



**BROWNS VALLEY CITY COUNCIL MEETING  
BROWNS VALLEY PUBLIC LIBRARY MEETING ROOM**

**Monday May 23, 2023 - 5:30 P.M.**

**AGENDA**

**Call to order**

**Pledge of Allegiance**

**Roll Call:** Mike Heck Tony Miller Neil Madison Jan Biewer Devan Dobbs

Others in attendance: Jodi Hook-Hansen, Tony Serocki, Bernice Piechowski, Terry Biewer

**Absent:**

**Approval of Agenda:**

**Consent Agenda**

- May 8, 2023 Regular Meeting Minutes
- For a grand total of \$23,738.16
  - Wages: May 16<sup>th</sup> = \$7,005.81
  - Claims: May 22<sup>nd</sup> = \$16,732.35

**Department Reports: Sheriff's Dept-Ambulance-Fire Department-Public Works-Library-Admin/Code Officer**

**Communications:**

**Unfinished Business:**

**New Business:**

- Approval of Darrell Dobbs request to go parttime 30-33 hours.
- Approval of hire Zach Serocki for Ambulance
- Approval of ambulance radio purchase for \$2400 and apply for grant with West Central that will provide \$1000 towards that cost.
- Fence Permit: 21 6<sup>th</sup> St N (Ryg)
- Chicken Permit 126 1<sup>st</sup> Ave NE (Adair)
- Building Permit 126 1<sup>st</sup> Ave NE (Adair)
- Abatement on 319 4<sup>th</sup> St N (Greseth)
- Approval to change two current CDs from 2% rate to 4.5% rate for 11 months at First Independent Bank
- Approval to change five current CDs from 2% rate to 4.5% rate for 11 months at First Independent Bank
- Ordinance Section 92.25 An Ordinance dealing with abatement procedures for public nuisances
- Ordinance Section 90.01 An Ordinance dealing with the disposition of abandoned property
- Ordinance Section 90.18 (C) An Ordinance dealing with the abatement procedures for junk vehicles
- Council to set fee for Transient Merchant (food truck)

**Other Business:**

**Public Comment:**

**Dates:**

**Items for council to consider for future:**

**Next scheduled meeting Monday June 12th - 5:30 PM**

**Adjournment: Time \_\_\_\_\_**

**NOTE: The agenda is produced in advance of the council meeting. The actual meeting may consist of additional items, as may come before the council after the agenda is posted, or during the meeting itself.**



The regular council meeting of the City of Browns Valley, MN was held in the meeting room of the Public Library. Council members present were Mayor Mike Heck, Neil Madison, Tony Miller, Devan Dobbs, and Jan Biewer. Also, in attendance were City Administrator Jodi Hook-Hansen, Code Enforcement Officer Terry Biewer, City Maintenance Tony Serocki, and City Attorney Matt Franzese. Absent: Library Director Bernice Piechowski  
Other's present: Edith Foren, Chad Metz, Arlene Reinart

The meeting was called to order at 5:30 p.m. by Mayor Heck.  
The Pledge of Allegiance was recited by those in attendance.

**Public Hearing:** None at this time.

Visitors: Greg Wagner and Rebecca Lynn Peterson from West Central Initiative were present to discuss the Browns Valley Main Street Economic Revitalization Grant, specifically the application process and having the Browns Valley EDA act as the local review committee. They also presented a packet to the Council of their 2022 Annual Review.

**Agenda:**

Upon a motion by Biewer with a second by Miller, the Council unanimously approved the agenda with the additions of accepting a lease with First Lease LLC, two additional building permits: 202 Washington St (Schultz) and 418 Ash St. SE (Odom), a gambling permit for the Firefighter's Relief Association on September 9<sup>th</sup>, a proposed amendment to the Browns Valley EDA's enabling resolution, and to discuss the letter of resignation received from Fire Chief Brad Bartz.

