **Resolution #23-11 – Unpaid Sewer Charges**
- **Third Quarter Finance Report**
- **Voting Operations, Technology & Election Resources (voter) account**
County – Municipality Agreement

To follow: Approval of second amendment to TNOG Solar Interim Use Permit

To follow: Employee Report – Public Works Director Dustin Luhning

Public participation -

Council reports:

Nuisance

Fire department

Water & sewer

Community development

Clerk - PSN cost estimate (if arrived on time)

Mayor

New business

Old business

Adjournment

**City of Clear Lake
Council Meeting
October 2, 2023**

Council Members: Tim Goenner, Karen White, Kristin Brandt, Stefany Janish and Chad Nelson

Members Absent: None

Guests: Patriot Newspaper Reporter Mark Kolbinger, and City Resident Ron Juenemann

City Staff: Clerk Kari Koren

Mayor Goenner called the Council meeting at 7:01 P.M.

Agenda Approval

- **Motion made by White, seconded by Nelson to approve the October 2nd Council meeting agenda with the change to Resolution #23-09, it should be Resolution #23-10. Motion was approved by majority vote of all members present.**

Consent Agenda Items Approval

- Mayor Goenner requested a motion for the approval of the consent agenda items.
Motion made by Janish, seconded by Brandt to approve the following October 2nd Council meeting consent agenda items.
 - **Minutes from the September Council Meeting**
 - **Accounts payables, receivables and EFT's for September 2023**
 - **Resolution #23-10 – establishing 2024 Polling place****Motion was approved by majority vote of all members present.**

Sherriff's Monthly Report

- Sherburne County Sheriff's Department Sergeant Oachs provided the council members with information on calls for the month of September. They were mostly traffic, medical, and domestic in nature. There were 68 calls for service in the month.

Ordinance #1005 – Interim Cannabis Ordinance

- **Motion made by Brandt, seconded by White to approve Interim Ordinance #1005 and the summary for publication of ordinance. Motion approved by majority vote of all members present.**

Employee Report – Public Works Director Dustin Luning

- Public Works Director Luning requested approval to hire a winter seasonal employee. Luning would like to offer the position to our current summer seasonal employee Noah Marklowitz. Clerk Koren stated that it was budgeted for in the 2024 budget. **Motion made by Nelson, seconded by Brandt to approve hiring a winter seasonal employee. Motion approved by majority vote of all members present.**
- Luning advised the Council that the speed sign should be installed within the next two weeks.

Clerk

- Clerk Koren suggested that the council and the fire departments building committee meet soon to go over the different building types and costs associated with each type. It was decided to meet on November 6, 2023 at 7 PM.

New Business

- Clerk Koren provided an update on the Hunter Lake Bluffs Development final plat that should be ready to approve at the November's meeting.

Adjournment

- **Motion made by White, seconded by Brandt to adjourn the Council Meeting at 7:09 P.M. Motion was approved by majority vote of all members present.**

Tim Goenner, Mayor

Kari Koren, City Clerk

**Public Hearing Minutes
October 2, 2023
City of Clear Lake**

The purpose of the public hearing is to review/approve proposed interim Ordinance #1005 which will prohibit the sale, testing, manufacturing, cultivation, growing, transporting, delivery and distribution of cannabis products in the City of Clear Lake.

COUNCIL PRESENT: Tim Goenner, Karen White, Kristin Brandt, Stefany Janish and Chad Nelson

CITY STAFF: City Clerk Kari Koren and Public Works Director Dustin Luhning

OTHERS PRESENT: Patriot Newspaper Reporter Mark Kolbinger, and City Resident Ron Juenemann.

Mayor Goenner called the public hearing to order at 7:00 P.M.

No public participation

Motion made by White, seconded by Janish to adjourn the public hearing at 7:01 P.M., motion approved by majority vote of all members present.

