



**DUNDAS CITY COUNCIL
REGULAR MEETING AGENDA
Monday, September 25, 2023
7:00 p.m. City Hall**

1. Call to Order/Pledge Allegiance

2. Roll Call Mayor Switzer, Council members Gallagher, LaCroix, Modory, Swartwood

3. Public Comment

4. Approval of Agenda

5. Consent Agenda *(All items on the Consent Agenda are considered routine and have been made available to the City Council at least 2 days in advance of the meeting. The items will be enacted in one motion. There will be no separate discussion of these items unless a council member or citizen requests, then the item will be removed from this agenda and considered in normal sequence.)*

- a. Regular Minutes of September 11, 2023
- b. Disbursements - \$80,753.69

6. Regular Agenda

a. Public Hearing

Consider Adopting Gas and Electric Utility Franchise Fees

- i. Open Public Hearing at _____p.m.
- ii. Staff Presentation
- iv. Public Comment
- v. Closed Public Hearing ____ p.m.

b. Consider Approving Ordinance 2023-08 Amending Ordinance 2013-02, Granting to Northern States Power Company, DBA Xcel Energy, its Successors and Assigns, Permission to Erect a Gas Distribution System for the Purposes of Constructing, Operating, Repairing and Maintaining in the City the Necessary Gas Pipes, Manis and Appurtenances for the Transmission or Distribution of Gas to the City and its Inhabitants and Others and Transmitting Gas into and Through the City and to Use the Public Grounds and Public Ways of the City for such purposes.

c. Consider Approving Ordinance 2023-09 Implementing a Gas Service Franchise Fee on Northern States Power Company, its Successors and Assigns, for Providing Gas Service within the City of Dundas.

d. Consider Approving Ordinance 2023-10 Amending Ordinance 2013-01, Granting to Northern States Power Company, DBA Xcel Energy, its Successors and Assigns, Permission to Construct, Operate, Repair and Maintain in the City of Dundas an Electric Distribution System and Transmission Lines, including the Necessary Poles, Lines, Fixtures and Appurtenances, for the Furnishing of Electric Energy to the City, its Inhabitants, and Others, and to Use the Public Grounds and Public Ways of the City for such Purposes.

e. Consider Approving Ordinance 2023-11 Implementing an Electric Service Fee on Northern States Power, its Successors and Assigns for Providing Electric Service within the City of Dundas.

f. Consider Approving VOTER Account Agreement with Rice County

g. Consider Resolution 2023-18 Approving the 2024 NAFRS Operating Budget

- h. Consider Resolution 2023-19 Approving the 2024 NAFRS Capital Expenditure Budget
- i. Consider Health/Dental/Vision Insurance Rates and City Contributions for 2024

7. Reports of Officers, Boards and Committees

- a. City Engineer
- b. City Administrator/Clerk
- c. Mayor, Councilors and Committees

8. Announcements

- a. City Council Meeting – Monday, October 9 and October 23 at 7:00 PM City Hall
- b. Park & Recreation Advisory Board Meeting – October 10 at 7:00 PM City Hall
- c. Planning Commission Meeting– Thursday, October 19 at 7:00 PM at City Hall
- d. Trunk or Treat – Friday, October 27, 6-7 PM at Memorial Park

9. Adjourn

DUNDAS CITY COUNCIL
REGULAR MEETING MINUTES
Monday, September 11, 2023
7:00 p.m. City Hall

Present: Mayor Glenn Switzer Councilors Ashley Gallagher, Luke LaCroix, Grand Modory
Absent: Luke Swartwood
Staff: City Engineer Dustin Tipp, Finance Director, Jessi Sturtz, City Administrator/Clerk Jenelle Teppen,

CALL TO ORDER

Mayor Switzer called the meeting to order at 7:00 p.m.

APPROVAL OF AGENDA

Motion by Modory, second by Gallagher, to approve the agenda. Motion Carried Unanimously (MCU)

CONSENT AGENDA

Motion by LaCroix, second by Gallagher, to approve the consent agenda as follows:

a. Regular Minutes of August 28, 2023

- a. **Resolution 2023-15** Confirming Parcels 17.10.3.00.001 and 17.15.2.25.001 Continue to Qualify for Inclusion in a Rural Service District and the Tax Benefit Ratio Remain Valid
- b. Disbursements - \$88,457.93 MCU

REGULAR AGENDA

- a. Consider Approving Resolution 2023-16 Resolution Adopting a Proposed 2023 Tax Levy, Payable in 2024
Motion by Modory, second by LaCroix, to approve Resolution 2023-16 Adopting a Proposed 2023 Tax Levy. MCU
- b. Consider Approving Resolution 2023-17 Resolution Approving 2024 Proposed Economic Development Authority Property Tax Levy
Motion by LaCroix, second by Gallagher, to approve Resolution 2023-17.
- c. Consider Approving Automatic Systems Quote
Motion by Gallagher, second by Lacroix, to approve Automatic Systems Quote.
- d. Consider Approving Northern Power Equipment, Co. Quote
Motion by Modory, second by LaCroix, to approve Northern Power Equipment, Co. quote.
- e. Consider Approving Amendment to West Avenue Apartment Development Agreement
Motion by Modory, second by Gallagher, to approve Amendment to West Ave Apartment Development Agreement.

Reports of Officers, Boards and Committees

City Engineer – Dustin Tipp reported that work on the plans to reconstruct Forest and Depot Streets will begin in October and that the intention is to bid the project in the early Spring of 2024.

City Administrator Jenelle Teppen reported that NAFRS Fire Chief Tom Nelson received designation from the State Fire Marshal that he is the Authority Having Jurisdiction (AHJ) for fire-protection work in Dundas. She also reported that staff was meeting with MnDOT District 6 staff on the future of the intersection of Trunk Highway 3 and County Road 20 later in the week.

Work Session

The City Council discussed the proposed Cold Storage building. Staff will return at the next City Council meeting with further information as requested.

Adjourn

Motion by Gallagher, second by LaCroix, to adjourn the meeting at 8:07 p.m.

CITY OF DUNDAS DISBURSEMENT REPORT
Council Meeting September 25, 2023

DATE	PAYABLE	AMOUNT
9/20/2023	PERA	\$4,750.00
9/20/2023	State of MN Empower Retirement	\$350.00
9/20/2023	MN Dept of Revenue	\$1,439.19
9/20/2023	IRS	\$6,947.14
9/20/2023	Payroll PP# 19 Employees	\$21,002.16
	Sub Total Paid Payroll and Sales Liabilities	<u>\$34,488.49</u>
9/25/2023	Utility Refund Overpayment - D Malosh	\$53.25
9/25/2023	2023 Invoices - Payment September 25, 2023	\$46,211.95
	Sub Total Paid Claims and Service Liabilities	<u>\$46,265.20</u>
TOTAL	Disbursement for September 25, 2023	<u><u>\$80,753.69</u></u>

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Payments

Current Period: August 2023

Payments Batch 092523AP		\$46,211.95	
Refer	0 AUTOMATIC SYSTEMS CO	-	
Cash Payment	E 601-49400-400 Repairs and Maintenan	Travel & Field Service - Flow Meter Troubleshooting	\$945.00
Invoice	40687	9/8/2023	
Transaction Date	9/8/2023	Frandsen Bank 10100	Total \$945.00
Refer	0 AXON ENTERPRISE, INC	-	
Cash Payment	E 101-42100-200 Supplies	Taser Supplies - Final Subscription Payment	\$1,140.00
Invoice	INUS106200	10/1/2022	
Transaction Date	10/1/2022	Frandsen Bank 10100	Total \$1,140.00
Refer	0 BY ALL MEANS GRAPHICS	-	
Cash Payment	E 101-41000-200 Supplies	Business cards - JTeppen	\$50.00
Invoice	17489	9/15/2023	
Transaction Date	9/15/2023	Frandsen Bank 10100	Total \$50.00
Refer	0 CAMPBELL KNUTSON	-	
Cash Payment	E 101-41000-304 Legal Fees	General Matters	\$961.00
Invoice	411562130	8/31/2023	
Cash Payment	G 430-22023 Escrow-Tractor Supply	Tractor Supply - Preparing Development Agreement	\$496.00
Invoice	411562130	8/31/2023	Project 22023
Transaction Date	8/31/2023	Frandsen Bank 10100	Total \$1,457.00
Refer	0 CORE & MAIN, LP	-	
Cash Payment	E 601-49400-400 Repairs and Maintenan	Water machinery parts	\$84.18
Invoice	T553573	9/11/2023	
Transaction Date	9/11/2023	Frandsen Bank 10100	Total \$84.18
Refer	0 EPIC ENTERPRISES, INC	-	
Cash Payment	E 101-42100-440 Cleaning Service	PD	\$33.58
Invoice	16131	8/31/2023	
Cash Payment	E 101-43100-440 Cleaning Service	PW	\$33.57
Invoice	16131	8/31/2023	
Cash Payment	E 101-45200-440 Cleaning Service	Ball Park	\$230.18
Invoice	16130	8/31/2023	
Transaction Date	8/31/2023	Frandsen Bank 10100	Total \$297.33
Refer	0 FARMERS MILL & ELEVATOR, INC	-	
Cash Payment	E 101-45200-400 Repairs and Maintenan	Turf Fertilizer Application - Labor & Supplies	\$1,120.82
Invoice	TP032274	9/11/2023	
Cash Payment	E 101-45200-400 Repairs and Maintenan	Turf Fertilizer Application - Labor & Supplies	\$871.75
Invoice	TP032275	9/11/2023	
Transaction Date	9/11/2023	Frandsen Bank 10100	Total \$1,992.57
Refer	0 FIELDSTONE FAMILY HOMES	-	
Cash Payment	G 101-22001 Erosion Control Deposit	Erosion Escrow Release - 457 Cedar Ln	\$2,500.00
Invoice	7235	9/18/2023	
Transaction Date	9/18/2023	Frandsen Bank 10100	Total \$2,500.00
Refer	0 HAWKINS INC.	-	
Cash Payment	E 601-49400-200 Supplies	Chemicals	\$1,154.06
Invoice	6570964	9/6/2023	