**Consent Agenda:**

- Upon a motion by Miller with a second by Madison, the Council unanimously approved the April 24, 2023, Regular Meeting Minutes.
- Upon a motion by Biewer with a second by Dobbs, the Council unanimously approved the claims for a grand total of \$36,903.18, including Wages (May 1<sup>st</sup> = \$7,575.53) and the Claims (May 8<sup>th</sup> = \$29,327.65).
- Upon a motion by Madison with a second by Biewer, the Council unanimously approved the Delinquency Report.
- Upon a motion by Miller with a second by Madison, the Council unanimously approved the Treasurer's Report.

**Department Reports:**

- City Administrator Hook-Hansen reported on administrative items completed in the office.
- Librarian Reinart reported on activities at the library.

**Browns Valley Regular City Council Meeting Unapproved Minutes**  
**May 8, 2023**

- Code Enforcement Officer Biewer reported on actions done to enforce City ordinances and items completed in the office.
- City Maintenance Serocki reported on public works items completed.

**New Business:**

- Upon a motion by Miller with a second by Dobbs, the Council unanimously approved of the building permit for 414 Broadway (Meyen/Ritter), 314 2<sup>nd</sup> Street North (Tchida), 202 Washington Street South (Schultz), and 418 Ash Street SE (Odom).
- Upon a motion by Miller with a second by Biewer, the Council unanimously approved of the amendment to Ordinance Section 92.01 (B)(1), an ordinance dealing with regulation of snow, ice, dirt and rubbish on public streets.
- Upon a motion by Miller with a second by Biewer, the Council unanimously approved of the Summary of Ordinance Section 92.01 (B) (1) for publication.
- Upon a motion by Miller with a second by Biewer, the Council unanimously approved of the amendment to Ordinance No 92.21, an ordinance dealing with public nuisances.
- Upon a motion by Miller with a second by Biewer, the Council unanimously approved of the Summary of Ordinance Section 92.21 for publication.

**Other Business:**

- Upon a motion by Miller with a second by Biewer, the Council unanimously approved a \$500,000.00 lease with First Lease LLC for the City's shop, and granted authority to the Mayor and City Admin to approve and sign all documents necessary to execute the lease.
- Upon a motion by Miller with a second by Biewer, the Council voted 3-2 to accept the resignation of Brad Bartz as Fire Chief and ambulance ems. Nay- Madison and Heck. Aye-Miller, Dobbs and Biewer.
- Upon a motion by Miller with a second by Biewer, the Council unanimously approved the Fire Relief Association's to be able to conduct lawful gambling on September 9<sup>th</sup> at the fire hall.
- Upon a motion by Madison with a second by Miller, the Council unanimously approved Resolution 23-11, a resolution amending the enabling resolution creating the Economic Development Authority in the City of Browns Valley by increasing the number of Commissioners from five to seven.
- The discussion of Water Accountability, Inactive Accounts and Rate Study were tabled since Hook-Hansen has not received further information.
- Hook-Hansen raised the issue of the City imposing a sales tax at local businesses in order to fund future capital projects.
- The Council discussed which streets are most in need of repair, and how to fit that into the budget.

**Browns Valley Regular City Council Meeting Unapproved Minutes  
May 8, 2023**

- Hook-Hansen raised the issue about vacating Jackson Street going north between Heck and Odom properties. Serocki informed the Council that water and sewer are located there and that the City would need easement rights. No action was taken by the Council.
- Hook-Hansen asked about selling an additional lot to Odom. Council denied the request as our Emergency Siren is located on the property that he is interested in.

**Dates:**

- May 23<sup>rd</sup> EDA Meeting at 5:00
- May 15-16 City Wide Clean up days Located at Traverse County Recycling Center 215 Park St.

**Items for Council to consider for future:** Forming committees to review our Personnel Handbook, Fire Department policy, and Ordinance Book.

**Next scheduled meeting: Monday May 24<sup>th</sup> at 5:30 p.m.**

The meeting adjourned at 7:17 p.m.