Tim Goenner, Mayor

Kari Koren, City Clerk

Checks for Month

100 SHERBURNE STATE BANK

Since OCTOBER 2023

Begin Balance \$469,502.45

CHECK	Vendor Name	Check Date	Check Amt	Source	Comment	Balance
Deposit	71-23	10/2/2023	-\$775.00	71-23	UB Receipt Serv 1 WATER	\$470,277.45
Deposit	72-23WS	10/2/2023	-\$5,477.11	72-23WS	UB Receipt Serv 1 WATER	\$475,754.56
Deposit	CC45.8182838486	10/4/2023	-\$1,132.57	CC45.818283848	UB Receipt Serv 1 WATER	\$476,887.13
Deposit	CC45.878889	10/4/2023	-\$1,050.64	CC45.878889	UB Receipt Serv 1 WATER	\$477,937.77
Deposit	CC45.90	10/4/2023	-\$487.08	CC45.90	UB Receipt Serv 1 WATER	\$478,424.85
Deposit	CC45.919293	10/4/2023	-\$319.59	CC45.919293	UB Receipt Serv 1 WATER	\$478,744.44
Deposit	20231004UB1	10/4/2023	\$0.00	20231004UB1	UB Receipt Serv 1 WATER	\$478,744.44
Deposit	CC45.94	10/4/2023	-\$68.22	CC45.94	UB Receipt Serv 1 WATER	\$478,812.66
Deposit	cc45.95	10/5/2023	-\$200.00	cc45.95	UB Receipt Serv 1 WATER	\$479,012.66
Deposit	CC45.74778185	10/10/2023	-\$913.38	CC45.74778185	UB Receipt Serv 1 WATER	\$479,926.04
Deposit	CC45.969798	10/10/2023	-\$625.94	CC45.969798	UB Receipt Serv 1 WATER	\$480,551.98
Deposit	CC45.9946.00	10/10/2023	-\$1,586.84	CC45.9946.00	UB Receipt Serv 1 WATER	\$482,138.82
Deposit	73-23	10/11/2023	-\$73,164.10	73-23	NEW HOMES X'S 5	\$555,302.92
Deposit	CC46.0203	10/12/2023	-\$487.42	CC46.0203	UB Receipt Serv 1 WATER	\$555,790.34
Deposit	CC46.01	10/12/2023	-\$216.56	CC46.01	UB Receipt Serv 1 WATER	\$556,006.90
Deposit	74-23WS	10/12/2023	-\$7,877.38	74-23WS	UB Receipt Serv 1 WATER	\$563,884.28
Deposit	CC4604050607	10/16/2023	-\$1,062.47	CC4604050607	UB Receipt Serv 1 WATER	\$564,946.75
Deposit	CC46.08	10/16/2023	-\$475.00	CC46.08	UB Receipt Serv 1 WATER	\$565,421.75
Deposit	CC46.09	10/18/2023	-\$101.85	CC46.09	UB Receipt Serv 1 WATER	\$565,523.60
Deposit	CC46.1110	10/18/2023	-\$550.00	CC46.1110	UB Receipt Serv 1 WATER	\$566,073.60
Deposit	CC46.12	10/18/2023	-\$112.28	CC46.12	UB Receipt Serv 1 WATER	\$566,185.88
Deposit	CC46.131416	10/19/2023	-\$491.36	CC46.131416	UB Receipt Serv 1 WATER	\$566,677.24
Deposit	CC46.1517	10/23/2023	-\$307.51	CC46.1517	UB Receipt Serv 1 WATER	\$566,984.75
Deposit	CC46.18	10/23/2023	-\$284.82	CC46.18	UB Receipt Serv 1 WATER	\$567,269.57
Deposit	CC46.1920	10/23/2023	-\$304.66	CC46.1920	UB Receipt Serv 1 WATER	\$567,574.23
Deposit	75-23WS	10/23/2023	-\$9,354.66	75-23WS	UB Receipt Serv 1 WATER	\$576,928.89
Deposit	76-23	10/25/2023	-\$1,167.03	76-23	CABLE FRANCHISE	\$578,095.92
Deposit	CC46.21	10/25/2023	-\$93.12	CC46.21	UB Receipt Serv 1 WATER	\$578,189.04