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Payments

Current Period: August 2023

Cash Payment	E 601-49400-200	Supplies	Chemicals			\$1,154.06
Invoice	6575374	9/12/2023				
Transaction Date	9/6/2023		Frandsen Bank	10100	Total	\$2,308.12
Refer	0	<u>JOHNS SNOW AND MOW LLC</u>		-		
Cash Payment	E 101-45200-406	Grounds Maintenance	Rough Cut - Parks			\$100.00
Invoice	23-Aug	9/10/2023				
Cash Payment	E 601-49400-406	Grounds Maintenance	Rough Cut - Water			\$400.00
Invoice	23-Aug	9/10/2023				
Cash Payment	E 101-45200-406	Grounds Maintenance	Mowing - Parks			\$1,795.00
Invoice	23-Aug	9/10/2023				
Cash Payment	E 101-41000-406	Grounds Maintenance	Mowing - City Hall			\$80.00
Invoice	23-Aug	9/10/2023				
Cash Payment	E 101-43100-406	Grounds Maintenance	Mowing - Streets			\$1,122.50
Invoice	23-Aug	9/10/2023				
Cash Payment	E 601-49400-406	Grounds Maintenance	Mowing - Water			\$352.50
Invoice	23-Aug	9/10/2023				
Cash Payment	E 602-49450-406	Grounds Maintenance	Mowing - Sewer			\$137.50
Invoice	23-Aug	9/10/2023				
Transaction Date	9/10/2023		Frandsen Bank	10100	Total	\$3,987.50
Refer	0	<u>JOHNSON-REILAND BUILDERS</u>		-		
Cash Payment	G 101-22001	Erosion Control Deposit	Erosion Escrow Release - 520 RVL			\$2,500.00
Invoice	6803	9/18/2023				
Transaction Date	9/18/2023		Frandsen Bank	10100	Total	\$2,500.00
Refer	0	<u>KENNEDY & GRAVEN</u>		-		
Cash Payment	E 101-41000-304	Legal Fees	Legal Research - TIF district Rebound/Anderson			\$115.00
Invoice	23-Jul	7/31/2023				
Transaction Date	7/31/2023		Frandsen Bank	10100	Total	\$115.00
Refer	0	<u>MENARDS, INC</u>		-		
Cash Payment	E 101-45200-400	Repairs and Maintenanc	Park repair			\$179.91
Invoice	53794	9/8/2023				
Cash Payment	E 602-49450-400	Repairs and Maintenanc	Sewer repair			\$11.98
Invoice	53794	9/8/2023				
Cash Payment	E 101-43100-200	Supplies	Batteries, Gloves			\$41.96
Invoice	54190	9/15/2023				
Cash Payment	E 101-43100-200	Supplies	General shop supplies			\$102.44
Invoice	53223	8/28/2023				
Cash Payment	E 101-43100-400	Repairs and Maintenanc	SEALBEST POTHOLE PATCH			\$730.62
Invoice	53223	8/28/2023				
Transaction Date	9/8/2023		Frandsen Bank	10100	Total	\$1,066.91
Refer	0	<u>MIDWEST WATER SPECIALTY, INC</u>		-		
Cash Payment	E 101-41000-200	Supplies	Water, Water softener Salt			\$37.97
Invoice	118792	9/12/2023				
Cash Payment	E 101-42100-200	Supplies	Water, Water softener Salt			\$14.00
Invoice	118792	9/12/2023				
Cash Payment	E 101-43100-200	Supplies	Water, Water softener Salt			\$14.00
Invoice	118792	9/12/2023				
Transaction Date	9/12/2023		Frandsen Bank	10100	Total	\$65.97

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Payments

Current Period: August 2023

Refer	0	MINNESOTA VALLEY TESTING LA	-			
Cash Payment	E 601-49400-310	Professional Services	Water Testing			\$53.90
Invoice	1216631	9/8/2023				
Transaction Date	9/8/2023		Frandsen Bank	10100	Total	\$53.90
Refer	0	MN PEIP	-			
Cash Payment	G 101-21706	Hospitalization/Medical Ins	Medical			\$4,610.01
Invoice	1312708	9/10/2023				
Cash Payment	G 101-21711	Dental Insurance	Dental			\$149.76
Invoice	1312708	9/10/2023				
Cash Payment	G 101-21712	Life Insurance	Life			\$16.65
Invoice	1312708	9/10/2023				
Transaction Date	9/10/2023		Frandsen Bank	10100	Total	\$4,776.42
Refer	0	NCPERS GROUP LIFE INS	-			
Cash Payment	G 101-21712	Life Insurance	Life Insurance Oct 23			\$32.00
Invoice	433600102023	9/1/2023				
Transaction Date	9/1/2023		Frandsen Bank	10100	Total	\$32.00
Refer	0	SEH, INC	-			
Cash Payment	G 430-22020	Escrow - AT&T Project #2	AT & T 3C / 4C Install Services @ Bridgewater WT			\$1,353.75
Invoice	452689	9/12/2023				
Transaction Date	9/12/2023		Frandsen Bank	10100	Total	\$1,353.75
Refer	0	WSB & ASSOC INC	-			
Cash Payment	E 101-41000-303	Engineering Fees	General Engineering			\$3,256.75
Invoice	23-Jul	9/7/2023				
Cash Payment	E 101-41000-303	Engineering Fees	Survey			\$1,327.00
Invoice	23-Jul	9/7/2023				
Cash Payment	E 101-43100-303	Engineering Fees	Streets			\$814.25
Invoice	23-Jul	9/7/2023				
Cash Payment	E 225-43150-303	Engineering Fees	Storm Water			\$360.00
Invoice	23-Jul	9/7/2023				
Cash Payment	E 225-43150-500	Capital Outlay	2023 Pond Maintenance			\$440.00
Invoice	23-Jul	9/7/2023				
Cash Payment	E 602-49450-303	Engineering Fees	Wastewater System			\$125.00
Invoice	23-Jul	9/7/2023				
Cash Payment	E 410-43100-500	Capital Outlay	PW Cold Storage			\$1,184.25
Invoice	23-Jul	9/7/2023				
Cash Payment	G 430-22006	Escrow - 80 West Ave	80 West Ave			\$1,192.00
Invoice	23-Jul	9/7/2023				
Cash Payment	E 101-41000-303	Engineering Fees	Retainer			\$800.00
Invoice	23-Jul	9/7/2023				
Cash Payment	E 101-41910-303	Engineering Fees	Public Planning Projects - N Sparks			\$2,000.00
Invoice	23-Jul	9/7/2023				
Cash Payment	G 430-22023	Escrow-Tractor Supply	Tractor Supply			\$805.00
Invoice	23-Jul	9/7/2023			Project 22023	
Transaction Date	9/7/2023		Frandsen Bank	10100	Total	\$12,304.25
Refer	0	XCEL ENERGY	-			
Cash Payment	E 101-43124-381	Electricity	Other recurring charges			\$2,168.69
Invoice	843673785	9/6/2023				

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Payments

Current Period: August 2023

Cash Payment	E 101-43124-381	Electricity	403 STAFFORD RD N UNIT SIGNAL		\$43.73
Invoice	843673785	9/6/2023			
Cash Payment	E 101-45200-381	Electricity	101 RAILWAY STS		\$13.86
Invoice	843673785	9/6/2023			
Cash Payment	E 101-45200-381	Electricity	214 1ST STS		\$812.04
Invoice	843673785	9/6/2023			
Cash Payment	E 601-49400-381	Electricity	108 HAGERTY ST		\$116.34
Invoice	843673785	9/6/2023			
Cash Payment	E 602-49450-381	Electricity	1000 RAILWAY ST N UNIT LIFT/PMP		\$148.73
Invoice	843673785	9/6/2023			
Cash Payment	E 601-49400-381	Electricity	1000 CANNON RD		\$19.69
Invoice	843673785	9/6/2023			
Cash Payment	E 602-49450-381	Electricity	1000 CANNON RD		\$19.69
Invoice	843673785	9/6/2023			
Cash Payment	E 601-49400-381	Electricity	800 COUNTY ROAD 1 UNIT PUMP/PRB		\$50.12
Invoice	843673785	9/6/2023			
Cash Payment	E 602-49450-381	Electricity	1618 PINNACLE ST UNIT LIFT/PMP		\$493.26
Invoice	843673785	9/6/2023			
Cash Payment	E 601-49400-381	Electricity	694 RAILWAY STS UNIT TOWER		\$45.80
Invoice	843673785	9/6/2023			
Cash Payment	E 601-49400-381	Electricity	1189 BRIDGEWATER PKWY		\$13.23
Invoice	843673785	9/6/2023			
Cash Payment	E 101-45200-381	Electricity	215 RAILWAY ST N		\$64.16
Invoice	843673785	9/6/2023			
Cash Payment	E 601-49400-381	Electricity	1185 BRIDGEWATER PKWY UNIT WELLHSE		\$4,071.66
Invoice	843673785	9/6/2023			
Cash Payment	E 101-45200-381	Electricity	1205 BRIDGEWATER PKWY		\$22.51
Invoice	843673785	9/6/2023			
Cash Payment	E 101-42100-381	Electricity	108 DEMANN CT		\$131.78
Invoice	843673785	9/6/2023			
Cash Payment	E 101-43100-381	Electricity	108 DEMANN CT		\$131.78
Invoice	843673785	9/6/2023			
Cash Payment	E 101-43124-381	Electricity	6156110TH ST E UNIT RAB LGHTS		\$81.95
Invoice	843673785	9/6/2023			
Cash Payment	E 101-41000-381	Electricity	100 RAILWAY ST N UNIT CITY HALL		\$606.39
Invoice	843673785	9/6/2023			
Cash Payment	E 101-41000-381	Electricity	100 RAILWAY ST N		\$56.64
Invoice	843673785	9/6/2023			
Transaction Date	9/6/2023		Frandsen Bank	10100	Total \$9,112.05
Refer	0	FRANSEN BANK & TRUST		-	
Cash Payment	G 101-21708	H.S.A. Withholdings	HSA PP#19		\$70.00
Invoice					
Transaction Date	9/21/2023		Frandsen Bank	10100	Total \$70.00

Payments

Current Period: August 2023

Fund Summary

	10100 Frandsen Bank	
101 GENERAL FUND		\$30,984.25
225 STORM SEWER		\$800.00
410 PUBLIC WORKS CAPITAL OUTLAY		\$1,184.25
430 ESCROW DEPOSITS		\$3,846.75
601 WATER		\$8,460.54
602 SEWER		\$936.16
		<hr/>
		\$46,211.95

Pre-Written Checks	\$0.00
Checks to be Generated by the Computer	\$46,211.95
Total	<hr/>
	\$46,211.95



REQUEST FOR CITY COUNCIL ACTION

TO: City Council Members

FROM: Jenelle Teppen, City Administrator

SUBJECT: Hold a Public Hearing and Upon its Conclusion, Consider Approving Ordinances 2023-08, 2023-09, 2023-10 and 2023-11

DATE: For the City Council Meeting of September 25, 2023

PURPOSE/ACTION REQUESTED

Consider holding a Public Hearing to Receive Comments and Input on adopting gas and electric utility franchise fees.