Minutes submitted by:

Approved by:

\_\_\_\_\_  
Jodi Hook-Hansen, City Administrator

\_\_\_\_\_  
Mike Heck, Mayor

Payments

Current Period: May 2023

Payment Batch Claims052223		\$16,732.35	
<u>Refer</u>	<u>829 PEIP</u>	<u>Ck# 013196E 5/11/2023</u>	
Cash Payment	G 101-21706 Health Insurance	June Ins	\$3,454.62
Invoice	1280728 5/10/2023		
Transaction Date	5/11/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$3,454.62
<u>Refer</u>	<u>830 FRANZESE, MATTHEW P.</u>	<u>Ck# 019820 5/22/2023</u>	
Cash Payment	E 101-41610-304 Legal Fees	May services	\$1,025.00
Invoice			
Transaction Date	5/11/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$1,025.00
<u>Refer</u>	<u>831 VALLEY OFFICE PRODUCTS INC</u>	<u>Ck# 019828 5/22/2023</u>	
Cash Payment	E 101-41000-200 Office Supplies (GENER	deposit stamps	\$42.00
Invoice	INV10697 5/15/2023		
Transaction Date	5/16/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$42.00
<u>Refer</u>	<u>832 DAKOTA SUPPLY GROUP</u>	<u>Ck# 019818 5/22/2023</u>	
Cash Payment	E 602-49450-220 Repair/Maint Supply (GE	sewer repair	\$33.03
Invoice	S102704906.001 5/3/2023		
Transaction Date	5/16/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$33.03
<u>Refer</u>	<u>833 OFFICE PEEPS</u>	<u>Ck# 019822 5/22/2023</u>	
Cash Payment	E 101-41000-210 Operating Supplies (GEN	contract copier ink	\$536.92
Invoice	1026087-0 5/9/2023		
Transaction Date	5/16/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$536.92
<u>Refer</u>	<u>834 PIECHOWSKI, BERNICE</u>	<u>Ck# 019825 5/22/2023</u>	
Cash Payment	E 211-45500-331 Travel Expenses	directors meeting exp	\$116.11
Invoice			
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$116.11
<u>Refer</u>	<u>835 CENTER POINT LARGE PRINT</u>	<u>Ck# 019817 5/22/2023</u>	
Cash Payment	E 211-45500-429 Misc Grant Items for Rei	large print books	\$109.08
Invoice	2016096 5/4/2023		
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$109.08
<u>Refer</u>	<u>836 BAKER &amp; TAYLOR</u>	<u>Ck# 019815 5/22/2023</u>	
Cash Payment	E 211-45500-435 Books and Pamphlets	books	\$226.37
Invoice	2037511700 5/5/2023		
Cash Payment	E 211-45500-333 Freight and Express	books	\$2.26
Invoice	2037511700 5/5/2023		
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$228.63
<u>Refer</u>	<u>837 THE PENWORTHY COMPANY LLC</u>	<u>Ck# 019827 5/22/2023</u>	
Cash Payment	E 211-45500-435 Books and Pamphlets	books	\$174.35
Invoice	0590586-IN 5/5/2023		
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$174.35
<u>Refer</u>	<u>838 CENGAGE LEARNING</u>	<u>Ck# 019816 5/22/2023</u>	
Cash Payment	E 211-45500-435 Books and Pamphlets	books	\$55.98
Invoice	81125814 5/3/2023		
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$55.98
<u>Refer</u>	<u>839 PAMPERED PETS</u>	<u>Ck# 019824 5/22/2023</u>	
Cash Payment	E 101-42700-300 Professional Srvs (GENE	boarding of strays	\$135.00
Invoice	5/15/2023		