Deposit	CC46.22	10/25/2023	-\$239.01	CC46.22	UB Receipt Serv 1 WATER	\$578,428.05
Deposit	CC46.2324	10/25/2023	-\$374.60	CC46.2324	UB Receipt Serv 1 WATER	\$578,802.65
Deposit	77-23WS	10/26/2023	-\$4,163.13	77-23WS	UB Receipt Serv 1 WATER	\$582,965.78
Deposit	EFT 487	10/30/2023	-\$115.13	EFT 487	AG. CREDIT - SHERBURN	\$583,080.91
Deposit	CC46.272829	10/30/2023	-\$464.21	CC46.272829	UB Receipt Serv 1 WATER	\$583,545.12
Deposit	CC46.262630	10/30/2023	-\$642.77	CC46.262630	UB Receipt Serv 1 WATER	\$584,187.89
Deposit	CC46.3334	10/30/2023	-\$228.05	CC46.3334	UB Receipt Serv 1 WATER	\$584,415.94
Deposit	CC46.32	10/30/2023	-\$110.00	CC46.32	UB Receipt Serv 1 WATER	\$584,525.94
Deposit	CC46.31	10/30/2023	-\$230.00	CC46.31	UB Receipt Serv 1 WATER	\$584,755.94
Deposit	CC46.353637	10/30/2023	-\$391.09	CC46.353637	UB Receipt Serv 1 WATER	\$585,147.03
Deposit	20231030UB1	10/30/2023	\$0.00	20231030UB1	UB Receipt Serv 2 SEWER	\$585,147.03
Deposit	78-23WS	10/30/2023	-\$3,632.90	78-23WS	UB Receipt Serv 1 WATER	\$588,779.93
001686E	WEX BANK	10/10/2023	\$779.15	EFT 1986	FD FUEL	\$588,000.78
001687E	HEALTH PARTNERS	10/10/2023	\$210.03	EFT 1987	DENTAL	\$587,790.75
001688E	MN DEPT OF REVENUE	10/12/2023	\$346.48	PAYEFTS101223	PAY WITH HOLDING	\$587,444.27
001689E	INTERNAL REVENUE SERVI	10/12/2023	\$1,555.80	PAYEFTS101223	PAY WITH HOLDING	\$585,888.47
001690E	PERA	10/12/2023	\$865.67	PAYEFTS101223	PAY WITH HOLDING	\$585,022.80
001691E	UNITED HEALTH CARE	10/18/2023	\$2,101.45	EFT 1992	HEALTH INS.	\$582,921.35
001692E	MN DEPT OF REVENUE	10/26/2023	\$311.85	PAYEFTS102623	PAY WITH HOLDING	\$582,609.50
001693E	INTERNAL REVENUE SERVI	10/26/2023	\$1,276.03	PAYEFTS102623	PAY WITH HOLDING	\$581,333.47
001694E	PERA	10/26/2023	\$853.01	PAYEFTS102623	PAY WITH HOLDING	\$580,480.46
028073	ALEX AIR APPARATUS 2 LLC	10/10/2023	\$386.04	101023VEND	HOSE	\$580,094.42
028074	ALLSPEC SERVICES, LLC	10/10/2023	\$19,279.10	101023VEND	BLDG. INSPECTOR	\$560,815.32
028075	CLEARWATER TRUCK CENT	10/10/2023	\$692.22	101023VEND	E-17 REPAIRS	\$560,123.10
028076	CONTINENTAL RESEARCH C	10/10/2023	\$891.00	101023VEND	MAINT.	\$559,232.10
028077	CUSTOMIZED FIRE RESCUE	10/10/2023	\$500.00	101023VEND	HAZMAT TRNG.	\$558,732.10
028078	GOPHER STATE FIRE EQUIP	10/10/2023	\$0.00	101023VEND	LOCATES	\$558,732.10
028079	GRANITE ELECTRONICS INC	10/10/2023	\$35.00	101023VEND	PAGER REPAIR	\$558,697.10
028080	HOME DEPOT	10/10/2023	\$1,627.39	101023VEND	PARK BATHROOM	\$557,069.71
028081	HSA BANK	10/10/2023	\$7.50	101023VEND	BANK FEE	\$557,062.21