Following the Public Hearing Consider Approving Ordinance 2023-08 Amending Ordinance 2013-02, Granting to Northern States Power Company, DBA Xcel Energy, its Successors and Assigns, Permission to Erect a Gas Distribution System for the Purposes of Constructing, Operating, Repairing and Maintaining in the City the Necessary Gas Pipes, Manis and Appurtenances for the Transmission or Distribution of Gas to the City and its Inhabitants and Others and Transmitting Gas into and Through the City and to Use the Public Grounds and Public Ways of the City for such purposes; and,

Consider Approving Ordinance 2023-09 Implementing a Gas Service Franchise Fee on Northern States Power Company, its Successors and Assigns, for Providing Gas Service within the City of Dundas; and,

Consider Approving Ordinance 2023-10 Amending Ordinance 2013-01, Granting to Northern States Power Company, DBA Xcel Energy, its Successors and Assigns, Permission to Construct, Operate, Repair and Maintain in the City of Dundas an Electric Distribution System and Transmission Lines, including the Necessary Poles, Lines, Fixtures and Appurtenances, for the Furnishing of Electric Energy to the City, its Inhabitants, and Others, and to Use the Public Grounds and Public Ways of the City for such Purposes; and,

Consider Approving Ordinance 2023-11 Implementing an Electric Service Fee on Northern States Power, its Successors and Assigns for Providing Electric Service within the City of Dundas.

SUMMARY

The City Council accepted the Pavement Management Plan (PMP) on February 13, 2023. The PMP summarizes the condition of the City's 11 miles of roadway and projects future road maintenance on those roadways.

The City Council has reviewed and discussed the various ways in which future street maintenance projects can be funded and have given direction to staff to draft the appropriate documents in order to implement a franchise fee on the Gas and Electricity franchise agreements the City has with Xcel

Energy.

Staff has communicated with the public regarding the proposed implementation of franchise fees by:

- Noticing it on monthly utility bills
- Putting a small informational piece in the Dundas Messenger
- Putting the information on the City's website homepage
- Holding an Open House (again, advertised on the website, in the Messenger and on Utility Bills)

No one from the public has called or emailed nor did anyone attend the Open House to ask questions, express concern, etc.

A Public Hearing notice was published in the City's newspaper of record as required by Minnesota State Statutes.

Fees are expected to be collected beginning January 1, 2024 and will be received quarterly. All funds will be deposited to Fund 415, the Street Improvement Fund and will be used exclusively for street reconstruction/maintenance activities.

RECOMMENDATION

The Council should open the Public Hearing and receive all public testimony. Once that concludes, the Council should close the Public Hearing and consider the Ordinance Amendments and the Ordinances Implementing the Gas and Electric Fees.

ORDINANCE NO. 2023-08

CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA

GAS FRANCHISE ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 2013-02, GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSES OF CONSTRUCTING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF DUNDAS, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO THE CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH THE CITY AND TO USE THE PUBLIC GROUNDS AND PUBLIC WAYS OF THE CITY FOR SUCH PURPOSES.

THE CITY COUNCIL OF THE CITY OF DUNDAS, RICE COUNTY, MINNESOTA, ORDAINS:

SECTION 1. Ordinance 2013-02, originally codified as Section 503.02 of the Dundas City Code and currently codified as Section 53.01 of the Dundas City Code, is amended as follows:

§ 503.029. FRANCHISE FEE

~~The City at the time of adopting this franchise agreement does not desire to require that Company collect a franchise fee from its customers in the City. At a future date during the term of this franchise agreement, the City may determine that it desires Company to collect a franchise fee. If so, the City may give Company Notice to amend this franchise agreement to authorize collection of a franchise fee by separate ordinance in an amount and upon such terms and conditions as Company at that time is willing to incorporate in its gas franchise agreements with other cities. Upon receipt of such Notice Company shall negotiate in good faith with City to so amend this franchise agreement.~~

(A) Fee Schedule. During the term of the franchise hereby granted, and, notwithstanding any other requirement to the contrary in this franchise agreement, in lieu of any permit or other fees being imposed on the Company, the City may impose on the Company a franchise fee by collecting the amounts indicated in a Fee Schedule set forth in a separate ordinance from each customer in the designated Company Customer Class. The parties have agreed that the franchise fee collected by the Company and paid to the City in accordance with this Section shall not exceed the following amounts:

<u>Class</u>	<u>Fee Per Premises Per Month</u>
<u>Residential</u>	<u>\$3.25</u>
<u>Commercial Firm Non-Demand</u>	<u>\$18.00</u>
<u>Commercial Firm Demand</u>	<u>\$ 0</u>
<u>Small Interruptible</u>	<u>\$ 0</u>
<u>Medium and Large Interruptible</u>	<u>\$ 0</u>

The ~~stricken~~ language is deleted; the underlined language is inserted

Firm Transportation	\$ 0
Interruptible Transportation	\$ 0

(B) Separate Ordinance. The franchise fee shall be imposed by a separate ordinance duly adopted by the City Council, which ordinance shall not be adopted until at least 90 days after written notice enclosing such proposed ordinance has been served upon Company by certified mail. The fee shall not become effective until the beginning of a Company billing month at least 90 days after written notice enclosing such adopted ordinance has been served upon Company by certified mail. Section 2.5 shall constitute the sole remedy for solving disputes between Company and the City in regard to the interpretation of, or enforcement of, the separate ordinance. No action by the City to implement a separate ordinance will commence until such separate ordinance is effective. A separate ordinance which imposes a lesser franchise fee on the residential class of customers than the maximum amount set forth in Subsection (A) above shall not be effective against Company unless the fee imposed on each other customer class is reduced proportionately in the same or greater amount per class as the reduction represented by the lesser fee on the residential class.

(C) Collection of the Fee. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made by imposing a surcharge equal to the designated franchise fee for the applicable customer class in all customer billings for gas service in each class. The payment shall be due the last business day of the month following the period for which the payment is made. The franchise fee may be changed by ordinance from time to time; however, each change shall meet the same notice requirements and not occur more often than annually and no change shall require a collection from any customer for gas service in excess of the amounts specifically permitted by this Section 9. The time and manner of collecting the franchise fee is subject to the approval of the Commission, which the Company agrees to use its best efforts to obtain. No franchise fee shall be payable by Company if Company is legally unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company's applicable rates for gas service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds, and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers, unless the City is required to do so pursuant to Minnesota Statutes, Chapter 13 or by order of a Court of competent jurisdiction.

(D) Terms Defined.

(1) "Customer Class" shall refer to classes listed in the Fee Schedule and as defined or determined in Company's gas rate book on file with the Commission.

(2) "Fee Schedule" refers to the Schedule in Section 9.1 setting forth the various customer classes from which a franchise fee would be collected if a separate ordinance were implemented immediately after the effective date of this franchise agreement. The Fee Schedule in the separate ordinance may include new Customer Classes added by the Company to its gas tariffs after the effective date of this franchise agreement.

(3) “Therm” shall be a unit of gas providing 100,000 Btu of heat content adjusted for billing purposes under the rate schedules of Company on file with the Commission.

(E) Equivalent Fee Requirement. The separate ordinance imposing the fee shall not be effective against Company unless it lawfully imposes, and the City monthly or more often collects, a fee or tax of the same or greater equivalent amount on the receipts from sales of energy within the City by any other energy supplier, provided that, as to such a supplier, the City has the authority to require a franchise fee or to impose a tax. The “same or greater equivalent amount” shall be measured, if practicable, by comparing amounts collected as a franchise fee from each similar customer, or by comparing, as to similar customers, the percentage of the annual bill represented by the amount collected for franchise fee purposes. The franchise fee or tax shall be applicable to energy sales for any energy use related to heating, cooling or lighting, or to run machinery and appliances, but shall not apply to energy sales for the purpose of providing fuel for vehicles. If the Company specifically consents in writing to a franchise or separate ordinance collecting or failing to collect a fee from another energy supplier in contravention of this Subsection (E), the foregoing conditions will be waived to the extent of such written consent.

SECTION 2. All other terms of Ordinance 2013-02 remain unchanged and in full force and effect.

Passed and approved: September 25, 2023

Mayor

Attest:

City Administrator/City Clerk

Date Published: September 30, 2023

The ~~stricken~~ language is deleted; the underlined language is inserted

ORDINANCE 2023 – 09

**CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA**

AN ORDINANCE IMPLEMENTING A GAS SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING GAS SERVICE WITHIN THE CITY OF DUNDAS.

THE CITY OF DUNDAS, RICE COUNTY, MINNESOTA, DOES ORDAIN:

Section 1. Purpose. The Dundas City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide gas services within the City of Dundas. Pursuant to City Ordinance No. 2023- 08, a Franchise Agreement between the City of Dundas and Northern States Power Company, A Minnesota Corporation its successors and assigns, (“Company”) the City has the right to impose a franchise fee on the Company.

Section 2. Terms. A franchise fee is hereby imposed on the Company under its gas franchise in accordance with the amount and fee design set forth in the fee schedule attached as Exhibit A to this Ordinance commencing with the Company’s January 2024 billing month.

This fee is an account-based fee on each premises and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premises, but only one account, only one fee shall be assessed to that account. If a premises has two or more meters being billed at different rates, the Company may have an account for each rate class, which will result in more than one franchise fee assessment for gas service to that premises. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate class for energy delivered to that premises. In the event any entities covered by this ordinance have more than one premises, each premises (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premises, the Company’s manner of billing for energy used at all similar premises in the city will control.