Payments

Current Period: May 2023

Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b>	\$135.00
Refer	840 MN DEPT OF REVENUE SW	<u>Ck# 013197E 5/18/2023</u>		
Cash Payment	G 101-21702 State Withholding			\$389.73
Invoice				
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b>	\$389.73
Refer	841 IRS	<u>Ck# 013198E 5/18/2023</u>		
Cash Payment	G 101-21701 Federal Withholding	Federal		\$486.24
Invoice				
Cash Payment	G 101-21703 FICA Tax Withholding	SS & Medicare		\$1,453.10
Invoice				
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b>	\$1,939.34
Refer	842 MATHESON TRI-GAS INC	<u>Ck# 019821 5/22/2023</u>		
Cash Payment	E 101-42153-210 Operating Supplies (GEN oxygen medical			\$40.91
Invoice	27765973 5/16/2023			
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b>	\$40.91
Refer	843 PUBLIC EMPLOYEES RETIREMEN	<u>Ck# 013199E 5/17/2023</u>		
Cash Payment	G 101-21704 PERA			\$1,260.59
Invoice				
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b>	\$1,260.59
Refer	844 DAKOTA WASTE SOLUTIONS	<u>Ck# 019819 5/22/2023</u>		
Cash Payment	E 603-49500-300 Professional Srvs (GENE June garbage service			\$4,000.00
Invoice	122493 5/16/2023			
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b>	\$4,000.00
Refer	845 ROBERTS COUNTY LANDFILL	<u>Ck# 019826 5/22/2023</u>		
Cash Payment	E 603-49500-384 Refuse/Garbage Disposa tire disposal from spring clean up			\$59.00
Invoice	81420 5/17/2023			
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b>	\$59.00
Refer	846 OTTERTAIL POWER COMPANY	<u>Ck# 019823 5/22/2023</u>		
Cash Payment	E 101-41000-381 Electric Utilities	14-060262 Comm Ctr		\$42.77
Invoice				
Cash Payment	E 602-49450-381 Electric Utilities	14-065992 W Brdwy Grind		\$105.75
Invoice				
Cash Payment	E 101-43000-381 Electric Utilities	14-061130 Bulk Station		\$8.34
Invoice				
Cash Payment	E 101-45000-381 Electric Utilities	14-061130 Bulk Station		\$4.17
Invoice				
Cash Payment	E 601-49400-381 Electric Utilities	14-061130 Bulk Station		\$2.50
Invoice				
Cash Payment	E 602-49450-381 Electric Utilities	14-061130 Bulk Station		\$1.67
Invoice				
Cash Payment	E 101-43160-381 Electric Utilities	14-004837 Street lights		\$1,151.89
Invoice				
Cash Payment	E 601-49400-381 Electric Utilities	14-004838 Well #3		\$331.16
Invoice				
Cash Payment	E 602-49450-381 Electric Utilities	14-004839 Renville Disp Lift		\$406.52
Invoice				
Cash Payment	E 601-49400-381 Electric Utilities	14-004840 Well #1		\$104.08
Invoice				

Payments

Current Period: May 2023

Cash Payment Invoice	E 101-42260-381 Electric Utilities	14-004841 Fire Siren	\$7.53
Cash Payment Invoice	E 101-41000-381 Electric Utilities	14-004843 City/Fire Hall	\$89.67
Cash Payment Invoice	E 101-42153-381 Electric Utilities	14-004843 City/Fire Hall	\$19.21
Cash Payment Invoice	E 101-42260-381 Electric Utilities	14-004843 City/Fire Hall	\$19.21
Cash Payment Invoice	E 602-49450-381 Electric Utilities	14-004844 321 Lift Sation	\$89.24
Cash Payment Invoice	E 101-45000-381 Electric Utilities	14-005010 Bdwy Museum	\$18.24
Cash Payment Invoice	E 101-41000-100 Wages and Salaries (GE	14-005159 Shop	\$112.20
Cash Payment Invoice	E 101-45000-381 Electric Utilities	14-005159 Shop	\$56.10
Cash Payment Invoice	E 601-49400-381 Electric Utilities	14-005159 Shop	\$33.65
Cash Payment Invoice	E 602-49450-381 Electric Utilities	14-005159 Shop	\$22.44
Cash Payment Invoice	E 101-45000-381 Electric Utilities	14-010558 796 W Bdwy SB Cabin	\$15.81
Cash Payment Invoice	E 101-42260-381 Electric Utilities	14-020839 Fire Hall	\$150.70
Cash Payment Invoice	E 211-45500-381 Electric Utilities	14-023343 Library	\$289.44
Cash Payment Invoice	E 101-45000-381 Electric Utilities	14-034884 Backus Field	\$16.58
Cash Payment Invoice	E 101-45000-381 Electric Utilities	14-036446 Backus Field	\$16.68
Cash Payment Invoice	E 101-45000-381 Electric Utilities	14-040532 Hwy 28 Shelter	\$16.51
Transaction Date	5/18/2023	PRAIRIE SUN BANK 10100	<b>Total</b> \$3,132.06