Checks for Month

100 SHERBURNE STATE BANK

Since OCTOBER 2023

Begin Balance \$469,502.45

CHECK	Vendor Name	Check Date	Check Amt	Source	Comment	Balance
028082	LAWSON PRODUCTS, INC.	10/10/2023	\$108.59	101023VEND	TOOL	\$556,953.62
028083	LEAGUE OF MN CITIES INS.	10/10/2023	\$18,246.00	101023VEND	WORKERS COMP	\$538,707.62
028084	MIDCONTINENT COMMUNIC	10/10/2023	\$87.39	101023VEND	INTERNET	\$538,620.23
028085	MOTOROLA SOLUTIONS, IN	10/10/2023	\$1,960.08	101023VEND	MICS, CHARGER BASES	\$536,660.15
028086	NELSON SANITATION & REN	10/10/2023	\$125.00	101023VEND	PORTABLE BATHROOM	\$536,535.15
028087	PALMER TOWNSHIP	10/10/2023	\$358.24	101023VEND	STATION 2 UTILITIES	\$536,176.91
028088	PATRIOT NEWS MN	10/10/2023	\$512.70	101023VEND	LEGAL, FD AD	\$535,664.21
028089	QUADIENT LEASING	10/10/2023	\$462.06	101023VEND	POSTAGE MACHINE REN	\$535,202.15
028090	QUILL CORPORATION	10/10/2023	\$65.18	101023VEND	OFFICE SUPPLIES	\$535,136.97
028091	RALPHIES CLEAR LAKE	10/10/2023	\$354.29	101023VEND	FUEL	\$534,782.68
028092	SURPLUS SERVICES	10/10/2023	\$2.00	101023VEND	OFFICE	\$534,780.68
028093	WELLS FARGO BUSINESS C	10/10/2023	\$1,715.06	101023VEND	CC CHARGES	\$533,065.62
028094	KOREN, KARI	10/12/2023	\$1,785.93	PAY20230121.00		\$531,279.69
028095	LANDWEHR, MATTHEW	10/12/2023	\$1,065.05	PAY20230121.00		\$530,214.64
028096	LUHNING, DUSTIN, J	10/12/2023	\$1,767.49	PAY20230121.00		\$528,447.15
028097	MARKLOWITZ, NOAH	10/12/2023	\$564.13	PAY20230121.00		\$527,883.02
028098	AUTHORITY, SEWER, CLEA	10/12/2023	\$10,262.04	101223VEND	SEPTEMBERS USAGE	\$517,620.98
028099	BRIGGS LAKE GENERAL ST	10/12/2023	\$41.20	101223VEND	STATION 2 CHARGES	\$517,579.78
028100	CENTRAL MCGOWAN, INC.	10/12/2023	\$99.56	101223VEND	OXYGEN	\$517,480.22
028101	GOPHER STATE ONE-CALL,	10/12/2023	\$37.80	101223VEND	LOCATES	\$517,442.42
028102	MIDCONTINENT COMMUNIC	10/12/2023	\$34.83	101223VEND	INTERNET - SHOP	\$517,407.59
028103	MN DEPT OF REVENUE	10/12/2023	\$0.00	EFT 1988	3RD QUARTER SALES TA	\$517,407.59
028104	RUSTIC TREE & LANDSCAP	10/12/2023	\$2,400.00	101223VEND	MULTIPLE TREE REMOV	\$515,007.59