Section 3. Payment and Fee Modification. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made. The payment shall be due the last business day of the month following the period for which the payment is made. Such fee shall not exceed any amount that the Company may legally charge to its customers prior to payment to the City by imposing a surcharge equivalent to such fee in its rates for gas service. The franchise fee may be increased or decreased by ordinance from time to time, however any such change may not occur more often than annually. No franchise fee shall be payable by Company if Company is unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company’s applicable rates for gas service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not

to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers, unless the City is required to do so pursuant to Minnesota Statutes, Chapter 13 or by order of a Court of competent jurisdiction.

Section 4. Surcharge. The City recognizes that the Minnesota Public Utilities Commission may allow the Company to add a surcharge to customer rates of city residents to reimburse the Company for the cost of the fee. The Company agrees that it is prohibited from adding an administrative fee of any kind on to the franchise fee.

Section 5. Enforcement. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 53.022 (E) of the Franchise Agreement.

Section 6. Effective Date of Franchise Fee. The effective date of fee collection shall be January 1, 2024 or ninety (90) days after the City sends written notice enclosing a copy of this adopted Ordinance to the Company by certified mail, whichever date is later.

Effective Date. This ordinance becomes effective from and after its passage and publication.

Adopted in regular session of the City Council of the City of Dundas, Minnesota held this 25th day of September, 2023.

CITY OF DUNDAS

Glenn Switzer, Mayor

ATTEST:

Jenelle Teppen, City Administrator/Clerk

Published in the Faribault Daily News on the 30th day of September 2023.

EXHIBIT A

XCEL ENERGY ELECTRIC FRANCHISE

FEE SCHEDULE

<u>Class</u>	<u>Monthly Fee per Customer</u>
Residential	\$3.25
C & I – Non-Demand	\$18.00

Franchise fees are to be collected monthly by the Company in the amounts set forth in the above schedule, and remitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.

ORDINANCE NO. 2023-10

CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA

ELECTRIC FRANCHISE ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 2013-01, GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN IN THE CITY OF DUNDAS, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, LINES, FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE CITY, ITS INHABITANTS, AND OTHERS, AND TO USE THE PUBLIC GROUNDS AND PUBLIC WAYS OF THE CITY FOR SUCH PURPOSES

THE CITY COUNCIL OF THE CITY OF DUNDAS, RICE COUNTY, MINNESOTA, ORDAINS:

SECTION 1. Ordinance 2013-01, originally codified as Section 503.01 of the Dundas City Code and currently codified as Section 53.02 of the Dundas City Code, is amended as follows:

§ 503.019. FRANCHISE FEE

~~_____The City at the time of adopting this franchise agreement does not desire to require that Company collect a franchise fee from its customers in the City. At a future date during the term of this franchise agreement, the City may determine that it desires Company to collect a franchise fee. If so, the City may give Company Notice to amend this franchise agreement to authorize collection of a franchise fee by separate ordinance in an amount and upon such terms and conditions as Company at that time is willing to incorporate in its electric franchise agreements with other cities. Upon receipt of such Notice Company shall negotiate in good faith with City to so amend this franchise agreement.~~

(A) Fee Schedule. During the term of the franchise hereby granted, and, notwithstanding any other requirement to the contrary in this franchise agreement, in lieu of any permit or other fees being imposed on Company, the City may impose on Company a franchise fee by collecting the amounts indicated in a Fee Schedule set forth in a separate ordinance from each customer in the designated Company Customer Class. The parties have agreed that the franchise fee collected by the Company and paid to the City in accordance with this Section shall not exceed the following amounts.

<u>Class</u>	<u>Fee Per Premises Per Month</u>
<u>Residential</u>	<u>\$2.25</u>
<u>Sm C & I – Non-Dem</u>	<u>\$3.25</u>
<u>Sm C & I – Demand</u>	<u>\$25.00</u>
<u>Large C & I</u>	<u>\$740.00</u>

The ~~stricken~~ language is deleted; the underlined language is inserted

(B) Separate Ordinance. The franchise fee shall be imposed by a separate ordinance duly adopted by the City Council, which ordinance shall not be adopted until at least 90 days after written notice enclosing such proposed ordinance has been served upon Company by certified mail. The fee shall not become effective until the beginning of a Company billing month at least 90 days after written notice enclosing such adopted ordinance has been served upon Company by certified mail. Section 2.5 shall constitute the sole remedy for solving disputes between Company and the City in regard to the interpretation of, or enforcement of, the separate ordinance. No action by the City to implement a separate ordinance will commence until such separate ordinance is effective. A separate ordinance which imposes a lesser franchise fee on the residential class of customers than the maximum amount set forth in Subsection (A) above shall not be effective against Company unless the fee imposed on each other customer class is reduced proportionately in the same or greater amount per class as the reduction represented by the lesser fee on the residential class.

(C) Collection of the Fee. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made by imposing a surcharge equal to the designated franchise fee for the applicable customer class in all customer billings for electric service in each class. The payment shall be due the last business day of the month following the period for which the payment is made. The franchise fee may be changed by ordinance from time to time; however, each change shall meet the same notice requirements and not occur more often than annually and no change shall require a collection from any customer for electric service in excess of the amounts specifically permitted by this Section. The time and manner of collecting the franchise fee is subject to the approval of the Commission, which the Company agrees to use its best efforts to obtain. No franchise fee shall be payable by Company if Company is legally unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company's applicable rates for electric service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers, unless the City is required to do so pursuant to Minnesota Statutes, Chapter 13 or by order of a Court of competent jurisdiction.

(D) Terms Defined. For the purpose of this Section, the following definitions apply:

- (1) "Customer Class" shall refer to the classes listed on the Fee Schedule and as defined or determined in Company's electric tariffs on file with the Commission.
- (2) "Fee Schedule" refers to the schedule in Subsection (A) above, setting forth the various customer classes from which a franchise fee would be collected if a separate ordinance were implemented immediately after the effective date of this franchise agreement. The Fee Schedule in the separate ordinance may include new Customer Class added by Company to its electric tariffs after the effective date of this franchise agreement.

(E) Equivalent Fee Requirement. The separate ordinance imposing the fee shall not be effective against Company unless it lawfully imposes and the City monthly or more often collects a fee or tax of the same or greater equivalent amount on the receipts from sales of energy within the City by any other energy supplier, provided that, as to such a supplier, the City has the authority to require a franchise fee or to impose a tax. The “same or greater equivalent amount” shall be measured, if practicable, by comparing amounts collected as a franchise fee from each similar customer, or by comparing, as to similar customers the percentage of the annual bill represented by the amount collected for franchise fee purposes. The franchise fee or tax shall be applicable to energy sales for any energy use related to heating, cooling or lighting, or to run machinery and appliances, but shall not apply to energy sales for the purpose of providing fuel for vehicles. If the Company specifically consents in writing to a franchise or separate ordinance collecting or failing to collect a fee from another energy supplier in contravention of this Subsection (E), the foregoing conditions will be waived to the extent of such written consent.

SECTION 2. All other terms of Ordinance 2013-01 remain unchanged and in full force and effect.

Passed and approved: September 25, 2023

Mayor

Attest:

City Administrator/City Clerk

Date Published: September 30, 2023

The ~~stricken~~ language is deleted; the underlined language is inserted

ORDINANCE 2023 – 11

**CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA**

AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF DUNDAS.

THE CITY COUNCIL OF THE CITY OF DUNDAS, MINNESOTA, ORDAINS:

Section 1. Purpose. The Dundas City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide electric services within the City of Dundas. Pursuant to City Ordinance No. 2023-10, a Franchise Agreement between the City of Dundas and Northern States Power Company, a Minnesota corporation, its successors and assigns, (“Company”) the City has the right to impose a franchise fee on the Company.

Section 2. Terms. A franchise fee is hereby imposed on the Company under its electric franchise in accordance with the amount and fee design set forth in the fee schedule attached as Exhibit A to this Ordinance commencing with the Company’s January 2024 billing month.

This fee is an account-based fee on each premises and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premises, but only one account, only one fee shall be assessed to that account. If a premises has two or more meters being billed at different rates, the Company may have an account for each rate class, which will result in more than one franchise fee assessment for electric service to that premises. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate class for energy delivered to that premises. In the event any entities covered by this ordinance have more than one premises, each premises (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premises, the Company’s manner of billing for energy used at all similar premises in the city will control.

Section 3. Payment and Fee Modification. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made. The payment shall be due the last business day of the month following the period for which the payment is made. Such fee shall not exceed any amount that the Company may legally charge to its customers prior to payment to the City by imposing a surcharge equivalent to such fee in its rates for electric service. The franchise fee may be increased or decreased by ordinance from time to time, however any such change may not occur more often than annually. No franchise fee shall be payable by Company if Company is unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company’s applicable rates for electric service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records

available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers, unless the City is required to do so pursuant to Minnesota Statutes, Chapter 13 or by order of a Court of competent jurisdiction.

Section 4. Surcharge. The City recognizes that the Minnesota Public Utilities Commission may allow the Company to add a surcharge to customer rates of city residents to reimburse the Company for the cost of the fee. The Company agrees that it is prohibited from adding an administrative fee of any kind on to the franchise fee.

Section 5. Enforcement. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 53.012 (E) of the Franchise Agreement.

Section 6. Effective Date of Franchise Fee. The effective date of fee collection shall be January 1, 2024 or ninety (90) days after the City sends written notice enclosing a copy of this adopted Ordinance to the Company by certified mail, whichever date is later.

Effective Date. This ordinance becomes effective from and after its passage and publication.

Adopted in regular session of the City Council of the City of Dundas, Minnesota held this 25th day of September, 2023.

CITY OF DUNDAS

Glenn Switzer, Mayor

ATTEST:

Jenelle Teppen, City Administrator/ Clerk

Published in the Faribault Daily News on the 30th day of September, 2023.

EXHIBIT A

XCEL ENERGY ELECTRIC FRANCHISE

FEE SCHEDULE

<u>Class</u>	<u>Monthly Fee per Customer*</u>
Residential	\$2.25
Sm C & I – Non-Dem	\$3.25
Sm C & I – Demand	\$25.00
Large C & I	\$740.00

Franchise fees are to be collected monthly by the Company in the amounts set forth in the above schedule, and remitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.