Fund Summary

	10100 PRAIRIE SUN BANK	
101 GENERAL FUND		\$10,569.72
211 LIBRARY		\$973.59
601 WATER FUND		\$471.39
602 SEWER FUND		\$658.65
603 REFUSE (GARBAGE) FUND		\$4,059.00
		<u>\$16,732.35</u>

Pre-Written Checks	\$16,732.35
Checks to be Generated by the Computer	\$0.00
<b>Total</b>	<u>\$16,732.35</u>

WEST CENTRAL MINNESOTA EMS CORPORATION  
2308 SOUTH BROADWAY UNIT 1, PO BOX 516, ALEXANDRIA, MN 56308  
(320) 762-1881 OR 1-800-367-6466  
E-mail: [wcmnems@gctel.com](mailto:wcmnems@gctel.com)

Date: May 5, 2023  
To: Ambulance Services in the WC MN EMS Region  
From: West Central MN EMS Corporation  
Re: Special Communication Grant

West Central MN EMS is offering a Communication Grant to your Ambulance Service for the purpose of upgrading or improving the communication system in your area.

1. A matching grant is available to ambulance services within the West Central MN EMS Region.
2. Portable Radios, Pagers, Repair of Radios and Pagers, Batteries, and Mic's will be allowed with this grant.
3. The co-purchase of communication equipment will be limited up to 50% of the total bill with West Central MN EMS Corporation's share not exceeding \$1,000.

Example: Portable Radio, Pagers, Batteries	\$2,000.
or Repairs. WCMN EMS share	
would be 50% up to \$ 1,000.	\$1,000.

YOUR SHARE	\$1,000.
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4. West Central MN EMS will issue a check upon proof of purchase. You must send in a copy of a "paid invoice" with the date ordered and type of communication equipment purchased/repared. All paperwork must be arrive to this office no later than June 15, 2023.
5. Purchases, repairs prior to May 5, 2021 and after June 15, 2023 will not be allowed!
6. \* **Do NOT wait to order your/repair your communication equipment. THIS IS A SPECIALGRANT THAT NEEDS IMMEDIATE ACTION. YOU NEED TO HAVE PURCHASED, RECEIVED, PAID, AND PROVIDED WEST CENTRAL MN EMS WITH THE APPROPRIATE PAPERWORK POSTMARKED, FAXED, OR DELIVERED NO LATER THAN JUNE 15, 2023.**
7. Please email if you have questions [wcmnmes@gctel.com](mailto:wcmnmes@gctel.com)

*(Funding for this communication grant is made possible through a special grant from the EMSRB and the efforts of the WC MN EMS Board of Directors)*



**ESTABLISHMENT OF ORDINANCE SECTION 92.25  
AN ORDINANCE DEALING WITH ABATEMENT PROCEDURES  
FOR PUBLIC NUISANCES WITHIN THE CITY OF BROWNS VALLEY**

Findings.