028105	WASTE MANAGEMENT OF	10/12/2023	\$205.90	101223VEND	REFUSE REMOVAL	\$514,801.69
028106	X-CEL ENERGY, INC.	10/12/2023	\$1,039.11	101223VEND	STREET LIGHTS	\$513,762.58
028107	CLEAR LAKE FIRE FIGHTER	10/17/2023	\$300.00	101723VEND	CALENDAR AD	\$513,462.58
028108	CLEARWATER PARTS CITY	10/17/2023	\$48.96	101723VEND	PARTS	\$513,413.62
028109	FRONTIER	10/17/2023	\$241.59	101723VEND	PHONE/INTERNET	\$513,172.03
028110	MENARDS	10/17/2023	\$42.95	101723VEND	BROOM, CLEANING SUP	\$513,129.08
028111	NELSON SANITATION & REN	10/17/2023	\$363.04	101723VEND	PORTABLE TOILETS	\$512,766.04
028112	SAMS CLUB	10/17/2023	\$482.77	101723VEND	PALMER PARADE CANDY	\$512,283.27
028113	SHARETECH	10/17/2023	\$82.50	101723VEND	PHONE/INTERNET	\$512,200.77
028114	TOTAL ENERGY SYSTEMS,	10/17/2023	\$885.00	101723VEND	ST. 1 GENERATOR	\$511,315.77
028115	WELLS FARGO BUSINESS C	10/17/2023	\$2,871.39	101723VEND	CC CHARGES	\$508,444.38
028116	X-CEL ENERGY, INC.	10/17/2023	\$447.35	101723VEND	WELL 3	\$507,997.03
028117	AT&T MOBILITY	10/25/2023	\$112.14	102423VEND	FD IPADS	\$507,884.89
028118	CLEARWATER PARTS CITY	10/25/2023	\$524.64	102423VEND	T-18 BATTERIES	\$507,360.25
028119	CORE & MAIN	10/25/2023	\$178.00	102423VEND	DROP IN GATE	\$507,182.25
028120	HAWKINS WATER TREATME	10/25/2023	\$40.00	102423VEND	CYLINDER RENT	\$507,142.25
028121	LEAGUE OF MINNESOTA CIT	10/25/2023	\$945.00	102423VEND	ANNUAL DUES	\$506,197.25
028122	METRO SALES INC.	10/25/2023	\$203.87	102423VEND	COPIER RENTALS	\$505,993.38
028123	NELSON SANITATION & REN	10/25/2023	\$975.00	102423VEND	LIFT STATION CLEANING	\$505,018.38
028124	PATRIOT NEWS MN	10/25/2023	\$91.30	102423VEND	LEGAL POSTING	\$504,927.08
028125	STANTEC	10/25/2023	\$6,582.42	102423VEND	PARKSIDE	\$498,344.66
028126	KOREN, KARI	10/26/2023	\$1,748.74	PAY20230122.00		\$496,595.92
028127	LANDWEHR, MATTHEW	10/26/2023	\$1,039.14	PAY20230122.00		\$495,556.78
028128	LUHNING, DUSTIN, J	10/26/2023	\$1,787.30	PAY20230122.00		\$493,769.48
	Deposits	\$119,277.48				
	Checks	-\$95,010.45	\$24,267.03			