Passed by the City Council of Dundas, Minnesota this 25th day of September, 2023.

Glenn Switzer, Mayor

Attested:

Jenelle Teppen, City Administrator/ Clerk

ORDINANCE NO. 2023-08

CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA

GAS FRANCHISE ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 2013-02, GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO ERECT A GAS DISTRIBUTION SYSTEM FOR THE PURPOSES OF CONSTRUCTING, OPERATING, REPAIRING AND MAINTAINING IN THE CITY OF DUNDAS, MINNESOTA, THE NECESSARY GAS PIPES, MAINS AND APPURTENANCES FOR THE TRANSMISSION OR DISTRIBUTION OF GAS TO THE CITY AND ITS INHABITANTS AND OTHERS AND TRANSMITTING GAS INTO AND THROUGH THE CITY AND TO USE THE PUBLIC GROUNDS AND PUBLIC WAYS OF THE CITY FOR SUCH PURPOSES.

THE CITY COUNCIL OF THE CITY OF DUNDAS, RICE COUNTY, MINNESOTA, ORDAINS:

SECTION 1. Ordinance 2013-02, originally codified as Section 503.02 of the Dundas City Code and currently codified as Section 53.01 of the Dundas City Code, is amended as follows:

§ 503.029. FRANCHISE FEE

~~The City at the time of adopting this franchise agreement does not desire to require that Company collect a franchise fee from its customers in the City. At a future date during the term of this franchise agreement, the City may determine that it desires Company to collect a franchise fee. If so, the City may give Company Notice to amend this franchise agreement to authorize collection of a franchise fee by separate ordinance in an amount and upon such terms and conditions as Company at that time is willing to incorporate in its gas franchise agreements with other cities. Upon receipt of such Notice Company shall negotiate in good faith with City to so amend this franchise agreement.~~

(A) Fee Schedule. During the term of the franchise hereby granted, and, notwithstanding any other requirement to the contrary in this franchise agreement, and in lieu of any permit or other fees being imposed on the Company, the City may impose on the Company a franchise fee by collecting the amounts indicated in a Fee Schedule set forth in a separate ordinance from each customer in the designated Company Customer Class. The parties have agreed that the franchise fee collected by the Company and paid to the City in accordance with this Section shall not exceed the following amounts:

<u>Class</u>	<u>Fee Per Premises Per Month</u>
<u>Residential</u>	<u>\$3.25</u>
<u>Commercial Firm Non-Demand</u>	<u>\$18.00</u>
<u>Commercial Firm Demand</u>	<u>\$ 0</u>
<u>Small Interruptible</u>	<u>\$ 0</u>
<u>Medium and Large Interruptible</u>	<u>\$ 0</u>

The ~~stricken~~ language is deleted; the underlined language is inserted

Firm Transportation	\$ 0
Interruptible Transportation	\$ 0

(B) Separate Ordinance. The franchise fee shall be imposed by a separate ordinance duly adopted by the City Council, which ordinance shall not be adopted until at least 90 days after written notice enclosing such proposed ordinance has been served upon Company by certified mail. The fee shall not become effective until the beginning of a Company billing month at least 90 days after written notice enclosing such adopted ordinance has been served upon Company by certified mail. Chapter 53.002 (E) 2.5 shall constitute the sole remedy for solving disputes between Company and the City in regard to the interpretation of, or enforcement of, the separate ordinance. No action by the City to implement a separate ordinance will commence until such separate ordinance is effective. A separate ordinance which imposes a lesser franchise fee on the residential class of customers than the maximum amount set forth in Subsection (A) above shall not be effective against Company unless the fee imposed on each other customer class is reduced proportionately in the same or greater amount per class as the reduction represented by the lesser fee on the residential class.

(C) Collection of the Fee. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made by imposing a surcharge equal to the designated franchise fee for the applicable customer class in all customer billings for gas service in each class. The payment shall be due the last business day of the month following the period for which the payment is made. The franchise fee may be changed by ordinance from time to time; however, each change shall meet the same notice requirements and not occur more often than annually and no change shall require a collection from any customer for gas service in excess of the amounts specifically permitted by this Chapter 53.029. The time and manner of collecting the franchise fee is subject to the approval of the Commission, which the Company agrees to use its best efforts to obtain. No franchise fee shall be payable by Company if Company is legally unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company's applicable rates for gas service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds, and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers, unless the City is required to do so pursuant to Minnesota Statutes, Chapter 13 or by order of a Court of competent jurisdiction.

(D) Terms Defined.

- (1) "Customer Class" shall refer to classes listed in the Fee Schedule and as defined or determined in Company's gas rate book on file with the Commission.
- (2) "Fee Schedule" refers to the Schedule in Chapter 53.029 setting forth the various customer classes from which a franchise fee would be collected if a separate ordinance were implemented immediately after the effective date of this franchise agreement. The Fee Schedule in the separate ordinance may include new Customer

Classes added by the Company to its gas tariffs after the effective date of this franchise agreement.

(3) “Therm” shall be a unit of gas providing 100,000 Btu of heat content adjusted for billing purposes under the rate schedules of Company on file with the Commission.

(E) Equivalent Fee Requirement. The separate ordinance imposing the fee shall not be effective against Company unless it lawfully imposes, and the City monthly or more often collects, a fee or tax of the same or greater equivalent amount on the receipts from sales of energy within the City by any other energy supplier, provided that, as to such a supplier, the City has the authority to require a franchise fee or to impose a tax. The “same or greater equivalent amount” shall be measured, if practicable, by comparing amounts collected as a franchise fee from each similar customer, or by comparing, as to similar customers, the percentage of the annual bill represented by the amount collected for franchise fee purposes. The franchise fee or tax shall be applicable to energy sales for any energy use related to heating, cooling or lighting, or to run machinery and appliances, but shall not apply to energy sales for the purpose of providing fuel for vehicles. If the Company specifically consents in writing to a franchise or separate ordinance collecting or failing to collect a fee from another energy supplier in contravention of this Subsection (E), the foregoing conditions will be waived to the extent of such written consent.

SECTION 2. All other terms of Ordinance 2013-02 remain unchanged and in full force and effect.

Passed and approved: September 25, 2023

Mayor

Attest:

City Administrator/City Clerk

Date Published: September 30, 2023

The ~~stricken~~ language is deleted; the underlined language is inserted

**SUMMARY OF
ORDINANCE 2023-08**

CITY OF DUNDAS
STATE OF MINNESOTA

An Ordinance Amending Ordinance 2013-02, Granting to Northern States Power Company, A Minnesota Corporation, DBA Xcel Energy, its Successors and Assigns, Permission to Erect a Gas Distribution System for the Purposes of Constructing, Operating, Repairing and Maintaining in the City of Dundas, Minnesota, the Necessary Gas Pipes, Mains and Appurtenances for the Transmission or Distribution of gas to the City and its Inhabitants and Others and Transmitting Gas Into and Through the City and to Use the Public Grounds and Public Ways of the City for Such Purposes.

The following is the official summary of Ordinance 2023-08, which was approved and adopted by the Dundas City Council on September 25, 2023:

Chapter 53.01, Gas Franchise, is hereby amended to include the addition of Franchise Fees.

A copy of the entire Ordinance 2023-08 is available for inspection by any person during regular office hours at the Dundas City Hall, 100 Railway Street North, Dundas, Minnesota 55019; and is posted at the Dundas City website: www.cityofdundas.org.

ADOPTED BY THE DUNDAS CITY COUNCIL on the 25th day of September 2023.

Published by order:

Jenelle Teppen, City Administrator/Clerk in the *Faribault News* on September 30, 2023

ORDINANCE 2023 – 09

**CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA**

AN ORDINANCE IMPLEMENTING A GAS SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING GAS SERVICE WITHIN THE CITY OF DUNDAS.

THE CITY OF DUNDAS, RICE COUNTY, MINNESOTA, DOES ORDAIN:

Section 1. Purpose. The Dundas City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide gas services within the City of Dundas. Pursuant to City Ordinance No. 2023- 08, a Franchise Agreement between the City of Dundas and Northern States Power Company, A Minnesota Corporation its successors and assigns, (“Company”) the City has the right to impose a franchise fee on the Company.

Section 2. Terms. A franchise fee is hereby imposed on the Company under its gas franchise in accordance with the amount and fee design set forth in the fee schedule attached as Exhibit A to this Ordinance commencing with the Company’s January 2024 billing month.

This fee is an account-based fee on each premises and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premises, but only one account, only one fee shall be assessed to that account. If a premises has two or more meters being billed at different rates, the Company may have an account for each rate class, which will result in more than one franchise fee assessment for gas service to that premises. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate class for energy delivered to that premises. In the event any entities covered by this ordinance have more than one premises, each premises (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premises, the Company’s manner of billing for energy used at all similar premises in the city will control.

Section 3. Payment and Fee Modification. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made. The payment shall be due the last business day of the month following the period for which the payment is made. Such fee shall not exceed any amount that the Company may legally charge to its customers prior to payment to the City by imposing a surcharge equivalent to such fee in its rates for gas service. The franchise fee may be increased or decreased by ordinance from time to time, however any such change may not occur more often than annually. No franchise fee shall be payable by Company if Company is unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company’s applicable rates for gas service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not

to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers, unless the City is required to do so pursuant to Minnesota Statutes, Chapter 13 or by order of a Court of competent jurisdiction.

Section 4. Surcharge. The City recognizes that the Minnesota Public Utilities Commission may allow the Company to add a surcharge to customer rates of city residents to reimburse the Company for the cost of the fee. The Company agrees that it is prohibited from adding an administrative fee of any kind on to the franchise fee.

Section 5. Enforcement. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Section 53.022 (E) of the Franchise Agreement.

Section 6. Effective Date of Franchise Fee. The effective date of fee collection shall be January 1, 2024 or ninety (90) days after the City sends written notice enclosing a copy of this adopted Ordinance to the Company by certified mail, whichever date is later.

Effective Date. This ordinance becomes effective from and after its passage and publication.