1. There have been several complaints regarding the accumulation of junk and trash on resident's properties within the City of Browns Valley, which constitute a nuisance to the public.
2. The existing Ordinance does not contain civil abatement provisions to deal with junk and/or unlicensed vehicles that would allow the needed abatements to occur in a more timely manner.
3. The Browns Valley City Council believes that it is in the best interests of the residents of the City of Browns Valley to establish an Ordinance provision to civilly abate the accumulation of junk and trash on resident's properties.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BROWNS VALLEY ORDAINS AS FOLLOWS:**

1. That Browns Valley City Ordinance Section 92.25 is hereby established to read as follows:

**“92.25 ABATEMENT OF PUBLIC NUISANCES.** In addition to criminal prosecution, any violation of a provision of Sections 92.15 through 92.18 may be abated by using the provision of Sections 92.39 through 92.43 below.”

PASSED AND ADOPTED this 22nd day of May, 2023.

BROWNS VALLEY CITY COUNCIL

\_\_\_\_\_  
Mike Heck, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Hook-Hansen, City Administrator

**AMENDMENT TO ORDINANCE SECTION 90.01  
AN ORDINANCE DEALING WITH THE DISPOSITION OF  
ABANDONED PROPERTY WITHIN THE CITY OF BROWNS VALLEY**

Findings.

1. The City of Browns Valley has an Ordinance section dealing with the disposition of abandoned property.
2. The Ordinance makes no difference between abandoned personal property that has value and able to be sold and abandoned personal property that is considered “junk” and not able to be sold, pursuant to the Ordinance.
3. Therefore the Browns Valley City Council believes that it is in the best interests of the City to be able to distinguish between valuable and valueless abandoned personal property, in order to avoid the timely and costly provisions of the existing Ordinance section.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BROWNS VALLEY ORDAINS  
AS FOLLOWS:**

1. That Browns Valley City Ordinance Section 90.01 is hereby amended to add the following provision:

“(F) *Exception.* The provisions of this section shall not apply to abandoned personal property that, in the estimation of the Browns Valley City Council, is considered to be junk or otherwise worthless in value.”

PASSED AND ADOPTED this 22nd day of May, 2023.

BROWNS VALLEY CITY COUNCIL

\_\_\_\_\_  
Mike Heck, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Hook-Hansen, City Administrator

**AMENDMENT TO ORDINANCE SECTION 90.18(C)  
AN ORDINANCE DEALING WITH ABATEMENT PROCEDURES  
FOR JUNK VEHICLES WITHIN THE CITY OF BROWNS VALLEY**

Findings.

1. There have been several complaints regarding the storage of junk and/or unlicensed vehicles on properties within the City of Browns Valley, which constitute a nuisance to the public.
2. The existing Ordinance does not contain adequate provisions to deal with junk and/or unlicensed vehicles that would allow the needed abatements to occur in a more timely manner.
3. The Browns Valley City Council believes that it is in the best interests of the residents of the City of Browns Valley to amend the existing Ordinance dealing with junk vehicles in order to allow better abatement procedures.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BROWNS VALLEY ORDAINS AS FOLLOWS:**

1. That Browns Valley City Ordinance Section 90.18(C) is hereby amended to add the following provision:

“(C) If the abandoned or junk vehicle has not removed by the expiration of the abatement period, a public hearing shall be held before the City Council for confirmation that a violation of this Section has occurred. Notice of the public hearing shall be personally served upon the property owner and occupant, as well as published at once in the official newspaper. If the property owner or occupant cannot be located, then service may be accomplished by certified mail. After the public hearing, if the City Council determines that violation of this Section has occurred, it may direct the removal of the abandoned or junk vehicle from the property. The cost of removal by the City shall be calculated and shall be certified to the County Auditor who shall levy said costs as a special assessment against the property from which removed.”

PASSED AND ADOPTED this 22nd day of May, 2023.