FILTER: ((([Act Year]='2023' and [period] in (10)))) and ((true)) and [Cash Act]='100'

**CITY OF CLEAR LAKE, MINNESOTA
RESOLUTION #23-11**

State of Minnesota
County of Sherburne
City of Clear Lake

RESOLUTION ADOPTING LIEN FOR UNPAID CHARGES

WHEREAS, pursuant to proper notice duly given as required by law, the City Council has met, heard, and passed upon all objections to the proposed liens for unpaid charges for municipal fees and utilities; and

WHEREAS, the amounts of bad debt have been minimized through diligent collection efforts by staff.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CLEAR LAKE, MINNESOTA:

1. Such proposed lien for unpaid charges, a copy of which is hereby attached as Exhibit 1 and made a part hereof, is hereby accepted and shall constitute the liens against the lands named herein.
2. Such lien shall be payable over a period of one year on or before the first Monday in January.
3. The owner of the property so assessed may, at any time prior to certification of the lien to the County Auditor, pay the whole of the lien on such property, including the certification fee as establishing in the current fee schedule. The taxpayer may at any time thereafter, pay to the City Clerk or County Auditor, the entire amount of the lien remaining unpaid, including all penalties and fees included in the assessment.
4. The City Clerk shall forthwith transmit a certified copy of this lien role to the County Auditor to be extended on the proper tax lists of the county and such liens shall be collected and paid over in the same manner as property taxes.

Adopted by the Council on this 6th day of November, 2023

Mayor

Attested:

City Clerk

STATE OF MINNESOTA

)

) ss. Authenticating Certificate

COUNTY OF SHERBURNE)

I, the undersigned, being duly qualified City Clerk of the City of Clear Lake, certify that the attached Resolution of the City Council adopting a lien for unpaid charges under the City Code, is a true copy of the original, of which is on file at the City of Clear Lake.

Dated this 6th day of November, 2023

Seal

City Clerk, City of Clear Lake

Exhibit I

CITY OF CLEAR LAKE

10/30/23 2:30 PM

Certify Detail

Page 1

Account 02-0000065-00-5 Serv Address 7988 CHURCH STREE Bill Name BRENDA L. WILE
PARCEL # 70-018-2131

Type	Chrg	Charge Name	Pen	Certify Amount	Cur Amt	Balance
1	2	SEWER	No	\$660.00	\$110.00	\$770.00
1	2	SEWER	Yes	\$30.00	\$5.00	\$35.00
				<hr/>	<hr/>	<hr/>
				\$690.00	\$115.00	\$805.00

CITY OF CLEAR LAKE
THIRD QUARTER FINANCIAL REPORT - 2023

Governmental Overview

2023 Fiscal Budget

The 2023 revenue budget is \$1,259,356.20; of this amount \$1605,745.95 or 127% had been received at the end of third quarter.

The 2023 expenditures budget is \$1,248,074.04; of this amount \$897,501.08 or 72% had been spent at the end of third quarter.

The following analysis of individual major funds identifies budget variances to date.

Major Fund Analysis – Governmental Funds

General Fund

The City of Clear Lake operates a “general fund” which accounts for activities central to operations of the municipality. The City of Clear Lake utilizes its general fund to account for expenses associated with its city hall, city clerk’s office, engineer, attorney, accountant, administrative consultant, planning consultant, elections, assessor, audit, mayor and council. In addition, the general fund accounts for the City’s parks, streets, public works and maintenance system.

General Fund revenue at the end of third quarter was \$575,953.70 or 120% of the budgeted revenue of \$478,973.46. Property tax proceeds of \$403,810.46 are expected to be received in the months of July and December. As of the third quarter we have received 57% of the property tax proceeds. Line items such as building permits, escrow account, and interest proceeds are the main reasons for the increased revenue budget. The remaining 2023 General Fund budget balance is to be generated through various fees including rentals, donations, licenses, permits, and fines.

Total expenditures at the end of third quarter were \$493,423.97 or 103% of the budgeted expenditures of \$478,973.46. Expenditures appear to be coming in over budget this is due to increased building inspector costs, and engineering fees (Parkside Development).

CITY OF CLEAR LAKE
THIRD QUARTER FINANCIAL REPORT - 2023

Fire Fund

The City of Clear Lake operates a “fire fund” which accounts for the activities of the City’s firefighting services. The City of Clear Lake utilizes this special revenue fund to account for expenses associated with fire protection, emergency management and fire marshal services. Expenses include building operation and maintenance, equipment, supplies, and personnel related costs such as training.

Third quarter revenues were \$325,135.08 or 122% of the budgeted revenues of \$266,572.74. Budgeted fire contract revenues of \$270,064.13 had been received at the end of third quarter. The fire fund is over budget due to the grant that was received for the extractor and dryer and the grant for new radios. The remaining budget balance was generated through state aid, fire run charges, donations, and miscellaneous revenues.