Adopted in regular session of the City Council of the City of Dundas, Minnesota held this 25th day of September, 2023.

CITY OF DUNDAS

Glenn Switzer, Mayor

ATTEST:

Jenelle Teppen, City Administrator/Clerk

Published in the Faribault Daily News on the 30th day of September 2023.

EXHIBIT A

XCEL ENERGY ELECTRIC FRANCHISE

FEE SCHEDULE

<u>Class</u>	<u>Monthly Fee per Customer</u>
Residential	\$3.25
C & I – Non-Demand	\$18.00

Franchise fees are to be collected monthly by the Company in the amounts set forth in the above schedule, and remitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.

**SUMMARY OF
ORDINANCE 2023-09**

CITY OF DUNDAS
STATE OF MINNESOTA

An Ordinance Implementing a Gas Service Franchise Fee on Northern States Power Company, a Minnesota Corporation, its Successors and Assigns, for Providing Gas Service Within the City of Dundas

The following is the official summary of Ordinance 2023-09, which was approved and adopted by the Dundas City Council on September 25, 2023:

Chapter 53.01 of the City of Dundas City Code, is hereby amended to include a Gas Franchise Fee.

A copy of the entire Ordinance 2023-09 is available for inspection by any person during regular office hours at the Dundas City Hall, 100 Railway Street North, Dundas, Minnesota 55019; and is posted at the Dundas City website: www.cityofdundas.org.

ADOPTED BY THE DUNDAS CITY COUNCIL on the 25th day of September 2023.

Published by order:

Jenelle Teppen, City Administrator/Clerk in the *Faribault News* on September 30, 2023

ORDINANCE NO. 2023-10

CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA

ELECTRIC FRANCHISE ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 2013-01, GRANTING TO NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, D/B/A XCEL ENERGY, ITS SUCCESSORS AND ASSIGNS, PERMISSION TO CONSTRUCT, OPERATE, REPAIR AND MAINTAIN IN THE CITY OF DUNDAS, MINNESOTA, AN ELECTRIC DISTRIBUTION SYSTEM AND TRANSMISSION LINES, INCLUDING NECESSARY POLES, LINES, FIXTURES AND APPURTENANCES, FOR THE FURNISHING OF ELECTRIC ENERGY TO THE CITY, ITS INHABITANTS, AND OTHERS, AND TO USE THE PUBLIC GROUNDS AND PUBLIC WAYS OF THE CITY FOR SUCH PURPOSES

THE CITY COUNCIL OF THE CITY OF DUNDAS, RICE COUNTY, MINNESOTA, ORDAINS:

SECTION 1. Ordinance 2013-01, originally codified as Section 503.01 of the Dundas City Code and currently codified as Section 53.02 of the Dundas City Code, is amended as follows:

§ 503.019. FRANCHISE FEE

~~_____The City at the time of adopting this franchise agreement does not desire to require that Company collect a franchise fee from its customers in the City. At a future date during the term of this franchise agreement, the City may determine that it desires Company to collect a franchise fee. If so, the City may give Company Notice to amend this franchise agreement to authorize collection of a franchise fee by separate ordinance in an amount and upon such terms and conditions as Company at that time is willing to incorporate in its electric franchise agreements with other cities. Upon receipt of such Notice Company shall negotiate in good faith with City to so amend this franchise agreement.~~

(A) Fee Schedule. During the term of the franchise hereby granted, and, notwithstanding any other requirement to the contrary in this franchise agreement, in lieu of any permit or other fees being imposed on Company, the City may impose on Company a franchise fee by collecting the amounts indicated in a Fee Schedule set forth in a separate ordinance from each customer in the designated Company Customer Class. The parties have agreed that the franchise fee collected by the Company and paid to the City in accordance with this Section shall not exceed the following amounts.

<u>Class</u>	<u>Fee Per Premises Per Month</u>
<u>Residential</u>	<u>\$2.25</u>
<u>Sm C & I – Non-Dem</u>	<u>\$3.25</u>
<u>Sm C & I – Demand</u>	<u>\$25.00</u>
<u>Large C & I</u>	<u>\$740.00</u>

The ~~stricken~~ language is deleted; the underlined language is inserted

(B) Separate Ordinance. The franchise fee shall be imposed by a separate ordinance duly adopted by the City Council, which ordinance shall not be adopted until at least 90 days after written notice enclosing such proposed ordinance has been served upon Company by certified mail. The fee shall not become effective until the beginning of a Company billing month at least 90 days after written notice enclosing such adopted ordinance has been served upon Company by certified mail. Chapter 53.12 (E) shall constitute the sole remedy for solving disputes between Company and the City in regard to the interpretation of, or enforcement of, the separate ordinance. No action by the City to implement a separate ordinance will commence until such separate ordinance is effective. A separate ordinance which imposes a lesser franchise fee on the residential class of customers than the maximum amount set forth in Subsection (A) above shall not be effective against Company unless the fee imposed on each other customer class is reduced proportionately in the same or greater amount per class as the reduction represented by the lesser fee on the residential class.

(C) Collection of the Fee. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made by imposing a surcharge equal to the designated franchise fee for the applicable customer class in all customer billings for electric service in each class. The payment shall be due the last business day of the month following the period for which the payment is made. The franchise fee may be changed by ordinance from time to time; however, each change shall meet the same notice requirements and not occur more often than annually and no change shall require a collection from any customer for electric service in excess of the amounts specifically permitted by this Section. The time and manner of collecting the franchise fee is subject to the approval of the Commission, which the Company agrees to use its best efforts to obtain. No franchise fee shall be payable by Company if Company is legally unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company's applicable rates for electric service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers, unless the City is required to do so pursuant to Minnesota Statutes, Chapter 13 or by order of a Court of competent jurisdiction.

(D) Terms Defined. For the purpose of this Section, the following definitions apply:

- (1) "Customer Class" shall refer to the classes listed on the Fee Schedule and as defined or determined in Company's electric tariffs on file with the Commission.
- (2) "Fee Schedule" refers to the schedule in Subsection (A) above, setting forth the various customer classes from which a franchise fee would be collected if a separate ordinance were implemented immediately after the effective date of this franchise agreement. The Fee Schedule in the separate ordinance may include new Customer Class added by Company to its electric tariffs after the effective date of this franchise agreement.

(E) Equivalent Fee Requirement. The separate ordinance imposing the fee shall not be effective against Company unless it lawfully imposes and the City monthly or more often collects a fee or tax of the same or greater equivalent amount on the receipts from sales of energy within the City by any other energy supplier, provided that, as to such a supplier, the City has the authority to require a franchise fee or to impose a tax. The “same or greater equivalent amount” shall be measured, if practicable, by comparing amounts collected as a franchise fee from each similar customer, or by comparing, as to similar customers the percentage of the annual bill represented by the amount collected for franchise fee purposes. The franchise fee or tax shall be applicable to energy sales for any energy use related to heating, cooling or lighting, or to run machinery and appliances, but shall not apply to energy sales for the purpose of providing fuel for vehicles. If the Company specifically consents in writing to a franchise or separate ordinance collecting or failing to collect a fee from another energy supplier in contravention of this Subsection (E), the foregoing conditions will be waived to the extent of such written consent.

SECTION 2. All other terms of Ordinance 2013-01 remain unchanged and in full force and effect.

Passed and approved: September 25, 2023

Mayor

Attest:

City Administrator/City Clerk

Date Published: September 30, 2023

The ~~stricken~~ language is deleted; the underlined language is inserted

**SUMMARY OF
ORDINANCE 2023-10**

CITY OF DUNDAS
STATE OF MINNESOTA

The following is the official summary of Ordinance 2023-10, which was approved and adopted by the Dundas City Council on September 25, 2023:

An Ordinance Amending Ordinance 2013-01, Granting to Northern States Power Company, A Minnesota Corporation, DBA Xcel Energy, its Successors and Assigns, Permission to Erect an Electric Distribution System to Construct, Operate, Repair and Maintain in the City of Dundas, Minnesota, an Electric Distribution System and Transmission Lines, Including Necessary Poles, Lines, Fixtures and Appurtenances, for the Furnishing of Electric Energy to the City, its Inhabitants, and Others, and to Use the Public Grounds and Public Ways of the City for such Purposes.

A copy of the entire Ordinance 2023-10 is available for inspection by any person during regular office hours at the Dundas City Hall, 100 Railway Street North, Dundas, Minnesota 55019; and is posted at the Dundas City website: www.cityofdundas.org.

ADOPTED BY THE DUNDAS CITY COUNCIL on the 25th day of September 2023.

Published by order:

Jenelle Teppen, City Administrator/Clerk in the *Faribault News* on September 30, 2023

ORDINANCE 2023 – 11

CITY OF DUNDAS COUNTY OF RICE STATE OF MINNESOTA

AN ORDINANCE IMPLEMENTING AN ELECTRIC SERVICE FRANCHISE FEE ON NORTHERN STATES POWER COMPANY, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR PROVIDING ELECTRIC SERVICE WITHIN THE CITY OF DUNDAS.

THE CITY COUNCIL OF THE CITY OF DUNDAS, MINNESOTA, ORDAINS:

Section 1. Purpose. The Dundas City Council has determined that it is in the best interest of the City to impose a franchise fee on those public utility companies that provide electric services within the City of Dundas. Pursuant to City Ordinance No. 2023-10, a Franchise Agreement between the City of Dundas and Northern States Power Company, a Minnesota corporation, its successors and assigns, (“Company”) the City has the right to impose a franchise fee on the Company.

Section 2. Terms. A franchise fee is hereby imposed on the Company under its electric franchise in accordance with the amount and fee design set forth in the fee schedule attached as Exhibit A to this Ordinance commencing with the Company’s January 2024 billing month.

This fee is an account-based fee on each premises and not a meter-based fee. In the event that an entity covered by this ordinance has more than one meter at a single premises, but only one account, only one fee shall be assessed to that account. If a premises has two or more meters being billed at different rates, the Company may have an account for each rate class, which will result in more than one franchise fee assessment for electric service to that premises. If the Company combines the rate classifications into a single account, the franchise fee assessed to the account will be the largest franchise fee applicable to a single rate class for energy delivered to that premises. In the event any entities covered by this ordinance have more than one premises, each premises (address) shall be subject to the appropriate fee. In the event a question arises as to the proper fee amount for any premises, the Company’s manner of billing for energy used at all similar premises in the city will control.