BROWNS VALLEY CITY COUNCIL

\_\_\_\_\_  
Mike Heck, Mayor

ATTEST:

\_\_\_\_\_  
Jodi Hook-Hansen, City Administrator

CITY OF BROWNS VALLEY



19 3RD Street South · Browns Valley, MN 56219 · Phone 320-695-2110 · Fax 320-695-2127

TRANSIENT MERCHANT LICENSE APPLICATION

Fee is \$15.00 per day or \$300.00 per year for Transient Merchant Licenses.

A two (2) year Non-revocable \$1,000 Surety Bond payable to the City of Browns Valley or Certificate of Liability Insurance for Mobile Food Units

\*\*License expires on December 31<sup>st</sup> of the year in which license was granted.

Application Type:  New  Renewal Permit Number: \_\_\_\_\_

This license is for the following dates: \_\_\_\_\_, 20\_\_ to \_\_\_\_\_, 20\_\_.

License may not be sold, transferred or assigned except by the City Council.

I/We do hereby apply for a City License to conduct the business of (circle one) Transient Merchant, Hawker, Peddler, Runner, Solicitor, Canvasser, whose business is \_\_\_\_\_
Type of Product Being sold (Inventory list to be attached.) add (and location)
Name, Date of Birth, Social Security No., and Sex of Individual Applicant(s) (attach additional sheet if needed):
Name of Corporation, LLC, etc and State of Incorporation (Need to be registered with State of MN):
Permanent Business Address (PO Box not acceptable) City State Zip
Business Mailing Address (PO Box acceptable)
Business Phone: Cell Phone: Email:
Name and home address for the previous two years of the person(s) owning the business: (Attach sheet for additional owners) OWNERS NAME, AGE, & SEX ADDRESS (City, State, Zip Code)
Name, Age, Sex, home address, and home and cell telephone number of each employee or agent who will engage in business activities in Browns Valley, on behalf of your company: (Attach sheet for additional employees) NAME ADDRESS (City, State, Zip Code) PHONE NO.

Furnish a current photograph of each owner, agent, or employee who will be conducting business in Browns Valley, MN. The photographs will become a part of this application. (Recognizable copy of driver's license will suffice in place of a photograph).

Vehicle(s) to be used: Make, Model, Year, License Plate Number: (Attach sheet for additional vehicles)

**Qualifications of Applicant/Owner/Agents (Please circle appropriate answer.)**

Yes	No	Are you of Good Moral Character (Criminal History, License History, General Personal History)?
Yes	No	Do employees wear company uniform?
<u>Do you have.....</u>		
Yes	No	Any Felony Convictions
Yes	No	Any offenses involving the manufacture, sale, distribution or possession for sale or distribution of alcoholic beverages on your criminal record
Yes	No	Any offenses involving the sale of drugs or felony possession of drugs on your criminal record
Yes	No	Any other offenses determined by the City Council to have a direct bearing on your ability to serve the public
Yes	No	Two or more convictions for driving or being in actual physical control of a motor vehicle while under the influence of intoxicating beverages or drugs
<u>Have you ever been charged with or found guilty of?</u>		
Yes	No	Prostitution
Yes	No	Obscenity

I certify that: the information in this application is true, correct, and complete to the best of my knowledge; a disclosure statement is not required; and, that if this permit is approved, I will comply with the City of Browns Valley ordinances, laws and rules, the conditions noted above.

It is hereby expressly understood that the City of Browns Valley will not be liable for refunds or rebates of any part or portion of the license fee paid in any case whatsoever. The applicant hereby agrees to conform to the provisions of the laws of the State of Minnesota; the City of Browns Valley assumes no responsibility whatsoever in cases where the equipment or apparatus of the license is in violation of State Law and seizure or confiscation or removal is ordered by other law enforcement agencies. The applicant will provide a copy of their current MN Sales Tax & Use Permit by Tax Commissioner and Mobile Food Unit by MN Department of Health (If selling food products).