Third quarter expenditures were \$161,924.16 or 61% of the budgeted expenditures of \$265,572.74.

At the end of the Third quarter expenditures appear on track to come in within 2023 budget projections.

Major Fund Analysis – Proprietary Funds

Water Fund

The City of Clear Lake operates a “water fund” which accounts for activities of the City’s water enterprise. The City of Clear Lake utilizes this enterprise fund to account for expenses associated with the operation, maintenance, repair and construction of its water system. Additionally, debt service related to the water system is accounted for by the water fund.

Third quarter revenues were \$220,384.10 or 140% of the budgeted revenues of \$156,350.00. Budgeted water sales for 2023 are \$97,000.00 of which \$95,870.40 or 99% had been received at the end of third quarter. WAC revenues are budgeted at \$20,000.00 for 2023, of which \$87,272.50 has already been received in the third quarter. The remaining budget balance is expected to be generated through various fees including penalties, assessment revenue, tower space rental fees, other fees and interest earnings.

CITY OF CLEAR LAKE
THIRD QUARTER FINANCIAL REPORT - 2023

Third quarter expenditures were \$83,465.44 or 54% of the budgeted expenditures of \$155,015.00. The expenditures appear on track to come in within 2023 budget projections.

Sewer Fund

The City of Clear Lake operates a "sewer fund" which accounts for activities of the City's sewer enterprise. The City of Clear Lake utilizes this enterprise fund to account for expenses associated with the operation, maintenance, repair and construction of its sewer system. Charges paid to the Clear Lake/Clear Lake Sewer Authority are also expended from the sewer fund. Additionally, debt service related to the sewer system is accounted for by the sewer fund.

Third quarter revenues were \$452,073.07 or 126% of the budgeted revenues of \$357,460.00. Budgeted sewer sales for 2023 are \$308,980.00 of which \$244,422.92 or 79% had been received to date. Budgeted SAC revenues are \$25,000.00, of which \$205,227.40 has been received to date. The remaining budget balance is expected to be generated through various fees including penalties, fees and interest earnings.

Expenditures to date are \$158,687.51 or 46% of the budgeted expenditures of \$348,512.84. Expenditures appear on track to come in within 2023 budget projections.

Please note that this summary of the third quarter financials for the City of Clear Lake is unaudited.

The following budget amendments will be made upon acceptance of this financial report:

None presented at this time.

**STATE OF MINNESOTA
VOTING OPERATIONS, TECHNOLOGY & ELECTION RESOURCES (VOTER) ACCOUNT
COUNTY – MUNICIPALITY AGREEMENT**

This Agreement (hereinafter “Agreement”) is made between Sherburne County (“County”),
and City of Clear Lake (“Municipality”).

Recitals

1. Under Minnesota Laws 2023, Chapter 62, Article 4, section 6, the Voting Operations, Technology, and Election Resources (VOTER) Account was established requiring the Office of the Secretary of State, hereinafter the OSS, to distribute funds to each county as prescribed.
2. Total allocation to County is approximately \$20,442.68 annually.
3. Upon receipt of funds, County and Municipality must agree on a distribution plan for allocating funds from the account which must be used for expenditures directly related to election administration.
4. County is responsible for elections within its county and Municipality operates polling places within its jurisdiction.

Agreement

1. *Effectiveness of Agreement*

- 1.1. ***Effective date.*** August 30, 2023, or the date all required signatures have been affixed to the agreement by County and Municipality, whichever is later.
- 1.2. ***Annual Renewal.*** This agreement shall remain in effect and renew annually until such time that the County or the Municipality notifies the other party in writing of its desire to terminate the Agreement. The termination will be effective December 31 of the year of notice, for the following year’s allocation.
- 1.3. ***Application of terms.*** Municipality agrees to be subject to the obligations applicable to County in the Agreement set forth in said agreement.