Section 3. Payment and Fee Modification. The franchise fee shall be payable quarterly and shall be based on the amount collected by Company during complete billing months during the period for which payment is to be made. The payment shall be due the last business day of the month following the period for which the payment is made. Such fee shall not exceed any amount that the Company may legally charge to its customers prior to payment to the City by imposing a surcharge equivalent to such fee in its rates for electric service. The franchise fee may be increased or decreased by ordinance from time to time, however any such change may not occur more often than annually. No franchise fee shall be payable by Company if Company is unable to first collect an amount equal to the franchise fee from its customers in each applicable class of customers by imposing a surcharge in Company’s applicable rates for electric service. Company may pay the City the fee based upon the surcharge billed subject to subsequent reductions to account for uncollectibles, refunds and correction of erroneous billings. Company agrees to make its records

available for inspection by the City at reasonable times provided that the City and its designated representative agree in writing not to disclose any information which would indicate the amount paid by any identifiable customer or customers or any other information regarding identified customers, unless the City is required to do so pursuant to Minnesota Statutes, Chapter 13 or by order of a Court of competent jurisdiction.

Section 4. Surcharge. The City recognizes that the Minnesota Public Utilities Commission may allow the Company to add a surcharge to customer rates of city residents to reimburse the Company for the cost of the fee. The Company agrees that it is prohibited from adding an administrative fee of any kind on to the franchise fee.

Section 5. Enforcement. Any dispute, including enforcement of a default regarding this ordinance will be resolved in accordance with Chapter 53.012 (E) of the Franchise Agreement.

Section 6. Effective Date of Franchise Fee. The effective date of fee collection shall be January 1, 2024 or ninety (90) days after the City sends written notice enclosing a copy of this adopted Ordinance to the Company by certified mail, whichever date is later.

Effective Date. This ordinance becomes effective from and after its passage and publication.

Adopted in regular session of the City Council of the City of Dundas, Minnesota held this 25th day of September, 2023.

CITY OF DUNDAS

Glenn Switzer, Mayor

ATTEST:

Jenelle Teppen, City Administrator/ Clerk

Published in the Faribault Daily News on the 30th day of September, 2023.

EXHIBIT A

XCEL ENERGY ELECTRIC FRANCHISE

FEE SCHEDULE

<u>Class</u>	<u>Monthly Fee per Customer*</u>
Residential	\$2.25
Sm C & I – Non-Dem	\$3.25
Sm C & I – Demand	\$25.00
Large C & I	\$740.00

Franchise fees are to be collected monthly by the Company in the amounts set forth in the above schedule, and remitted to the City on a quarterly basis as follows:

- January – March collections due by April 30.
- April – June collections due by July 31.
- July – September collections due by October 31.
- October – December collections due by January 31.

Passed by the City Council of Dundas, Minnesota this 25th day of September, 2023.

Glenn Switzer, Mayor

Attested:

Jenelle Teppen, City Administrator/ Clerk

**SUMMARY OF
ORDINANCE 2023-11**

CITY OF DUNDAS
STATE OF MINNESOTA

An Ordinance Implementing an Electric Service Franchise Fee on Northern States Power Company, a Minnesota Corporation, its Successors and Assigns, for Providing Electric Service Within the City of Dundas

The following is the official summary of Ordinance 2023-01, which was approved and adopted by the Dundas City Council on September 25, 2023:

Chapter 53.02 of the City of Dundas City Code, is hereby amended to include an Electric Franchise Fee.

A copy of the entire Ordinance 2023-11 is available for inspection by any person during regular office hours at the Dundas City Hall, 100 Railway Street North, Dundas, Minnesota 55019; and is posted at the Dundas City website: www.cityofdundas.org.

ADOPTED BY THE DUNDAS CITY COUNCIL on the 25th day of September 2023.

Published by order:

Jenelle Teppen, City Administrator/Clerk in the *Faribault News* on September 30, 2023



REQUEST FOR CITY COUNCIL ACTION

TO: City Council Members
FROM: Jenelle Teppen, City Administrator
SUBJECT: Consider Approving VOTER Account Agreement with Rice County
DATE: For the City Council Meeting of September 25, 2023

PURPOSE/ACTION REQUESTED

Consider approving VOTER account agreement with Rice County.

SUMMARY

Staff received a request from County Elections personnel seeking approval of the attached Agreement.

Rice County received \$13,775.75 from the Voting Operations, Technology and Election Resources (VOTER) Account, which is a dedicated stream of state funding for county and municipal election administration. Funds were approved in the 2023 Session Laws. \$1.25 million will be allocated to counties according to an established formula. Funds will be allocated by July 20 of each year, starting this year, until the law is amended by the legislature.

VOTER Account funds can be used for any purpose that is directly related to election administration, including:

- Equipment
- Hardware or software
- Cybersecurity
- Security-related infrastructure
- Capital improvements to improve access to polling places for individuals with disabilities
- Staff costs for election administrators, election judges and other election officials
- Printing and publication
- Postage
- Programming
- Any other purpose directly related to election administration

Rice County is seeking to keep the full VOTER Account Funding due to the County fully funding election equipment purchases. Dundas' allocation according to the default allocation per the statute is \$101.39. They ask that each municipality approve the attached Agreement.

RECOMMENDATION

Motion to approve the VOTER Agreement with Rice County.

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

This Agreement (hereinafter “Agreement”) is made between Rice County ("County"),

And City of Dundas (“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 \$13,775.75 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.*** 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 methodology in the amount of \$101.39 will instead be retained by the County for qualifying expenditures of the County and the Municipality as referenced in this Agreement.

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: Denise Anderson
Title: Property Tax & Elections Director
Address: 320 Third St NW, Faribault, MN 55021
Phone: 507-332-6133
Email: Denise.Anderson@RiceCountyMN.gov

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: _____

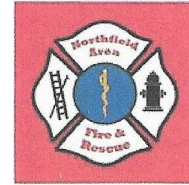
Jurisdiction: _____
By: _____
Signed: _____
Title: _____
Date: _____



AREA FIRE & RESCUE SERVICES

301 Fifth St West
Northfield, MN 55057
tom.nelson@nafrs.org

Phone: (507) 366-8124
Fax: (507) 366-8126



Memo

To: JPA Parties
Ben Martig – City of Northfield
Dean Odette Rural Fire Protection District
Janelle Teppen – City of Dundas

From: Tom Nelson, Fire Chief/Fire Code Official

[Handwritten signature]

Date: September 19, 2023,

Subject: NAFRS 2024 Budget

The Board of the Northfield Area Fire and Rescue Service has approved the FY2024 operations and capital budget. We request that each of the JPA Parties approve the operations budget of \$1,195,000 and capital expenditures of \$505,000 for 2024 per paragraph 6b of the Joint Powers Agreement.

The operation budget of \$1,195,000 includes revenue of \$22,000 which results in a total net contribution of \$1,173,000 for JPA Parties. The percentages were updated in September of 2023 per the Joint Powers Board Agreement, and the final breakdown for each party is listed below:

Table with 7 columns: NAFRS % Contributions for 2024 and 2025, % CONTRIBUTION Rounded to 2 decimals, 2024 NAFRS Operating Budget, 2024 NAFRS Operating Budget Net Revenue, 2024 NAFRS Capital Equipment Budget, TOTAL NAFRS Budget, TOTAL NAFRS NET Budget. Rows include Northfield, Rural Fire District, Dundas, and a summary row for Other Revenue.

**CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA**

RESOLUTION NUMBER 2023 - 18

*A Resolution Approving the NAFRS
Operating Expense Budget Request for 2024*

WHEREAS the Joint Powers Agreement, Fire Protection and Rescue Services (the Agreement) Section 6.a requires the Northfield Area Fire and Rescue Services (“NAFRS”) Board to develop and approve a budget of operating expenses and capital expenditures for the ensuing calendar year, and

WHEREAS on behalf of the NAFRS, Fire Chief Nelson has submitted a NAFRS Board approved operating budget request to the Parties; and

WHEREAS the Agreement, Section 6.b requires the Parties to approve or disapprove the NAFRS Budget for the next calendar year prior to September 30;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Dundas that the operations budget request for the appropriate share of the NAFRS 2024 Operating Expense Budget of \$75,524.00 is hereby approved; and

BE IT FURTHER RESOLVED that the City Administrator/Clerk is hereby instructed to transmit a copy of this Resolution to the Northfield Area Fire and Rescue Services Board.

ADOPTED by the City Council of Dundas, Minnesota, on this 25th day of September 2023.

CITY OF DUNDAS BY:

ATTEST:

Glenn Switzer, Mayor

Jenelle Teppen, City Administrator/Clerk

Resolution 2023-18

**CITY OF DUNDAS
COUNTY OF RICE
STATE OF MINNESOTA**

RESOLUTION NUMBER 2022 - 19

*A Resolution Approving the NAFRS
Capital Expenditures Budget Request for 2024*

WHEREAS the Joint Powers Agreement, Fire Protection and Rescue Services (the Agreement) Section 6.a requires the Northfield Area Fire and Rescue Service (“NAFRS”) Board to develop and approve a budget of operating expenses and capital expenditures for the ensuing calendar year, and

WHEREAS on behalf of NAFRS, Fire Chief Nelson has submitted a NAFRS Board approved capital expenditures budget request to the Parties; and

WHEREAS the Agreement, Section 6.b requires the Parties to approve or disapprove the NAFRS Budget for the next calendar year prior to September 30;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Dundas that the NAFRS Board request for the appropriate share of the 2024 Capital Expenditures Budget of \$31,916.00 is hereby approved; and

BE IT FURTHER RESOLVED that the City Administrator/Clerk is hereby instructed to transmit a copy of this Resolution to the Northfield Area Fire and Rescue Services Board.

ADOPTED by the City Council of Dundas, Minnesota, on this 25th day of September 2023.