\_\_\_\_\_  
Signature of person submitting application

**(For City Office Use Only)**

\_\_\_\_\_ Copy of Driver's License                      \_\_\_\_\_ MN Transient Merchant License or Mobile Food Unit License  
 \_\_\_\_\_ MN Sales & Use Tax Permit                      \_\_\_\_\_ Surety Bond/or Certificate of Liability Insurance  
 Fee Received \$ \_\_\_\_\_  
 Date License Received: \_\_\_\_\_  
 Date License Issued \_\_\_\_\_                      Date Application Denied \_\_\_\_\_  
 Reason for Denial \_\_\_\_\_  
 Police Chief Approval    Yes    No    Date Approval Received \_\_\_\_\_  
 If denied, reason for denial \_\_\_\_\_

For Definitions reference: Transient Merchant: Chapter 113.01 ✓

**License to be carried by licensees and exhibited on demand.**

State of MN Minn. Stat. § 329.11 Applicant must meet the qualifications for a state license pursuant to Minn. Stat. § 329.10 - License Required.

**Ordinance Section 113 General Penalty**

*Violation of any of the terms or provisions of this article for which another penalty is not expressly provided shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00) or imprisonment not to exceed Thirty (30) days, or both such fine and imprisonment. Each day any violation of this article continues or is permitted to continue shall be deemed a separate offense. Each such violation shall constitute a separate offense.*

**329.11 LICENSE APPLICATION REQUIREMENTS.**

Any transient merchant desiring to engage in, do, or transact business by auction or otherwise, in any county in this state shall file an application for a license for that purpose with the auditor of the county in which the desired business is to be conducted, which application shall state the name of the applicant, the proposed place of business, the kind of business proposed to be conducted, and the length of time desired to do business. Such transient merchant shall pay to the treasurer of such county a license fee of \$150, and shall give bond to the county in an amount to be determined by the county treasurer, which shall be not less than \$1,000 nor more than \$3,000. The bond shall be approved by the treasurer and be conditioned that the merchant will in all things conform to the laws relating to transient merchants and further conditioned on full compliance with all material oral or written statements and representations made by the seller, the seller's agents, representatives, or auctioneers with reference to merchandise sold or offered for sale and on faithful performance under all warranties made with reference thereto. The treasurer of such county shall issue to such person receipts therefor, and such transient merchant shall thereupon file such receipts with the auditor of such county, who shall thereupon issue to such transient merchant a license to do business as such at the place described in the application; and the kind of business to be done shall be described therein. No license shall be good for more than one person unless such person shall be a member of a copartnership, nor for more than one place, and shall not be good outside of the county in which it was issued. Such license shall be good for a period of one year from the date of its issuance. The auditor shall keep a record of such licenses in a book provided for that purpose, which shall at all times be open for public inspection. No license shall be issued unless the merchant produces evidence that the merchant is the holder of a valid seller's permit issued under section 297A.83, or a written statement from the merchant that the merchant is not offering for sale any item that is taxable under chapter 297A.

The application shall further contain the applicant's residence and business address for the prior two-year period; the type of business engaged in during the previous two years; and the name and address of the auctioneer who will conduct the sale. No such sale shall be conducted in the name of any person other than the bona fide owner of the merchandise.

The applicant shall attach to the application an itemized list of merchandise to be offered for sale reciting as to each item a description thereof including serial number if any, the owner's actual cost thereof, and a designation by number corresponding with a number to be affixed to each item by a tag which shall be kept fastened to the item at all times until sold.

Prior to the issuance of the license and approval of bond, the applicant shall in writing appoint the county auditor as the applicant's agent to accept service of process in any action commenced against the applicant arising out of the sale for which the license is sought. Such action shall be brought in the county where the sale was held.

**History:** (7338) 1911 c 39 s 2; 1953 c 271 s 1; 1986 c 444; 1988 c 719 art 10 s 19; 2000 c 418 art 1 s 44

**329.10 LICENSE REQUIRED.**

It shall be unlawful for any transient merchant to engage in, do, or transact any business as such without first having obtained a license as hereinafter provided.

**History:** (7337) 1911 c 39 s 1