2. *Allocation of VOTER Account Funds*

- 2.1. ***Allocation determination.*** The Municipality agrees to receive no direct allocation under this agreement. The Municipality’s default allocation amount as provided by the OSS will instead be retained by the County for qualifying expenditures of the County and the Municipality as referenced in this Agreement.
- 2.2. ***Allocation methodology.*** The County will utilize the provided OSS default allocation as a consistent and equitable distribution of VOTER account funds for qualifying expenditures for all municipalities.
- 2.3. ***Maximum available amount.*** Based on the OSS default allocation, Municipality is allocated no more than \$30.46 for qualifying expenditures described in the Agreement and in accordance with all federal and state laws authorizing these expenditures.

3. *Use and Maintenance of VOTER Account Funds*

- 3.1. ***Municipality authorization.*** Municipality agrees to authorize County to expend the allocated amount for authorized purposes on behalf of Municipality.
- 3.2. ***Segregation of funds.*** County must segregate all funds in an election funding account.
- 3.3. ***Maintenance of funds.*** County must maintain the funds in the segregated account until spent for any authorized purposes described in the Agreement.

- 3.4. **Authorized purposes.** County may use the funds provided under the Agreement for expenditures directly related to election administration as defined in Minnesota Statutes section 5.305.
- 3.5. **Reporting requirements.** County agrees to provide any required information to OSS to meet reporting requirements outlined in statute for all funds expended for each calendar year by December 31 annually.

4. Authorized Representatives

County's Authorized Representative is:

Name: Diane Arnold
 Sherburne County Auditor-Treasurer
 Address 13880 Business Center Dr. NW Suite 100
 Phone 763-765-4363
 Email Diane.Arnold@co.sherburne.mn.us or Auditor@co.sherburne.mn.us

Municipality's Authorized Representative is:

Name: _____
 Title: _____
 Address: _____
 Phone: _____
 Email: _____

If either Authorized Representative changes at any time before the funds provided for in this Agreement are fully expended, parties must notify each other of the change.

5. Signatures and Certification

County and Municipality certify that the appropriate person(s) have executed the Agreement on behalf of County and Municipality as required by applicable resolutions or ordinances.

COUNTY

MUNICIPALITY

By: _____
 Signed: _____
 Title: _____
 Date: _____

Jurisdiction: _____
 By: _____
 Signed: _____
 Title: _____
 Date: _____

CITY OF CLEAR LAKE, MINNESOTA

SECOND AMENDMENT TO INTERIM USE PERMIT

Pursuant to a motion approved by the Clear Lake City Council on _____, 2023, the Amended Interim Use Permit previously approved by the City Council and recorded with the Sherburne County Recorder's Office as Document Number _____ is hereby amended as follows:

Paragraph 4(b) is hereby repealed and replaced with the following:

One row of coniferous trees around the solar array site, 16 feet apart as measured from trunk to trunk, is required, as shown on application plans, except as follows:

- Where said trees abut neighboring parcels identified as PID 70-018-2206, 70-018-2210 and 70-018-2245, there shall be a second row of said trees planted 16 feet apart and staggered with the first row.
- Where said trees abut neighboring parcels identified as PID 70-018-2235 and 70-018-2220, no trees need be planted because of existing screening.

All trees that perish must be replaced within one year.

All other terms of the original Interim Use Permit remain unchanged.

[Signatures are on the following page.]

City of Clear Lake

Timothy Goenner, Mayor

Attest:

Kari Koren, City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF SHERBURNE)

This instrument was acknowledged before me on ____ day of _____,
2023, by Timothy Goenner and Kari Koren, as the Mayor and Clerk Treasurer,
respectively, of the City of Clear Lake.

Notary Public

Date

This instrument drafted by:

Ratwik, Roszak, & Maloney, P.A.
444 Cedar Street, Suite 2100
St. Paul, MN 55101
(612) 339-0060
(JL)