CITY OF DUNDAS BY:

ATTEST:

Glenn Switzer, Mayor

Jenelle Teppen, City Administrator/Clerk

Resolution 2022-19



REQUEST FOR CITY COUNCIL ACTION

TO: City Council Members
 FROM: Jenelle Teppen, City Administrator
 SUBJECT: Consider Approving Health/Dental Rates and City Contribution for 2024
 DATE: For the City Council Meeting of September 25, 2023

PURPOSE/ACTION REQUESTED

Consider approving Health/Dental Rates and City Contributions for 2024.

SUMMARY

The City has received its health and dental rate renewal for 2024. PEIP revised their underwriting guidelines and the January 2024 renewals reflect a combination of the pool’s overall claims along with each group’s own claims. Average increases are approximately 3.6%, while Dundas’ renewal is a reduction of slightly more than 2%.

2024 rates for the three plans offered and the proposed City contribution are:

		2023	2024	City’s Proposed Contribution
Advantage High Option	Single	\$1,162.29	\$1,140.94	\$795.82
	Family	\$3,103.07	\$3,046.08	\$1,593.51
Advantage Value Option	Single	\$1,044.83	\$1,024.90	\$795.82
	Family	\$2,789.56	\$2,736.34	\$1,593.51
Advantage HSA Option	Single	\$813.08	\$795.82	\$795.82
	Family	\$2,170.77	\$2,124.68	\$1,593.51

The City has traditionally covered 100% of the single premium of the lowest cost plan and 75% of the premium of the family coverage of the lowest cost plan. In 2023 that contribution is \$813/month towards the cost of the single premium of the lowest cost plan and 75% or \$1,628.08 towards family coverage of the lowest cost plan.

The City currently provides \$813/month to those employees who waive coverage under the City’s plan. I recommend that the City’s 2024 contribution continue to align with the monthly premium for single coverage of the lowest cost plan; \$795/month.

Dental Insurance

The 2024 renewal rates for dental coverage are not increasing. 100% of the premium for single coverage is currently covered by the City for the lowest cost plan.

		2023	2024	Proposed 2024 City Contribution
Preventative Dental Plan	Single	\$12.45	\$12.45	\$12.45
	Family	\$37.71	\$37.71	\$12.45

RECOMMENDATION

Motion to approve the 2024 Health and Dental Insurance rates and align the City's contribution with the lowest cost single plan at \$795.82/month, and the amount contributed to employee's who waive coverage under the City's plan at \$795/mo and to maintain the contribution level for dental insurance at \$12.45/mo.

City of Dundas
Public Works Staff Meeting / City Engineer Update 09/20/23
September 21, 2023
Agenda

The City Administrator, Public Works Director, and City Engineer meet at least monthly to plan and review projects and tasks, and to discuss public works matters of all types. The agenda used for the most recent Public Works staff meeting forms the basis for the updates that are provided to the City Council. Following is the most recent Public Works staff meeting agenda with notes added.

1. 2023 Storm Sewer Maintenance
 - Hester Street
 - On the south side of Hester Street between the Menard and City ponds; the storm sewer outlet from 3rd Street will be extended, and the pond side slopes flattened in this area. 9-12-22 Easement documents were approved by Council. Staff is working with Menard to get the documents executed.
 - Modification work to the catch basin near the Dundas Dome driveway. Structure cannot be lowered. Lower grade around casting and structure and rip rap area. Regrade from road and Dundas Dome swale to improve drainage with the possible addition of a concrete flume from street to catch basin. Staff is developing a concept plan for this work. Staff is preparing a plan to send out for quotes.
2. 2023 Street Lighting
 - On Railway Street down to West Avenue; and including lights at each end of the pedestrian bridge over the Cannon River.
 - The poles and fixtures have been delivered.
 - Council approved the removal of the concrete walk just north of Bridge Street to Hester Street. The street light installation will be completed within the next 2-3 weeks. The concrete walk will be removed at the light pole locations. The remaining walk will be removed after the light installation.
3. Comprehensive Transportation Planning
 - 4-13-22 Staff prepared a Joint Road Policy, and the policy was reviewed with Bridgewater Township officials. Staff is waiting on comments from BWT officials with regards to the JRP. Staff met with BWT representatives on 6-21-2023 and 7-26-23 to discuss the Joint Road Policy. **A follow-up meeting was held 9-13-23.**
 - Staff prepared a preliminary road design and estimate of project costs for street improvements for a portion of 115th Street between CSAH 20 and CSAH 22.
 - 4/12/21 the City Council approved a resolution in support of Rice County preparing a planning Study of Decker Avenue from TH 19 to CSAH 1. 8-3-23 Staff met with County officials to begin discussions on the schedule for the Decker Avenue planning study. Project information and timelines will be sent over from the County.
 - The County is reaching out to consulting firms to obtain proposals to perform the study.

4. CSAH 1/TH 3 Pedestrian Crossing

- The scope of work includes installing a trail along CSAH 1, connecting to the existing sidewalks on Schilling Drive, Cannon Road, and North Stafford Road. A trail connection would also be made to the existing trail along TH 3. Pedestrian crossing improvements would be made to the intersection of TH 3 and CSAH 1. Ditch grading and storm sewer improvements would be made to accommodate the trails.
- Funding in the amount of \$370,000 has been allocated to the project in the State's 2023 Capital Budget under Grants to Political Subdivisions.
- Funding was to be administered on 8-1. Correspondence with MnDOT indicates that the State is still working through the process to get funding administered with no date set at this time.

5. ECRT Parking Lot and Dog Park Relocation

- The concept plan was approved by Council March 13th Council Meeting.
- The dog park relocation is in the CIP for 2023 and the parking lot improvements in 2024.
- Staff met with Canines at Play to discuss participation in the project.
- Council awarded the Contract for the dog park fence to Caron fence on 5-22-23.
- Caron Fence completed the fence work at the dog park except for the bottom rail.

6. Forest Avenue and Depot Street

- Based on the soil borings for Forest Avenue and Depot Street, extensive pavement repair is necessary. Future construction will likely include pavement reclamation and a bituminous overlay.
- Staff will begin plan preparation in October and bid the project in Spring of 2024. City will bond for the project.

7. Northfield Wastewater Treatment

- Northfield received written approval from the PCA for the permit amendment. The City of Northfield will approve future sanitary sewer extension permits and the surcharge will be discontinued while the City's flows remain within the revised limits.

8. Public Works Tasks

- The storm water code and fees are under review, including sump pump connection requirements.
- 7-24-23 Council approved a not to exceed limit of \$12,000 for spray patching to perform street maintenance on street areas damaged over the winter/spring. Because the contractor bills for this work hourly, staff have prioritized the repair areas based on severity of damage. Staff is finalizing the contract with the Contractor and are awaiting a schedule to start the work.
- Council approved the installation of QuickLocks to repair the two damaged sections of pipe on Schilling Drive north of Hester Street. ***The QuickLocks have been installed.***
- Staff is coordinating the restriping of the green and white crosswalks for the 1st Street bike lane, as well as the City Hall parking lot with a local contractor. The Contractor indicated that the work would be able to be completed by the end of August. ***All striping work is complete.***

9. Regional Storm Water and Wetland

- The work in the pond south of County Road 1, within Schilling Park, will be completed in 2025 to allow time for the dog park to be moved and the existing fence to be removed.

10. Stoneridge Hills 2nd

- 6-13-22 Preliminary Plat, Final Plat and Developer's Agreement were approved by Council.
- Because the plat was not recorded within the required 100 days of approval, the Developer will need to reapply for final plat approval.
- The City will require a signed Developer's Agreement with securities, signed mylars and the final revised construction and landscape plans to move forward with the development.

11. West Avenue Apartments

- Weekly and rainfall inspections will be done on behalf of the City through the duration of construction ensure erosion control issues do not arise.
- Grading and excavation began on the site on 5/2/22.
- Council approved an amendment to the Developer's agreement to extend the completion date to September 1, 2023.

12. Pavement Management Plan and Franchise Fees

- 1-23-23 Plan was presented to Council.
- At the February 27th Council Meeting, a work session was held to discuss costs associated with recommended maintenance activities.
- A work session was held at the March 27th Council meeting to discuss funding options.
- 4-24-23 Staff met with the Public Works Committee to discuss the franchise fee process and details.
- 7-10-23 Staff met with the Public Works Committee to discuss the potential revenue options provided by Xcel and how the funding will be budgeted for future roadway improvement and maintenance projects.
- 7-24-23 Council reviewed the franchise fees and recommended moving forward with the 5% fee. Staff is working on public outreach and setting up an informational open house prior to the public hearing to adopt the franchise fee ordinance.
- An informational open house was held on 9-6-23 at City Hall.

13. Public Works Cold Storage

- The preliminary site plan and building details were presented to Council on 2-27-23.
- The preliminary floor plan would include information such as garage door, service door and window placement. Final design would be the responsibility of the contractor.
- Project information and proposed quote package for building and site grading were brought to Council for review at the May 22nd Council meeting.
- Council awarded the contract to Raw Construction, LLC for the site grading on 7-10-23. Work will begin on 8-15-23 and be completed in early September.
- Quotes were due 8-4-23 for the cold storage building. A total of 3 contractors submitted quotes for the work. Staff is reviewing the quotes and proposed building designs.
Information was reviewed by Council on 9-11-23. Estimated project costs and available funding will be presented to Council at a future meeting.

14. Preliminary Effluent Review

- 7-25-22 Council approved a proposal to complete the preliminary effluent review.
- 1-5-23 Staff has started work on the review.
- 6-22-23 Preliminary Effluent Review Request was sent to the MPCA. Staff is waiting to receive the information required to complete the review. The information will be presented to Council once the review is completed.

15. Sanitary Sewer and Water Comprehensive Plan

- 1-5-23 Staff has started on the comprehensive plan. The work is budgeted for 2023 in the enterprise fund budget. Draft plans will be complete by the end of September.

16. Transportation Comprehensive Plan

- 1-5-23 Staff has started work on the comprehensive plan. The work is budgeted for 2023 in the general fund budget. The draft plan has been completed and is currently under review by Staff.

17. Tractor Supply

- 8-28-23 Council approved the Developer's Agreement with Conditions.
- ***A new submittal to address the engineering comments has been received from the Developer's Engineer. Remaining comments to be addressed have been sent back to the Developer.***
- ***The Developer signed the Development Agreement and has submitted securities. Grading is tentatively planned for 9-18-23.***